# BOROUGH OF CLIFFSIDE PARK
# BERGEN COUNTY, NEW JERSEY

## MINUTES OF THE REGULAR MEETING
## DECEMBER 5, 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 | Larry Bongard |
| Councilwoman | Dana Martinotti |
| Councilman | Kenneth Corcoran |
| Councilman | Peter Colao |

**ABSENT AT ROLL CALL:**

**On a motion by Councilman Bongard, seconded by Councilman Corcoran, Councilman Fontana was given an excused absence.**

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

**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 October 31, 2017 were accepted.**

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

**On a motion by Councilman Bongard, seconded by Councilman Colao, the minutes of the Regular Meeting of October 31, 2017 were accepted.**

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

**CONSENT AGENDA:**

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

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

**RESOLUTIONS:**

**On a motion by Councilman Bongard, seconded by Councilwoman Martinotti, Resolutions 2017-229 to 2017-256 were offered for adoption.**

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

## RESOLUTION 2017-229

**WHEREAS,** an application has been submitted by the Parents' Guild Academy of the Holy Angels as follows:

Conduct Merchandise Raffle as permitted under State Statute on March 23, 2018; 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 2017-230

**BE IT RESOLVED** BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK, THAT CERTAIN TAXPAYERS HAVE MADE DUPLICATE 2016 TAX PAYMENTS ON PROPERTY WHICH IS ON FILE IN THE TAX COLLECTORS OFFICE, RESULTED IN OVERPAYMENTS; AND

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

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

## RESOLUTION 2017-231

**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:

| **FROM** | **TO** | **AMOUNT** |
|---|---|---|
| CURRENT | UNEMPLOYMENT | $20,000.00 |

## RESOLUTION 2017-232

**BE IT RESOLVED** by the Mayor and Council of the Borough of Cliffside Park that the Mayor and Council Sine Die Meeting will be held on Thursday, January 4, 2018 at 5:00 P.M. in the Council Chambers located on the 3rd Floor of the Municipal Complex, 525 Palisade Avenue, Cliffside Park, New Jersey, at which time the public is invited and official action may be taken.

## RESOLUTION 2017-233

**BE IT RESOLVED** by the Mayor and Council of the Borough of Cliffside Park that the Mayor and Council Reorganization Meeting will be held on Thursday, January 4, 2018 at 6:00 P.M. in the Council Chambers located on the 3rd Floor of the Municipal Complex, 525 Palisade Avenue, Cliffside Park, New Jersey, at which time the public is invited and official action may be taken.

## RESOLUTION 2017-234

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

| | |
|---|---|
| Adopted on: **10-6-2015** | **RESOLUTION 2015-231**<br>178 Palisade Avenue<br>Cliffside Park, NJ 07010 |
| Adopted on: **7-11-2017** | **RESOLUTION 2017-138**<br>231 Clark Terrace<br>Cliffside Park, NJ 07010 |
| Adopted on: **5-10-2011** | **RESOLUTION 2011-108**<br>239 Lincoln Avenue<br>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 2017-235

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

| | |
|---|---|
| Adopted on: **2-4-2014** | **RESOLUTION 2014-35**<br>Area of Palisade Avenue and Crescent Lane<br>Cliffside Park, NJ 07010 |
| Adopted on: **10-11-2011** | **RESOLUTION 2011-210**<br>557 Anderson Avenue<br>Cliffside Park, NJ 07010 |
| Adopted on: **(Unknown)** | **RESOLUTION (Unknown)**<br>338 Palisade Avenue<br>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 2017-236

**WHEREAS**, the Cliffside Park Police Department has received a request from **Jeanette Lagreca** of 250 Palisade Avenue, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Jeanette Lagreca** has been issued Permanent Handicap Place Card by the New Jersey Motor Vehicle Commission (Placard # P1841011); 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:** |
|---|---|---|
| Main Street | South | Beginning at a point approximately 29 feet east of the southeast curb line of Palisade Avenue and Main Street and continuing to a point 22 feet easterly thereof. |

## RESOLUTION 2017-237

**WHEREAS**, the Cliffside Park Police Department has received a request from **Jan Kanik** of 657 Anderson Avenue, Apt. 1, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Jan Kanik** has been issued Permanent Handicap Place Card by the New Jersey Motor Vehicle Commission (Placard # P1896517); 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:** |
|---|---|---|
| Columbia Avenue | North | Beginning at a point approximately 116 feet west of the northwest curb line of Anderson Avenue and Columbia Avenue and continuing to a point 20 feet westerly thereof. |

## RESOLUTION 2017-238

**WHEREAS**, the Cliffside Park Police Department has received a request from **Juan Rodriguez** of 242 Day Avenue, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Juan Rodriguez** has been issued Permanent Handicap Place Card by the New Jersey Motor Vehicle Commission (Placard # P1896686); 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:** |
|---|---|---|
| Oakwood Avenue | East | Beginning at a point approximately 28 feet south of the southeast curb line of Day Avenue and Oakwood Avenue and continuing to a point 22 feet southerly thereof. |

