

JULY 11, 2017

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

**MINUTES OF THE REGULAR MEETING
JULY 11, 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
Councilwoman	Dana Martinotti
Councilman	Kenneth Corcoran
Councilman	Peter Colao

ABSENT AT ROLL CALL:

On a motion by Councilwoman Spoto, seconded by Councilman Corcoran, Councilman Fontana and Councilman Bongard were given an excused absence.

ROLL CALL:

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

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 Councilwoman Spoto, seconded by Councilwoman Martinotti, the minutes of the Caucus Meeting of June 6, 2017 were accepted.

ROLL CALL:

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

On a motion by Councilwoman Spoto, seconded by Councilwoman Martinotti, the minutes of the Regular Meeting of June 6, 2017 were accepted.

ROLL CALL:

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

On a motion by Councilwoman Spoto, seconded by Councilwoman Martinotti, the minutes of the Special Meeting of June 29, 2017 were accepted.

ROLL CALL:

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

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CONSENT AGENDA:

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

ROLL CALL:

AYES: Spoto, Martinotti, Corcoran, Colao.

ABSENT: Fontana, Bongard.

RESOLUTIONS:

On a motion by Councilwoman Martinotti, seconded by Councilman Corcoran, Resolutions 2017-127 through 2017-152 were offered for adoption:

ROLL CALL:

AYES: Spoto, Martinotti, Corcoran, Colao.

ABSENT: Fontana, Bongard.

RESOLUTION 2017-127

WHEREAS, JOANNA FABIAN OF 18 MANHATTAN PLACE B.303 L.4 C0500, CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$22,656.31 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 16-02 SOLD TO US BANK CUST FOR BVOO1 TRUST AND CREDIT FOR 2013 TAXES IN THE AMOUNT OF \$7, 571.98.

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 \$22,656.31 FOR THE REDEMPTION OF SAID TAX TITLE LIEN, AND A CHECK IN THE AMOUNT OF \$9,000.00 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 FOR BV002 TRUST AND CREDIT 50 SOUTH 16TH STREET, SUITE 2050, PHILADELPHIA, PA 19102-2513.

RESOLUTION 2017-128

WHEREAS, XENEFON GIALIAS OF 378 GORGE ROAD, B.903 L.13 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$18,188.94 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 16-04 SOLD TO TWR AS CUST FOR EBURY FUND 2 NJ LLC FOR 2015 TAXES IN THE AMOUNT OF \$4,599.52.

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 \$18,188.94 FOR THE REDEMPTION OF SAID TAX TITLE LIEN, AND A CHECK IN THE AMOUNT OF \$20,000.00 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 TWR AS CUST FOR EBURY FUND 2 NJ LLC, PO BOX 54908, NEW ORLEANS, LA 70154.

RESOLUTION 2017-129

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 CLEAR OLD OUTSTANDING CHECKS FROM THE (\$27,997.83) WHICH DETAIL IS ON FILE IN THE OFFICE OF THE CHIEF FINANCIAL OFFICER.

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RESOLUTION 2017-130

WHEREAS, Doris Mango has been employed with the Borough for over 30 consecutive years; and

WHEREAS, Doris Mango during her tenure, has accumulated vacation and sick time throughout her 30+ years of service, as more fully described in the CFO's memorandum attached hereto; and

WHEREAS, pursuant to Resolution 2000-56, Borough Employees are entitled to receive one half of all unused sick time not to exceed the amount of \$20,000.00, plus the repayment of all accrued vacation; and

BE IT FURTHER RESOLVED that Doris Mango has petitioned the Council, and the Council has agreed to accept July 1, 2017 as the last day of employment with retirement commencing on July 1, 2017; 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 Doris Mango 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 Doris Mango, Frank Berardo, CFO, and Joseph Rutch, Borough Administrator.

RESOLUTION 2017-131

WHEREAS, Gregory Apkarian has been employed with the Borough for over 20 consecutive years; and

WHEREAS, Gregory Apkarian during his tenure, has accumulated vacation time throughout her 20+ years of service, as more fully described in the CFO's memorandum attached hereto; and

BE IT FURTHER RESOLVED that Gregory Apkarian has been approved by the New Jersey Public Employees Retirement System for a disability pension effective November 2014; and

THEREFORE, BE IT RESOLVED this Council does hereby accept the calculations prepared by Borough CFO Frank Berardo, and does hereby authorize the payments to Gregory Apkarian 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 Gregory Apkarian, Frank Berardo, CFO, and Joseph Rutch, Borough Administrator.

