

AUGUST 7, 2018  
**BOROUGH OF CLIFFSIDE PARK**  
**BERGEN COUNTY, NEW JERSEY**

**MINUTES OF THE REGULAR MEETING**  
**AUGUST 7, 2018**

**CALL TO ORDER AT 5:30 P.M.**

**FLAG SALUTE LED BY MAYOR THOMAS CALABRESE**

**PRESENT AT ROLL CALL:**

Mayor	Thomas Calabrese
Councilwoman	Donna Spoto
Councilman	Lawrence Bongard
Councilman	Kenneth Corcoran
Councilman	Peter Colao

**ABSENT AT ROLL CALL:**

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

**ROLL CALL:**

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

**SERCAN ZOKLU STATED:**

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

1. NOTICE ORIGINALLY PUBLISHED JANUARY 16, 2018 WITH THE RECORD AND RESCHEDULED DATE PUBLISHED JULY 6, 2018 WITH THE RECORD, AND NOTICE ORIGINALLY PUBLISHED JANUARY 10, 2018 WITH THE JERSEY JOURNAL AND RESCHEDULED DATE PUBLISHED JULY 6, 2018 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 Corcoran, seconded by Councilwoman Spoto, the minutes of the Caucus Meeting of July 10, 2018 were accepted.**

**ROLL CALL:**

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

**On a motion by Councilman Corcoran, seconded by Councilwoman Spoto, the minutes of the Regular Meeting of July 10, 2018 were accepted.**

**ROLL CALL:**

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

**CONSENT AGENDA:**

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

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ROLL CALL:

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

**RESOLUTIONS:**

**On a motion by Councilman Bongard, seconded by Councilwoman Spoto, Resolutions 2018-136 through 2018-150 were offered for adoption:**

ROLL CALL:

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

**RESOLUTION 2018-136**

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that upon the recommendation of P.O. Gabe Marciano the following resolutions designating handicapped parking spaces be rescinded:

Adopted on: 12-30-2002

**UNKNOWN RESOLUTION**  
500 St. Paul Avenue  
Cliffside Park, NJ 07010

Adopted on: 12-5-2017

**RESOLUTION 2017-235**  
250 Palisade Avenue  
Cliffside Park, NJ 07010

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

**RESOLUTION 2018-137**

**WHEREAS**, the Cliffside Park Police Department has received a request from **Maria Pereira** of 3 Glen Street, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Maria Pereira** has been issued Permanent Handicap Placard **P1964601** 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:

<b>Name of Street</b>	<b>Side:</b>	<b>Location:</b>
Glen Street	West	Beginning at a point approximately 155 feet north of the northwest curb line of Lawton Avenue and Glen Street, and continuing to a point 20 feet northerly thereof.

**RESOLUTION 2018-138**

**WHEREAS**, the Cliffside Park Police Department has received a request from **Elaine Pieroni** of 252 Wayne Avenue, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence.

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**Elaine Pieroni** has been issued Permanent Handicap Placard **P1962410** 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:

<b>Name of Street</b>	<b>Side:</b>	<b>Location:</b>
252 Wayne Avenue	South	Beginning at a point approximately 87 feet East of the Southeast curb line of Railroad Avenue and Wayne Avenue, and continuing to a point 19 feet Easterly thereof.

### **RESOLUTION 2018-139**

**WHEREAS**, the Cliffside Park Police Department has received a request from **Martha Bello** of 292 Lawton Avenue, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Martha Bello** has been issued Permanent Handicap Placard **1478HC** 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:

<b>Name of Street</b>	<b>Side:</b>	<b>Location:</b>
Lawton Avenue	South	Beginning at a point approximately 110 feet East of the Southeast curb line of Anderson Avenue and Lawton Avenue, and continuing to a point 20 feet Easterly thereof.

### **RESOLUTION 2018-140**

**WHEREAS**, the Cliffside Park Police Department has received a request from **Sharifeh Jaber** of 500 St. Paul, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Sharifeh Jaber** has been issued Permanent Handicap Placard **P1964583** 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:

<b>Name of Street</b>	<b>Side:</b>	<b>Location:</b>
St. Paul Avenue	East	Beginning at a point approximately 52 feet north of the northeast curb line of St. Paul Avenue and Edgewater Road, and continuing to a point 20 feet southerly thereof.

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**RESOLUTION 2018-141**

**CORRECTIVE ACTION PLAN**

Borough of Cliffside Park  
2017 Annual Audit  
Prepared by: Frank Berardo, C.M.F.O.

Recommendation

The Borough's fixed asset appraisal report be properly updated for all additions and reconciled to audit balances.