## RESOLUTION 2017-239

**WHEREAS**, the Cliffside Park Police Department has received a request from **Myriam Pulido-Rojas** of 136 Rothwell Avenue, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Myriam Pulido-Rojas** has been issued Permanent Handicap Place Card by the New Jersey Motor Vehicle Commission (Placard # P1497877); 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:** |
|---|---|---|
| Rothwell Avenue | East | Beginning at a point approximately 163 feet south of the southeast curb line of Prospect Avenue and Rothwell Avenue and continuing to a point 22 feet southerly thereof. |

## RESOLUTION 2017-240

**WHEREAS**, the Cliffside Park Police Department has received a request from **Marc Parent** of 254 Division Street, Apt. 2B, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Marc Parent** has been issued Permanent Handicap Place Card by the New Jersey Motor Vehicle Commission (Placard # P1896685); and

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

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

| **Name of Street** | **Side:** | **Location:** |
|---|---|---|
| Division Street | South | Beginning at a point approximately 209 feet east of the southeast curb line of Gorge Road and Division Street and continuing to a point 22 feet easterly thereof. |

## RESOLUTION 2017-241

### Renewal of Liquor Licenses

**WHEREAS,** the Mayor and the Council of the Borough of Cliffside Park having investigated the applications of the following licenses to conduct business for retail consumption of alcoholic beverages; and

**BE IT RESOLVED** that the Borough Clerk be and is hereby empowered to issue plenary retail consumption licenses to the following persons for the year commencing on:

**July 1, 2017 through June 30, 2018**

| | | |
|---|---|---|
| 0206-33-033-008 | RSV Inc. T/A Shinpo | 606 Anderson Ave. |

**BE IT FURTHER RESOLVED** that all of said licenses have been issued pursuant to an Act of the Legislature of the State of New Jersey, entitled "An Act Concerning Alcoholic Beverages, Its Supplements and Amendments Thereto" and the Borough of Cliffside Park.

## RESOLUTION 2017-242

**WHEREAS,** applications have been submitted by the Church of the Epiphany as follows:

Conduct bingo games as permitted under State Statute from January 4, 2018 to December 20, 2018; and

Conduct instant raffles from January 1, 2018 to December 31, 2018; and

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

## RESOLUTION 2017-243

**WHEREAS,** HOLY NAME MEDICAL CENTER OCCUPATIONAL HEALTH SERVICES ADMINISTERS AND PROVIDES THE FOLLOWING SERVICES FOR THE BOROUGH OF CLIFFSIDE PARK IN PREPARATION FOR ITS COMPLIANCE WITH THE DEPARTMENT OF TRANSPORTATION (DOT) DRUG TESTING STANDARD:

DOT DRUG SCREEN / GC / MS CONFIRMATION
EVIDENTIAL BREATH TESTING
MRO SERVICES
EMPLOYEE RECORDKEEPING
COLLECTION MATERIALS
SUPERVISOR TRAINING
NIDA APPROVED LABORATORY
CERTIFIED BREATH ALCOHOL TECHNICIANS
COMPUTER GENERATED RANDOM SELECTION
STATISTICAL REPORTING
ASSISTANCE WITH POLICY DEVELOPMENT
5 YEAR STORAGE AND DOCUMENTATION OF POSITIVE TESTING

**WHEREAS,** THIS RESOLUTION SHOULD DESIGNATE THE INDIVIDUAL AUTHORIZED TO ENSURE THE MEMORANDUM OF UNDERSTANDING AND AGREEMENT IS PROPERLY COMPLETED AND TIMELY FILED; AND

**NOW, THEREFORE, BE IT RESOLVED** BY THE COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT THE MAYOR AND/OR ADMINISTRATOR IS HEREBY AUTHORIZED AND DESIGNATED TO SIGN THE MEMORANDUM OF UNDERSTANDING AND AGREEMENT WITH HOLY NAME MEDICAL CENTER OCCUPATIONAL HEALTH SERVICES.

## RESOLUTION 2017-244

**WHEREAS,** an application has been filed for a person-to-person and place-to-place transfer of plenary retail consumption license number 0206-33-033-008, heretofore, issued to RSV Inc.; 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 December 5, 2017, the transfer of the aforesaid plenary retail consumption license to Idaho Farmers Market LLC located at 565 Gorge Road, 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 IDAHO FARMERS MARKET LLC EFFECTIVE DECEMBER 5, 2017."

## RESOLUTION 2017-245

**WHEREAS,** an application has been filed for a person-to-person and place-to-place transfer of plenary retail consumption license number 0206-33-023-001, heretofore, issued to 512 Anderson Ave Corp.; 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 December 5, 2017, the transfer of the aforesaid plenary retail consumption license to Ace Spirits LLC located at 512 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 ACE SPIRITS LLC EFFECTIVE DECEMBER 5, 2017."

