BOROUGH OF CLIFFSIDE PARK
BERGEN COUNTY, NEW JERSEY

MINUTES OF THE REGULAR MEETING
NOVEMBER 1, 2016

CALL TO ORDER AT 7:00 P.M.

FLAG SALUTE LED BY MAYOR THOMAS CALABRESE

PRESENT AT ROLL CALL:

Mayor	Thomas Calabrese
Councilwoman	Donna Spoto
Councilman	Bernie Fontana
Councilwoman	Dana Martinotti
Councilman	Kenneth Corcoran
Councilman	Peter Colao

ABSENT AT ROLL CALL:

On a motion by Councilman Corcoran, seconded by Councilwoman Martinotti, Councilman Bongard was given an excused absence.

ROLL CALL:
AYES: Spoto, Fontana, Martinotti, Corcoran, Colao. ABSENT: Bongard.

SERCAN ZOKLU STATED:

THIS IS A REGULAR MEETING OF THE MAYOR AND COUNCIL, AND NOTICE WAS GIVEN AS FOLLOWS:

1. NOTICE PUBLISHED JANUARY 8, 2016 WITH THE RECORD, AND JANUARY 11, 2016 WITH THE JERSEY JOURNAL, BOTH OFFICIAL NEWSPAPERS OF THE BOROUGH.
2. POSTING OF NOTICE ON THE BULLETIN BOARD.
3. PRESERVING A COPY IN THE CLERK'S OFFICE.

A MOMENT OF SILENCE WAS OBSERVED FOR COUNCILMEN PAUL ELIA AND GEORGE BARBIERI

PRESENTATIONS: CERTIFICATES OF APPRECIATION WERE GIVEN TO ALL PARTICIPANTS OF THE CLIFFSIDE PARK 9/11 CEREMONY

MINUTES:

On a motion by Councilman Corcoran, seconded by Councilman Colao, the minutes of the Closed Executive Session Meeting of October 4, 2016 were accepted.

ROLL CALL:
AYES: Fontana, Martinotti, Corcoran, Colao. ABSENT: Bongard.
ABSTAIN: Spoto.

On a motion by Councilman Corcoran, seconded by Councilman Colao, the minutes of the Caucus Meeting of October 4, 2016 were accepted.

ROLL CALL:
AYES: Fontana, Martinotti, Corcoran, Colao. ABSENT: Bongard.
ABSTAIN: Spoto.

On a motion by Councilman Corcoran seconded by Councilman Colao, the minutes of the Regular Meeting of October 4, 2016 were accepted.

ROLL CALL:
AYES: Fontana, Martinotti, Corcoran, Colao. ABSENT: Bongard.
ABSTAIN: Spoto.

CONSENT AGENDA:

On a motion by Councilwoman Spoto, seconded by Councilman Corcoran, the claims were ordered paid.

ROLL CALL:
AYES: Spoto, Fontana, Martinotti, Corcoran, Colao. ABSENT: Bongard.

RESOLUTIONS:

On a motion by Councilwoman Spoto, seconded by Councilman Corcoran, Resolutions 2016-228 to 2016-250 were offered for adoption:

ROLL CALL
AYES: Spoto, Fontana, Martinotti, Corcoran, Colao. ABSENT: Bongard.

RESOLUTION 2016-228

WHEREAS, CERTAIN TAXPAYERS APPLIED FOR STATE BOARD JUDGMENTS ON THEIR 2015 AND PRIOR TAXES; AND

WHEREAS, THE GRANTING OF SAID REDUCTIONS RESULTED IN OVERPAYMENTS ON THEIR 2015 AND PRIOR TAXES; AND

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK, THAT THE PROPER FINANCIAL OFFICER BE, AND HE IS HEREBY AUTHORIZED TO ISSUE CHECKS AS REFUNDS ON THEIR 2015 AND PRIOR TAXES IN ACCORDANCE WITH THE SCHEDULES WHICH ARE ON FILE IN THE OFFICE OF THE TAX COLLECTOR.

RESOLUTION 2016-229

BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK, THAT CERTAIN TAXPAYERS HAVE MADE DUPLICATE 2015 TAX PAYMENTS ON PROPERTY WHICH IS ON FILE IN THE TAX COLLECTORS OFFICE, RESULTED IN OVERPAYMENTS; AND

THEREFORE, BE IT FURTHER RESOLVED THAT THE PROPER FINANCIAL OFFICER BE, AND HE IS HEREBY AUTHORIZED TO ISSUE AND SIGN WARRANTS TO THE RESPECTIVE TAXPAYERS; AND

BE IT FURTHER RESOLVED THAT THE ABOVE CHECKS BE DRAWN ON THE CURRENT ACCOUNT BANK OF NEW JERSEY.