Analysis

The Borough's fixed asset appraisal report omits certain additions that are being reflected in the audit balance.

Corrective Action

The Borough's fixed asset appraisal report will be updated for all additions and reconciled to audit balances.

Implementation Date

Immediately

Recommendation

The Borough's UCC system be updated to assess the proper fees in accordance with the most current Borough fee ordinance.

Analysis

The Borough amended its Construction Code fee ordinance; however, the UCC system which the Borough uses to issue permits was not updated with the new rates.

Corrective Action

The UCC system will be updated to assess the proper fees in accordance with the amended fee ordinance.

Implementation Date

Immediately

Recommendation

All change orders be presented for council approval and that the Borough formally request the return of the overpayment from the vendor.

Analysis

Change orders were not being presented to the council for approval, which in turn resulted in an overpayment to a vendor.

Corrective Action

Change orders will be presented for council approval. In addition, the Borough will formally request the return of the overpayment from the vendor.

**CORRECTIVE ACTION PLAN**

Borough of Cliffside Park  
2017 Annual Audit  
Prepared by: Frank Berardo, C.M.F.O.

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Implementation Date

Immediately

Recommendation

With respect to the Recreation Department:

- a) Bank reconciliations be completed and Community Pass reports reconciled monthly to actual bank deposits.
- b) Internal controls over the collections and operations of the concession stand be enhanced.

Analysis

- a) Bank reconciliations were not being completed monthly. In addition, monies received per Community Pass were not reconciled to the actual bank deposits.
- b) There is no formal accounting or inventory log being made for concession stand operations. In addition, there is no ledger maintained for snack sales.

Corrective Action

- a) Bank reconciliations will be completed monthly and Community Pass reports will be reconciled on a monthly basis to actual bank deposits.
- b) Internal controls over the collections and operations of the concession stand will be enhanced and ledgers/log will be utilized to account for the operations of the concession stand.

Implementation Date

Immediately

Recommendation

With respect to the Municipal Court:

- a) Ticket reports be reviewed and action taken to recall and remove prior year tickets assigned but not issued and issued but not assigned from the ATS/ACS system.
- b) Cash bail on account per ATS/ACS system be properly reconciled to bail bank account balance.

Analysis

- a) Even though the Borough currently uses electronic ticketing, prior year tickets assigned but not issued and issued but not assigned still remain on the ATS/ACS system.
- b) Cash bail on account per the ATS/ACS system did not agree to the reconciled bail bank account balance.

**CORRECTIVE ACTION PLAN**

Borough of Cliffside Park  
2017 Annual Audit  
Prepared by: Frank Berardo, C.M.F.O.

Corrective Action

- a) Tickets assigned but not issued and issued but not assigned reports will be reviewed and action taken to recall and remove prior year tickets from the ATS/ACS system.

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- b) Cash bail on account per the ATS/ACS system will be reviewed and reconciled to the bail bank account balance.

Implementation  
Immediately

**RESOLUTION 2018-142**

**Whereas**, N.J.S.A. 54:4-67 permits the Mayor and Council of each municipality to fix the rate of interest to be charged for the nonpayment of taxes on or before the date when they would become delinquent; and

**Whereas**, the Mayor and Council of the Borough of Cliffside Park, set forth said interest rate by Resolution #2018-06 at their January 4, 2018 meeting; and

**Whereas**, the Borough of Cliffside Park was unable to mail its 2018/2019 property tax bills on or before June 14 as required by N.J.S.A. 54:4-66.2 due to the failure on the part of the State of New Jersey to certify state aid funding in a timely manner to permit the Bergen County Board of Taxation to certify the 2018 municipal tax rate and apportionment of taxes; and

**Whereas**, this delay will result in the late mailing of the 2018/2019 tax bills to Borough property owners;

**Now, Therefore Be It Resolved** by the Mayor and Council of the Borough of Cliffside Park, County of Bergen, State of New Jersey, that the interest rate for the nonpayment of 3rd quarter 2018 property taxes shall be fixed at zero (0%) percent until August 30, 2018.

**Be It Further Resolved** that if payment of the 3rd quarter 2018 property tax is not made on or before August 30, 2018, the time period set forth above, then the interest rate for nonpayment of the 3rd quarter 2018 property tax shall revert back to the original interest rate established in Resolution #2018-06 and shall be charged from the statutory payment date for 3rd quarter property taxes of August 1, 2018.

