

AUGUST 6, 2019

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

**MINUTES OF THE REGULAR MEETING  
AUGUST 6, 2019**

**CALL TO ORDER AT 5:00 P.M.**

**FLAG SALUTE LED BY MAYOR THOMAS CALABRESE**

**PRESENT AT ROLL CALL:**

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

**“OPEN PUBLIC MEETINGS ACT” STATEMENT:**

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

1. ORIGINAL MEETING NOTICE PUBLISHED JANUARY 10, 2019 WITH THE RECORD, AND JANUARY 11, 2019 WITH THE JERSEY JOURNAL, BOTH OFFICIAL NEWSPAPERS OF THE BOROUGH.
2. MEETING NOTICE TIME CHANGE PUBLISHED JULY 31, 2019 WITH THE RECORD, AND AUGUST 2, 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 Councilwoman Spoto, seconded by Councilwoman Martinotti, the minutes of the Caucus Meeting of June 24, 2019 were accepted.**

**ROLL CALL:**

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

**CONSENT AGENDA:**

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

**ROLL CALL:**

**AYES:** Spoto, Bongard, Martinotti, Corcoran, Colao, Nikaj.

**RESOLUTIONS:**

**On a motion by Councilman Corcoran, seconded by Councilman Bongard, Resolutions 2019-162 through 2019-182 were offered for adoption. Councilwoman Spoto abstained from Resolution 2019-177.**

**ROLL CALL:**

**AYES:** Spoto, Bongard, Martinotti, Corcoran, Colao, Nikaj.

AUGUST 6, 2019

**RESOLUTION 2019-162**

**WHEREAS**, NERWIN RUSTOM OF 245 PARK AVENUE B.1101 L.11 C0245 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$37,811.45 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 18-004 SOLD TO US BANK CUST FOR TOWER DBVIII TRUST 2018-1 FOR 2017 TAXES IN THE AMOUNT OF \$15,004.33.

**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 \$37,811.45 FOR THE REDEMPTION OF SAID TAX TITLE LIEN, AND A CHECK IN THE AMOUNT OF \$45,000.00 FOR PREMIUM PAID ON SAID PROPERTY; AND

**BE IT FURTHER RESOLVED** THAT SAID CHECK BE DRAWN ON THE BOROUGH OF CLIFFSIDE PARK TRUST ACCOUNT AND PAYABLE TO US BANK CUST FOR TOWER DBV TRSUT 2018-1 50 SOUTH 16<sup>TH</sup> STREET, SUITE 2050, PHILADELPHIA, PA 19102.

**RESOLUTION 2019-163**

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Cliffside Park, in the County of Bergen, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$40,295.32 which item is now available as a revenue from the State of New Jersey, Department of Agriculture; and

**BE IT FURTHER RESOLVED** that the like sum of \$40,295.32 is hereby appropriated under the caption "2019 Summer Food Service Program"; and

**BE IT FURTHER RESOLVED** that the above is a result of a grant of \$40,295.32 from the State of New Jersey, Department of Agriculture.

**RESOLUTION 2019-164**

**BE IT RESOLVED** BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT THE CHIEF FINANCIAL OFFICER BE AND HE IS HEREBY AUTHORIZED TO CLEAR OLD OUTSTANDING CHECKS FROM THE MUNICIPAL COURT BAIL ACCOUNT (\$9,961.00) WHICH DETAIL IS ON FILE IN THE OFFICE OF THE CHIEF FINANCIAL OFFICER.

**RESOLUTION 2019-165**

**WHEREAS**, the Cliffside Park Police Department has received a request from **Ann Stambler** of **259 Wayne Avenue Apt. 26** Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Ann Stambler** has been issued New Jersey Permanent Handicap Placard **P1582897** 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

AUGUST 6, 2019

**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>
Wayne Avenue	South	Beginning at a point approximately 3 feet east of the southeast curb line of Railroad Avenue and Wayne Avenue and continuing to a point 18 feet easterly thereof

### **RESOLUTION 2019-166**

**WHEREAS**, the Cliffside Park Police Department has received a request from **Timmie Davis** of **251 Lafayette Avenue Apt. 17** Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Timmie Davis** has been issued New Jersey Handicap Registration **4782HF** 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>
Lafayette Avenue	North	Beginning at a point approximately 685 feet west of the northwest curb line of Palisade Avenue and Lafayette Avenue and continuing to a point 18 feet westerly thereof

