BOROUGH OF CLIFFSIDE PARK
BERGEN COUNTY, NEW JERSEY

MINUTES OF THE REGULAR MEETING
FEBRUARY 5, 2019

CALL TO ORDER AT 7:00 P.M.

FLAG SALUTE LED BY MAYOR THOMAS CALABRESE

PRESENT AT ROLL CALL:

Mayor	Thomas Calabrese
Councilman	Larry Bongard
Councilwoman	Dana Martinotti
Councilman	Kenneth Corcoran
Councilman	Peter Colao
Councilwoman	Selvie Nikaj

ABSENT AT ROLL CALL:

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

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

SERCAN ZOKLU STATED:

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

1. NOTICE PUBLISHED JANUARY 10, 2019 WITH THE RECORD, AND JANUARY 11, 2019 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 January 15, 2019 were accepted.

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

On a motion by Councilman Bongard, seconded by Councilman Colao, the minutes of the Regular Meeting of January 15, 2019 were accepted.

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

CONSENT AGENDA:

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

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

RESOLUTIONS:

On a motion by Councilwoman Martinotti, seconded by Councilman Bongard, Resolutions 2019-34 through 2019-49 were offered for adoption.

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

RESOLUTION 2019-34

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that upon the recommendation of P.O. Gabe Marciano the following resolution designating a handicapped parking space be rescinded:

Adopted on: **12-12-2006**	**RESOLUTION 2006-197** 265 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 sign at the above location.

RESOLUTION 2019-35

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that upon the recommendation of P.O. Gabe Marciano the following resolution designating a handicapped parking space be rescinded:

Adopted on: **2-6-2018**	**RESOLUTION 2018-36** 265 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 sign at the above location.

RESOLUTION 2019-36

WHEREAS, the Cliffside Park Police Department has received a request from **Svetlana Dreizin** of **265 Knox Avenue Apt. A2,** Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Svetlana Dreizin** has been issued Permanent Handicap Placard **P1896908** by the New Jersey Motor Vehicle Commission; and

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

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

Name of Street	**Side:**	**Location:**
Knox Avenue	North	Beginning at a point approximately 139 feet west of the northwest curb line of Knox Avenue and Railroad Avenue and continuing to a point 18 feet northerly thereof

RESOLUTION 2019-37

WHEREAS, the Cliffside Park Police Department has received a request from **Melissa Peterson** of **551 St. Paul Avenue,** Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Melissa Peterson** has been issued a New Jersey Registration **P1927250** 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:**
St. Paul Avenue	West	Beginning at a point approximately 192 feet north of the northwest curb line of St. Paul Avenue and Greenmount Avenue and continuing to a point 18 feet northerly thereof

RESOLUTION 2019-38

WHEREAS, ANATASIYA DROVNIACHINE OF 300 WINSTON DRIVE UNIT 104 B.3601 L.6 C0104 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF $14,263.98 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 18-020 SOLD TO US BANK CUST FOR TOWER DBVIII TRUST 2018-1 FOR 2017 TAXES IN THE AMOUNT OF $ 6,218.93.

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 $14,263.98 FOR THE REDEMPTION OF SAID TAX TITLE LIEN, AND A CHECK IN THE AMOUNT OF $20,500.00 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 USBANK CUST FOR TOWER DBV TRUST 2018-1 50 SOUTH 16TH STREET, SUITE 2050, PHILADELPHIA, PA 19102.

RESOLUTION 2019-39

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

BERGEN COUNTY VOUCHER #243054
MUNICIPAL APPROVAL
VENDOR: AMERICAN ASPHALT AND MILLING SERVICES
PURPOSE: GRANTWOOD PARK BASKETBALL COURT RESTORATION
AMOUNT: $106,822.11

BE IT FURTHER RESOLVED THAT THE CHIEF FINANCIAL OFFICER, FRANK BERARDO, BE AUTHORIZED TO SIGN THE BERGEN COUNTY VOUCHER FOR PAYMENT OF SAID CLAIM.

RESOLUTION 2019-40

WHEREAS, HYUN I. KIM OF 200 WINSTON DRIVE UNIT 2015 B.3601 L.5 C2015 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF $17,141.47 WITH THE BOROUGH OF

CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 18-019 SOLD TO US BANK CUST FOR TOWER DBVIII TRUST 2018-1 FOR 2017 TAXES IN THE AMOUNT OF $ 5,878.42.

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 $17,141.47 FOR THE REDEMPTION OF SAID TAX TITLE LIEN, AND A CHECK IN THE AMOUNT OF $29,500.00 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 USBANK CUST FOR TOWER DBV TRUST 2018-1 50 SOUTH 16TH STREET, SUITE 2050, PHILADELPHIA, PA 19102.

RESOLUTION 2019-41

WHEREAS, CERTAIN TAXPAYERS APPLIED FOR SENIOR CITIZEN AND/OR VETERANS DEDUCTIONS ON THEIR 2018 TAXES; AND

WHEREAS, THE GRANTING OF SAID REDUCTIONS RESULTED IN OVERPAYMENTS ON THEIR 2018 TAXES;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT THE PROPER FINANCIAL OFFICER BE AND HE IS HEREBY AUTHORIZED TO ISSUE CHECKS AS REFUNDS ON THEIR 2018 TAXES IN ACCORDANCE WITH THE SCHEDULES WHICH ARE ON FILE IN THE OFFICE OF THE TAX COLLECTOR.

RESOLUTION 2019-42

WHEREAS, the Mayor and Council of the Borough of Cliffside Park have allocated funding towards the COLUMBUS PARK SAFETY SURFACE PLAYGROUND EQUIPMENT 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 Remington & Vernick Engineers to prepare the necessary construction plans and specifications to publicly bid the COLUMBUS PARK SAFETY SURFACE PLAYGROUND EQUIPMENT IMPROVEMENTS.

RESOLUTION 2019-43

WHEREAS, the Mayor and Council of the Borough of Cliffside Park have allocated funding towards the WEST GRANTWOOD PARK SAFETY RESURFACING PROJECT; 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 Remington & Vernick Engineers to prepare the necessary construction plans and specifications to publicly bid the WEST GRANTWOOD PARK SAFETY RESURFACING PROJECT.