RESOLUTION 2017-132

RESOLUTION REQUESTING THE APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION (N.J.S.A. 40A: 4-87)

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and in the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

NOW, THEREFORE, BE IT RESOLVED that the Borough of Cliffside Park, in the County of Bergen, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$149,500.00 which item is now available as a revenue from the State of New Jersey, Department of Transportation (NJDOT) 2017 Municipal Aid Program; and

BE IT FURTHER RESOLVED that the like sum of \$149,500 is hereby appropriated under the caption "NJDOT 2017 Municipal Aid Program for St. Paul's Avenue"; and

BE IT FURTHER RESOLVED that the above is a result of a grant of \$149,500.00 from the New Jersey Department of Transportation (NJDOT) 2017 Municipal Aid Program.

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RESOLUTION 2017-133

MAYOR'S APPOINTMENTS

Pursuant to the obligations imposed upon my by law, I make the following nominations and seek the advice and consent of the Council:

Term Expires

VOLUNTEER FIREFIGHTERS – 1 Year Term

Zachary Capote
Michael Johnson

RESOLUTION 2017-134

**RESOLUTION REQUESTING THE APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION
(N.J.S.A. 40A: 4-87)**

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and in the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

NOW, THEREFORE, BE IT RESOLVED that the Borough of Cliffside Park, in the County of Bergen, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$30,406.48 which item is now available as a revenue from the State of New Jersey, Department of Agriculture; and

BE IT FURTHER RESOLVED that the like sum of \$30,406.48 is hereby appropriated under the caption "2017 Summer Food Service Program"; and

BE IT FURTHER RESOLVED that the above is a result of a grant of \$30,406.48 from the State of New Jersey, Department of Agriculture.

RESOLUTION 2017-135

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

Adopted on: **Date Unknown**

RESOLUTION # Unknown
208 Washington Place
Cliffside Park, NJ 07010

Adopted on: **11-19-2012**

RESOLUTION 2012-238
409 Lincoln Avenue
Cliffside Park, NJ 07010

Adopted on: **03-01-2016**

RESOLUTION 2016-62
37 Knox 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 2017-136

WHEREAS, SYDELLE CASPARY OF 770 ANDERSON AVENUE UNIT 16L, B.3401 L.6 C0116L, CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$14,342.64 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 16-11 SOLD

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TO TWR AS CUST FOR EBURY FUND 2 NJ LLC FOR 2015 TAXES IN THE AMOUNT OF \$5,743.14.

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 \$14,342.64 FOR THE REDEMPTION OF SAID TAX TITLE LIEN, AND A CHECK IN THE AMOUNT OF \$4,100.00 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 FOR BV002 TRUST 50 SOUTH 16TH STREET, SUITE 2050, PHILADELPHIA, PA 19102-2513.

RESOLUTION 2017-137

WHEREAS, the Cliffside Park Police Department has received a request from **Ali Bocai** of 287 Lawton Avenue, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Ali Bocai** has been issued Permanent Handicap Placard **P-1760900** 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:
Lawton Avenue	North	Beginning at a point approximately 142 feet east of the northeast curb line of Anderson Avenue and Lawton Avenue and continuing to a point 17 feet easterly thereof.

RESOLUTION 2017-138

WHEREAS, the Cliffside Park Police Department has received a request from **Franco Truncellito** of 231 Clark Terrace, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Franco Truncellito** has been issued Permanent Handicap Placard **P-1593160** 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:
Clark Terrace	North	Beginning at a point approximately 357 feet east of the northeast curb line of Anderson Avenue and Clark Terrace and continuing to a point 16 feet easterly thereof.

RESOLUTION 2017-139

WHEREAS, the Cliffside Park Police Department has received a request from **Patricia McCarthy** of 505 Olympia Avenue, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Patricia McCarthy** has been issued Permanent Handicap Placard **P-1601047** 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

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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 Olympia Avenue	Side: West	Location: Beginning at a point approximately 59 feet north of the northwest curb line of Edgewater Road and Olympia Avenue and continuing to a point 22 feet northerly thereof.
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RESOLUTION 2017-140

WHEREAS, the Cliffside Park Police Department has received a request from **Filip Hroncich** of 10 Lafayette Avenue, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Filip Hroncich** has been issued Permanent Handicap Placard **P-1660095** 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 Lafayette Avenue	Side: South	Location: Beginning at a point approximately 97 feet west of the roadway in front of 2 Lafayette Avenue, continuing to a point 22 feet westerly thereof.
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RESOLUTION 2017-141

WHEREAS, the Cliffside Park Police Department has received a request from **Ethel Gramuglia** of 380 Lincoln Avenue, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Ethel Gramuglia** has been issued Permanent Handicap Placard **P-1567302** 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 Lincoln Avenue	Side: South	Location: Beginning at a point approximately 278 feet east of the southeast curb line of Glen Avenue and Lincoln Avenue, continuing to a point 19 feet easterly thereof
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RESOLUTION 2017-142