RESOLIUTION 2016-230

BE IT RESOLVED THAT THE FOLLOWING CLAIM BE PAID, THE SAME HAVING BEEN AUDITED AND APPROVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK FOR SUBMISSION TO THE BERGEN COUNTY OPEN SPACE PROGRAM.

BERGEN COUNTY VOUCHER #243054

MUNICIPAL APPROVAL
VENDOR: REGGIO CONSTRUCTION INC.
PURPOSE: STREETSCAPE PHASE 2
AMOUNT: $58,635.00
BE IT FURTHER RESOLVED THAT THE CHIEF FINANCIAL OFFICER, FRANK BERARDO, BE AUTHORIZED TO SIGN THE BERGEN COUNTY VOUCHER FOR PAYMENT OF SAID CLAIM.

RESOLUTION 2016-231

WHEREAS, the Cliffside Park Police Department has received a request from **Patrick Tatulli** of **218 Greenmount Avenue** for a handicapped parking space in front of the residence. **Patrick Tatulli** has been issued Permanent Handicap Place Card **P1567754** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	**Side:**	**Location:**
Greenmount Avenue	South	Beginning at a point approximately 85 feet east of the southeast curb line of Greenmount Ave and Kearney Ave and continuing to a point 22 feet easterly thereof

RESOLUTION 2016-232

WHEREAS, the Cliffside Park Police Department has received a request from **Lisa Zarcone** of **234 Division Street** for a handicapped parking space in front of the residence. **Lisa Zarcone** has been issued Permanent Handicap Place Card **P1389184** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	**Side:**	**Location:**
Division Avenue	South	Beginning at a point approximately 154 feet west of the southwest curb line of Railroad Avenue and Division Street and continuing to a point 22 feet westerly thereof

RESOLUTION 2016-233

WHEREAS, the Cliffside Park Police Department has received a request from **Marina Yeginova** of **265 Knox Avenue, Apt. 2B** for a handicapped parking space in front of the residence. **Marina Yeginova** has been issued Permanent Handicap Place Card **P1482689** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	**Side:**	**Location:**
Knox Avenue	North	Beginning at a point approximately 157 feet east of the northeast curb line of Knox Avenue and Carline Avenue and continuing to a point 22 feet easterly thereof

RESOLUTION 2016-234

WHEREAS, the Cliffside Park Police Department has received a request from **Korado Lekic** of **402 Anderson Avenue, Apt. 3** for a handicapped parking space in front of the residence. **Korado Lekic** has been issued Permanent Handicap Place Card **P1632296** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	**Side:**	**Location:**
Park Avenue	North	Beginning at a point approximately 52 feet north of the northeast curb line of Anderson Avenue and Park Avenue and continuing to a point 22 feet easterly thereof

RESOLUTION 2016-235

WHEREAS, the Cliffside Park Police Department has received a request from **Carol S. Palmieri** of **434 Lincoln Avenue** for a handicapped parking space in front of the residence. **Carol S. Palmieri** has been issued Permanent Handicap Place Card **P1008796** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	**Side:**	**Location:**
Lincoln Avenue	South	Beginning at a point approximately 25 feet north of the southeast curb line of Grove Avenue and Lincoln Avenue and continuing to a point 22 feet easterly thereof

RESOLUTION 2016-236

WHEREAS, the Cliffside Park Police Department has received a request from **Luigi Mancini** of **548 Dewey Avenue** for a handicapped parking space in front of the residence. **Luigi Mancini** has been issued Permanent Handicap Place Card **P1612096** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	**Side:**	**Location:**
Dewey Avenue	East	Beginning at a point approximately 164 feet north of the northeast curb line Greenmount Avenue and Dewey Avenue and continuing to a point 22 feet north thereof

RESOLUTION 2016-237

WHEREAS, the Cliffside Park Police Department has received a request from **Kathleen F. Mason** of **549 Oregon Avenue** for a handicapped parking space in front of the residence. **Kathleen F. Mason** has been issued Permanent Handicap Place Card **P1375146** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	**Side:**	**Location:**
Oregon Avenue	West	Beginning at a point approximately 168 feet north of the northwest curb line of Greenmount Ave and Oregon Ave and continuing to a point 22 feet north thereof

RESOLUTION 2016-238

WHEREAS, the Cliffside Park Police Department has received a request from **Pilar Munoz** of **558 Dewey Avenue** for a handicapped parking space in front of the residence. **Pilar Munoz** has been issued Permanent Handicap Place Card **P1497736** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	**Side:**	**Location:**
Dewey Avenue	East	Beginning at a point approximately 230 feet north of the northeast curb line of Greenmount Ave and Dewey Ave and continuing to a point 22 feet north thereof