RESOLUTION 2019-44

RESOLVED, by the Mayor and Council of the Borough of Cliffside Park, that Engineer's Estimate No. 1 and associated voucher be approved in accordance with the requirements of N.J.A.C. 5:30-11.1 et seq.:

GENERAL CONSTRUCTION 2018 Road Program and Lawton Avenue

ENGINEER	Boswell Engineering
CONTRACTOR	Reggio Construction, Inc. 1575 West Street Fort Lee, New Jersey 07024
TOTAL CONTRACT COST (INCLUDING CHANGE ORDER #1)	$1,112,286.15
PREVIOULSY PAID	$219,744.42
ESTIMATE NO. 2 FOR PAYMENT	$66,972.47

RESOLUTION 2019-45

RESOLVED, by the Mayor and Council of the Borough of Cliffside Park, that Change Order #1 be approved in accordance with the requirements of N.J.A.C. 5:30-11.1 et seq.

GENERAL CONSTRUCTION	2018 Road Program and Lawton Avenue
ENGINEER	Boswell Engineering
CONTRACTOR	Reggio Construction, Inc. 1575 West Street Fort Lee, New Jersey 07024
ORIGINAL CONTRACT COST	$1,055,186.15
COST OF CHANGE ORDER	$57,100.00
NEW CONTRACT SUM	$1,112,286.15
CHANGE ORDER NUMBER	#1
NATURE OF CHANGES	Increase Project Scope – Retaining Wall Repair, Monument Relocation, Concrete Curb and Sidewalks

RESOLUTION 2019-46

WHEREAS, the Borough Administrator, after consultation with the Chief of Police, Borough Auditor and Chief Financial Officer, is of the opinion that Ordinance 2-17.27, Employment of Off-Duty Police Officers, should be amended; and

WHEREAS, the Ordinance permits the financial amendments to be implemented by Resolution:

> 2-17.27 (e)(2)(f)(2): The Administrative costs referenced in the Ordinance may be modified Annually or on an "as needed" basis by Council Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Council does hereby accept the recommendation of its Professionals and does hereby Amend the hourly rate charged to the Municipality for all Off-Duty Details pursuant to Ordinance 2-17.27 (e)(2)(H), specifically:

Paragraph (e); Administrative and General Costs, sub-paragraph (e)(2)(h), to read as follows:

All Officers Participating in any Off-Duty Municipal Detail shall be compensated at the rate of $55.00 per hour.

BE IT FURTHER RESOLVED, that a Certified True Copy of this Resolution be tendered to Police Chief, Richard Gaito, Chief Financial Officer, Frank Berardo, Borough Administrator, Joseph Rutch, and Sercan Zoklu, Borough Clerk.

RESOLUTION 2019-47

WHEREAS, the Cliffside Park Parking Committee has reviewed the Parking Meter issues pertaining to the Municipal Parking Lot located at the Towne Centre Plaza; and

WHEREAS, the Committee is of the Opinion and recommends to the Mayor and Council that the Borough should enact a Uniform Parking Meter Policy controlling the Time and Regulations of all meters located within the Borough;

WHEREAS, the Committee recommends the Uniform Meter Policy for the Borough should read as follows:

All metered Parking is subject to the following the restrictions

1. Monday through Saturday; 9:00 a.m. to 6:00 p.m.; (Fifty Cents per hour)
2. Free Parking Sunday; 9:00 a.m. – 6:00 p.m.
3. Free Parking Monday-Sunday; 6:00 p.m. -2:00 a.m.
4. No Parking permitted in the Municipal Parking Facility 2:00 a.m. through 6:00 a.m. Sunday -Saturday;
5. All violators are subject to Summons and/or Towing as per each factual occurrence;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Cliffside Park does hereby adopt the captioned aforestated Parking Meter Policy until further Notice, Modification or Change by this Council;

BE IT FURTHER RESOLVED that a Certified True Copy of this Resolution be tendered to Police Chief, Richard Gaito; Borough Administrator, Joseph Rutch; and Sercan Zoklu, Borough Clerk.

BE IT FURTHER RESOLVED that Chief Gaito be directed to serve a copy of this Resolution or Municipal Placard containing the Revised Parking Meter Policy to all Business Owners whose Businesses are located on Anderson Avenue or in the Towne Centre that may be affected by the Borough's Uniform Parking Meter Policy.

RESOLUTION 2019-48

WHEREAS, the Cliffside Park Traffic Bureau has received a request to make the south side of Lawton Avenue, west of Anderson Avenue 15 minute parking only. They have received complaints from Business owners on Lawton Avenue in reference to no parking on the street in order for patrons to enter the businesses and quickly pick up an order. The Traffic Bureau recommends making this area 15 minute parking **(Time Limit Parking Schedule III Chapter 8 section 3.5)** to allow patrons to enter the businesses to pick up an order in a timely fashion. The area consists of 5 parking spaces.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following locations be designated as a 15 minute parking:

Name of Street: Lawton Avenue
Side: South side
Location: Lawton Avenue

Measurements: Beginning at a point approximately 132 feet west of the southwest curb line of Lawton Avenue and Anderson Avenue, and then continuing 99 feet westerly thereof.

RESOLUTION 2019-49

WHEREAS, THOMAS INGENITO, DEPUTY CHIEF IN THE POLICE DEPARTMENT OF THE BOROUGH OF CLIFFSIDE PARK, WILL RETIRE EFFECTIVE MARCH 1, 2019; AND

WHEREAS, THOMAS INGENITO HAS ACCUMULATED SUFFICIENT UNUSED SICK LEAVE TO ENTITLE HIM TO TERMINAL LEAVE OR SEVERANCE PAY EQUAL TO 132 WORK DAYS; AND

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT TERMINAL LEAVE EQUIVALENT TO 132 WORK DAYS SALARY, HOWEVER NOT TO EXCEED $40,000 (AS PER RESOLUTION #79-98) AND 62 VACATION DAYS, IS HEREBY AUTHORIZED TO BE PAID TO THOMAS INGENITO; AND

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

1. FRANK BERARDO, CHIEF FINANCIAL OFFICER
2. THOMAS INGENITO

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

ORDINANCE 2019-01

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 Martinotti.