### **RESOLUTION 2019-167**

**WHEREAS**, the Cliffside Park Police Department has received a request from **Eliseo Aguilar** of **333 Palisade Avenue Apt. 3** Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Eliseo Aguilar** has been issued New Jersey Permanent Handicap Placard **P2094557** 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>
Cliff Street	North	Beginning at a point approximately 25 feet west of the northwest curb line of Palisade Avenue and Cliff Street and continuing to a point 18 feet westerly thereof

### **RESOLUTION 2019-168**

AUGUST 6, 2019

**WHEREAS**, the Cliffside Park Police Department has received a request from **Alice Movsesian** of **765 Anderson Avenue Apt. 54** Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Alice Movsesian** has been issued New Jersey Permanent Handicap Placard **P2106366** 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>
Aurora Avenue	North	Beginning at a point approximately 37 feet west of the northwest curb line of Anderson Avenue and Aurora Avenue and continuing to a point 18 feet westerly thereof

**RESOLUTION 2019-169**

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

Adopted on: <b>5-8-2012</b>	<b>RESOLUTION 2012-99</b> 224 Grant Avenue Cliffside Park, NJ 07010
-----------------------------	---

Adopted on: <b>5-9-2017</b>	<b>RESOLUTION 2017-90</b> 239 Cliff Street 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 2019-170**

**MAYOR'S APPOINTMENTS**

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

	<b>Term Expires</b>
<b><u>PLANNING BOARD – ALTERNATE – 2 Year Term</u></b> Maria Romano (Alt #1)	12/31/19

**RESOLUTION 2019-171**

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

Conduct Bingo games as permitted under State Statute from August 16, 2019 through December 27, 2019; and

AUGUST 6, 2019

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

### **RESOLUTION 2019-172**

**WHEREAS**, the Mayor and Council of the Borough of Cliffside Park, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

**WHEREAS**, the Mayor and Council of the Borough of Cliffside Park further recognizes that it is incumbent upon, not only public officials, but upon the entire community to take action to prevent abuses in our community; and

**WHEREAS**, the Mayor and Council of the Borough of Cliffside Park has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Cliffside Park, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Mayor and Council of the Borough of Cliffside Park does hereby authorize submission of an application for the Borough of Cliffside Park Municipal Alliance Grant for the July 1, 2019 – June 30, 2020 period in the amount of \$11,677.00
2. The Mayor and Council of the Borough of Cliffside Park acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

### **RESOLUTION 2019-173**

#### **MAYOR'S APPOINTMENTS**

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

	<b>Term Expires</b>
<b><u>CLASS I SPECIAL POLICE OFFICERS – 1 Year Term</u></b>	
Michael Bahadourian	12/31/19
Jose Barenas	12/31/19
Joshua Ortiz	12/31/19
Michael Rodriguez	12/31/19
Aaron Nazir	12/31/19
Jared Reyes	12/31/19
Ciara Colon	12/31/19
David Marc Epstein	12/31/19
Eric Kruty	12/31/19
Anthony Bonilla	12/31/19
<b><u>CLASS III SPECIAL POLICE OFFICERS – 1 Year Term</u></b>	
Anthony Ferreira #309	12/31/19

### **RESOLUTION 2019-174**

#### **MAYOR'S APPOINTMENTS**

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

AUGUST 6, 2019

**EMERGENCY MEDICAL TECHNICIAN / PATIENT ACCOUNT MANAGER –1 Year Term**  
Daniela Betts - full time with benefits at \$50,000

**Term Expires**  
12/31/19

**RESOLUTION 2019-175**

**RESOLVED** by the Mayor and Council of the Borough of Cliffside Park, that Engineer's Estimate No. 5 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 & #2)	\$1,262,125.65
PREVIOUSLY PAID	\$564,619.06
ESTIMATE NO. 5 FOR PAYMENT	\$261,021.87

**RESOLUTION 2019-176**

**RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS**

**WHEREAS**, a Bergen County Community Development (un-programmed funds) grant of \$150,000.00 has been proposed by the Borough of Cliffside Park for West Grantwood Park Improvements Project in the municipality of Cliffside Park; and