RESOLUTION 2016-239

WHEREAS, the Cliffside Park Police Department has received a request from **Diane Haywood** of **670 Palisade Avenue, Apt. 3** for a handicapped parking space in front of the residence. **Diane Haywood** has been issued Permanent Handicap Place Card **P1395750** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	**Side:**	**Location:**
Palisade Avenue	East	Beginning at a point approximately 69 feet north of the northeast curb line of Palisade Avenue and Columbia Avenue and continuing to a point 22 feet north thereof

RESOLUTION 2016-240

WHEREAS, Guilherme Oliviera has requested a six (6) month medical leave of absence starting November 1, 2016 to April 30, 2017; and

WHEREAS, the Mayor and Council have determined that he qualifies for such medical leave in accordance with our policy; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that Guilherme Oliviera is approved for the medical leave of absence with the employee paying for medical benefits in accordance with Borough policy; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Joseph Rutch, Borough Administrator
2. Frank Berardo, Chief Financial Officer
4. Guilherme Oliviera
5. Personnel File

RESOLUTION 2016-241

WHEREAS, the Bergen County Aggregate Energy Procurement Cooperative Pricing System (hereinafter referred to as #206BCPS) will from time to time during the Effective Period as defined below solicit bids for natural gas and/or electricity supply service through an energy aggregation program in which the County of Bergen will act as Lead Agency of the #206BCPS in accordance with the "Local Public Contracts Law," N.J.S.A.40A:ll-11, and the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49. ("EDECA") and the regulations promulgated thereunder; and

WHEREAS, the Borough of Cliffside Park wishes to join the #206BCPS to become a Participating Member, and become eligible thereby to obtain natural gas and/or electricity supply services for its own use through one or more contracts to be awarded to natural gas or electricity suppliers following said bids for natural gas or electricity supply services pursuant to the aggregation program; and

WHEREAS, the County of Bergen as the Lead Agency for the #206BCPS, will from time to time during the Effective Period (from date of adoption until the expiration of the Cooperative Pricing system, hereinafter referred to as "Effective Period") issue one or more Requests for Bids for natural gas or electricity supply services on behalf of the #206BCPS pursuant to the Local Public Contracts Law and EDECA; and

WHEREAS, by joining the #206BCPS, the Borough of Cliffside Park agrees to purchase all natural gas and/or electricity needed for its own use during the Effective Period through any electricity or natural gas supplier(s) awarded a contract, unless it opts in or out prior to the beginning of a new supply contract in accordance with the terms of the Cooperative Pricing Agreement annexed hereto, it being understood that the Lead Agency shall be responsible for compliance with the provisions of Local Public Contracts Law; and

WHEREAS, due to significant volatility and the potential for price increases in the

electricity generation and wholesale natural gas market, Participating Members will preauthorize the Lead Agency to award contracts for electricity supply and/or Natural Gas Service in each bid group to one or more natural gas or electricity suppliers that submit bids which are reasonably forecasted to provide a pre-determined estimated savings to the Participating Member based upon its previous natural gas usage and utility-provided Basic Generation Service rates; and

WHEREAS, the Lead Agency will only award contracts for said natural gas or electricity services to natural gas or electricity suppliers that submit bids with pricing that is at least 5% lower than the average price for utility-provided basic generation service;

WHEREAS, the Lead Agency will notify the Department of Community Affairs' Division of Local Government Services by mail prior to the issuance a Request for Bids for natural gas or electricity supply services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids,

WHEREAS, earlier this year, the #206BCPS carried out a procurement for electricity supply service, resulting in 2-year fixed rate for those members of the #206BCPS that opted to participate; and

WHEREAS, the #206BCPS has begun a new procurement for natural gas supply service; and

WHEREAS, by adopting this resolution, the Borough of Cliffside Park agrees to join the #206BCPS; and

WHEREAS, by adopting this resolution, the Borough of Cliffside Park elects to **opt in** to the current procurement for natural gas supply service; and

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Cliffside Park, New Jersey, that:

1. The annexed Cooperative Pricing System Agreement is hereby authorized and approved, and the Mayor, Manager, or other authorized official of the Borough of Cliffside Park is authorized to execute same.

2. The Borough of Cliffside Park hereby **opts in** to the current procurement for natural gas supply, and binds itself to the #206BCPS to purchase all natural gas needed for its own use during the Effective Period from the natural gas supplier or suppliers awarded a contract for natural gas supply services by the Lead Agency.

3. The Lead Agency of the #206BCPS is hereby authorized to award one or more contracts, and execute one or more a master performance agreements that obligates the Borough of Cliffside Park to purchase natural gas at the terms and conditions stated therein with a third-party supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the participating members of the #206BCPS (or any CPS number to be assigned in the future), provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the Borough of Cliffside Park of at least five percent (5%) relative to the price charged for basic generation service by the public utility company that would otherwise provide such service.