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless, (“Verizon Wireless”), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon

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Wireless may use such poles erected within the public right-of-way in the Borough of Cliffside Park; and

WHEREAS, New Jersey law permits such use provided that there is the consent of the relevant municipality; and

NOW THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY THAT:

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Borough of Cliffside Park, subject to the following:
 - A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.
 - B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Borough of Cliffside Park.
 - C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Borough of Cliffside Park, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Borough of Cliffside Park.
 - D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Borough of Cliffside Park as an additional insured.
 - E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
 - F. Notwithstanding any provision contained herein, neither the Borough of Cliffside Park nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
 - G. This instrument shall be adopted on behalf of the Borough of Cliffside Park by the Borough Council of the Borough of Cliffside Park and attested to by the Borough of Cliffside Park Clerk who shall affix the Borough of Cliffside Park Seal thereto.
 - H. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using

STATEMENT

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This resolution authorizes Verizon Wireless to use poles erected within the public right-of-way of the Borough of Cliffside Park by parties that have the lawful right to maintain such poles.

RESOLUTION 2017-143

WHEREAS, the Mayor and Council of the Borough of Cliffside Park (Borough) have funding for the 2017 Road Program including \$149,500 from the New Jersey Department of Transportation's Fiscal Year 2017 Municipal Aid Program, and

WHEREAS, the Borough is seeking to have these improvements in place and as such would like to proceed with publicly advertising and bidding this project,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cliffside Park hereby authorizes Boswell McClave Engineering to prepare the necessary construction plans and specifications to publicly bid the 2017 Road Program.

RESOLUTION 2017-144

WHEREAS, the Borough of Cliffside Park has entered into a three year cooperative agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40a:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said agreement requires that one Municipal Representative be appointed by the governing body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1, 2017 through June 30, 2018; and

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Cliffside Park hereby appoints Lawrence Bongard, 390 Gorge Road, Apt. 401 and Anne Frey, 210 Edgewater Road as its representatives to participate on the Community Development Regional Committee, and Joseph Rutch and Sercan Zoklu as alternate representatives for Fiscal Year 2017-2018.

RESOLUTION 2017-145

WHEREAS, the Borough Administrator does hereby recommend and requests that the Council create the following titles with their respective compensation ranges:

Operations Manager: \$65,000 - \$95,000
Certified Public Works Manager: \$10,000 - \$17,500
Shared Services Construction Official: \$8,500 - \$10,000

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 a certified to be true copy of this Resolution be tendered to Borough Administrator Joseph Rutch and Chief Financial Officer Frank Berardo.

RESOLUTION 2017-146

WHEREAS, the Borough of Cliffside Park is a political subdivision of the State of New Jersey;
and

WHEREAS, pursuant to applicable law, the governing body of the Borough of Cliffside Park ("Borough") is authorized to acquire, dispose of and encumber real estate and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the ordinary and daily functional operations of the Borough; and

WHEREAS, the Council hereby finds and determines that it is appropriate and necessary for the health, safety and welfare of the Borough, that it must execute one or more Master Lease-Purchase Agreements ("Leases") in the principal amount of Six Hundred Ninety-Five Thousand Three Hundred and Ninety-Six Dollars and Seventy Cents (\$695,396.70) for the purpose of leasing a Pierce Manufacturing, Inc. custom built cab arrow xt chassis triple combination pumper apparatus fire truck; and

WHEREAS, PNC Equipment Finance, LLC ("Lessor") shall act as Lessor under said Leases.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Cliffside Park: Either Mayor, Thomas Calabrese or Borough Administrator, Joseph Rutch as the duly appointed "Authorized Representative" acting on behalf of the Borough, are hereby authorized to negotiate, enter into, execute, and deliver one or more Leases in substantially the form set forth in the document presently before the Council, which document is available for public inspection at the office of the Borough Clerk. Each Authorized Representative acting on behalf of the Borough is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Lease as the Authorized Representative deems necessary and appropriate, plus all other related contracts and agreements necessary and incidental to the Leases as may be required; and.