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

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

ORDINANCE 2019-01

SALARY ORDINANCE 2019-2021

BOROUGH OF CLIFFSIDE PARK	Proposed Adjustments 2019	2020	2021
MAYOR	$ 16,236	$ 16,561	$ 16,892
COUNCIL MEMBERS	$ 14,997	$ 15,297	$ 15,603
ADMINISTRATOR	(RANGE FROM $145,000 - $195,000)		
MUNICIPAL CLERK	(RANGE FROM $115,000 - $145,000)		
DEPUTY ADMINISTRATOR	$ 1	$ 1	$ 1
SHARED SERVICE COORDINATOR	(RANGE FROM $15,000 - $30,000)		
COMMUNITY SERVICE REPRESENTATIVE	(RANGE FROM $5,000 - $10,000)		
SECRETARY TO MUNICIPAL CLERK I	$ 44,353	$ 45,240	$ 46,145
DEPUTY BOROUGH CLERK	$ 52,020	$ 53,060	$ 54,122
RECEPTIONIST	$ 27,602	$ 28,154	$ 28,717
ADMINISTRATIVE ASSISTANT	(RANGE FROM $25,000 - $40,000)		
TAX ASSESSOR	$ 23,814	$ 24,290	$ 24,776
SEC TO TAX ASSESSOR I	(RANGE FROM $15.00 - $20.00 PER HOUR)		
SEC TO TAX ASSESSOR II	$ 29,291	$ 29,877	
CHIEF FINANCIAL OFFICER	(RANGE FROM $130,000 - $170,000)		
TAX COLLECTOR / TREASURER	$ 3,500	$ 3,500	$ 3,500
TAX OFFICE CLERK I	$ 56,007	$ 57,127	$ 58,269
TAX OFFICE CLERK II	(RANGE FROM $28,000 - $40,000)		
TAX SEARCH OFFICER	$ 1	$ 1	$ 1
QUALIFIED PURCHASING AGENT	$ 1	$ 1	$ 1
HUMAN RESOURCES ADMINISTRATOR	(RANGE FROM $65,000 - $80,000)		
PAYROLL ASSISTANT	$ 10,000	$ 10,000	$ 10,000
ACCOUNTS PAYABLE CLERK I	(RANGE FROM $35,000 - $50,000)		
ACCOUNTS PAYABLE CLERK II	(RANGE FROM $35,000 - $45,000)		
ACCOUNTS PAYABLE CLERK P/T	(RANGE FROM $12,000 - $18,000)		
COURT ADMINISTRATOR	(RANGE FROM $82,000 - $92,000)		
DEPUTY COURT ADMINISTRATOR	(RANGE FROM $40,000 - $55,000)		
CLERK/COURT I	$ 32,689	$ 33,343	$ 34,010
COURT/JUNIOR ACCOUNTANT	$ 6,500	$ 6,500	$ 6,500
MAGISTRATE	$ 38,664	$ 39,438	$ 40,226
PROSECUTOR	$ 23,785	$ 24,260	$ 24,745
PUBLIC DEFENDER	$ 12,500	$ 15,000	$ 17,500
TAPE RECORDER OPERATOR	$ 7,382	$ 7,529	$ 7,680
GENERAL BUILDING MAINTENANCE	(RANGE FROM $15,000 - $25,000)		
OPERATIONS MANAGER	$ 98,838	$ 100,815	$ 102,831
MAINTENANCE HELPER	(RANGE FROM $8.85 - $20.00 PER HOUR)		
LITTER/PROP MAIN INSPECTOR III	(RANGE FROM $15,000 - $25,000)		
SHARED SERVICES - CONSTRUCTION CODE OFFICIAL	(RANGE FROM $18,000 - $22,000)		
CONST/BLDG-SUB-CODE OFFICIAL / BUILDING INSPECTOR	$ 42,564	$ 43,565	$ 44,587
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.	$ 52,293	$ 53,338	$ 54,405
DEPUTY REGISTRAR P.T.	(RANGE FROM $2,500 - $4,500)		
RECYCLING COORDINATOR	$ 3,000	$ 3,000	$ 3,000
RECYCLING ADMINISTRATIVE ASSISTANT	$ 31,212	$ 31,836	$ 32,473
RECYCLING ANNEX CLERK	(RANGE FROM $8.85 - $15.00 PER HOUR)		

BOROUGH OF CLIFFSIDE PARK	2019	2020	2021
FIRE OFFICIAL/CODE ENFORCEMENT #1 INSPECTOR	$ 65,787	$ 67,163	$ 68,566
LITTER/PROP MAIN INSPECTOR I	$ 3,000	$ 3,000	$ 3,000
FIRE CODE ENFORCEMENT #2 INSPECTOR	$ 78,397	$ 80,095	$ 81,826
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	$ 29,174	$ 29,757	$ 30,352
PLUMBING INSPECTOR	(RANGE FROM $12,000 - $15,000)		
ELECTRICAL INSPECTOR	(RANGE FROM $12,000 - $15,000)		
ELEVATOR INSPECTOR	(RANGE FROM $12,000 - $15,000)		
FIRE SUB-CODE OFFICIAL / FIRE SAFETY INSPECTOR	(RANGE FROM $12,000 - $15,000)		
SUB CODE INSPECTOR P/T	(RANGE FROM $25.00 - $35.00 PER HOUR)		
FIRE INSPECTOR P/T	(RANGE FROM $15.00 - $25.00 PER HOUR)		
SECRETARY TO FIRE DEPT.	$ 33,313	$ 33,979	$ 34,658
BOARD OF HEALTH CLERK	(RANGE FROM $25,000 - $35,000)		
BOARD OF HEALTH NURSE	$ 64,559	$ 65,850	$ 67,167
BD OF HEALTH MEDICAL DIRECTOR	$ 9,200	$ 9,200	$ 9,200
RECREATION SUPERVISOR	(RANGE FROM $60,000 - $70,000)		
RECREATION ADMINISTRATIVE ASSISTANT	$ 31,212	$ 31,836	$ 32,473
PARKS SUPERVISOR	(RANGE FROM $55,000 - $62,000)		
PARKS & REC MAINTENANCE	(RANGE FROM $14.00 - $27.00 PER HOUR)		
PARKS & REC SUMMER HELP	(RANGE FROM $8.85 - $12.00 PER HOUR)		
CAMP COUNSELORS	(RANGE FROM $8.85 - $12.00 PER HOUR)		
GYM SUPERVISOR	(RANGE FROM $8.85 - $12.00 PER HOUR)		
CAMP SUPERVISOR	(RANGE FROM $15.00 - $20.00 PER HOUR)		
SPECIAL POLICE OFFICER CLASS III F/T (10 MONTHS)	(RANGE FROM $40,000 - $50,000)		
SPECIAL POLICE OFFICER CLASS III P/T (HOURLY)	(RANGE FROM $20.00 - $30.00 PER HOUR)		
PARKING ENFORCEMENT OFFICER	(RANGE FROM $30,000 - $45,000)		
METER TICKET & REPAIR OFFICER	(RANGE FROM $30,000 - $45,000)		
TRAFFIC OFFICER	(RANGE FROM $30,000 - $45,000)		
RECORDS ROOM CLERK	(RANGE FROM $30,000 - $45,000)		
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	(RANGE FROM $15.00 - $25.00 PER HOUR)		
SCHOOL CROSSING GUARD	AILY RANGE FROM $30.00 - $75.00 PER DAY)		
DARE PROGRAM SUPERVISOR	$ 28,377	$ 28,944	$ 29,523
DARE PROGRAM TUTORS	(RANGE FROM $8.85 - $12.00 PER HOUR)		
INTERVENTION COUNSELOR P/T	(RANGE FROM $25.00 - $35.00 PER HOUR)		
SECRETARY TO POLICE CHIEF	$ 53,076	$ 54,138	$ 55,220
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	$ 60,283	$ 61,489	$ 62,718
EMT F/T	(RANGE FROM $35,000 - $55,000)		
EMT P/T - 6 MONTH PROBATION	($16 PER HOUR)		
EMT P/T - AFTER 6 MONTHS	($17 PER HOUR)		
EMT P/T - AFTER 2 YEARS	($18 PER HOUR)		