4. #206BCPS is authorized to continue to bid to obtain natural gas supply services at any time during the Effective Period, including - for example - a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and

5. This Resolution shall take effect immediately upon passage.

6. The authorization provided to the County of Bergen pursuant to the Local Public Contracts Laws (N.J.S.A. 40A:11-11(5), Administrative Code (N.J.A.C. 5:34-7.1) shall be valid until the Cooperative Pricing System expires. Any rescission or expiration of this resolution shall not affect any Agreements entered into prior to such rescission or expiration.

RESOLUTION 2016-242

WHEREAS, Alphonse Martone, the Department Head of the Cliffside Park Department of Public Works, pursuant to the direction of the Borough Council, was to examine the Municipal Department of Public Works fleet; and

WHEREAS, it was determined that the broom street sweeper with belt conveyor is in poor condition and the cost to repair the truck is not cost effective for the well-being of the Borough; and

WHEREAS, the Borough Clerk published public bids for a new broom street sweeper with belt conveyor; and

WHEREAS, the following bid, inclusive of vehicle trade-in, was received:

W.E. Timmerman Co., Inc.
3554 Route 22 West, PO Box 71
Whitehouse, NJ 08888
Amount: $212,850.00

NOW THEREFORE BE IT RESOLVED that the Borough of Cliffside Park does hereby award the new broom street sweeper with belt conveyor bid to W.E. Timmerman Co., Inc. for the amount of $212,850.00 inclusive of vehicle trade-in or allowance; and

BE IT FURTHER RESOLVED that Borough Administrator Joseph Rutch is hereby authorized to sign a contract for the purchase of the vehicle, subject to Borough Attorney approving the form of contract; and

BE IT FURTHER RESOLVED that a certified to be true copy of this Resolution be tendered to the successful bidder W.E. Timmerman Co., Inc. and CFO Frank Berardo.

RESOLUTION 2016-243

WHEREAS, Ordinance 2010-3 requires that property owners maintain their respective premises from overgrown grass, weeds, shrubbery and/or debris; and

WHEREAS, the Ordinance has determined that failure to comply with the Property Maintenance requirements, affects the health, safety and welfare of residents of the Borough, its visitors and municipal employees; and

WHEREAS, according to N.J.S.A.40:65-12 and 40:48-12.2(7), Council authorized Ordinance 2010-3, permitting the Borough to cut overgrown grass, weeds, shrubbery and/or debris removal at the cost of the property owner; and

WHEREAS, Frank Poerio and/or Greg Yfantis, Municipal Property Maintenance Officials, issued the notice to the following property owners in violation of the ordinance:

US Bank Trust NA Trste $500.00
13801 Wireless Way
Oklahoma City, OK 73134

WHEREAS, in order to maintain the health, safety and welfare of the Municipality, the Borough has incurred maintenance costs in the afore described respective amounts; and

WHEREAS, the Borough retained Onorato Landscaping LLC to undertake the emergency maintenance of the afore described properties; and

NOW THEREFORE BE IT RESOLVED pursuant to Ordinance 2010-3, the Council does hereby authorize the payment to Onorato Landscaping LLC in the amount of $500.00, and directs the Tax Collector Frank Berardo to issue and file municipal liens against all properties described herein; and

BE IT FURTHER RESOLVED that a certified to be true copy of this resolution be tendered to all property owners as follows:

US Bank Trust NA Trste $500.00
13801 Wireless Way
Oklahoma City, OK 73134

RESOLUTION 2016-244

WHEREAS, Annette Almond has been employed with the Borough for over 25 consecutive years; and

WHEREAS, Annette Almond, during her tenure, has accumulated sick time throughout the 25 years and 9 months period of service, as more fully described in the CFO's memorandum attached hereto; and

WHEREAS, pursuant to Resolution 56-2000, Borough Employees are entitled to receive one half of all unused sick time in the amount of $20,000.00, plus the repayment of all accrued vacation; and

BE IT FURTHER RESOLVED, that Annette Almond has petitioned the Council, and the Council has agreed to accept October 31, 2016 as the last day of employment with retirement commencing on November 1, 2016; and

THEREFORE, BE IT RESOLVED, this Council does hereby accept the retirement calculations prepared by Borough CFO Frank Berardo, and does hereby authorize the payments to Annette Almond as more fully described in the CFO's memorandum; and

BE IT FURTHER RESOLVED a certified to be true copy of this Resolution be tendered to Annette Almond, Frank Berardo, CFO, and Joseph Rutch, Borough Administrator.