BE IT FURTHER RESOLVED that any Financial Institution may rely on this Resolution authorizing Mayor Thomas Calabrese or Borough Administrator Joseph Rutch as the specifically identified Administrative Officers of the Borough of Cliffside Park to execute and deliver any and all agreements and documents related to the Lease described herein in behalf of the Borough; and

BE IT FURTHER RESOLVED that the aggregate original principal amount of the Leases shall not exceed Six Hundred Ninety-Five Thousand Three Hundred and Ninety-Six Dollars and Seventy Cents (\$695,396.70), inclusive of interest as set forth in the Leases; and the Leases shall contain such options to purchase by the Borough as set forth therein; and

BE IT FURTHER RESOLVED that the Borough's obligations under the Leases shall be subject to annual appropriation or renewal by the Council as set forth in each Lease and the Borough's obligations under the Lease shall not constitute general obligations of the Borough or indebtedness under the Laws of the State of New Jersey; and

BE IT FURTHER RESOLVED that the Borough reasonably anticipates to issue not more than Ten Million Dollars and No Cents (\$10,000,000.00) of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the calendar year in which each such Lease is issued and hereby designates each Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption; and

BE IT FURTHER RESOLVED that a certified true copy of this Resolution be tendered to PNC Equipment Finance, LLC; Pierce Manufacturing, Inc.; Borough Administrator Joseph Rutch; Borough CFO Frank Berardo; Borough Fire Department Chief David Martone; and Borough Attorney Christos J. Diktas.

RESOLUTION 2017-147

WHEREAS, the Borough Council has directed the Administrator and Fire Chief to conduct an analysis of the Borough's existing Fire Apparatus;

WHEREAS, after a complete of review of all equipment, it was determined that the Borough requires a new "Fire Pumper Truck"; and

WHEREAS, after review, the Administrator and Fire Chief, jointly, recommend to the Council that the Borough should enter into a lease purchase of a new "Fire Pumper Truck" pursuant to State Contract #A83457; and

HEREAS, Pierce Manufacturing, Inc., the Fire Pumper Truck manufacturer, is an authorized State Contract Bidder and has been awarded the State Contract #A83457; and

WHEREAS, the State of New Jersey strongly recommends that governmental agencies purchase goods and services from State Contract Vendors without competitive bidding, which is authorized by the Local Public Contracts Law N.J.S.A. 40A: 11-12; and

WHEREAS, the total cost of the "Fire Pumper Truck" will not exceed Six Hundred Ninety-Five Thousand Three Hundred and Ninety-Six Dollars and Seventy Cents (\$695,396.70), which funding for this purchase is available through the Municipal Project account number 01-2010-44-9055-100; and

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WHEREAS, the Borough's Chief Financial Officer, Frank Berardo is authorized to pay the ten (10) annual lease installments in the amount of Sixty Nine Thousand Five Hundred and Thirty-Nine Dollars and Sixty-Seven Cents (\$69,539.67) upon invoice.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Cliffside Park in the County of Bergen, State of New Jersey hereby awards the contract to purchase a Pierce Manufacturing, Inc. custom built cab arrow xt chassis triple combination pumper apparatus fire truck, in the total lease purchase amount of Six Hundred Ninety-Five Thousand Three Hundred and Ninety-Six Dollars and Seventy Cents (\$695,396.70); and

BE IT FURTHER RESOLVED that Council hereby authorizes, either Mayor Thomas Calabrese or Borough Administrator Joseph Rutch to execute the Contract for the lease purchase of a new "Fire Pumper Truck" as described herein; and

BE IT FURTHER RESOLVED that a certified true copy of this Resolution be tendered to Pierce Manufacturing, Inc. and their leasing factor; Borough Administrator Joseph Rutch, Borough CFO Frank Berardo, Borough Attorney Christos J. Diktas and Borough Fire Department Chief David Martone.

RESOLUTION 2017-148

WHEREAS, there is presently pending in the Superior Court of New Jersey a certain action entitled Borough of Cliffside Park v. Cranes Express, et als., Docket No. BER-L-8102-16 in which the Borough seeks to recover expenses incurred as a result of service interruptions and damage to certain infrastructure due to the operation of a crane on Anderson Avenue; and

WHEREAS, as a result of negotiations conducted by and between counsel for the Borough and counsel for the owner and operator of the crane, the parties have identified terms of a full, final and complete settlement of all disputes and contentions and for a complete discharge and extinguishment of all rights and claims as and between them to date, without further litigation; and

WHEREAS, the Borough Administrator remained informed of and guided the terms and progress of settlement discussions, with the advice of the Borough Attorney, and both the Borough Administrator and Borough Attorney recommend that the governing body approve same;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Cliffside Park in the County of Bergen, State of New Jersey that the terms of settlement, providing for payment to the Borough of \$40,000 and release of all claims by and between the parties, be and are hereby approved; and

BE IT FURTHER RESOLVED that Borough Administrator Joseph Rutch is hereby authorized to execute documents necessary to memorialize the settlement including a Release and/or Settlement Agreement; and

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

RESOLUTION 2017-149

WHEREAS, the Mayor and Council of the Borough of Cliffside Park (Borough) have allocated funding towards the Highridge Avenue Sanitary Sewer Improvements, and

WHEREAS, the Borough is seeking to have these improvements completed in a timely fashion and as such is seeking to publicly advertise and bid this project,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cliffside Park hereby authorizes Boswell McClave Engineering to prepare the necessary construction plans and specifications to publicly bid the Highridge Avenue Sanitary Sewer Improvements.