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

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

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

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

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

**RESOLUTION 2019-177**

AUGUST 6, 2019

**A RESOLUTION SUPPORTING THE EXPANSION OF  
THE NEW JERSEY COMPASSIONATE USE MARIJUANA ACT**

**WHEREAS**, the “New Jersey Compassionate Use Marijuana Act” (the Act) (N.J.S.A. 24:6I-1 et seq.) provides legal protection for the cultivation, processing, dispensing and use of marijuana for medical purposes; and

**WHEREAS**, the State of New Jersey has determined pursuant to the Act that it is necessary to expand New Jersey’s Medical Marijuana Program in order to meet the needs of qualified patients by announcing its acceptance of applications for the issuance of up to fifteen (15) additional Dispensary Alternative Treatment Centers; and

**WHEREAS**, the Borough of Cliffside Park supports the expansion of New Jersey’s Medical Marijuana Program to fulfill the needs of those patients who use marijuana to alleviate suffering from certain medical conditions and is in favor of an Alternative Treatment Center (“ATC”) operating within the Borough of Cliffside Park; and

**WHEREAS**, the Borough of Cliffside Park, upon State Approval, will introduce an Ordinance to permit the operation of an ATC within Cliffside Park;

**WHEREAS**, the Borough of Cliffside Park encourages Medical Marijuana businesses that intend to operate an ATC within Cliffside Park to begin the application process with the New Jersey Department of Health subject to State approval and Municipal enabling Ordinances authorizing the operation of an ATC within the Borough;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF CLIFFSIDE PARK, THAT** the Council supports the expansion of New Jersey’s Medical Marijuana Program in order to meet the medical needs of qualified patients who use Medical Marijuana to alleviate suffering from various medical conditions; and

**BE IT FURTHER RESOLVED THAT** the Municipality may issue letters in support of responsible Medical Marijuana businesses applying to the New Jersey Department of Health for an ATC permit.

**RESOLUTION 2019-178**

**WHEREAS**, the Mayor & Council and Borough Clerk of the Borough of Cliffside Park (Borough) had intentions to advertise & seek bids for the Improvements to Columbus Park Playground; and

**WHEREAS**, the project required the purchase of equipment through state contract; and

**WHEREAS**, Remington & Vernick Engineers received a quote from MRC in the amount of \$90,224.54 for equipment 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 the purchase of the equipment from MRC in the amount not to exceed \$90,224.54; 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 Remington & Vernick Engineers, the Chief Financial Officer, MRC, and the Borough Attorney.

AUGUST 6, 2019

**RESOLUTION 2019-179**

**FLU / PNEUMOCOCCAL PROFESSIONAL SERVICES AGREEMENT**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Cliffside Park, that the Borough be and is hereby authorized to enter into an agreement with the County of Bergen for the purchase of flu vaccine for the at risk residents of Cliffside Park; and

**BE IT RESOLVED** that the cost of this vaccine shall be \$177.00 per 10 dose vial for the flu vaccine; and

**BE IT FURTHER RESOLVED** that the Mayor be and is hereby authorized to execute the necessary agreement with the County of Bergen, in a form to be approved by the Borough's Council.

**RESOLUTION 2019-180**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

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

**WHEREAS**, the Annual Report of Audit for the year December 31, 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

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

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

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

**RESOLUTION 2019-181**

**CORRECTIVE ACTION PLAN**

Borough of Cliffside Park  
2018 Annual Audit  
Prepared by: Frank Berardo, CMFO

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.
- c) Prior year outstanding checks be reviewed and cleared of record.

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.
- c) Bank reconciliations contained numerous outstanding checks from prior years.

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.
- b) Cash bail on account per the ATS/ACS system will be reviewed and reconciled to the bail bank account balance.
- c) Prior year outstanding checks on the bank reconciliations will be reviewed and cleared of record.

Implementation

Immediately

**RESOLUTION 2019-182**

**WHEREAS**, Cliffside Park Ptl. Ryan Stanek has petitioned the Council requesting an unpaid Medical Leave of Absence; and

**WHEREAS**, the Borough has received and reviewed the Medical Documents submitted by Officer Stanek, and has satisfied that Ptl. Ryan Stanek's request is bona fide and its genesis is from a verifiable medical situation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council does hereby grant Ptl. Ryan Stanek sixty (60) days unpaid Medical Leave of Absence commencing on August 22, 2019, or the last day of Ptl. Ryan Stanek's accrued vacation, sick, and/or compensation time;

**BE IT FURTHER RESOLVED**, that a Certified to be True Copy of this Resolution be served upon Ptl. Ryan Stanek, c/o Albert Wunsch, III, Esq.; Richard Gaito, Cliffside Park Police Chief; Joseph Rutch, Borough Administrator; Frank Berardo, Chief Financial Officer; and Christos J. Diktas, Esq., Borough Attorney.