BOROUGH OF CLIFFSIDE PARK

	2019	2020	2021
EMT P/T - AFTER 3 YEARS			($18.50 PER HOUR)
EMT P/T - AFTER 4 YEARS			($19 PER HOUR)
CERTIFIED PUBLIC WORKS MANAGER			(RANGE FROM $10,000 - $17,500)
DPW ASST. SUPERINTENDENT	$ 106,715	$ 108,849	$ 111,026
PUBLIC WORKS SUPERVISOR	$ 74,285	$ 75,770	$ 77,286
DPW CLERK/DISPATCHER	$ 21,698	$ 22,131	$ 22,574
SYSTEM WASTE WATER OPERATOR	$ 4,800	$ 4,800	$ 4,800
DPW HEAVY DUTY EQUIP DRV-CDL		(RANGE FROM $12.95 - $30.00 PER HOUR)	
DPW DRIVERS-CDL		(RANGE FROM $11.40 - $30.00 PER HOUR)	
DPW LABORERS		(RANGE FROM $8.85 - $20.00 PER HOUR)	
DPW MECHANIC I		(RANGE FROM $8.85 - $35.00 PER HOUR)	
DPW PART TIME SUMMER HELP		(RANGE FROM $8.85 - $14.00 PER HOUR)	
VOLUNTEER FIRE DEPARTMENT			
NEW MEMBER	$ 300	$ 300	$ 300
PROBATIONARY FIREFIGHTER - PRE-COMPLETION OF BCFA	$ 300	$ 300	$ 300
PROBATIONARY FIREFIGHTER - POST-COMPLETION OF BCFA (6 MO)	$ 300	$ 300	$ 300
FIREFIGHTERS	$ 600	$ 600	$ 600
TRAINING OFFICERS	$ 675	$ 675	$ 675
CAPTAINS, LIEUTENANTS, SAFETY OFFICER	$ 750	$ 750	$ 750
CHIEF, DEPUTY CHIEF, BATTALION CHIEF	$ 900	$ 900	$ 900
CLOTHING ALLOWANCE FOR ALL ACTIVE MEMBERS			($450 PER YEAR)
FIREWATCH		(RANGE FROM $25.00 - $45.00 PER HOUR)	
POLICE DEPARTMENT			
GUIDE A - HIRED PRIOR TO DECEMBER 31, 2014			
CAPTAIN	$ 131,796	$ 133,773	$ 135,780
LIEUTENANT	$ 126,038	$ 127,929	$ 129,848
SERGEANT	$ 120,274	$ 122,078	$ 123,909
SENIOR OFFICER	$ 113,479	$ 115,181	$ 116,909
PATROLMAN STEP 10	$ 107,116	$ 108,471	$ 109,844
PATROLMAN STEP 9	$ 100,752	$ 101,759	$ 102,777
PATROLMAN STEP 8	$ 93,248	$ 94,181	$ 95,123
PATROLMAN STEP 7	$ 85,746	$ 86,603	$ 87,469
PATROLMAN STEP 6	$ 78,243	$ 79,025	$ 79,815
PATROLMAN STEP 5	$ 70,739	$ 71,447	$ 72,161
PATROLMAN STEP 4	$ 63,238	$ 63,871	$ 64,509
PATROLMAN STEP 3	$ 55,735	$ 56,292	$ 56,855
PATROLMAN STEP 2	$ 48,232	$ 48,714	$ 49,201
PATROLMAN STEP 1 (6 MONTHS)	$ 45,017	$ 45,467	$ 45,922
POST - ACADEMY (6 MONTHS)	$ 40,729	$ 41,137	$ 41,548
GUIDE B - HIRED ON/AFTER JANUARY 1, 2015			
CAPTAIN	$ 131,796	$ 133,773	$ 135,779
LIEUTENANT	$ 126,038	$ 127,928	$ 129,847
SERGEANT	$ 120,275	$ 122,079	$ 123,910
SENIOR OFFICER	$ 113,479	$ 115,181	$ 116,909
PATROLMAN STEP 10	$ 107,116	$ 108,471	$ 109,844
PATROLMAN STEP 9	$ 100,752	$ 101,759	$ 102,777

OROUGH OF CLIFFSIDE PARK	2019	2020	2021
ATROLMAN STEP 8	$ 93,248	$ 94,181	$ 95,123
ATROLMAN STEP 7	$ 85,746	$ 86,603	$ 87,469
ATROLMAN STEP 6	$ 78,243	$ 79,025	$ 79,815
ATROLMAN STEP 5	$ 70,739	$ 71,447	$ 72,161
ATROLMAN STEP 4	$ 63,238	$ 63,871	$ 64,509
ATROLMAN STEP 3	$ 55,735	$ 56,292	$ 56,855
ATROLMAN STEP 2	$ 48,232	$ 48,714	$ 49,201
ATROLMAN STEP 1	$ 45,017	$ 45,467	$ 45,922
OST - ACADEMY (6 MONTHS)	$ 40,729	$ 41,137	$ 41,548
CADEMY ENTRY - LEVEL (6 MONTHS)	$ 35,350	$ 35,704	$ 36,061

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

ORDINANCE 2019-02

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

Councilman Bongard 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: Bongard, Marinotti, Corcoran, Colao, Nikaj. ABSENT: Spoto.

