

MAY 9, 2017

**BOROUGH OF CLIFFSIDE PARK  
BERGEN COUNTY, NEW JERSEY**

**MINUTES OF THE REGULAR MEETING  
MAY 9, 2017**

**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	Bernard Fontana
Councilman	Larry Bongard
Councilwoman	Dana Martinotti
Councilman	Kenneth Corcoran
Councilman	Peter Colao

**SERCAN ZOKLU STATED:**

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

1. NOTICE PUBLISHED JANUARY 9, 2017 WITH THE RECORD, AND JANUARY 11, 2017 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.

**MINUTES:**

**On a motion by Councilman Bongard, seconded by Councilman Colao, the minutes of the Caucus Meeting of April 4, 2017 were accepted.**

**ROLL CALL:**

**AYES:** Spoto, Bongard, Martinotti, Corcoran, Colao.      **ABSTAIN:** Fontana.

**On a motion by Councilman Bongard, seconded by Councilman Colao, the minutes of the Regular Meeting of April 4, 2017 were accepted.**

**ROLL CALL:**

**AYES:** Spoto, Bongard, Martinotti, Corcoran, Colao.      **ABSTAIN:** Fontana.

**PRESENTATIONS:** THE CLIFFSIDE PARK AMERICAN LEGION POST #126 MADE A DONATION IN THE AMOUNT OF \$6,870.00 TO THE CLIFFSIDE PARK VOLUNTEER FIRE DEPARTMENT FOR TRAINING EQUIPMENT.

**On a motion by Councilman Bongard, seconded by Councilwoman Spoto, a public hearing on the 2017 budget was conducted.**

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.**

**OFF CONSENT AGENDA:**

**On a motion by Councilman Colao, seconded by Councilman Bongard, Resolution 2017-81 was offered for adoption.**

MAY 9, 2017

ROLL CALL:

AYES: Spoto, Fontana, Bongard, Martinotti, Corcoran, Colao.

## RESOLUTION 2017-81

### RE: Self Examination of Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Cliffside Park has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2017 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Cliffside Park that the 2017 annual budget be examined in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, if applicable, the amounts have been calculated pursuant to law and appropriated as such in the budget.
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated;
  - b. Items of appropriations are properly set forth
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

On a motion by Councilman Colao, seconded by Councilman Corcoran, Resolution 2017-82 was offered for adoption.

ROLL CALL:

AYES: Spoto, Fontana, Bongard, Martinotti, Corcoran, Colao.

## RESOLUTION 2017-82

MAY 9, 2017

**SKIP THE FOLLOWING PAGES!!**

**PAGE 1**

**INSERT RESOLUTION 2017-82**

MAY 9, 2017

**Page 2**

MAY 9, 2017

**CONSENT AGENDA:**

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

ROLL CALL:

AYES: Spoto, Fontana, Bongard, Martinotti, Corcoran, Colao.

**RESOLUTIONS:**

On a motion by Councilman Bongard, seconded by Councilman Corcoran, Resolutions 2017-83 through 2017-104 were offered for adoption, except Resolution 2017-88, which Councilwoman Martinotti abstained from:

ROLL CALL:

AYES: Spoto, Fontana, Bongard, Martinotti, Corcoran, Colao.

**RESOLUTION 2017-83**

**BE IT RESOLVED** that upon the recommendation of Sgt. Teddy Tarabokija the following resolution designating a handicapped parking space be rescinded:

Adopted on: 3-1-2016

**RESOLUTION 2016-63**  
554 Olympia Avenue  
Cliffside Park, NJ 07010

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Cliffside Park, that the Department of Public Works be instructed to remove the handicapped parking sign at the above location.