## RESOLUTION 2017-246

**WHEREAS,** the Borough of Cliffside Park requires the services of an Electrical Sub-Code Official/ Inspector; and

**WHEREAS,** John Candelmo, Construction Code Official, Department Head, has recommended that the Borough retain Patrick E. Agresti as the Municipality's part-time Electrical Inspector; and

**WHEREAS,** Patrick E. Agresti has received his Electrical Inspector ICS/HHS License and also his New Jersey DCA Sub-Code Official Electrical License; and

**WHEREAS,** Patrick E. Agresti's remuneration will be on an hourly basis at $30.17 per hour as needed with all work to be directly assigned by Construction Code Official John Candelmo; and

**WHEREAS,** Patrick E. Agresti shall report directly to the Construction Code Official, John Candelmo and/or Borough Administrator, Joseph Rutch.

**NOW, THEREFORE, BE IT RESOLVED** that the Council does hereby appoint Patrick E. Agresti as its Municipal Electrical Inspector, his Appointment and Terms of Employment is noted in this Resolution.

**BE IT FURTHER RESOLVED** that a Certified True Copy of this Resolution be served upon Patrick E. Agresti; Construction Code Official, John Candelmo; Chief Financial Officer, Frank Berardo; Borough Administrator, Joseph Rutch; Borough Clerk, Sercan Zoklu; Borough Attorney, Christos J. Diktas, Esq.

## RESOLUTION 2017-247

**WHEREAS,** the Borough Council has directed the Administrator, Joseph Rutch, Borough CFO, Frank Berardo, Borough Clerk, Sercan Zoklu and Borough Auditor, Dieter Lerch to initiate and

conduct a study to determine whether the Borough should out-source it's Solid Waste Pickup; and

**WHEREAS,** the Department of Public Works ("DPW") currently operates its Solid Waste pick-up with two (2) truck drivers and four (4) lifters. In addition, the cost analysis allocated a portion of the Assistance Superintendent Operations Manager, and Mechanic salaries and benefits toward the operation; and

**WHEREAS**, the Projected Borough DPW Costs for the Calendar years 2018 through 2020 are as follows:

| Cost Category: | 2018: | 2019 | 2020 | Total: |
|---|---|---|---|---|
| Personnel Costs: (includes Benefits) | $657,567 | $680,908 | $701,918 | $2,040,393 |
| Other Operating Expenses: (includes Repairs, Fuel, Insurance) | 92,073 | 94,222 | 96,422 | 282,717 |
| Capital Replacement: | 40,000 | 40,000 | 40,000 | 120,000 |
| Total Projected Cost: | $789,640 | $815,130 | $838,340 | $2,443,110 |

and;

**WHEREAS**, the Council in good faith directed the Municipal Clerk to publish Bid Specifications for Solid Waste Removal; and

**WHEREAS**, on October 31, 2017 two Bids were received from Private Contractors with the following Costs for the years 2018 through 2020 as follows:

| Private Contractor: | 2018: | 2019: | 2020: | Total: |
|---|---|---|---|---|
| Cali Carting | $714,000 | $729,000 | $744,000 | $2,187,000 |
| Suburban Disposal | $850,000 | $856,000 | $873,000 | $2,579,000 |

and;

**WHEREAS**, the Borough Administrator, Municipal Auditor, Borough Clerk, Borough Attorney and CFO conducted a cost analysis of the differential savings and, as a result, recommend to the Council that the outsourcing of the Solid Waste Pick-up is not an economically viable alternative.

**NOW THEREFORE BE IT RESOLVED** that the Council does hereby reject all Bids received inclusive of the lowest responsible Bidder, Cali Carting;

**BE IT FURTHER RESOLVED** that a certified true copy of this Resolution be tendered to Cali Carting, Inc.; Suburban Disposal Corporation; Borough Administrator Joseph Rutch, Dieter Lerch, Borough Auditor; Borough CFO Frank Berardo, Sercan Zoklu, Borough Clerk, and Borough Attorney Christos J. Diktas

## RESOLUTION 2017-248

**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 FIREFIGHTER – 1 Year Term**
Zachary Tufaro

## RESOLUTION 2017-249

**WHEREAS,** N.J.A.C 5:11-1.1 governs benefits due to persons displaced by the Municipal Code Enforcement Officer; and

**WHEREAS,** according to N.J.A.C 5:11-1.1, the Office of Emergency Management along with the Municipal Code Enforcement Officer determined that the residents at 200 Winston Drive, Unit 1907 be

temporarily relocated due to the building being red tagged and inhabitable; and

**WHEREAS,** Stewart DeVito, Coordinator for the Office of Emergency Management and, Sercan Zoklu, Borough Clerk, issued the bills to the following property owners for reimbursement of the emergency relocation costs for his/her tenants:

Burd, Leo & Inna $990.00
19333 Collins Ave #409
Sunny Isles Bch, FL 33160

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

**WHEREAS,** the Borough paid Comfort Inn in the amount of $990.00 to provide shelter for the emergency relocation of the tenants; and

**NOW, THEREFORE, BE IT RESOLVED** pursuant to Borough Code 11-3.8, the Council directs Tax Collector Frank Berardo to issue and file municipal liens against all properties described herein; and

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

Burd, Leo & Inna $990.00
19333 Collins Ave #409
Sunny Isles Bch, FL 33160

## RESOLUTION 2017-250

**WHEREAS,** N.J.A.C 5:11-1.1 governs benefits due to persons displaced by the Municipal Code Enforcement Officer; and

**WHEREAS,** according to N.J.A.C 5:11-1.1, the Office of Emergency Management along with the Municipal Code Enforcement Officer determined that the residents at 667 Anderson Avenue be temporarily relocated due to the building being red tagged and inhabitable; and

**WHEREAS,** Stewart DeVito, Coordinator for the Office of Emergency Management and, Sercan Zoklu, Borough Clerk, issued the bills to the following property owners for reimbursement of the emergency relocation costs for his/her tenants:

J&M Sercia LLC $3,065.00
1097 Edgewood Lane
Fort Lee, NJ 07024

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

**WHEREAS,** the Borough paid Comfort Inn in the amount of $3,065.00 to provide shelter for the emergency relocation of the tenants; and

**NOW, THEREFORE, BE IT RESOLVED** pursuant to Borough Code 11-3.8, the Council directs Tax Collector Frank Berardo to issue and file municipal liens against all properties described herein; and

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

J&M Sercia LLC $3,065.00
1097 Edgewood Lane
Fort Lee, NJ 07024

## RESOLUTION 2017-251

**WHEREAS,** the Borough of Cliffside Park has petitioned Bergen County and has been accepted into the 2018-2019 Bloodborne Pathogen Program between the Borough and the County; and

**WHEREAS,** the County has proposed and presented a Contract to the Borough delineating the responsibilities of each respective entity; and

**WHEREAS,** the Contract has been reviewed by the Borough Administrator, Attorney and Clerk as to form and content.

**NOW, THEREFORE IT BE RESOLVED** that the Council does hereby authorize Joseph Rutch, Borough Administrator, to execute the Contract on behalf of the Borough with the County of Bergen for the Calendar year of 2018-2019, pertaining to the Bloodborne Pathogen Program.

**BE IT FURTHER RESOLVED** that a certified true copy of this Resolution be tendered to Sercan Zoklu, Borough Clerk; Joseph Rutch, Borough Administrator; Christos J. Diktas, City Attorney; Lori Lukanik, Public Health Nurse; Chief Richard Gaito, CPPD.

## RESOLUTION 2017-252

### GRANTEE AUTHORIZING RESOLUTION

**BE IT RESOLVED** that the Mayor and Council of Cliffside Park wish to enter into a Bergen County Trust Fund Project Contract ("Contract") with the County of Bergen for the purpose of using a $72,000.00 matching grant award from the 2016 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the municipal park project entitled "Grantwood Park Play Surface" located in Grantwood Park located on Block(s) 1408, Lot(s) 1.01 on the tax maps of the Borough of Cliffside Park; and

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby authorize the Mayor Thomas Calabrese and/or Administrator Joseph Rutch to be a signatory to the aforesaid Contract; and

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about August 9, 2019; and

**BE IT FURTHER RESOLVED** that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and

**BE IT FURTHER RESOLVED** that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements.

**BE IT FURTHER RESOLVED** that should there be an unexpended balance at the completion of the project, Professional Services Costs will be reimbursed from grant award's unexpended balance in accordance with the Municipal Park Improvement Program Rules and Procedures Manual.

This resolution was adopted by the Mayor and Council of Cliffside Park at a meeting on December 5, 2017

## RESOLUTION 2017-253

**WHEREAS,** Borough resident Steven Bauer residing at 770 Anderson Avenue, 8R, Cliffside Park, New Jersey 07010, Honorably served the United States Army and was declared 100% permanently disabled as a result of his service in the United States Army from July 9, 1962 to October 22, 1965; and

**WHEREAS,** Arnold Steven Bauer received from the Unites States Army an Honorable Discharge; and

**WHEREAS,** as a result of Arnold Steven Bauer's disability, New Jersey Statutes permit Disabled Veterans and their Spouses to receive a 100% Disabled Veteran Property Tax Exemption; and

**NOW, THEREFORE, BE IT RESOLVED** that the Council does hereby direct Tax Assessor, Matt Rinaldi to reduce the current and all future Assessments against the property and Improvements commonly known as 770 Anderson Avenue, 8R, Cliffside Park, by 100% until the sale of the real property; and

**BE IT FURTHER RESOLVED** that the Assessment Reduction and corresponding real property Tax Refund is to be retroactive through January 1, 2016.