RESOLUTION 2017-150

RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS

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WHEREAS, a Bergen County Community Development grant of \$411,000.00 has been proposed by the Borough of Cliffside Park for Lawton Avenue Sewer Project Phase 4 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 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 the Borough of Cliffside Park hereby confirms endorsement of the aforesaid project; and

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

RESOLUTION 2017-151

WHEREAS, an application has been filed for a person-to-person and place-to-place transfer of plenary retail consumption license number 0206-33-004-002, heretofore, issued to Chung Hyonsuk.; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cliffside Park does hereby approve, effective July 11, 2017, the transfer of the aforesaid plenary retail consumption license to Anderson Ave LLC located at Towne Center on Anderson Avenue, and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: "THIS LICENSE, SUBJECT, TO ALL ITS TERMS AND CONDITIONS, IS HEREBY TRANSFERRED TO ANDERSON AVE LLC EFFECTIVE JULY 11, 2017."

RESOLUTION 2017-152

RESOLUTION EXTENDING ZONING JURISDICTION OVER 801 GLEN ROAD, BLOCK: 3207 LOT: 8

WHEREAS, the premises identified as 801 Glen Road, Block 3207, Lot 8 in the Borough of Cliffside Park and Block 253, Lot 15 in the Borough of Fort Lee is bisected by a municipal boundary line; and

WHEREAS, N.J.S.A. 40A:13-19 provides that when the boundary lines between adjoining municipalities divides lands and buildings the municipality in which the lands and buildings are situated may determine by Resolution which municipality shall have sole supervision of the lands and buildings; and

WHEREAS, the Borough of Fort Lee has by Resolution No.: _____ agreed to waive zoning authority over Borough of Cliffside Park Block 3207, Lot 8 and Block 253, Lot 15 in the Borough of Fort Lee; and

WHEREAS, the Borough of Cliffside Park has agreed to extend zoning jurisdiction over Block 3207, Lot 8 in the Borough of Cliffside Park and Block 253, Lot 15 in the Borough of Fort Lee;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Cliffside Park shall have sole zoning supervision of lands and buildings on Block 3207 Lot 8 in the Borough of Cliffside Park, New

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Jersey and Block 253, Lot 15 in the Borough of Fort Lee, New Jersey and shall have the sole power to issue all zoning approvals required for such lands and/or buildings.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Applicant, Borough Clerk, Construction Code Official and Zoning Officer of the Borough of Cliffside Park and the Borough Clerk of the Borough of Fort Lee.

I do certify that this is a true and correct copy of the Resolution as adopted by the Borough of Cliffside Park, County of Bergen and State of New Jersey.

ORDINANCES: SECOND HEARING AND ADOPTION

Councilman Corcoran CALLED UP FOR A SECOND READING AN ORDINANCE ENTITLED:

ORDINANCE 2017-05

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

Councilman Corcoran 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 Councilwoman Spoto moved the hearing be closed. The motion was seconded by Councilman Corcoran.

Councilwoman Spoto 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, Martinotti, Corcoran, Colao.

ABSENT: Fontana, Bongard.

ORDINANCE 2017-05

BOND ORDINANCE TO AMEND SECTION 4.G OF THE BOND ORDINANCE (ORD. NO. 2014-02) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CLIFFSIDE PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,958,000 TO PAY THE COST THEREOF, TO APPROPRIATE A COUNTY GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED JULY 17, 2014.

BE IT ORDAINED by the Borough Council of the Borough of Cliffside Park, in the County of Bergen, State of New Jersey, as follows:

Section 1. Section 4.G of Ordinance No. 2014-02 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CLIFFSIDE PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,958,000 TO PAY THE COST THEREOF, TO APPROPRIATE A COUNTY GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE

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FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS"

adopted by the Borough Council of the Borough of Cliffside Park, in the County of Bergen, New Jersey (the "Borough") on July 17, 2014 is hereby amended to change the purpose authorized from installation of lighting at Auxiliary Field to undertaking of various improvements to parks and recreation facilities, and shall hereafter read as follows:

"[Section 4.]G. Undertaking of various improvements to parks and recreation facilities.

Appropriation and Estimated Cost	\$ 148,000
County Grant Appropriated	\$ 64,000
Down Payment Appropriated	\$ 4,000
Bonds and Notes Authorized	\$ 80,000
Period of Usefulness	15 years."