**RESOLUTION 2017-84**

**WHEREAS**, CYNTHIA AND STUART SINGER 300 WINSTON DRIVE, UNIT 2402 B.3601 L.6 C2402 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$30,218.71 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 15-11 SOLD TO US BANK CUST BV001 TRST AND CRDTRS FOR 2014 TAXES IN THE AMOUNT OF \$8,629.73; AND

**NOW, THEREFORE, BE IT RESOLVED** BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK, THAT THE CHIEF FINANCIAL OFFICER BE, AND HE IS HEREBY AUTHORIZED TO ISSUE AND SIGN A CHECK IN THE AMOUNT OF \$30,218.71 FOR THE REDEMPTION OF SAID TAX TITLE LIEN AND A CHECK IN THE AMOUNT OF \$26,300.00 FOR PREMIUM PAID ON SAID PROPERTY; AND

**BE IT FURTHER RESOLVED** THAT SAID CHECK BE DRAWN ON THE BOROUGH OF CLIFFSIDE PARK TRUST ACCOUNT AND PAYABLE TO US BANK CUST BV001 TRST AND CRDTRS, 50 SOUTH 16<sup>TH</sup> STREET, SUITE 2050, PHILADELPHIA, PA 19102-2513.

**RESOLUTION 2017-85**

**WHEREAS**, 689 WEST END AVE. LLC OF 689 WEST END AVE B.2701 L.2 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$20,192.25 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 16-09 SOLD TO TWR AS CUST FOR EBURY FUND 2 NJ LLC FOR 2015 TAXES IN THE AMOUNT OF \$7,657.07; AND

**NOW, THEREFORE, BE IT RESOLVED** BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK, THAT THE CHIEF FINANCIAL OFFICER BE, AND HE IS HEREBY AUTHORIZED TO ISSUE AND SIGN A CHECK IN THE AMOUNT OF \$20,192.25 FOR THE REDEMPTION OF SAID TAX TITLE LIEN AND \$26,000.00 FOR PREMIUM ON SAID LIEN; AND

MAY 9, 2017

**BE IT FURTHER RESOLVED** THAT SAID CHECK BE DRAWN ON THE BOROUGH OF CLIFFSIDE PARK TRUST ACCOUNT AND PAYABLE TO TWR AS CUST FOR EBURY FUND 2 NJ LLC, PO BOX 54908, NEW ORLEANS, LA 70154.

**RESOLUTION 2017-86**

**BE IT RESOLVED** BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK, THAT THE CHIEF FINANCIAL OFFICER BE AND HE IS HEREBY AUTHORIZED TO SETTLE THE FOLLOWING INTERFUNDS:

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
CURRENT	CAPITAL	\$100,000.00
CURRENT	CAPITAL	\$299,670.61
CAPITAL	CURRENT	\$200,000.00

**RESOLUTION 2017-87**

**WHEREAS**, an application has been submitted by the Cliffside Park Senior Activity Center Club as follows:

Conduct Bingo games as permitted under State Statute from June 2, 2017 through December 29, 2017; and

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

**RESOLUTION 2017-88**

**WHEREAS**, an application has been submitted by the PTO Cliffside Park School 5 as follows:

Conduct 50/50 raffle and prize raffle games as permitted under State Statute on June 10, 2017

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

**RESOLUTION 2017-89**

**BANKS**

**BE IT RESOLVED** BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT THE FOLLOWING BANKS BE AND THEY ARE HEREBY AUTHORIZED TO RECEIVE DEPOSITS AND WITHDRAWALS FOR FUNDS OF THE BOROUGH OF CLIFFSIDE PARK:

- T D BANK
- BANK OF NEW JERSEY
- WELLS FARGO BANK
- SANTANDER BANK
- MARINER'S BANK
- PNC BANK
- M&T BANK
- ORITANI BANK
- CONNECTONE BANK
- US BANK
- 1<sup>st</sup> BERGEN FEDERAL CREDIT UNION
- CLIFTON SAVINGS BANK
- BOGOTA SAVINGS BANK
- SUSSEX BANK
- BCB BANK