**ORDINANCES: INTRODUCTION**

**Councilman Corcoran INTRODUCED AN ORDINANCE ENTITLED:**

**ORDINANCE 2019-08**

Councilman Corcoran moved the ordinance be given its first reading. So ordered.

The Municipal Clerk read the said ordinance by title. Councilman Corcoran moved the ordinance be adopted on first reading and published in The Bergen Record on August 10, 2019. Motion was seconded by Councilman Colao.

The ordinance will be available to the public for inspection in the Clerk's Office and posted on the bulletin board.

The public hearing is to be held on September 10, 2019 in the Mayor and Council Chambers at 5:00 p.m., at which time all persons wishing to be heard on the proposed ordinance will be heard.

The ordinance was approved at the first reading upon the call of the roll.

ROLL CALL:

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

**ORDINANCE 2019-08**

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

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

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

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

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

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

**ADD THE FOLLOWING TO THE SCHEDULE I**

<b>STREET</b>	<b>SIDE</b>	<b>LOCATION</b>
Greenmount Avenue	North	Beginning at a point approximately 190 feet west of the northwest curb line of Kearney Avenue and Greenmount Avenue
First Street	West	Beginning at the northwest corner of First Street and Walker street and continuing 65 feet northerly thereof.

Palisade Avenue	West	In front of 169, 171, 173, 175, 177 and 179 Palisade Avenue. Beginning at a point approximately 311 feet south of the southwest curb line of Palisade Avenue and Day Avenue.
Jersey Avenue	North	Beginning at a point approximately 232 feet west of the Northwest curb line of Palisade Avenue and Jersey Avenue, and continuing 64 feet westerly thereof.
Jersey Avenue	South	Beginning at a point approximately 182 feet west of the southwest curb line of Palisade Avenue and Jersey Avenue, and continuing 120 feet westerly thereof.

**Section 8-3.4 –Parking Prohibited during certain hours on certain streets, specifically Schedule II:**

**REMOVE THE FOLLOWING TO THE SCHEDULE II**

MONDAY – SATURDAY

NAME OF STREET	SIDES	HOURS	LOCATION
Anderson Avenue	East	7am-8am	From Pleasant Ave to Oakdene Avenue
Anderson Avenue	West	8am-9am	From Pleasant Ave to Oakdene Avenue

MONDAY - 9:00 a.m. to 12:00 Noon

Oakdene Avenue            South            Anderson Avenue to Borough Line

THURSDAY - 9:00 a.m. to 12 Noon

Commercial Avenue        East            Jersey Avenue to Edgewater Road

**ADD THE FOLLOWING TO THE SCHEDULE II**

MONDAY – 9:00 am to 12 Noon

NAME OF STREET	SIDES	LOCATION
First Street	West	First Street to Dead End

TUESDAY - 9:00 a.m. to 12 Noon

Commercial Avenue        East            Jersey Avenue to Edgewater Road

THURSDAY - 9:00 a.m. to 12:00 Noon

AUGUST 6, 2019

Oakdene Avenue                      South                      Anderson Avenue to Borough Line

MONDAY – SATURDAY

NAME OF STREET	SIDES	HOURS	LOCATION
Anderson Avenue	East	7am-8am	From Pleasant Ave to Cliff Street
Anderson Avenue	West	8am-9am	From Pleasant Ave to Edgewater Road

**Section 8-6 – One Way Streets, specifically Schedule VI:**

**REMOVE THE FOLLOWING TO THE SCHEDULE VI**

Name of Street	Direction	Limits
Railroad Avenue (public service right-of-way)	Northbound	From Franklin Avenue to Wayne Avenue

**Section 8-13 – Loading Zone, specifically Schedule XII:**

**REMOVE THE FOLLOWING TO THE SCHEDULE XII**

Name of Street	Hours	Side	Location
Second Street	9:00am-3:00pm	West	From 35 feet north of Walker Street to 100 feet north thereof.
Kearney Avenue	9:00am-6:00pm M-F	West	Beginning at the northwest corner of Kearney Avenue and Edgewater Road and extending to a point 60 feet northerly therefrom.
Delia Lane	9:00am-12:00pm Tues&Fri.	North	Beginning at a point 115 feet west of the northwest curblines of Palisade Avenue and Delia Lane to a point 8 feet easterly thereof.