ORDINANCE 2019-02

ORDINANCE AMENDING CHAPTER 11 RENT CONTROL

11-2 RENT CONTROL ORDINANCE

ARTICLE I. Terminology

11-2.1 Definitions.
As used in this chapter, the following terms shall have the meanings indicated:

a. DWELLING — Any building or structure or trailer or land being used as a trailer park, rented or offered for rent, to one or more tenants or family units. Exempted from this section are public housing and dwelling space in any motel, hotel or any other premises primarily serving transient guests and similar type buildings in which at least one-third of the occupied floor space is commercial and dwelling places of three units or less. Housing units of three families in which one of the units is owner-occupied shall also be exempt. In any multiple unit structure containing three or more dwelling units, wherein a minimum of three dwelling units are rented by tenants, and are not owner-occupied, such rented dwelling units shall be subject to the rent control regulations of the borough. Housing units newly constructed and rented for the first time are exempt and the initial rent may be determined by the landlord and thereafter all subsequent rents shall be subject to the provisions of this section.
b. HOUSING SPACE — That portion of a dwelling, rented or offered for rent for living or dwelling purposes to one individual or family unit, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such portion of the property.
c. INDEX — The consumer price index (all items) for the region of the United States of which Cliffside Park, New Jersey, is a part, published periodically by the Bureau of Labor Statistics, United States Department of Labor.
d. LANDLORD — The person who owns, purports to own or exercises control of any dwelling.
e. PERIODIC TENANT — Any month-to-month tenant or any tenant at will, or sufferance, or any tenant having a lease for a term of less than one year.

f. RENT — The amount of consideration including any bonus, benefit or gratuity demanded or received by virtue of any agreement between the parties whereby upon the payment of a sum certain by the one party (hereinafter "tenant"), the other (hereinafter "landlord") allows to him the peaceful and quiet enjoyment of the use and occupation of the unit of housing space for that time period. If the parties agree that rent is to be paid upon some interval other than one month, then that shall be construed as an alternative method of payment and the monthly rent shall be calculated by apportioning the rent so as to determine the sum due for the term of one month. Where the parties have covenanted to provide for increments during the term of their agreement, such increments shall not be averaged up as an alternative method of payment calculation.
g. SURCHARGE — Any allowable payment not included in base rent.

ARTICLE II. Rent Increase Calculations

11-2.2 Rental increases.

A. Subject to the provisions of vacancy decontrol set forth in 11-2.4, allowable rent increases for all other rental units falling within the Borough's rent leveling ordinances shall be determined as set forth herein.
B. At the expiration of a period of not less than 12 consecutive calendar months following the effective date of the last rental increase, a landlord may receive an increase in the rent for such rental unit not to exceed 5% of the prior base rent, subject to Subsection C below.
C. The maximum allowable annual rent increase that a landlord may charge a qualified senior citizen or disabled person shall be 3% of the prior base rent. The definition that shall be used to determine qualification by a senior citizen or disabled person is the definition utilized to determine protected tenancy status pursuant to the Senior Citizens and Disabled Protected Tenancy Act (N.J.S.A. 2A:18-61.22 et seq.).
D. The Borough's Rent Leveling Administrator is hereby empowered with the authority to hear and determine all applications for qualification as a senior citizen or disabled person.
E. Any rent increase other than as provided in this chapter shall be void.

11-2.3 Excessive rental void.

Any rental charge in excess of that authorized by the provisions of this chapter shall be void.

11-2.4 Vacancy decontrol.

Any rental which is rented for the first time or shall become vacant for any reason whatsoever, shall be decontrolled. Upon the re-rental of such rental unit, it shall become subject to the provisions of this section. This provision has been included to encourage improvements in rented dwelling units.

11-2.5 Multiple-year lease.

Nothing herein shall be construed as preventing a landlord and a tenant from entering into a lease for a period in excess of one year. A multiple-year lease may provide for an increase in a subsequent calendar year; provided, however, that any subsequent rental increases shall not exceed 5% for the subsequent calendar year for which an increase is provided.

11-2.6 Provisions not to be misconstrued.

The provisions of the Multiple-year lease section are hereby declared to be solely for furthering the orderly administration of this chapter and shall not be construed as affecting or conditioning any rights or duties of landlords or tenants hereunder.

11-2.7 Rent increase notification.

Any landlord seeking a rent increase shall notify the tenant by certified mail, personal service and/or any other way provided by law.

11-2.8 Invalidity; determination.

If Articles II through VI shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, then the establishment of rents between a landlord and a tenant shall be determined by the provisions of this section. At the expiration of a lease or at the termination of the lease of a tenant, no landlord may request or receive a percentage increase in rent for any housing space which is greater than the percentage difference between the index three months prior to the expiration or termination of the lease and the index at the date the last previous lease term

commenced. For a periodic tenant whose lease term shall be less than one year, said tenant shall not suffer or be caused to pay any rent increase in any calendar year which exceeds the average index percentage differential for the calendar year prior thereto.

ARTICLE III. Applications to Board

11-2.9 Application for increase by landlord or relief by tenant.

A. A landlord may apply to the Rent Leveling Board (hereinafter "Board") for an increase in rent in excess of that permitted in Article II hereof upon a showing that:

   1. The increases permitted in Article II hereof will not yield a rental such that the landlord will earn a fair and reasonable return pursuant to 11-2.13; or

B. A tenant may file a complaint with the Board for:

   1. Relief declaring a rental increase void on grounds that it exceeds the maximum allowable rent increase permitted under this chapter;

C. In determining whether to grant the relief provided for under this section, it shall be the landlord's burden to demonstrate, by a preponderance of the evidence, that:

   1. Where an application is filed pursuant to 11-2.9A, the landlord is entitled to relief for the reasons provided for in this section; and
   2. Where a complaint is filed pursuant to 11-2.9B, the tenant is not entitled to relief for the reasons provided for in this section.