RESOUTION 2016-245

WHEREAS, the Borough of Cliffside Park will bring together surplus vehicles and other equipment for an online municipal auction to be held beginning at 9:00 AM on Wednesday, December 7, 2016 and ending at 6:00 PM on Wednesday, December 14, 2016; and

WHEREAS, Stephan J. Miranti, US Gov Bid / Auction Liquidation Services, P.O. Box 1216, Eatontown, NJ will conduct the auction on their website located at www.usgovbid.com for a commission rate of 5.5% of the gross selling price; and

WHEREAS, Local Public Contracts Law N.J.S.A. 40A:11-36 requires the authorization of the sale of said property via adoption of a resolution; and

WHEREAS, the estimated fair market value of the property to be sold does exceed 15% of the bid threshold; and

WHEREAS, the below list of vehicles for sale will be published in **The Record** not less than 7 nor more than 14 days after the latest publication of the notice thereof; and

1. 1989 Ford Mustang Vin: 1FABP40A2KF311696 Mileage: Unknown
2. 2005 Ford Explorer Vin: 1FMZU73E45UB47123 Mileage: Unknown
3. 2005 Chevrolet Silverado 1500 Vin: 1GCEC14X65Z344509 Mileage: Unknown
4. 2002 Nissan 4 Door Vin: 1N4BL11E82C168329 Mileage: Unknown
5. 1996 Case Payloader Vin: JEE0051924

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the Borough be authorized to dispose the following vehicles and equipment through the process of an online auction to be held beginning at 9:00 AM on Wednesday, December 7, 2016 and ending at 6:00 PM on Wednesday, December 14, 2016 on the website located at www.usgovbid.com; and

BE IT FURTHER RESOLVED that these vehicles and equipment are being sold in as is condition and without warranty of any kind; and

BE IT FURTHER RESOLVED that the Administrator and/or Borough Clerk is authorized to execute the contract of Auction Liquidation Services for the Borough of Cliffside Park.

RESOLUTION 2016-246

WHEREAS, there is a need for additional inspection hours to carry the workload in the Building Department with regard to plumbing and electrical inspections; and

WHEREAS, said work load has increased due to the need for inspections at the Towne Centre project and DMG Park, LLC (Adolphus Avenue project); and

WHEREAS, the Construction Official and Borough Administrator recommend an additional three (3) hours per week be approved for plumbing inspections and an additional six (6) hours per week for electrical inspections; and

NOW, THEREFORE, BE IT RESOLVED, the Governing Body hereby approves the following individuals and rates:

Marc Rubin	Electrical sub-code inspections	6 hours per week	$30.17 per hour
Mike Quercia	Plumbing sub-code inspections	3 hours per week	$30.17 per hour

RESOLUTION 2016-247

WHEREAS, an application has been submitted by the Cliffside Park High School PTSO as follows:

Conduct Calendar Raffle as permitted under State Statute from
January 1, 2017 to March 1, 2017

WHEREAS, all requirements have been met, therefore, said applications are in order for approval by the Mayor and Council of the Borough of Cliffside Park.

RESOLUTION 2016-248

WHEREAS, the Borough Administrator does hereby recommend and requests that the Council appoint Greg Yfantis as Assistant Construction Official with an annual compensation in the range of $9,000-$12,000.

NOW THEREFORE BE IT RESOLVED that the Council does hereby amend the Salary Ordinance, titles and compensation range as noted herein; and

BE IT FURTHER RESOLVED that the Council does hereby appointment Greg Yfantis as Assistant Construction Official; and

BE IT FURTHER RESOLVED that a certified to be true copy of this Resolution be tendered to Borough Administrator Joseph Rutch and CFO Frank Berardo.

RESOLUTION 2016-249

WHEREAS, the Mayor and Council of the Borough of Cliffside Park wishes to enter into a Grant Agreement with the County of Bergen for the purpose of using a $165,500 grant award from the Community Development Block Grant funds for the Palisade Avenue Streetscape Phase II; and

THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorizes Thomas Calabrese, Mayor, to be a signatory to the aforesaid Grant Agreement Contract; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes Frank Berardo, Chief Financial Officer, to sign all County of Bergen vouchers submitted in conjunction with the aforesaid project; and

BE IT FURTHER RESOLVED that the Mayor and Council recognizes that the Borough of Cliffside Park is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

This Resolution was adopted by the Mayor and Council of the Borough of Cliffside Park at a meeting on November 1, 2016.

RESOLUTION 2016-250

BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the Borough Clerk is hereby authorized to advertise for Request For Qualifications pursuant to N.J.S.A. 19:44a-20.4 et. seq. for the following positions:

Borough Attorney
Borough Engineer
Special Projects Engineer
Bond Counsel
Municipal Auditor
Borough Insurance Consultant
Borough Worker's Compensation and Vehicular Insurance Consultant
Insurance Coverage for Municipal Volunteer Entities
Planning Board Attorney
Board of Adjustment Attorney
Borough Appraiser
Borough Planner
Planner for Board of Adjustment and Planning Board
Financial Software Provider
Affordable Housing Coordinator
Borough Communications Advisor
Rent Leveling Board Attorney
Borough Computer & Peripheral Maintenance Provider
Borough Architect
Special Conflicts Attorney
Borough Hearing Officers
Financial Advisor (SEC Compliance)
Counsel for Enforcement and Collection of Forfeited Bail Bonds Legal
Website Maintenance

Councilman Corcoran INTRODUCED AN ORDINANCE ENTITLED:

ORDINANCE 2016-09

Councilman Corcoran moved the ordinance be given its first reading. So ordered.