Section 2. The capital budget is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 3. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Councilwoman Martinotti CALLED UP FOR A SECOND READING AN ORDINANCE ENTITLED:

ORDINANCE 2017-06

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

Councilwoman Martinotti 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 Colao moved the hearing be closed. The motion was seconded by Councilwoman Spoto.

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

ROLL CALL:

AYES: Spoto, Martinotti, Corcoran, Colao.

ABSENT: Fontana, Bongard.

ORDINANCE 2017-06

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CLIFFSIDE PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,730,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE

**ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE
ISSUANCE OF SUCH BONDS.**

BE IT ORDAINED by the Borough Council of the Borough of Cliffside Park, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Cliffside Park, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery and new automotive vehicles, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited action. 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking the Road Resurfacing Program, as set forth on a list prepared or to be prepared by the Borough Engineer on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the above-referenced list. It is hereby determined and stated that said roads to be resurfaced are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 780,000
Down Payment Appropriated	\$ 37,150
Bonds and Notes Authorized	\$ 742,850
Period of Usefulness	10 years

B. Improvements to sanitary and storm sewers at various locations in the Borough.

Appropriation and Estimated Cost	\$ 300,000
Down Payment Appropriated	\$ 14,300
Bonds and Notes Authorized	\$ 285,700
Period of Usefulness	40 years

C. Improvements to various public buildings and facilities, including, but not limited to, the Municipal Complex, the Department of Public Works ("DPW") Building and the Fire House. It is hereby determined and stated that said public buildings and facilities to be improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

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Appropriation and Estimated Cost	\$ 210,000
Down Payment Appropriated	\$ 10,000
Bonds and Notes Authorized	\$ 200,000
Period of Usefulness	15 years

D. Acquisition of new additional or replacement equipment and machinery consisting of parking meters (including installation).

Appropriation and Estimated Cost	\$ 30,000
Down Payment Appropriated	\$ 1,430
Bonds and Notes Authorized	\$ 28,570
Period of Usefulness	15 years

E. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of a dump truck for the use of the DPW.

Appropriation and Estimated Cost	\$ 160,000
Down Payment Appropriated	\$ 8,000
Bonds and Notes Authorized	\$ 152,000
Period of Usefulness	5 years

F. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of an ambulance for the use of the EMS.

Appropriation and Estimated Cost	\$ 250,000
Down Payment Appropriated	\$ 12,120
Bonds and Notes Authorized	\$ 237,880
Period of Usefulness	5 years

Aggregate Appropriation and Estimated Cost	\$1,730,000
Aggregate Down Payment Appropriated	\$ 83,000
Aggregate Amount of Bonds and Notes Authorized	\$1,647,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$190,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law. Section 6. It is hereby determined and stated that moneys exceeding \$83,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$83,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$1,647,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,647,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of

said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 14.71 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,647,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication after final passage.

Councilwoman Martinotti CALLED UP FOR A SECOND READING AN ORDINANCE ENTITLED:

ORDINANCE 2017-07

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

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Councilwoman Martinotti 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 Councilwoman Martinotti moved the hearing be closed. The motion was seconded by Councilman Colao.

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

ROLL CALL:

AYES: Spoto, Martinotti, Corcoran, Colao.

ABSENT: Fontana, Bongard.

ORDINANCE 2017-07

AN ORDINANCE AMENDING CHAPTER VIII ARTICLES 8.3.7 OF THE CLIFFSIDE PARK MUNICIPAL CODE REGARDING HANDICAPPED RESERVED PARKING

WHEREAS, there is a severe lack of on-street parking spaces in Cliffside Park; and

WHEREAS, the Borough of Cliffside Park wants to ensure that people who receive a dedicated handicapped parking space are truly in need of this space; and

WHEREAS, the establishment of specific criteria and a committee to review these applications will expedite the handicapped parking space application process; and

WHEREAS, Chapter VIII Article 8.3.7 of the Borough of Cliffside Park Municipal Code governs handicapped reserved parking; and

WHEREAS, the Borough is desirous of amending Chapter VIII Article 8.3.7 to set forth criteria which must be met before receiving consideration for a handicapped parking permit.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Cliffside Park that Chapter VIII Article 8.3.7 of the Town of Cliffside Park Municipal Code shall be deleted in its entirety and the following substituted therefore:

Handicapped Parking Permits

Parking for the disabled.

No person shall park a vehicle in any parking zone which is designated for the use by disabled persons, except those persons with special parking permits as described in this Article. Violations of this provisions are subject to the fines set forth in N.J.S.A.39:4-197(3)c.

Restricted parking zones in front of or near residences of disabled drivers.