11-2.10 Notice of application.

Prior to filing an application pursuant to 11-2.9;

A. A landlord-applicant shall notify the tenant by certified mail or by personal service (provided a receipt is obtained from the tenant or an affidavit of service is sworn to), which notice shall include, but not be limited to, the amount of increase applied for, if possible, and a statement that all documentation filed with the Board shall be available for inspection at the office of the Board.
B. A tenant-applicant shall notify the landlord by certified mail or by personal service (provided a receipt is obtained from the landlord or an affidavit of service is sworn to) of his or her intent to file an application pursuant to 11-2.9 and, generally, the reason(s) the tenant is seeking a reduction.
C. Proof of notice shall be filed along with any application to the Board. No application will be acted upon unless such proof is provided.

11-2.11 Notice of hearing.

A. Immediately upon receipt of an application and proof of notice, the Board shall notify the tenant(s) and landlord of the scheduled hearing date.
B. If the subject of the application is an increase pursuant to 11-2.9A(1), the landlord, upon receipt of the hearing date, shall post notice thereof in conspicuous locations within the premises, including but not limited to the mail rooms, lobbies, elevators and/or laundry rooms.

11-2.12 Determination by Board; unreasonable delay.

A. For purposes of 11-2.9A(1), the year of application shall be the calendar or fiscal year immediately succeeding the calendar or fiscal year last utilized by the landlord in maintaining his books and records, and it shall be the period of operation upon which the Board shall base its determination.
B. Except as provided below, no increase in rent may be collected by a landlord and no decrease in rent may be withheld by a tenant, where such increase or decrease, as the case may be, is the subject of an application, until granted by the Board. The Board shall not unreasonably delay the rendering of its determination of any application.
C. For purposes of 11-2.9A(1), in the event the Board does not render a determination within four months of the filing of the landlord's application, 1/2 of the increased rentals sought shall, at the discretion of the landlord, be collected in accordance with this chapter and shall be subject to retroactive adjustment by the Board upon its determination. Such

four-month period may be extended by written consent of the landlord. In the event the Board concludes that its delay in rendering a decision is caused by the landlord, the landlord shall be prohibited from commencing any collection of increased rentals sought until the Board renders its determination.

11-2.13 Increase granted; percentage calculated.
A landlord shall be entitled to an increase in rent under this section if said landlord is being deprived of earning a fair and reasonable return on his actual investment.

A. The Board shall make a determination regarding the landlord's investment in the subject premises and a fair return thereon. In computing the income necessary to achieve a fair return, the Board shall allow reasonable operating expenses, considering their useful life and debt service.
   1. The "useful life of an expense item" shall be defined as that number of years reasonably expected to pass before that same expense will again be incurred. The past history of the building, where applicable, shall be used as a guideline in determining useful life. Where the useful life of an expense item exceeds one year, such expense shall be prorated over the entire useful life of the expense item. When relief has been granted for an expense item having a useful life in excess of one year, and having a cost equal to a greater than 1% of the then-current roll, such increase shall be treated as a surcharge on the tenant's rent only for the period of the useful life of the expense item and shall thereafter terminate unless the same expense recurs. The surcharge shall not be part of the base rent. At the time of such recurrence, the newly calculated prorated expense may be added to the rent as a new surcharge as determined by the Rent Leveling Board over its then determined useful life.
   2. Debt service shall include interest, principal reduction and mortgage insurance premium, where applicable. In the event there has been a refinancing of prior mortgages, the Board shall review actual disposition of the proceeds of the refinancing as a part of its determination of investment and debt service. Depreciation is specifically excluded as an allowable expense. Real estate tax increases directly attributable to conversions of premises to a condominium or cooperative are specifically excluded as an allowable expense. The "landlord's investment" is hereby defined as the original cash investment at the time of purchase, less any withdrawals at the time of refinancing or at any other time. No inflation factor may be applied to such investment.

B. The Board shall use actual expenses for the period of relief insofar as it is known at the time of the filing of the application for relief. Where such actual costs are unknown, the Board shall project said unknown costs in accordance with the following formula:
   1. The actual costs for the calendar or fiscal year of the landlord prior to the date of filing of the application for relief shall be multiplied by the Percentage Inflation Factor (PIF) which shall yield the allowable operating expense. The "PIF" is defined as the percentage change of the New York/Northeastern New Jersey Consumer Price Index available for the latest 12 consecutive months available at the time of filing of the application for relief.
C. As a part of the application for relief, a landlord shall submit to the Board its anticipated income for the period of relief, considering all automatic increases to base rent that may come due during said period. Anticipated income shall include, but not be limited to, income from residential rents, garage rents, additional facilities and laundry and vending commissions.
D. The Board shall deny all or a part of the relief requested where specific findings of fact support the conclusion that the landlord purchased the subject premises for an excessive price. Excessive purchase price is hereby defined as the purchase price such that at the time of purchase a reasonable investor could not expect to earn a fair return upon his investment.
E. The relief granted shall increase the actual income yielded by the subject premises to that income necessary to enable the landlord to earn a fair return upon his actual investment.
F. Wherever practicable, the Board shall require of the applicant professionally certified documentation of all pertinent financial data offered in support of an application under this section, except that the Board may exercise its reasonable discretion to waive this requirement if the cost to the applicant is deemed to outweigh the need for professional certification.

G. On all applications subsequent to a conversion, the Board shall singularly analyze each item of alleged increased expenses and disregard and disallow any items attributable to said conversion.
H. Any increase granted under this section shall be in lieu of and not in addition to any increase granted under Article II.
I. No increase granted pursuant to this section shall take effect until the Borough's construction official or designated representative, after a reasonable inspection of the premises, notifies the Board in writing that said premises is in substantial compliance with the Borough's maintenance code and State Uniform Construction Code.
J. No increase granted pursuant to this section shall take effect until the Borough's Tax Collector notifies the Board in writing that all property taxes are current, except for arrearages authorized by law, and any tax rebates due have been paid.

11-2.14 Exception; expense ratio a factor.
Notwithstanding anything to the contrary herein, no landlord shall be entitled to a percentage increase greater than that permitted under Article II hereof unless the average expense ratio of the landlord for the three years preceding the year immediately preceding the year of application is less than the expense ratio for the year immediately preceding the year of application. The expense ratio means reasonable and necessary operating expenses, as defined in 11-2.13 hereof, divided by total income.