**ADD THE FOLLOWING TO THE SCHEDULE XII**

Name of Street	Hours	Side	Location
Lawton Avenue	All Times	North	On Lawton Avenue between Anderson Ave and Glen Street, specifically beginning at a point approximately 80 feet west of the northwest curb line of Anderson Avenue and Lawton Avenue, and continuing 84 feet westerly thereof.

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

**SEVERABILITY.** If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

**REPEALER.** All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

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

required by law.

**Councilman Bongard INTRODUCED AN ORDINANCE ENTITLED:**

**ORDINANCE 2019-09**

Councilman Bongard moved the ordinance be given its first reading. So ordered.

The Municipal Clerk read the said ordinance by title. Councilman Bongard moved the ordinance be adopted on first reading and published in The Bergen Record on August 10, 2019. Motion was seconded by Councilman Corcoran.

The ordinance will be available to the public for inspection in the Clerk's Office and posted on the bulletin board.

The public hearing is to be held on September 10, 2019 in the Mayor and Council Chambers at 5:00 p.m., at which time all persons wishing to be heard on the proposed ordinance will be heard.

The ordinance was approved at the first reading upon the call of the roll.

**ROLL CALL:**

**AYES:** Spoto, Bongard, Martinotti, Corcoran, Colao, Nikaj.

**ORDINANCE 2019-09**

**ORDINANCE AMENDING THE REVISED GENERAL ORDINANCE  
OF THE BOROUGH OF CLIFFSIDE PARK  
SPECIFICALLY, CHAPTER 15 FIRE PREVENTION CODE  
CREATING A NEW SUBCHAPTER  
DESIGNATED FIRE LANES**

**WHEREAS**, the Mayor and Council of the Borough of Cliffside Park have requested that Fire Code Official, Frank Poerio, designate and delineate all Fire Lanes in the Borough; and

**WHEREAS**, Frank Poerio, with the assistance of Greg Yfantis and the Building Department, have reasonably inspected every known Fire Lane in the Municipality; and

**WHEREAS**, the following Fire Lane listing represents a comprehensive designation of each Fire Lane throughout the Borough;

**NOW, THEREFORE, BE IT ORDAINED** that the Borough of Cliffside Park does hereby deem the following areas to be expressly noted as Statutory Fire Lanes;

**New Provision: 15-14 Fire Lanes**

<b>Name of Street</b>	<b>Location</b>
1. Pine Street	From Accomando Place to dead end West side of Street
2. Cedar Street	From Accomando Place to dead end East side of Street
3. Gigante Terrace	At dead end West side of street
4. Cliff Lane	Both sides of street from Walker street to dead end

AUGUST 6, 2019

5. Riverview Ave	Dead end of roadway at the Cliffs
6. Oakdene Ave	Dead end of roadway at the Cliffs
7. Lincoln Ave	Dead end of roadway at the Cliffs
8. Washington Ave	Dead end of roadway at the Cliffs
9. Crescent Ave	Dead end of roadway at the Cliffs
10. Columbia Ave	Dead end of roadway at the Cliffs
11. Lawton Ave	Dead end of roadway at the Cliffs
12. Grant Ave	Dead end of roadway at the Cliffs
13. Knox Ave	Dead end of roadway at the Cliffs
14. Lafayette Ave	Dead end of roadway at the Cliffs
15. Lafayette Ave	Dead end at driveway to Norman Drive
16. 100 Carlyle Drive (Carlyle Towers)	Roadway both sides of Norman Drive
17. 100 Carlyle Drive (Carlyle Towers)	Front of building half of circular driveway
18. 200 Winston Drive	Roadway from Winston Drive to front entrance of building, South side
19. 300 Winston Drive	Roadway from Winston Drive to front entrance of building, South side
20. Palisadium Drive	Palisade Ave to rear entrance of Carlyle Towers, West side
21. Palisadium Drive	East side of Palisadium Drive from Carlyle Towers to end of Palisadium building
22. Palisadium Drive	Driveway North Side of building, South side of curb line
23. Railroad Ave	Between Franklin Ave and Wayne Ave East side of roadway
24. Wayne Ave	Dead end at the Greenhouse property line
25. Wayne Ave	Front of 272 Wayne Ave South Side
26. West End Ave	Lafayette Ave to Fort Lee Border West side of street
27. Harvard Place	Little League driveway
28. Florence Place	Little League driveway
29. 770 Anderson Ave (Greenhouse Hi-Rise)	Front roadway of building
30. 250 Gorge Road (Briarcliff Hi-Rise)	Front Roadway
31. 250 Gorge Road (Briarcliff Hi-Rise)	Gorge Road front of building
32. Parking Lot (Rear of 744 Anderson Avenue)	Roadway to Parking Lot Both Sides of Roadway Entrance
33. Wheeler Street	Dead end of Roadway, East side
34. Borough Hall Parking Lot	Rear roadway along sidewalk East side
35. Public School # 5 (Day Avenue Front of School)	From Rothwell Avenue through Summit Avenue (While School is occupied)
36. Public School # 3 (Palisade Avenue Front of School)	Park Avenue through school property line West Side of Palisade avenue (While school is Occupied)
37. Public School # 6	South Side of Oakdene Avenue (While school is