**RESOLUTION 2018-143**

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
CURRENT	CAPITAL	\$150,000.00
CAPITAL	CURRENT	\$ 10,357.00
CURRENT	UNEMPLOYMENT	\$ 20,000.00
DOG	CURRENT	\$3,867.00

**RESOLUTION 2018-144**

**WHEREAS**, JEROME WILLIAMS OF 100 WINSTON DRIVE UNIT CS09L B.3601 L.8 CC09L CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$70,623.09 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 15-12 SOLD TO TWR AS CUST FOR EBURY FUND 1 NJ LLC AND SUBSEQUENTLY ASSIGNED TO MTAG as CST FOR EBURY FUND 1 NJ LLC FOR 2014 TAXES IN THE AMOUNT OF \$10,882.71.

**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 \$70,623.09 AND \$58,100.00 FOR THE PREMIUM OF SAID TAX TITLE LIEN AND,

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**BE IT FURTHER RESOLVED** THAT SAID CHECK BE DRAWN ON THE BOROUGH OF CLIFFSIDE PARK TRUST ACCOUNT AND PAYABLE TO MTAG as CST FOR EBURY FUND 1 NJ LLC, P.O. BOX 37695, BALTIMORE, MD 21297-3695.

### **RESOLUTION 2018-145**

**WHEREAS**, the Borough of Cliffside Park (Borough) had previously awarded the Highridge Avenue Sewer Improvements project to Your Way Construction, Inc.; and

**WHEREAS**, the project was recently completed, with a final invoice submitted to the Borough for processing on July 13, 2018; and

**WHEREAS**, the cost for these improvements resulted in a change order for a net decrease of \$19,053.60, and the Chief Financial Officer of the Borough of Cliffside Park confirmed the availability of funds for the project;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Cliffside Park authorized Change Order #1 & Final to Your Way Construction, Inc., 404 Coit Street, Irvington, NJ 07111; and

**BE IT FURTHER RESOLVED** that the Borough Attorney and Borough Engineer has prepared all necessary documents to effectuate this resolution; and

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

### **RESOLUTION 2018-146**

#### **MAYOR'S APPOINTMENTS OF SPECIAL POLICE OFFICER, CLASS I**

**WHEREAS**, Police Chief Richard Gaito has recommended the following appointment as Special Police Officer Class I:

<b><u>NAME</u></b>	<b><u>TERM EXPIRES</u></b>
Maryan Beskaly	12/31/18
Tyler Bisig	12/31/18
Anthony Calvano	12/31/18
Yiannis Constantinou	12/31/18
Ryan Costa	12/31/18
Brian Dorador	12/31/18
Mehmet Ekici	12/31/18
Jasmine Garcia	12/31/18
Ali Jaloudi	12/31/18
Carolina Kopacz	12/31/18
Daniel Maresca	12/31/18
Valeriya Shlapak	12/31/18
Daniel Smith	12/31/18

**WHEREAS**, this position is an appointment by the Mayor with the advice and consent of the Borough Council pursuant to the Municipal Code of the Borough of Cliffside Park; and

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

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

**BE IT FURTHER RESOLVED** that this appointment be effective immediately and that it shall expire at the end of the current calendar year and may be revoked without cause or hearing.

### **RESOLUTION 2018-147**

**WHEREAS**, the Mayor and Council of the Borough of Cliffside Park has directed the Borough Administrator and Clerk to conduct research to determine whether the Borough could purchase electricity at a discounted fee below PSE&G standard rates; and

**WHEREAS**, after conducting their due diligence, the Borough Administrator and Clerk have determined it would be in the Borough's best financial interest to retain the services of EP&G as an independent electricity provider.

**NOW THEREFORE, BE IT RESOLVED** the Council does hereby Direct the Borough Administrator and Clerk with the assistance of the Chief Financial Officer and Borough Attorney to negotiate and enter into an Agreement with EP&G Strategy Company for the purchase of discounted electricity, with Contract Terms not exceeding Statutory Term Limits.

**BE IT FURTHER RESOLVED** that a Certified True Copy of this Resolution be tendered to Joseph Rutch, Borough Administrator; Sercan Zoklu, Borough Clerk; Frank Berardo, Chief Financial Officer; EP&G Company; and Christos J. Diktas, Borough Attorney.