**RESOLUTION 2017-90**

**WHEREAS**, the Cliffside Park Police Department has received a request from **Frank Cordasco** of 239 Cliff Street, Apt. 1, Cliffside Park, NJ 07010 of for a handicapped parking space in front of the residence. **Frank Cordasco** has been issued Permanent Handicap Place Card by the New Jersey Motor Vehicle Commission (Placard # P-1593165); 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:

<b>Name of Street</b> Cliff Street	<b>Side:</b> North	<b>Location:</b> Beginning at a point approximately 585 feet west of the northwest curb line of Palisade Avenue and Cliff Street and continuing to a point 22 feet easterly thereof.
---------------------------------------	-----------------------	---

**RESOLUTION 2017-91**

**WHEREAS**, the Cliffside Park Police Department has received a request from **Kathy McGovern** of 239 Cliff Street, Apt. 1, Cliffside Park, NJ 07010 of for a handicapped parking space in front of the residence. **Kathy McGovern** has been issued Permanent Handicap Place Card by the New Jersey Motor Vehicle Commission (Placard # P-1760574); 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:

<b>Name of Street</b> Cliff Street	<b>Side:</b> North	<b>Location:</b> Beginning at a point approximately 585 feet west of the northwest curb line of Palisade Avenue and Cliff Street and continuing to a point 22 feet easterly thereof.
---------------------------------------	-----------------------	---

**RESOLUTION 2017-92**

**WHEREAS**, the Cliffside Park Police Department has received a request from **Timothy Teitz** of 333 Palisade Avenue, Apt. 2, Cliffside Park, NJ 07010 of for a handicapped parking space in front of the residence. **Timothy Teitz** has been issued Permanent Handicap Place Card by the New Jersey Motor Vehicle Commission (Placard # P-1588988); 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:

<b>Name of Street</b>	<b>Side:</b>	<b>Location:</b>
-----------------------	--------------	------------------



MAY 9, 2017

Adopted on: 5-4-2010

**RESOLUTION 2010-92**  
369 Edgewater Road  
Cliffside Park, NJ 07010

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Cliffside Park, that the Department of Public Works be instructed to remove the handicapped parking signs at the above locations.

### **RESOLUTION 2017-96**

**BE IT RESOLVED** that upon the recommendation of P.O. Gabe Marciano the following resolutions designating handicapped parking spaces be rescinded:

Adopted on: 12-6-2016

**RESOLUTION 2016-268**  
39 Washington Avenue  
Cliffside Park, NJ 07010

Adopted on: 10-16-2012

**RESOLUTION 2012-213**  
226 Columbus Place  
Cliffside Park, NJ 07010

Adopted on: Date **Unknown**

**RESOLUTION # Unknown**  
314 Palisade Avenue  
Cliffside Park, NJ 07010

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Cliffside Park, that the Department of Public Works be instructed to remove the handicapped parking signs at the above locations.

### **RESOLUTION 2017-97**

**BE IT RESOLVED** that upon the recommendation of P.O. Gabe Marciano the following resolutions designating handicapped parking spaces be rescinded:

Adopted on: 6-20-1995

**RESOLUTION 1995-86**  
239 Cliff Street  
Cliffside Park, NJ 07010

Adopted on: 12-3-1996

**RESOLUTION 1996-197**  
12 Washington Avenue  
Cliffside Park, NJ 07010

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Cliffside Park, that the Department of Public Works be instructed to remove the handicapped parking signs at the above locations.

### **RESOLUTION 2017-98**

**WHEREAS**, New Jersey Senate Bill 2364 was adopted on March 16, 2015 and requires law enforcement agencies participating in the U.S. Department Surplus Property Program, known as the 1033 Program in the State of New Jersey, must apply for participation to the New Jersey State Police Office of Emergency Management; and

**WHEREAS**, the Cliffside Park Police Department has submitted an application and has been accepted to participate in the 1033 Program; and

**WHEREAS**, Senate Bill 2364 requires that a resolution be adopted by the Governing Body of the Borough of Cliffside Park; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council hereby endorses the participation of the Cliffside Park Police Department in the 1033 Program as managed by the State Office of Emergency Management.