(Oakdene Avenue Front of School)	occupied)
38. Public School # 6 (Longview Avenue Dead End)	Curb Line at the Dead End
39. Public School # 4 (Columbia Avenue Front of School)	(While School is Occupied)
40. Public School # 4 (Lawton Avenue Front of School)	(while School is Occupied)
41. Cliffside Park High School (Rear Williams Terrace	Driveway at end of Street
42. Head Start 263 (Lafayette Avenue Front of School)	(While school is Occupied)
43. 404-418 Palisade Ave 401-419 Gorge Road	<ol style="list-style-type: none"> <li>1. North entrance of roadway from Gorge Road to the rear</li> <li>2. South entrance roadway from Gorge Road to the rear</li> <li>3. The main roadway in the rear between the North and South entrance</li> </ol>
44. 5 Bender Place	Roadway between 4 Washington Place and 5 Bender Place

**BE IT FURTHER ORDAINED** that the Fire Prevention Official and/or the Cliffside Park Police Department shall have the exclusive Jurisdiction to issue Motor Vehicle Summonses for any Vehicle parked within the Fire Lane; and

**BE IT FURTHER ORDAINED** that the Fines for parking within a Fire Lane shall be:

**New Provision: 15-4.1 Fire Lane Violation/Fines**

- a. First Offense: \$50.00, and Vehicle may be towed;
- b. Second Offense: \$150.00, and Vehicle may be towed;
- c. Third Offense: \$500.00, and Vehicle may be towed;
- d. Fourth Offense: \$1,000.00, and Vehicle may be towed.

**SEVERABILITY.** If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

**REPEALER.** All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

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

**Councilman Colao INTRODUCED AN ORDINANCE ENTITLED:**

AUGUST 6, 2019

## ORDINANCE 2019-010

Councilman Colao moved the ordinance be given its first reading. So ordered.

The Municipal Clerk read the said ordinance by title. Councilman Colao moved the ordinance be adopted on first reading and published in The Bergen Record on August 10, 2019. Motion was seconded by Councilwoman Martinotti.

The ordinance will be available to the public for inspection in the Clerk's Office and posted on the bulletin board.

The public hearing is to be held on September 10, 2019 in the Mayor and Council Chambers at 5:00 p.m., at which time all persons wishing to be heard on the proposed ordinance will be heard.

The ordinance was approved at the first reading upon the call of the roll.

ROLL CALL:

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

## ORDINANCE 2019-10

### CHAPTER IX - METERED PARKING IN STREETS AND PARKING LOTS

#### 9-1 METERED PARKING IN STREETS.

##### 9-1.1 Applicability and Definitions.

This section shall be deemed an additional provision for the regulation of traffic and parking in the parking meter zones herein established. It shall not be deemed in conflict with the established bus stops, taxicab stands and with such prohibited and restrictive parking otherwise provided in the traffic chapter of this revision or by state law or as hereafter designated by state law or the mayor and council and the borough police department.