**BE IT FURTHER RESOLVED** that Tax Collector Frank Berardo is authorized and directed to cancel Tax Title Lien numbers 17-006 and 17-010.

**BE IT FURTHER RESOLVED** that Tax Collector, Frank Berardo is hereby authorized to issue the appropriate calculated Tax Refund for Arnold Steven Bauer upon Certification of the Revised Tax Assessment by the Municipal Assessor Matt Rinaldi.

**BE IT FURTHER RESOLVED** that a Certified True Copy of this Resolution be tendered to Matt Rinaldi, Borough Tax Assessor; Frank Berardo, Borough Tax Collector; Joseph Rutch, Borough Administrator; Sercan Zoklu, Borough Clerk; Arnold Steven Bauer; and Christos J. Diktas, Esq., Borough Attorney.

## RESOLUTION 2017-254

**WHEREAS,** FREDERICK SCHUSTER OF 770 ANDERSON AVENUE UNIT 15A B.3401 L.6 C015A CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF $3,333.64 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 17-007 SOLD TO US BANK CUST FOR ACTLIEN HOLDINGS FOR 2016 TAXES IN THE AMOUNT OF $3,268.27.

**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 $3,333.64 FOR THE REDEMPTION OF SAID TAX TITLE LIEN, AND A CHECK IN THE AMOUNT OF $14,900.00 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 ACTLIEN HOLDINGS 50 SOUTH 16TH STREET, SUITE 2050, PHILADELPHIA, PA 19102.

## RESOLUTION 2017-255

**WHEREAS,** the Employer has employees who have earned accumulated vacation and sick time compensation; and

**WHEREAS,** the establishment of an appropriately designed defined contribution, 401(a) retirement plan converts the accumulated vacation and sick time to plan contributions which benefits employees by providing funds for retirement and funds for their beneficiaries in the event of death; and

**WHEREAS,** the Employer and the employee can achieve considerable payroll and income tax benefits; and

**WHEREAS,** the Employer desires that its 401(a) Special Pay Plan be administered by FPS Group and that the funds held in such plan be invested in the Prudential Guaranteed Income Fund and/or Vanguard mutual funds as advised by INR Advisory Services.

**NOW THEREFORE BE IT RESOLVED** that the Employer hereby establishes a defined contribution, 401(a) Special Pay Plan retirement pursuant to the specific provisions of the Adoption Agreement (executed copy attached hereto) and The Plan shall be maintained for the exclusive benefit of eligible employees and their beneficiaries; and

**BE IT FURTHER RESOLVED** that the Borough of Cliffside Park hereby executes the FPS Trust Custodial Agreement; and

**BE IT FURTHER RESOLVED** that the Borough of Cliffside Park hereby agrees to serve as trustee under the Plan and to invest funds held under the Plan in the in the Prudential Guaranteed Income Fund

and/or Vanguard mutual funds as advised by INR Advisory Services; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer and/or Payroll Administrator shall be the coordinator for the Plan; shall receive reports, notices, etc., from FPS Group and may delegate any administrative duties relating to the Plan to appropriate departments; and

**BE IT FURTHER RESOLVED** that the Borough of Cliffside hereby authorizes Mayor Thomas Calabrese, Administrator Joseph Rutch and Chief Financial Officer Frank Berardo to execute all necessary agreements with the FPS Group, Prudential or INR Advisory Services incidental to the administration of the Plan.

A copy of this resolution, the agreement, and any attachments thereto shall be on file in the office of the Borough Clerk.

## RESOLUTION 2017-256

**WHEREAS,** an application has been submitted by the Cliffside Park School No. 6 PTA as follows:

Conduct Bingo games as permitted under State Statute on February 23, 2018; and

Conduct 50/50 Raffle as permitted under State Statute on February 23, 2018; 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.