- A. The Borough of Cliffside Park may, for good cause shown, establish by ordinance restricted parking zones in front of or near residences occupied by disabled drivers provided that such parking is not otherwise prohibited and does not interfere with the normal flow of traffic. No restricted parking zones will be established for persons who do not transport themselves and who do not possess a valid "handicapped person" identification card and placard or license plate issued by the State of New Jersey, Division of Motor Vehicles, pursuant to N.J.S.A. 39:4-205 and 4-206, unless it is determined that:
- (1) The non-disabled driver resides in the same household as the disabled person (documentation must be provided); and
 - (2) The disabled person needs to be transported at least five (5) days per week to work, school, or other educational or gainful activity (documentation must be provided detailing where, when and why the disabled person is transported); and
 - (3) The disabled person's disability is such that it would preclude the disabled person from waiting on the sidewalk until the nondisabled driver arrives with the car or finds parking (documentation must be provided detailing the extent of the disability); and

- (4) The parking conditions in the disabled person's immediate neighborhood warrant this exception; and
- (5) A reasonable person would deem it highly unusual and unjust to deny a restricted parking zone even in light of the competing demands for parking spaces within a given neighborhood.
- B. No restricted parking zones will be established for applicants who have a driveway, carport, garage or off-street space available for their use unless the Cliffside Park Police Department Traffic Bureau:
- (1) Such driveway, garage or space cannot accommodate the driver's vehicle; or
- (2) The driver has need of a specially equipped vehicle which cannot be reasonably accommodated by such carport, garage or space.
- C. The term "disabled driver" means a condition wherein a person has lost the use of one or more lower limbs as a consequence of paralysis, amputation, or other permanent disability or who is permanently disabled as to be unable to ambulate without the aid of an assisting device or whose ambulation is otherwise severely limited. The severity of the mobility disability shall be similar to or approximate disablement by reason of amputation.
- D. Notarized applications for the establishment of restricted parking zones shall be filed with the Borough of Cliffside Park Police Department, Traffic Bureau, which shall investigate each application for compliance with this Article. The application shall be accompanied by a medical evaluation form completed by the applicant's personal physician. The personal physician shall include a Certification stating that the applicant has a mobility disability as described in this ordinance. Application forms and medical evaluation forms can be obtained from the Division of Motor Vehicle. Thereafter, the applicant must have the medical evaluation form completed by a physician with a plenary license to practice medicine and surgery in this State or a bordering State, a podiatrist licensed to practice in this State or a bordering State, a physician stationed at a military or naval installation located in this State who is licensed to practice in any State, or a chiropractic physician licensed to practice in this State or a bordering State. The cost of examination shall be borne completely by the applicant. The applicant shall bring to the examination any and all medical or other documentation which he or she believes relevant to the applicant's medical condition. Such documentation may include, but will not be limited to: X-ray reports, C.T. scan reports, cardiograms, hospital and surgical records, and attending physicians' reports. If the examining physician does not possess adequate documentation to verify the applicant's eligibility under this ordinance, and cannot by examination alone verify such eligibility, the applicant shall be rejected. An application filed by a tenant shall also be served upon the landlord.
- E. All completed applications for a handicapped parking space shall be submitted to the Cliffside Park Police Department Traffic Bureau. New applications, when deemed complete, shall be reviewed by the Cliffside Park Police Department Traffic Bureau within six weeks. The Cliffside Park Police Department Traffic Bureau shall forward all recommendations to the Police Chief.
- F. If the Cliffside Park Mayor and Council approve the recommendations of the Chief of Police, the Cliffside Park Police Department Traffic Bureau shall establish a restricted parking zone in front of or near the residence of the applicant and shall issue a permit which complies with N.J.S.A 39:4-197.7. Only the motor vehicle for which a valid permit has been issued shall be parked in such zone and only when the permit is properly displayed. Only one (1) permit shall be issued to the applicant. No restricted parking zones, other than those granted by the Cliffside Park Police Department in emergencies, shall be approved except in the manner provided in this ordinance.
- G. Restricted parking spaces and permits shall be valid for one (1) year and shall be renewed thereafter in accordance with the requirements of this ordinance. A permit may be reviewed earlier if conditions concerning the applicant change.
- H. Any party willfully presenting false information or documentation to the Cliffside Park Police Department Traffic Bureau or found to be abusing any parking privileges granted under this ordinance shall be subject to loss and/or denial of such privileges.

Failure to Renew

Any handicapped parking permit issued for a space within the Borough of Cliffside Park which is not renewed on an annual basis, shall be forfeited, and the Borough of Cliffside Park shall then remove the posted sign and permit the space to be restored to public parking.

Existing Handicapped Parking Spaces

All existing handicapped parking spaces, as of the date that this ordinance becomes effective, shall be grandfathered as to the location. However, a renewal application must be approved each year to maintain the handicapped parking space.