### **RESOLUTION 2018-148**

**WHEREAS**, A HOUSING AUTHORITY COMMISSIONER FOR THE BOROUGH OF CLIFFSIDE PARK SERVES A FIVE (5) YEAR TERM; AND

**WHEREAS**, RALPH CALABRESE'S TERM AS A HOUSING AUTHORITY COMMISSIONER FOR THE BOROUGH OF CLIFFSIDE PARK EXPIRES ON SEPTEMBER 9, 2018; AND

**NOW, THEREFORE, BE IT RESOLVED** THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK RE-APPOINT RALPH CALABRESE FOR A FIVE (5) YEAR TERM EXPIRING SEPTEMBER 9, 2023; AND

**BE IT FURTHER RESOLVED** THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE FOLLOWING INDIVIDUALS:

1. JOSEPH CAPANO, EXECUTIVE DIRECTOR
2. RALPH CALABRESE

### **RESOLUTION 2018-149**

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

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

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

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

213 DESOTO PLACE LLC	\$1,919.25
213 DeSoto Place	
Cliffside Park, NJ 07010	

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

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

**NOW THEREFORE BE IT RESOLVED** pursuant to Ordinance 2010-3, the Council does hereby authorize the payment to Onorato Landscaping LLC in the amount of \$1,919.25 and directs the Tax Collector Frank Berardo to issue and file municipal liens against all properties described herein; and

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

213 DESOTO PLACE LLC	\$1,919.25
213 DeSoto Place	
Cliffside Park, NJ 07010	

### **RESOLUTION 2018-150**

**WHEREAS**, Michael Russo, Cliffside Park Emergency Medical Services Department Head has presented to Borough Administrator, Joseph Rutch, and Chief Financial Officer/Purchasing Agent, Frank Berardo a proposal that, in order to provide for the continuation of cost-effective and efficient billing practices, the EMS Department engage a third-party billing and collection service; and

**WHEREAS**, as an experienced provider of billing and accounts receivable management services to the ambulance industry, Revenue-Guard has offered to provide cost-effective and efficient accounts receivable services to the Cliffside Park Emergency Medical Services Department; and

**WHEREAS**, based upon revenue previously generated by the services provided by the Cliffside Park Emergency Medical Services Department and the associated cost incurred for third party billing and collection services, any agreement reached will not exceed the statutory threshold of the Local Public Contracts Law and shall be exempt from the requirements thereof;

**NOW, THEREFORE, BE IT RESOLVED** that the Council does hereby authorized Borough Administrator, Joseph Rutch, in consultation with Cliffside Park Emergency Medical Services Department Head Michael Russo, to negotiate an agreement with Revenue Guard for delivery of billing and accounts receivable management services; and

**BE IT FURTHER RESOLVED** that the Council does hereby authorized Borough Administrator, Joseph Rutch , to execute any written agreement reached with Revenue Guard subject to the approval of the form of that agreement by the Borough Attorney and further subject to the condition that the contract shall not exceed the statutory threshold of the Local Public Contracts Law; and

**BE IT FURTHER RESOLVED** that a certified to be true copy of this Resolution be submitted to Joseph Rutch, Borough Administrator; Frank Berardo, Chief Financial Officer/ Purchasing Agent; Cliffside Park Emergency Medical Services Department Head Michael Russo; Borough Attorney Christos J. Dikas, Esq., and Sercan Zoklu, Borough Clerk.

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

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**ORDINANCE 2018-06**

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 Colao. So ordered.

Councilman Colao 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 Councilman Bongard.

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

ROLL CALL:

AYES: Spoto, Bongard, Corcoran, Colao.

ABSENT: Fontana, Martinotti.

**ORDINANCE 2018-06**

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 \$2,840,000 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS, 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.

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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 and the various grants 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.

Section 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 grants hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down

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payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) 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	\$1,225,000
State Grant Appropriated	\$ 200,000
Federal Grant Appropriated	\$ 122,000
Down Payment Appropriated	\$ 43,000
Bonds and Notes Authorized	\$ 860,000
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	\$ 14,290
Bonds and Notes Authorized	\$ 285,710
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.

Appropriation and Estimated Cost	\$ 120,000
Down Payment Appropriated	\$ 5,715
Bonds and Notes Authorized	\$ 114,285
Period of Usefulness	15 years

D. Installation of video surveillance cameras at various locations in the Borough.

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Appropriation and Estimated Cost	\$ 710,000
Down Payment Appropriated	\$ 33,810
Bonds and Notes Authorized	\$ 676,190
Period of Usefulness	10 years

E. Acquisition of new automotive vehicles, including original apparatus and equipment, consisting of garbage trucks for the use of the DPW.

Appropriation and Estimated Cost	\$ 470,000
Down Payment Appropriated	\$ 22,470
Bonds and Notes Authorized	\$ 447,530
Period of Usefulness	5 years

F. Installation of parking kiosks at the Municipal Parking Garage (located at One Towne Centre).

Appropriation and Estimated Cost	\$ 15,000
Down Payment Appropriated	\$ 715
Bonds and Notes Authorized	\$ 14,285
Period of Usefulness	15 years

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Aggregate Appropriation and Estimated Cost	\$2,840,000
Aggregate Grants Appropriated	\$ 322,000
Aggregate Down Payment Appropriated	\$ 120,000
Aggregate Amount of Bonds and Notes Authorized	\$2,398,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$220,000 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. The sum of \$200,000 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of the road improvements authorized in Section 4.A above.