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

## ORDINANCE 2017-11

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

## ORDINANCE 2017-11

ORDINANCE 2017-11

BOROUGH OF CLIFFSIDE PARK

| | Proposed Adjustments | | |
|---|---|---|---|
| | 2018 | 2019 | 2020 |
| MAYOR | 15,918 | 16,236 | 16,561 |
| COUNCIL MEMBERS | 14,703 | 14,997 | 15,297 |
| ADMINISTRATOR | (RANGE FROM $143,000 ~ $163,000) | | |
| MUNICIPAL CLERK | (RANGE FROM $113,000 ~ $133,000) | | |
| DEPUTY ADMINISTRATOR | 1 | 1 | 1 |
| SHARED SERVICE COORDINATOR | (RANGE FROM $15,000 ~ $25,000) | | |
| A.D.A. COORDINATOR | 1 | 1 | 1 |
| COMMUNITY SERVICE REPRESENTATIVE | 5,200 | 5,200 | 5,200 |
| SECRETARY TO MUNICIPAL CLERK I | 43,484 | 44,353 | 45,240 |
| DEPUTY BOROUGH CLERK / DEPUTY REGISTRAR P.T. | 51,000 | 52,020 | 53,060 |
| RECEPTIONIST | 27,061 | 27,602 | 28,154 |
| TAX ASSESSOR | 23,347 | 23,814 | 24,290 |
| SEC TO TAX ASSESSOR I | (RANGE FROM $15.00 - $20.00 PER HOUR) | | |
| SEC TO TAX ASSESSOR II | 28,717 | 29,291 | 29,877 |
| CHIEF FINANCIAL OFFICER | (RANGE FROM $122,000 ~ $142,000) | | |
| TAX COLLECTOR / TREASURER | 3,500 | 3,500 | 3,500 |
| TAX OFFICE CLERK I | 54,909 | 56,007 | 57,127 |
| TAX OFFICE CLERK II | 30,600 | 31,212 | 31,836 |
| TAX SEARCH OFFICER | 1 | 1 | 1 |
| QUALIFIED PURCHASING AGENT | 1 | 1 | 1 |
| HUMAN RESOURCES ADMINISTRATOR | (RANGE FROM $61,000 - $72,000) | | |
| PAYROLL ASSISTANT | 10,000 | 10,000 | 10,000 |
| ACCOUNTS PAYABLE CLERK I | (RANGE FROM $35,000 - $45,000) | | |
| ACCOUNTS PAYABLE CLERK II | 30,800 | 31,616 | 32,448 |
| COURT ADMINISTRATOR | (RANGE FROM $82,000 - $92,000) | | |
| DEPUTY COURT ADMINISTRATOR | 40,663 | 41,477 | 42,306 |
| CLERK/COURT I | 32,048 | 32,689 | 33,343 |
| COURT/JUNIOR ACCOUNTANT | 6,500 | 6,500 | 6,500 |
| MAGISTRATE | 37,906 | 38,664 | 39,438 |
| PROSECUTOR | 23,318 | 23,785 | 24,260 |
| PUBLIC DEFENDER | 10,000 | 10,000 | 10,000 |
| TAPE RECORDER OPERATOR | 7,237 | 7,382 | 7,529 |
| GENERAL BUILDING MAINTENANCE | (RANGE FROM $15,000 - $25,000) | | |
| OPERATIONS MANAGER | 96,900 | 98,838 | 100,815 |
| MAINTENANCE HELPER | (RANGE FROM $8.44 - $20.00 PER HOUR) | | |
| CONSTRUCTION SITE INSPECTOR | 20,808 | 21,224 | 21,649 |
| CONST/BLDG-SUB-CODE OFFICIAL / BUILDING INSPECTOR | 41,582 | 42,564 | 43,565 |
| HOUSING OFFICIAL | 7,500 | 7,500 | 7,500 |
| SHARED SERVICES UCC INSPECTOR | (RANGE FROM $10,000 - $15,000) | | |
| OFFICE MANAGER BLDG DEPT / REGISTRAR P.T. | 51,267 | 52,293 | 53,338 |
| RECYCLING COORDINATOR | 3,000 | 3,000 | 3,000 |
| RECYCLING ADMINISTRATIVE ASSISTANT | 30,600 | 31,212 | 31,836 |
| RECYCLING ANNEX CLERK | (RANGE FROM $8.44 - $15.00 PER HOUR) | | |
| FIRE OFFICIAL/CODE ENFORCEMENT #1 INSPECTOR | 64,438 | 65,787 | 67,163 |
| LITTER/PROP MAIN INSPECTOR I | 3,000 | 3,000 | 3,000 |
| FIRE CODE ENFORCEMENT #2 INSPECTOR | 76,732 | 78,397 | 80,095 |