The Municipal Clerk read the said ordinance by title. Councilman Corcoran moved the ordinance be adopted on first reading and published and in The Record on November 4, 2016 and The Jersey Journal on November7, 2016. Motion was seconded by Councilman Colao.

The ordinance will be available to the public for inspection in the Clerk's Office and posted on the bulletin board.

The public hearing is to be held on December 6, 2016 in the Mayor and Council Chambers at 7:00 pm, at which time all persons wishing to be heard on the proposed ordinance will be heard.

The ordinance was approved at the first reading upon the call of the roll.

ROLL CALL:
AYES: Spoto, Fontana, Martinotti, Corcoran, Colao. ABSENT: Bongard.

ORDINANCE 2016-09

ORDINANCE AMENDING CHAPTER 18 OF THE GENERAL ORDINANCES OF THE BOROUGH OF CLIFFSIDE PARK

Councilman Corcoran INTRODUCED AN ORDINANCE ENTITLED:

ORDINANCE 2016-10

Councilman Corcoran moved the ordinance be given its first reading. So ordered.

The Municipal Clerk read the said ordinance by title. Councilman Corcoran moved the ordinance be adopted on first reading and published and in The Record on November 4, 2016 and The Jersey Journal on November 7, 2016. Motion was seconded by Councilman Colao.

The ordinance will be available to the public for inspection in the Clerk's Office and posted on the bulletin board.

The public hearing is to be held on December 6, 2016 in the Mayor and Council Chambers at 7:00 pm, at which time all persons wishing to be heard on the proposed ordinance will be heard.

The ordinance was approved at the first reading upon the call of the roll.

ROLL CALL:
AYES: Spoto, Fontana, Martinotti, Corcoran, Colao. ABSENT: Bongard.

ORDINANCE 2016-10

AN ORDINANCE AMENDING CHAPTER 27 OF THE GENERAL ORDINANCES OF THE BOROUGH OF CLIFFSIDE PARK

BE IT ORDAINED, that Chapter 27 of the General Ordinances of the Borough of Cliffside Park, specifically "Resident Permit Parking" be amended as follows;

The Council re-adopts the provisions of Chapter 27 except as amended as follows:

27-3 RESIDENTIAL APARTMENT.

Section b.4 - Existing provision deleted in its entirety.

Section c.3 - Leased Vehicles - Existing provision deleted in its entirety.

Replacement Language

3. Original and one copy of a valid New Jersey driver's license; the presented New Jersey driver's license must reflect an address

4. Either the insurance card or the lease documents must reflect an address in the Borough of Cliffside Park.

Section d.1 through 4 - Existing provisions deleted in their entirety

Replacement Language

d. Company owned vehicles. Resident parking permits will be issued to a bona fide Cliffside Park resident for use with a company owned vehicle, subject to the submission of the following documents:

1. (a) Original and one copy of a valid New Jersey driver's license; the presented New Jersey driver's license must reflect an address in the Borough of Cliffside Park; and

2. (b) Proof of ownership or legal tenancy in a residential dwelling unit

Borough of Cliffside Park; and

2. (b) Proof of ownership or legal tenancy in a residential dwelling unit located
in the Borough of Cliffside Park; and

3. Original and one copy of valid motor vehicle registration.

27-4 TEMPORARY PERMITS. Existing provisions deleted in their entirety.

27-5 VISITOR PARKING AND GUEST PERMITS.

Sections a through g. Existing provisions deleted in their entirety

Replacement Language

a. Upon request, each resident who is issued a residential parking permit is permitted to receive one guest parking placard.

b. Property owners who do not reside in the Borough of Cliffside Park will receive one guest pass upon providing proof of ownership of property located in the Borough of Cliffisde Park.

c. Guest parking placard shall expire on December 1st of the same year as the applicant's residential parking permit.

d. All guest parking placards shall be prominently displayed in the front's driver's windshield.

27.6 BUSINESS PERMITS. Existing provisions deleted in their entirety. Sub Article 6 intentionally left blank.

27-7 BOROUGH EMPLOYEES, STUDENTS THAT DO NOT RESIDE IN CLIFFSIDE PARK

Section 27-7.c - Existing provision deleted in its entirety.

Replacement Language

All non-resident/Borough employee permits shall be prominently displayed in the driver's side front windshield.

27-9 TERMS OF PERMITS.

Sections a through g. Existing provisions deleted in their entirety.