As used in this section:

- a. **Meter parking** shall mean the parking of a vehicle in a parking meter space during the hours when the meters are in operation.
- b. **Operator** shall mean a person who is in actual physical control of a vehicle.
- c. **Park** or **parking** shall mean the standing of a vehicle on a public parking lot, or an entrance or exit thereto, whether or not the vehicle is occupied.
- d. **Parking meter** shall mean any mechanical device or meter, not inconsistent with this section, placed or erected for the regulation of parking.
- e. **Parking meter space** shall mean any space within a parking meter zone, adjacent to a parking meter which is duly designated for the parking of a single vehicle by lines painted or durably marked on the surface of the pavement adjacent to or adjoining the parking meters.
- f. **Parking meter zone** shall mean any parking lot or facility owned, operated and maintained by the authority upon which parking meters are installed and in operation.
- g. **Parking zone** shall mean any public parking lot or facility owned, operated and maintained by the borough.
- h. **Public parking lots** shall mean all areas, lots or facilities owned, controlled, operated or maintained by the borough and used for, or devoted to, off-street public parking.
- i. **Vehicle** shall mean every device in, upon or by which a person or property is or may be transported upon a highway or street, accepting devices moved by human or animal power.

**9-1.2 Establishment of Parking Meter Zones.**

Subject to the provisions of subsection 9-1.3 the following streets or portions thereof, except the areas therein and thereon designated for use as bus stops, or adjoining fire houses or opposite the vehicular or equipment entrance to fire houses, are hereby designated and established as parking meter zones:

- a. Zone (a): The west side of Anderson Avenue from the southwest corner of Anderson and Pleasant Avenues to the northwest corner of Anderson and Oakdene Avenues.
- b. Zone (b): The east side of Anderson Avenue from the point opposite the southwest corner of Anderson and Pleasant Avenues measured at right angles to Anderson Avenue to the northeast corner of Anderson and Oakdene Avenues.
- c. Zone (c): The south side of Pleasant Avenue and the north side of Oakdene Avenue and both sides of Lafayette Avenue, Grant Avenue, Columbia Avenue, Nelson Avenue and Washington Avenue running west from Anderson Avenue for a distance of 100 feet but only where the abutting property is zoned for business.
- d. Zone (d): Northwest corner of Anderson Avenue and Lawton Avenue beginning at 205 feet on the north side, and, the southwest corner of Anderson Avenue and Lawton Avenue beginning at 110 feet on the south but only where the abutting property is zoned for business use.
- e. Zone (e): The both sides of Lafayette Avenue, south side Knox Avenue, both sides of Grant Avenue, both sides of Lawton Avenue, Columbia Avenue and the north side of Oakdene Avenue east from the east side of Anderson Avenue for a distance of 100 feet but only where the abutting property is zoned for business use.
- f. Zone (f): Both sides of Gorge Road from Lincoln Avenue North to Anderson Avenue.
- g. Zone (g): The west side of Palisade Avenue from Lawton Avenue south to Columbia Avenue is hereby designated as a parking meter zone.
- h. Zone (h): This zone includes all areas from Columbia Avenue to Pleasant Avenue on Anderson Avenue, including but not limited to all meters on Columbia Avenue, Lawton Avenue, Grant Avenue, Knox Avenue and Lafayette Avenue. Zone (h) is labeled as the "Business Zone."
- i. Zone (i): This zone includes all areas from Oakdene Avenue to Edgewater Road on Anderson Avenue.
- j. Zone(j): This zone includes the eastside area from Edgewater Road to Cliff Street on Anderson Avenue.
- k. Zone(k): This zone includes the west side of Palisade Avenue from Crescent Lane to Delia Lane.

**9-1.3 Alteration Of Parking Meter Zones.**

The borough is hereby authorized from time to time, by appropriate ordinance to extend or reduce the parking meter zones established in subsection 9-1.2 along any of the streets mentioned in such subsection.

**9-1.4 Parking In Parking Meter Zones.**

No person shall park any vehicle in the parking meter zones established herein unless the vehicle is parked within a parking stall, in front of which a parking meter is installed and unless the operator of such vehicle shall deposit in the meter a coin as designated on the parking meter in accordance with the provisions of this section.

**9-1.5 Installation and Maintenance of Meters.**

The borough may cause parking meters to be installed and shall cause parking meter spaces or stalls to be designated as provided in this section. It shall be the responsibility of the borough to oversee the operation and use of the parking meters and provide for the maintenance of the parking meters in good workable condition. The borough may from time to time, by resolution, fix the amount of coin to be deposited in the parking meters for the use of such parking spaces.