| BOROUGH OF CLIFFSIDE PARK | 2018 | 2019 | 2020 |
|---|---|---|---|
| LITTER/PROP MAIN INSPECTOR II | 3,000 | 3,000 | 3,000 |
| RIGHT TO KNOW COORDINATOR | 500 | 500 | 500 |
| BUILDING / HOUSING INSPECTOR | 3,000 | 3,000 | 3,000 |
| ASSISTANT CONSTRUCTION OFFICIAL | (RANGE FROM $9,000 - $12,000) | | |
| ZONING OFFICER | 28,602 | 29,174 | 29,757 |
| PLUMBING INSPECTOR | 12,000 | 12,000 | 12,000 |
| ELECTRICAL INSPECTOR | 12,000 | 12,000 | 12,000 |
| ELEVATOR INSPECTOR | 12,000 | 12,000 | 12,000 |
| FIRE SUB-CODE OFFICIAL / FIRE SAFETY INSPECTOR | 12,000 | 12,000 | 12,000 |
| SECRETARY TO FIRE DEPT. | 32,659 | 33,313 | 33,979 |
| BOARD OF HEALTH CLERK | 31,110 | 31,732 | 32,367 |
| BOARD OF HEALTH NURSE | 63,293 | 64,559 | 65,850 |
| BD OF HEALTH MEDICAL DIRECTOR | 9,200 | 9,200 | 9,200 |
| RECREATION SUPERVISOR | (RANGE FROM $56,000 - $66,000) | | |
| RECREATION ADMINISTRATIVE ASSISTANT | 30,600 | 31,212 | 31,836 |
| PARKS SUPERVISOR | 56,308 | 57,434 | 58,583 |
| PARKS & REC MAINTENANCE | (RANGE FROM $14.00 - $27.00 PER HOUR) | | |
| PARKS & REC SUMMER HELP | (RANGE FROM $8.44 - $12.00 PER HOUR) | | |
| CAMP COUNSELORS | (RANGE FROM $8.44 - $12.00 PER HOUR) | | |
| GYM SUPERVISOR | (RANGE FROM $8.44 - $12.00 PER HOUR) | | |
| CAMP SUPERVISOR | (RANGE FROM $15.00 - $20.00 PER HOUR) | | |
| SECURITY OFFICER F/T (10 MONTHS) | 30,600 | 31,212 | 31,836 |
| SECURITY OFFICER F/T (HOURLY) | (RANGE FROM $15.00 - $20.00 PER HOUR) | | |
| PARKING ENFORCEMENT OFFICER | 31,212 | 31,836 | 32,473 |
| METER TICKET & REPAIR OFFICER | 31,212 | 31,836 | 32,473 |
| TRAFFIC OFFICER | 33,122 | 33,785 | 34,461 |
| POLICE DISPATCHER F/T | (RANGE FROM $30,000 - $50,000) | | |
| POLICE DISPATCHER P/T | (RANGE FROM $15.00 - $25.00 PER HOUR) | | |
| SPECIAL POLICE CLASS I & II & III | (RANGE FROM $15.00 - $25.00 PER HOUR) | | |
| SCHOOL CROSSING GUARD | DAILY RANGE FROM $30.00 - $65.00 PER DA | | |
| DARE PROGRAM SUPERVISOR | 27,821 | 28,377 | 28,944 |
| DARE PROGRAM TUTORS | (RANGE FROM $8.44 - $12.00 PER HOUR) | | |
| SECRETARY TO POLICE CHIEF | 52,035 | 53,076 | 54,138 |
| E.M.S. DIRECTOR P/T | (RANGE FROM $26,000 - $36,000) | | |
| E.M.S. SUPERVISOR | (RANGE FROM $20.00 - $40.00 PER HOUR) | | |
| SENIOR EMT | 59,101 | 60,283 | 61,489 |
| F/T EMT | 38,953 | 39,732 | 40,526 |
| F/T EMT | 45,445 | 46,354 | 47,281 |
| F/T EMT | 45,445 | 46,354 | 47,281 |
| E.M.T.'S - HOURLY | (RANGE $14.50 - $28.00 PER HOUR) | | |

SECTION 1B

DEPARTMENT OF PUBLIC WORKS

| | | | |
|---|---|---|---|
| CERTIFIED PUBLIC WORKS MANAGER | (RANGE FROM $10,000 - $17,500) | | |
| DPW ASST. SUPERINTENDENT | 104,622 | 106,715 | 108,849 |
| PUBLIC WORKS SUPERVISOR | 72,828 | 74,285 | 75,770 |

**BOROUGH OF CLIFFSIDE PARK**

| | 2018 | 2019 | 2020 |
|---|---|---|---|
| DPW CLERK/DISPATCHER | 21,272 | 21,698 | 22,131 |
| SYSTEM WASTE WATER OPERATOR | 4,800 | 4,800 | 4,800 |
| DPW HEAVY DUTY EQUIP DRV-CDL | (RANGE $12.95 - $30.00 PER HOUR) | | |
| DPW DRIVERS-CDL | (RANGE $11.40 - $30.00 PER HOUR) | | |
| DPW LABORERS | (RANGE $8.44 - $15.00 PER HOUR) | | |
| DPW MECHANIC I | (RANGE $20.00 - $35.00 PER HOUR) | | |
| DPW PART TIME SUMMER HELP | (RANGE $8.44 - $14.00 PER HOUR) | | |

SECTION 1C

VOLUNTEER FIRE DEPARTMENT

| | |
|---|---|
| NEW MEMBER | ($200 PER MONTH) |
| PROBATIONARY FIREFIGHTER - PRE-COMPLETION OF BCFA | ($200 PER MONTH) |
| PROBATIONARY FIREFIGHTER - POST-COMPLETION OF BCFA (6 MO) | ($300 PER MONTH) |
| FIREFIGHTERS | ($400 PER MONTH) |
| CAPTAINS, LIEUTENANTS, TRAINING OFFICERS, SAFETY OFFICER | ($450 PER MONTH) |
| CHIEF, DEPUTY CHIEF, BATTALION CHIEF | ($550 PER MONTH) |
| CLOTHING ALLOWANCE FOR ALL ACTIVE MEMBERS | ($450 PER YEAR) |
| FIREWATCH | (RANGE FROM $25.00 - $45.00 PER HOUR) |
| STIPEND | (RANGE FROM $200.00 - $600.00 PER MO.) |

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

## ORDINANCE 2017-12

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 Councilman Corcoran. 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 Councilwoman Spoto.