11-2.15 Landlord to file statement of operations.
A. As soon as available, but not later than six months from the date of the filing of an application for increased rental, the landlord shall file with the Board a statement of operations setting forth its actual costs for the first six months of the year of application.
B. In the event the landlord provides the Board with its actual cost expense reflecting the first six months of the year of application, the Board may dispense with the review as provided for in this section.
C. The Board shall review the statement of operations, may hold public hearings and/or require the filing of additional data. Within two months of receipt of the statement of operations, the Board shall make such adjustments to the relief granted as is manifested by the actual six month cost experience. The Board is not required to make any adjustments in the relief in the event that the actual six-month cost experience does not significantly differ from the reasonable and necessary operating expenses as determined by the Board heretofore. In the event the Board shall fail to make an adjustment within the two-month period, the original relief granted shall become final. In the event the landlord shall fail to file the statement of operations within the six-month period, the relief granted shall automatically terminate and base rent shall revert to the base rents in effect prior to the date of application. For good cause shown, the Board may extend the six-month filing period for an additional period not to exceed three months. Simultaneously with the filing of the statement of operations, the landlord shall notify the affected tenants of the filing. Notwithstanding anything contained in this section, the initial determination of the Board shall be deemed final for purposes of appeal.
D. Any increased or adjusted rental granted pursuant to 11-2.13 and this section shall be subject to further and retroactive adjustment subsequent to distribution from an escrow fund established.

11-2.16 Board to grant one increase in any one year.
The Board shall not grant an increased rental to a landlord upon more than one application for any one year.

11-2.17 Notice forms.
From time to time, the Board may promulgate forms to be utilized whenever notice is required and may adopt such rules and regulations as are necessary to implement the intent of this article.

11-2.18 Applicant to establish escrow account.
A. Upon submission of an application, and in addition to any fees established in 11-2.27 hereof, the applicant shall be required to establish an escrow account with the Borough.
B. Upon receipt of an application for relief, the Board shall forthwith send a copy thereof to any professional experts retained to assist The Board in the processing of the application. Within five days of receipt, the professional experts shall submit to the Board an estimate of funds sufficient in amount to undertake the professional services to be rendered.

C. The applicant shall forthwith deposit such funds in the escrow account maintained by the Tax Collector of the Borough. The professional experts shall submit vouchers for all reasonable and necessary fees for the professional services rendered, which fees shall be paid from the escrow account in the manner prescribed by N.J.S.A. 40A:5-16 through 40A:5-18.
D. The professional expert shall, at the time of submission of any such voucher, forward a copy of same to the applicant. In the event that the applicant questions the reasonableness of any such voucher, the applicant shall, not later than five days after receipt of a copy of the voucher, make written protest of such voucher to the Board. In no event shall the Board authorize the payment of any voucher submitted pursuant to this section sooner than 10 days from its submission.
E. Any of the aforesaid moneys left in the escrow account upon completion of the application shall be returned to the applicant as soon as is practicably possible.
F. Should additional funds be required after the original funds are exhausted, such funds shall be necessary, in the judgment of the Board, shall be paid by the applicant to the Tax Collector of the Borough and placed in the escrow account.
G. The Board shall take no formal action on any application unless and until all escrow funds have been deposited with the Tax Collector of the Borough and any time limitations set forth in this chapter shall

11-2.19 Tenant to be notified of application for relief.
No relief shall be effective as to any new or renewal tenancy relationship entered into after the effective date of this chapter unless the landlord, as part of a lease, has provided written and conspicuous notice of the pendency or possibility of any application for relief and for the six-month review provided for in 11-2.15 hereof, which notice shall be separately signed by the tenant. In the event of an oral lease, the landlord, at the time of the creation or renewal of the tenancy relationship, shall provide written actual notice of the aforesaid.

11-2.20 Lease to expire; tenant has grace period.
Where a lease is due to expire within 60 days from the granting of any relief by the Board pursuant to 11-2.13, the tenant shall have the right to remain in possession, without renewing the lease for a period not to exceed 90 days following the date of receipt of the Board's determination. The tenant shall pay the increased rentals granted by the Board until the premises are vacated.

ARTICLE IV. Board Construction; Powers and Duties

11-2.21 Board continued.
The Rent Leveling Board as heretofore constituted is hereby continued. The members currently serving on the Board may continue to do so until their term expires and until their successors shall have qualified.

11-2.22 Members appointed; term.
The Board shall consist of five members appointed by the Mayor with the advice and consent of the Council, all of whom shall serve without compensation and reside in the Borough. Their terms of office shall be one year. Three alternate members may be appointed by the Mayor with the advice and consent of the Council, to serve in the absence of or due to the disability of any of the regular members of the Rent Control Board. Alternate members shall serve at the discretion of the Mayor and Council. The term of office shall commence on the date of passage of this subsection and continue until the first council meeting of the succeeding year at which time alternate members may be appointed for a period of one year unless sooner removed due to disability or by termination by the Governing Body. d

11-2.23 Powers and duties.
A. The Board is hereby granted, and shall have and exercise, in addition to other powers herein granted, all the powers necessary and appropriate to carry out and execute the purposes of this chapter, including but not limited to the following:
   1. To issue and promulgate such rules and regulations as it deems necessary to implement the purposes of this chapter, which rules and regulations shall have the force of law until revised, repealed or amended from time to time by the Board in the exercise of its discretion, provided that such rules and regulations are approved,

modified or disapproved by resolution of the Mayor and Council, which resolution approving, modifying or disapproving such rules and regulations shall be adopted by the Mayor and Council within 90 days from receipt thereof. In the event the Mayor and Council fail to adopt said resolution within 90 days, the rules and regulations shall be deemed to be approved by the Mayor and Council in the form submitted.

2. To supply information and assistance to landlords and tenants to help them comply with the provisions of this chapter.
3. To hold hearings and adjudicate applications from tenants for reduced rental as provided herein.
4. To enforce the provisions of this chapter and to initiate proceedings in the municipal court of willful violations thereof.
5. To issue subpoenas to compel the attendance of witnesses and the production of books and records in connection with hearings held pursuant to the provisions of this chapter.