Application Fee

An application fee of \$100.00 shall be charged to the applicant for the initial issuance of the handicap parking space. All existing handicap parking space applicants shall be charged \$40 to comply with the installation of their placard.

Summary of Ordinance

This Ordinance sets forth the procedure and requirements regarding applications for handicapped parking permits in the Borough of Cliffside Park.

Councilwoman Martinotti CALLED UP FOR A SECOND READING AN ORDINANCE ENTITLED:

ORDINANCE 2017-08

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

Councilwoman Martinotti 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 Corcoran moved the hearing be closed. The motion was seconded by Councilman Colao.

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

ROLL CALL:

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

ORDINANCE 2017-08

ORDINANCE AMENDING ORDINANCE ENTITLED CHAPTER 8 'TRAFFIC' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CLIFFSIDE PARK

WHEREAS, the Cliffside Park Police Department has reviewed certain areas throughout the Borough and determined that changes need to be made; and

WHEREAS, the Cliffside Park Police Department recommends to the Council the following amendments be implemented to Chapter 8 of the revised general ordinance of the Borough of Cliffside Park entitled 'Traffic'; and

WHEREAS, the Council has reviewed and does hereby accept that the recommendations presented by the Cliffside Park Police Department; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Cliffside Park that the revised General Ordinances of the Borough of Cliffside Park, specifically, Chapter 8 entitled 'Traffic' is amended as follows:

Section 8-3.3 –Parking Prohibited at all times on certain streets, specifically Schedule I:

REMOVE ON PAGE 813

STREET	SIDE	LOCATION
---------------	-------------	-----------------

Everett Place	Both	From Anderson Avenue to the westerly boundary line of the borough.
---------------	------	--

ADD THE FOLLOWING TO THE SCHEDULE I

STREET	SIDE	LOCATION
Everett Place	Both	From Edgewater Road north to the Dead End
Walker Street	South	78 feet west from the southwest apex of Gorge Road and Walker Street
Lafayette Avenue	South	Beginning at a point of 0 feet west of the southwest curb line of Anderson Avenue and Lafayette Avenue and continuing to a point of 270 feet westerly thereof.
Lafayette Avenue	North	Beginning at a point of 0 feet west of the northwest curb line of Anderson Avenue and Lafayette Avenue and continuing to a point of 160 feet westerly thereof.

NON-REPEALER. All other Sections of the revised Borough ordinance not specifically amended by the provisions of this Ordinance shall remain in full force and effect.

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 Martinotti, 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:

Florence Galietti of 403 Cecelia Place stated that it is extremely tough for her to get out of her block due to the high rate of traffic. Borough Attorney Chris Diktas explained the future traffic set up for the project on Adolphus Avenue. He further explained the previous Oxen Hill litigation years ago. Lastly, he explained that Borough Administrator Joseph Rutch has reached out to the Borough of Edgewater in order to possibly make Oxen Hill a one way road.

Linda Blatnik of 250 Gorge Road 22C provided a folder to the Mayor which included a draft letter from the Alliance of Immigration Justice. Mayor Calabrese handed the folder over to Borough Attorney Chris Diktas. The folder included draft resolutions and executive orders that Cliffside Park could use in the future. Linda stated that she wanted to provide a guide to help set up Cliffside Park. Borough Attorney Chris Diktas responded by explaining that he spoke with the new assistant 1st prosecutor and there are issues with this but he will see what he can do to put something together for the Governing Body to consider. He will review it and get back to the Governing Body.

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Fire Chief David Martone came up to the podium and thanked the Governing Body for awarding a resolution to purchase a new fire truck for the department.

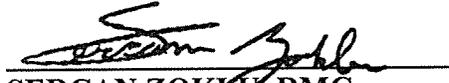
Mrs. St. Thomas of Lawton Avenue thanked the Mayor and Council and Fire Department for everything. She explained that her mother resides at 368 Lawton Avenue and has been there a long time. She stated that even though the block has changed throughout the years, she is appreciative of everything that the town has done. She had a few concerns about food truck deliveries on a daily basis and also the fence next to her mother's property. Borough Attorney Chris Diktas advised her that the Borough will have the Zoning Official and Fire Inspectors look at it one more time. In regards to the truck deliveries, he explained that the Police Department has allocated a dedicated spot for food delivery trucks once the new project opens up.

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

ADJOURN:

On a motion by Councilman Corcoran, seconded by Councilwoman Martinotti, the meeting was adjourned at 8:01 p.m.

ATTEST:


SERCAN ZOKLU, RMC
BOROUGH CLERK

APPROVED:


THOMAS CALABRESE
MAYOR