Section 7. The sum of \$122,000 received or to be received as a grant from the Bergen County Community Development program, pursuant to the Federal Housing and Community Development Act, is hereby appropriated to the payment of the cost of the road improvements authorized in Section 4.A above.

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Section 8. It is hereby determined and stated that moneys exceeding \$120,000, 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 \$120,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 9. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$2,398,000 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 10. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$2,398,000 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 11. 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 12. 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 12.90 years computed from the date of said bonds.

Section 13. 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 \$2,398,000 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.

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Section 14. 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 (other than the State and Federal grants hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), 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 15. 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 16. 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 17. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and 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 the 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 18. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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

### **ORDINANCE 2018-07**

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, Corcoran, Colao.

ABSENT: Fontana, Martinotti.

### **ORDINANCE 2018-07**

#### **ORDINANCE AMENDING CHAPTER 18: ZONING OF THE REVISED ORDINANCES OF THE BOROUGH OF CLIFFSIDE PARK**

**WHEREAS**, the Zoning Board of Adjustment, the Building Department and the Zoning Department have requested that the Council Authorize and Permit One Family Residences to increase the height of the structure to thirty-eight (38) feet permitting the construction of a Bulk Head Structure to support a Roof Terrace.

**NOW, THEREFORE, BE IT ORDAINED**, that

§18-3.1 R-1 (b) (7): One Family Residential Zone is hereby Amended as follows:

- (i) “Maximum Building Height: Thirty-Eight (38) Feet to the Peak of the Roof only if a Bulk Head Structure is constructed in conjunction with a Roof Terrace.
- (ii) “Bulk Head Structure shall not exceed the Height of the rooftop, which shall not exceed thirty-eight (38) feet to the peak of the Roof. Flat roofs, as defined in this Ordinance, are not permitted in this Zone, excepting Roof Terraces, as defined in this Ordinance, are permitted.”
- (iii) If the Property Owner is not constructing a Roof Terrace, then the Maximum Building Height shall be Thirty-Two (32) Feet as measured in Appendix 18 A-2 (Height Measurement Diagram)

**New Provision:**

§18-3.1 R-1 (b) (13) Only One Family Structures in the R-1 Zone shall be permitted to construct a Roof Terrace or Platform.

§18-3.1 R-1 (b) (14) Roof Terraces or Platforms shall be permitted in the R-1 Zones.

**BE IT FURTHER ORDAINED**, that

§18-3.2 R-2 (b) (7): One and Two Family Residential Zone is hereby Amended as follows:

- (i) “Maximum Building Height: All One and Two Family Structures in the R-2 Zone shall have a permitted height of thirty-eight (38) feet to the Peak of the Roof only if a Bulk Head Structure is constructed in conjunction with a Roof Terrace.
- (ii) “Bulk Head Structure shall not exceed the Height of the rooftop, which shall not exceed thirty-eight (38) feet to the peak of the Roof. Flat roofs, as defined in this Ordinance, are not permitted in this Zone, excepting Roof Terraces, as defined in this Ordinance, are permitted.”
- (iii) If the Property Owner is not constructing a Roof Terrace, then the Maximum Building Height shall be Thirty-Two (32) Feet as measured in Appendix 18 A-2 (Height Measurement Diagram)

**New Provisions:**

“§18-3.2 R-2 (b) (14) One and Two Family Structures in R-2 Zones shall be permitted to construct a Roof Terrace or Platform.”

“§18-3.2 R-2 (b) (15) Roof Terraces or Platforms shall only be permitted in R-2 Zones.”

**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.

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

**PUBLIC STATEMENT READ**

**COMMITTEE REPORTS:** ALL REPORTS ON FILE WITH THE CLERK.

**PUBLIC PORTION:**

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

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

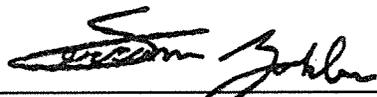
**PUBLIC PARTICIPATION:** None.

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

**ADJOURN:**

On a motion by Councilman Bongard, seconded by Councilman Corcoran, the meeting was adjourned at 5:46 P.M.

**ATTEST:**



SERCAN ZOKLU, RMC  
BOROUGH CLERK

**APPROVED:**



THOMAS CALABRESE  
MAYOR