MAY 9, 2017

### RESOLUTION 2017-99

**WHEREAS**, a Bergen County Community Development Block Grant of \$250,000 has been proposed by the Borough of Cliffside Park for Streetscape Improvements – Palisade Avenue, Borough limit to Jersey Avenue, in the municipality of Cliffside Park; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

**WHEREAS**, the aforesaid project is in the best interest of the people of the Borough of Cliffside Park; and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of Cliffside Park hereby confirms endorsement of the aforesaid project, and

**BE IT FURTHER RESOLVED THAT** a copy of this resolution shall be sent to the Director of Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

### RESOLUTION 2017-100

**WHEREAS**, the Borough Clerk of the Borough of Cliffside Park (Borough) had previously awarded the 2016 Road Program & Palisade Avenue (Phase 2) Streetscape Improvements to Reggio Construction, Inc.; and

**WHEREAS**, the Borough is desirous of having Reggio Construction, Inc. complete additional tree installations as well as miscellaneous roadway repairs; and

**WHEREAS**, the cost for these improvements would result in a change order for an amount not to exceed \$15,000.00, and the Chief Financial Officer of the Borough of Cliffside Park has confirmed the availability of funds for the project;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Cliffside Park authorize Change Order #1 to Reggio Construction, Inc., 1575 West Street, Fort Lee, NJ 07024, in the amount not to exceed \$15,000.00; and

**BE IT FURTHER RESOLVED** that the Borough Attorney and Borough Engineer is hereby authorized to prepare all necessary documents to effectuate this resolution; and

**BE IT FURTHER RESOLVED** that one (1) copy of this resolution as certified by the Borough Clerk, shall be forwarded to Boswell McClave Engineering, the Chief Financial Officer, Reggio Construction, Inc. and the Borough Attorney.

### RESOLUTION 2017- 101

**WHEREAS**, the County of Bergen owns certain vehicles and equipment (the “Equipment”) that it could make available to the local units within Bergen County, subject to the operation needs of the County; and

**WHEREAS**, some of the Equipment was acquired by the County’s Office of Emergency Management pursuant to State and Federal grants for the express purpose of making some available to the municipalities within Bergen County, and is controlled by the County’s Office of Emergency Management (“OEM”); and

**WHEREAS**, other Equipment is controlled by other departments of the County, such as Public Works and Parks; and

**WHEREAS**, due to emergencies, mechanical breakdown or budgetary restrictions, the need arises occasionally for which the local units do not possess the required equipment; and

**WHEREAS**, by entering into written agreements governing the terms of sharing of County owned Equipment in advance of the actual need, the County will be able to facilitate the prompt availability of such Equipment as such time as the local units have a need to utilize same; and

MAY 9, 2017

**WHEREAS**, the Borough of Cliffside Park is authorized to enter into shared services agreements in accordance with the Uniform Shared Services and Consolidation Act, P.L.2007, c.63 (C.40A:65-1, *et seq.*); and

**WHEREAS**, County Counsel has prepared a form of Shared Services Agreement "FOR THE SHARING OF COUNTY-OWNED EMERGENCY AND NON-EMERGENCY EQUIPMENT" (Shared Services Agreement"), a copy of which is annexed to the Resolution; and

**WHEREAS**, the Shared Services Agreement sets forth the terms under which the County will, subject to availability and the County's operational needs, loan Equipment to municipalities for short term use; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Cliffside Park as follows:

1. The recitals set forth above are incorporated as if set forth at length herein.
2. The Borough of Cliffside Park hereby endorses the proposed Shared Services Agreement, and approves the terms thereof, as annexed to the Resolution.
3. The Mayor is hereby authorized to sign the Shared Services Agreement in the form annexed with each local unit in Bergen County, together with any other documents necessary to implement the Agreement and all other documents to be in forms approved by Borough Counsel.