Replacement Language

a. Residential parking permit: Expires December 31st of each year of issue.

b. Guest parking permit: Expires December 31st of the same year as the applicant's residential parking permit.

c. Business parking permit: Expires December 31st of each year of issue.

d. Non-resident/Borough employee parking permit: Expires December 31st of each year of issue

27.11 FEES.

Section b through k. Existing provisions deleted in their entirety.

Replacement Language

b. Business parking permit per employee $5.00

c.	Non-resident/Borough employee parking permit	No Fee
d.	Guest parking permit	No Fee
e.	Permit replacement costs	$5.00
f.	A schedule of all fees set pursuant to this chapter shall be available for public inspection during business hours at the office of the Borough Clerk/Administrator	
g.	Fees shall be reviewed annually and may be amended by Council Resolution	

27-12 HOLIDAYS.

Section a through g. Existing provisions deleted in their entirety.

Replacement Language

a. New Year's Day
b. Martin Luther King, Jr. Day
c. President's Day
d. Good Friday
e. Memorial Day
f. Independence Day
g. Labor Day
h. Rosh Hashanah
i. Yom Kippur
j. Columbus Day
k. Election Day
l. Veteran's Day
m. Thanksgiving Day
n. Christmas Day

At the discretion of the Police Chief, the enforcement if this chapter may be suspended.

SEVERABILITY. If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

REPEALER. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

EFFECTIVE DATE. This ordinance shall take effect immediately upon final passage and publication as required by law.

Councilman Corcoran INTRODUCED AN ORDINANCE ENTITLED:

ORDINANCE 2016-11

Councilman Corcoran moved the ordinance be given its first reading. So ordered.

The Municipal Clerk read the said ordinance by title. Councilman Corcoran moved the ordinance be adopted on first reading and published and in The Record on November 4, 2016 and The Jersey Journal on November 7, 2016. Motion was seconded by Councilman Colao.

The ordinance will be available to the public for inspection in the Clerk's Office and posted on the bulletin board.

The public hearing is to be held on December 6, 2016 in the Mayor and Council Chambers at 7:00 pm, at which time all persons wishing to be heard on the proposed ordinance will be heard.

The ordinance was approved at the first reading upon the call of the roll.

ROLL CALL:
AYES: Spoto, Fontana, Martinotti, Corcoran, Colao. ABSENT: Bongard.

ORDINANCE 2016-11

AN ORDINANCE AMENDING CHAPTER 7 ENTITLED LICENSING OF DOGS AND DELETING THE BOARD OF HEALTH ORDINANCE XV LICENSING OF DOGS AND CATS

WHEREAS, the Council does hereby amend the title of Chapter VII of the General Ordinance and Board Health Chapter XV; specifically creating Section 7.5 in Chapter VIII;

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make amend, repeal, and enforce such other ordinances, regulations, rules and by laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for e good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, a significant number of puppies and kittens sold at pet shops come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for ("puppy mills" and "kitten mills," respectively). According to The Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet shop dogs and cats come from puppy mills and kitten mills; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise; and

WHEREAS, the inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet shops in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers; and

WHEREAS, current Federal and State regulations do not adequately address the sale of and kitten mill dogs and cats in pet shops; and

WHEREAS, restricting the retail sale of puppies and kittens to only those that are sourced from shelters or rescue organizations is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills, and is likely to increase demand for animals from animal shelters and rescue organizations; and

WHEREAS, according to the New Jersey Department of Health 2014 Animal Intake and 7 Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers; and

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters

and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

WHEREAS, this Ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the hobby breeder concerning those conditions; and

WHEREAS, the Borough of Cliffside Park believes it is in the best interests of this Municipality to adopt reasonable regulations to reduce costs to the Borough and its residents, protect the citizens of Borough who may purchase cats or dogs from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the Borough.

NOW, THEREFORE BE IT ORDAINED, that Chapter 7 of the General Ordinances of the Borough of Cliffside Park, specifically "Licensing of Dogs" be amended as follows;

Chapter VII shall be renamed; **DOMESTIC ANIMALS**
Licensing of Dogs and Cats and
banning the sale of dogs and cats

7-1 LICENSING

Section 7-1.1.b - Existing language deleted in its entirety.

Replacement Language
b. Dog means a member of the species of domestic dogs, canis familiaris.

Section 7-1.3 -Existing provision deleted in its entirety

Replacement Language
The person applying for a license and registration tag shall pay the fee of eighteen dollars ($18.00) for each dog license if the animal is spayed or neutered. If the animal is not spayed or neutered the license and registration fee will be $21.00. The council reserves the right to adjust the licensing fees by Resolution.

*The remaining provisions 7-1.1 through 7-4.6 except as noted herein are re-adopted in their entirety.