Councilman Bongard 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, Bongard, Martinotti, Corcoran, Colao. ABSENT: Fontana.

## ORDINANCE 2017-12

### ORDINANCE AMENDING CHAPTER XVIII OF THE CLIFFSIDE PARK GENERAL ORDINANCES ZONING

The Council has requested that the Various Provisions of the Zoning Ordinance be revised.

**WHEREAS,** after Reviewing and Consulting with the Municipal Clerk, Borough Planner, Construction Code Official and Borough Attorney, the Council is of the Opinion that the following Amendment be made to Chapter XVIII Zoning.

**IT IS THEREFORE ORDAINED AS FOLLOWS:**

New Provisions:

**Chapter 18-2.2 Other Terms**

Floor Area Ratio: The sum of the area of all floors of buildings compared to the total area of land that is the subject of an application for development.

Roof Terraces: Roof Terrance are permitted on and Buildings located in the R1 or R2 Zone as long as the Terraced Area does not exceed one-third (1/3) of the floor area directly below the proposed Roof Terrace.

**SEVERABILITY.** If the provisions of any article, section, subsections, paragraph, to any particular circumstance or individual by a court of competent jurisdiction, such order of judgement 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 publications as required by law.

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

## ORDINANCE 2017-13

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 Councilman Corcoran. 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, Bongard, Martinotti, Corcoran, Colao. ABSENT: Fontana.

## ORDINANCE 2017-13

### ORDINANCE AMENDING
### CHAPTER 18A-7.2
### ANDERSON/GRANT AVENUE
### REDEVELOPMENT PLAN
### CLIFFSIDE PARK, NEW JERSEY

**WHEREAS,** the Designated Redeveloper has petitioned the Council to Amend the Redevelopment Plan to permit Businesses located within the Redevelopment Zone to remain open twenty-four (24) hours per day; and

**WHEREAS,** the Council, after consultation with all Borough Department Heads, are of the Opinion that the Businesses located within the Redevelopment Zone will have the right to petition the Council to permit any Business to extend their Hours of Operation, including remaining open 24 hours per day; and

**WHEREAS,** Businesses may petition the Council extend their Hours of Operation; and

**WHEREAS,** the Council reserves the right to grant, deny, modify, or place reasonable restrictions on any Redevelopment Business entity's request to remain open for 24 hours per day or any other Hours of Operation extension contrary to the Borough Business Closure Ordinances; and

**WHEREAS,** the Council may approve, conditionally approve, or deny any Business Entity's request to extend their Hours of Operation by Resolution; and

**NOW, THEREFORE BE IT ORDAINED,** that the Council does hereby Amend Ordinance 18A-7.2(e)(1) General Regulations by Ordaining a new Provision entitled:

4. **Business Hours of Operation.**

A) All Businesses located in the Redevelopment Zone shall comply with the

Borough Ordinance regarding commercial establishments hours of operation;

B)

i) All Businesses located in the Redevelopment Zone may petition the Council for the Authority to modify their Hours of Operation.

ii) Hours of Operation may be modified for any reasonable period, including the ability to remain open 24 Hours;

C) The Petition to the Council shall include the following:

i) Written request by the Tenant specifically detailing the time extension requested;

ii) Type of Business use requesting the Extensions to the Hours of Operation;

iii) Consent of the Property Owner to Tenant's request;

D) Consent Granted

i) If the Council accepts petitioned Business Hours request for extended Hours of Operation, the approval shall be deemed a Grant of Authority and not a Zoning Approval or Property Right.

ii) The Council shall have the right to Terminate the Extended Hour Privilege upon Just Cause after Due Process and Hearing before the Council or its designee.

iii) The Council's Grant to extend Hours of Operation shall be specific to the Petitioning Business entity, and shall not effect or cause any Zoning Right, Grant, or Establishment of Precedent to any other Business(es) located within the Redevelopment Zone.

**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 Councilman Bongard seconded by Councilman Colao, 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:** Anne Wunder of 455 Oakdene Ave and Elizabeth Hegarty of 457 Oakdene Ave spoke about the fence at School #6 field. They stated that their homes were hit by balls from the field. They were advised that we would send our Operations Manager the next day to check out all of the damage and then fix it as soon as possible.

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

**ADJOURN:**

On a motion by Councilman Bongard, seconded by Councilwoman Martinotti, the meeting was adjourned at 7:12 p.m.

**ATTEST:**

**SERCAN ZOKLU, RMC**
**BOROUGH CLERK**

**APPROVED:**

**THOMAS CALABRESE**
**MAYOR**