B. The Board shall give both landlord and tenant reasonable opportunity to be heard before making any determination.

11-2.24 Appeals to governing body.

A. Any determination of the Board may be appealed by an affected landlord or tenant to the governing body. The appeal shall be made in writing and filed with the Borough Clerk within 20 days from the receipt of the Board's determination and shall set forth the specific basis for the appeal. The appellant shall deliver a copy of the notice of appeal by certified mail or personal service to each affected party.

B. The governing body may thereafter hold a hearing on the appeal, which hearing shall be de novo unless a transcript or stipulation of facts is supplied. In the event the governing body does not hold a hearing on the appeal within 60 days of the filing of the appeal, the determination of the Board shall be deemed affirmed.

ARTICLE V. Responsibilities of Landlord

11-2.25 Maintain standards.

A. During the term of this chapter, the landlord shall maintain the same standards of service, maintenance, furniture, furnishings and equipment in the housing space and dwelling as he provided or was required to do by law or lease on the date the lease was entered into. Any violation hereof shall subject the landlord to punishment under 11-2.28 hereunder.

B. Anti-harassment provisions.
   1. Any conduct, direct or indirect, committed by a landlord, or anyone on his behalf, which results in the harassment of a tenant, including but not limited to a reduction of services, bothersome telephone calls or letters, bellringing, frivolous eviction threats or legal proceedings, shall be unlawful and shall constitute a violation of this chapter. A complaint for this violation can be brought in the Cliffside Park Municipal Court and must be filed within 90 days of the alleged act of harassment.

   2. Upon a finding that a landlord was guilty of harassment under this section, the Court shall impose a fine of up to $2,000 per act of harassment with a minimum mandatory fine of $150 for a first offense; $300 for a second offense; and $500 for each subsequent offense. Each day or part thereof of such harassment shall constitute a separate offense for the purposes of this section. In addition, the Court may impose any one or more or parts of the following penalties:
      a. A forfeiture of prospective rent increases on the unit in question for a period of three years.
      b. Reimbursement to the aforesaid affected tenant of up to six months rent.

11-2.26 Increases must be authorized.
No landlord shall after the effective date of this chapter charge any rents in excess of what was received before the effective date of this chapter except for increases as authorized by this chapter.

ARTICLE VI. Miscellaneous Provisions

11-2.27 Schedule of fees.
There is hereby established the following Schedule of Fees for complaints and applications to the Board, which fees shall be payable to the Tax Collector of the Borough.

Type of Complaint or Application	Fee
Complaint filing fee	$100.00
Landlord's application for increased rental due to capital Improvement	$100.00
Landlord's application for hardship relief	$100.00

11-2.28 Violations and penalties.
A violation of any provision of this chapter, including but not limited to the filing with the Rent Leveling Board of any misstatement of fact, shall be punishable by a fine of not more than $200 and imprisonment for not more than 30 days, or both. A violation affecting more than one leasehold shall be considered a separate violation as to each leasehold.

11-2.29 Construal of provisions.
This chapter, being necessary for the welfare of the Borough and its inhabitants, shall be liberally construed to effectuate the purposes thereof.

11-2.30 Appointment of attorney.
The Mayor and Council reserve and retain the right to annually appoint an attorney to represent the Rent Leveling Board and set his or her salary.

ARTICLE VII. Applications for Reduced Rent Increase Percentages

11-2.31 Qualification for eligibility for senior citizen and disabled person status.

A. All persons seeking to qualify as senior citizen or disabled person shall complete application forms provided by the Rent Board.
B. The determination as to eligibility shall be made by the administrator of the Rent Leveling Board and is appealable to the Rent Leveling Board within 20 days. The decision of the Rent Leveling Board shall be final.
C. Hearings by the Rent Leveling Board on such appeals shall be held in closed session, with only the affected landlord and tenant and their agents in attendance. All data utilized at such hearing shall be held in strict confidence at the request of the tenant.
D. Once a tenant obtains initial eligibility, said tenant must certify at the expiration of every two years thereafter as to his/her continued eligibility. Such certification forms shall be provided by the Rent Leveling Board.
E. Said certification must be completed by an eligible tenant not less than three months prior to lease renewal or annual rent increase.
F. For good cause shown, a landlord may apply to the Rent Leveling Board for a hearing on the question of a tenant's eligibility at the anniversary date of such tenant's eligibility after the initial two-year period of eligibility.

11-2.32 Cap on rent increases for eligible senior citizens and disabled persons.
Annual rent increases for qualified senior citizens and disabled persons shall not exceed 3%.

11-2.33 Vacation of a unit of a senior citizen or disabled tenant.
Upon vacation of a unit of a senior citizen or disabled tenant, the unit becomes decontrolled.

11-2.34 Administrative agent.
The administrator of the Rent Leveling Board shall serve as the administrative agent for the Borough of Cliffside Park to administer the Senior Citizens and Disabled Protected Tenancy Act.

11-2.35 Conversion fee.
The landlord/sponsor of each rental unit converted to a condominium or cooperative after the effective date of the Senior Citizens and Disabled Tenancy Act shall provide sufficient postage and forms for certified mailings and pay fees in accordance with the schedule listed herein.

A. Initial filing fee, building or project.
   1. Less than 50 units: $125.
   2. Less than 150 units: $225.
   3. Less than 250 units: $325.
   4. Two hundred fifty units or more: $425.

B. Application processing fee, initial and/or continued eligibility: $35 per application.

11-2.36 Appeals Board.

A. There is hereby established an Appeals Board, which Board shall hear and determine appeals from decisions rendered by the administrative agent under and pursuant to the Senior Citizens and Disabled Protected Tenancy Act.

B. The Appeals Board shall be composed of three members of the Rent Leveling Board to be chosen by the Rent Leveling Board (a majority thereof concurring). Said persons shall serve without compensation. The terms of each member of the Appeals Board shall be for one year or until the end of the calendar year, whichever shall first occur.

C. A filing fee of $75 shall be paid by each appellant and said fee must be made at the time the appeal is filed.

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

PUBLIC PORTION:

On a motion by Councilman Corcoran, 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: None.

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

ADJOURN:

On a motion by Councilwoman Martinotti, seconded by Councilman Bongard, the meeting was adjourned at 7:03 p.m.

ATTEST:

SERCAN ZOKLU, RMC
BOROUGH CLERK

APPROVED:

THOMAS CALABRESE
MAYOR