7-5 BANNING THE SALE OF DOGS AND CATS FROM PUPPY/CAT MILLS AND PET STORES

7-5.1 Definitions.

As used int his section:

A. **Animal care facility** means an animal control center or animal center, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or signification part, the rescue and placement of animals in permanent homes or rescue organizations.

B. **Animal rescue organization** means any not-for-profit organization which has tax-exempt status under Section 501 (c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or insignificant part, the rescue and placement of animals in permanent homes.

C. **Cat** means a member of the species of domestic cat, felis catus.

D. **Dog** means a member of the species of domestic dog, Canis familiaris.

E. **Kennel, Pet Shop or Pound** means any business, shop, establishment, property or place which harbors, keeps or maintains five or more dogs, cats

F. **Offer for Sale** means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

7-6 ANIMAL SALE RESTRICTIONS

1. A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:
   (a) An animal care facility; or
   (b) An animal rescue organization.

2. A pet shop shall not offer for sale a dog or cat that is younger thatn eight weeks old.

*Board of Health Ordinance XV Licensing of Cats is hereby deleted in its entirety.

Replacement Provision

7-7 LICENSING OF CATS

1. PURPOSE AND OBJECTIVES. This provision is made and enacted to protect the public and animals from the spread of rabies to animals and humans since rabies is transmissible to humans which could result in death as a result of a bite from a rabid animal. It is the objective of this provision is to protect the public from animal related nuisances and threats tot he public health, safety and welfare.

2. ADOPTION OF CODE. The Cat Licensing Code of New Jersey-187 which was approved by the State Department of Health be adopted by the Board of Health of the Borough of Cliffside Park and that hereafter an annual license must be obtained by any person who shall own, keep or harbor a cat and such person shall apply for and procure from the Board of Health a license and official metal registration tag when such cats are owned, kept or harbored and shall place upon each cat, a collar or harness with the registration tag securely fastened hereto.

3. FEES AND RENEWALS. Licenses shall be obtained during the month of January of each year. The registration fee shall be eighteen dollars ($18.00) dollars for a spayed or neutered. The Council reserves the right to amend the license fees by Resolution.

4. PROOF OF VACCINATION. No license or registration tag shall be granted unless the owner of the cat provides evidence that the cat to be licensed and registered has been inoculated with a rabies vaccine in accordance with the latest "Compendium of Animal Rabies Vaccines and Recommendations for Immunization" published by the National Association of State Public Health Veterinarians. The Vaccination must be valid for the entire licensing period.

5. TIME TO APPLY. The owner of the newly acquired cat shall apply for a license registration tag within ten days of such acquisition.

6. APPLICATION ON FILE. An application shall be completed by the owner of the cat which shall be placed on file with the board of health.

7. RUNNING AT LARGE. No cat shall at any time be permitted by the owner or harborer to run at large in the Borough.

8. IMPOUNDMENT. The chief of police or any member of the police department or board of health or health officer or such persons acting under their direction or the humane society or agents appointed for that purpose by the board of health shall take into custody, or cause to be taken into custody or impound, the following:

   (a) Any cat running at large
   (b) Any cat off the premises of the owner

(c) Any cat off the premises of the owner without a collar or registration tag on
its collar.

Any cat seized under the provisions of this section shall be handled, destroyed and disposed of with proper notice given as provided for by R.S. 4:19-15 .16 et seq. as amended.

9. AUTHORITY TO ENTER PREMISES. Any officer, agent or employee authorized or empowered to per-form any duty under this chapter is authorized to go upon any premises to seize for impounding any cat which he may lawfully seize or impound when such officer: (a) is in immediate pursuit of such cat, except upon the premises of the owner of the cat, if the owner is present and forbids the same. (Ord. 12/8/92)

10. HABITUALLY CRYING CATS. No person shall own, keep, harbor or maintain a cat which habitually cries between the hours of 8:00 p.m. and 8:00 a.m.

SEVERABILITY. If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

REPEALER. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

EFFECTIVE DATE. This ordinance shall take effect immediately upon final passage and publication as required by law.

COMMITTEE REPORTS: ALL COMMITTEE REPORTS ON FILE IN THE CLERK'S OFFICE.

PUBLIC PORTION:

On a motion by Councilwoman Spoto, seconded by Councilman Corcoran, the meeting was opened to the public. Carried.

The Clerk stated that any member of the public wishing to be heard could now do so, by coming to the podium and stating their name and address for the record.

PUBLIC PARTICIPATION: None.

On a motion by Councilwoman Spoto, seconded by Councilman Fontana, the meeting was closed to the public.

ADJOURN:

On a motion by Councilwoman Spoto, seconded by Councilman Fontana, the meeting was adjourned at 7:22 p.m.

ATTEST:

SERCAN ZOKLU, RMC
BOROUGH CLERK

APPROVED:

THOMAS CALABRESE
MAYOR