### **RESOLUTION 2017-102**

**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, June 7, 2017 and ending at 6:00 PM on Wednesday, June 14, 2017; 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](http://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. 2010 GO-4 3-Wheel Motorcycle Interceptor III  
Vehicle Identification Number: 2W9MPA616AS044199  
Mileage: 36,500

**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, June 7, 2017 and ending at 6:00 PM on Wednesday, June 14, 2017 on the website located at [www.usgovbid.com](http://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 2017-103**

#### **MAYOR'S APPOINTMENTS OF SPECIAL POLICE OFFICERS, CLASS III**

MAY 9, 2017

**WHEREAS**, Police Chief Richard Gaito has recommended the following appointments as full and part time Special Police Officers, Class III:

<u>NAME</u>	<u>TERM EXPIRES</u>
William Pych #301	12/31/17
Paul Lombardi #302	12/31/17
Mark Lombardi #303	12/31/17
Joseph Davis #304	12/31/17
Eugene Vitale #305	12/31/17
David Becker #306	12/31/17
Joseph Cinque #307	12/31/17

**WHEREAS**, this position is an appointment by the Mayor with the advice and consent of the Borough Council; and

**WHEREAS**, Mayor Thomas Calabrese requests the advice and consent of the Council to appoint the above individuals to the position of full time and part time Special Police Officer, Class III; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Cliffside Park hereby consent to the above full time and part time Special Police appointments; and

**BE IT FURTHER RESOLVED**, that these appointments be effective June 1, 2017 and that they shall expire at the end of the current calendar year and may be revoked without cause or hearing.

## **RESOLUTION 2017-104**

### **GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year December 31, 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations;" and

**WHEREAS**, the members of the Governing Body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the Group Affidavit Form of the Governing Body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the Annual Audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

MAY 9, 2017

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Cliffside Park, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**ORDINANCES: SECOND HEARING AND ADOPTION**

**Councilman Bongard CALLED UP FOR A SECOND READING AN ORDINANCE ENTITLED:**

**ORDINANCE 2017-04**

The clerk presented affidavit of publication, showing advertisement had been made according to law, which was ordered filed. Councilman Bongard moved a public hearing be held on the ordinance. The motion was seconded by Councilwoman Martinotti. So ordered.

Councilman Bongard moved the clerk read the ordinance by title on second reading. So ordered. The clerk thereupon read the ordinance by title. The clerk then announced that all interested parties would now be given opportunity to be heard for or against the adoption of the ordinance.

The following people spoke on the ordinance: None.

After all interested parties had spoken on the ordinance Councilman Bongard moved the hearing be closed. The motion was seconded by Councilman Corcoran.

Councilman Bongard moved the ordinance be adopted on second reading and final passage, which was seconded by Councilman Corcoran and adopted upon a call of the roll.

ROLL CALL:

AYES: Spoto, Fontana, Bongard, Martinotti, Corcoran, Colao.

**ORDINANCE 2017-04**

**CALENDAR YEAR 2017**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Governing Body of the Borough of Cliffside Park in the County of Bergen finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Governing Body hereby determines that a 3.0% increase in the budget for said year, amounting to \$719,064 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Governing Body of the Borough of Cliffside Park in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Cliffside Park shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by up to 3.5 %, amounting to \$838,908, and that the CY 2017 municipal budget for the Borough of Cliffside Park be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part

MAY 9, 2017

of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

**PUBLIC PORTION:**

On a motion by Councilman Colao, 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.

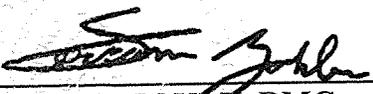
**PUBLIC PARTICIPATION: None.**

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

**ADJOURN:**

On a motion by Councilman Fontana, seconded by Councilwoman Martinotti, the meeting was adjourned at 7:23 p.m.

**ATTEST:**

  
\_\_\_\_\_  
SERCAN ZOKLU, RMC  
BOROUGH CLERK

**APPROVED:**

  
\_\_\_\_\_  
THOMAS CALABRESE  
MAYOR