**9-1.6 Designating Parking Space.**

The borough shall cause lines or markings to be painted or placed upon the curb, sidewalk or upon the streets adjacent to each parking meter, for the purpose of designating the parking space for which the meter is to be used. Each vehicle parked adjacent or next to any parking meter shall be parked within the lines or markings so placed.

**9-1.7 Location and Operation of Meters.**

Parking meters installed in the parking meter zones established under this section shall be placed on the curb immediately adjacent to the individual parking spaces or stalls described in subsection 9-1.6. Each parking meter shall be placed or set in such a manner as to clearly display a signal that the parking space or stall adjacent to the meter is or is not legally in use. Each parking meter installed shall indicate by a proper legend the legal parking time established by the borough and the amount of coin to be deposited, and when operated the parking meter shall indicate on and by its dial and pointer the duration of the period of legal parking and on the expiration of such period, shall clearly indicate illegal or over-parking. There shall also be placed appropriate signs in proximity to said meters clearly indicating the hours and days when metered parking is enforced.

No parking meters shall be installed in any location that would infringe upon, or where parking is prohibited by the provisions of R.S. 39:4-138.

**9-1.8 Time Limit Fees.**

No person shall park in a parking stall in front of which a parking meter is installed for more than a maximum of two hours consecutively. The rates for such parking shall be fifty cents (\$.50) cents for 60 minutes. The borough may from time to time, by resolution, fix the amount of coin to be deposited in the parking meters for the use of such parking spaces. The maximum time limit and parking rates specified in the subsection shall apply to all parking stalls where parking meters are installed. This subsection shall not apply on any Sunday or any of the following legal holidays:

New Year's Day  
Martin Luther King, Jr. Day  
President's Day  
Good Friday  
Memorial Day  
Independence Day  
Labor Day  
Columbus Day  
Election Day  
Veteran's Day  
Thanksgiving Day  
Thanksgiving Friday  
Christmas Eve  
Christmas Day

**9-1.9 Applicability of Time Limit.**

The maximum time limit and parking rates set forth in subsection 9-1.8 shall be applicable to the following parking meter zones on the days and during the hours hereinafter specified:

to zones (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k) on:

- a. Monday through Saturdays between 9:00 a.m. and 6:00 p.m.

**9-1.10 Manner of Parking.**

Any vehicle parked in a parking space in any parking meter zone shall be parked so that the foremost part of such vehicle shall be nearest to the parking meter.

**9-1.11 Placing Meter in Operation.**

When a vehicle is parked next to a parking meter, the owner or operator of the vehicle shall immediately deposit in the meter a coin of the United States, in the amount as designated on the meter and in accordance to the time designated thereon.

Upon the deposit of such coin or coins, and placing the meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the part of the street in which the parking space is located.

If such vehicle remains parked in any such parking space beyond the parking time fixed for such parking space, the parking meter shall by its dial and pointer indicate such illegal parking and in that event such vehicle shall be considered as parked overtime and beyond the period of legal parking time.

**9-1.12 Overtime Parking Prohibited.**

No person shall permit a vehicle registered in the name of or operated by such person to remain or be placed in any parking space adjacent to any parking meter while the meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.

**9-1.13 Parking within Designated Space.**

No person shall park any vehicle across any line or marking, described in subsection 9-1.6 which designates the parking space for which the meter is to be used or park any vehicle in such position that it shall not be entirely within the area so designated.

**9-1.14 Use of Slugs.**

No person shall deposit or cause to be deposited in any parking meter, any slug, device or metallic substitute or any other substitute for a United States coin.

**9-1.15 Tampering With Meter.**

No person shall deface, injure, tamper with, open or willfully break, destroy or impair any parking meter or its usefulness.

**9-1.16 Report By Police.**

It shall be the duty of the borough police officers, acting in accordance with instructions issued by the chief of police to report:

- a. The number of such parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parked in violation of this section.
- b. The state license number of such vehicle.
- c. The time which such vehicle is parked in violation of any of the provisions of this subsection.
- d. Any other facts, knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

**9-1.17 Parking Violations.**

If any vehicle has been parked in violation herein the police officer shall attach to such vehicle a summons to the owner or operator thereof that such vehicle has been parked in violation of this section and instructing such owner or operator to report to the municipal court in regard to such violation on the return date shown thereon. Each such owner or operator may on or before the return date shown on the summons pay to the court clerk at police headquarters the following sums as and for full satisfaction of the following violations:

- a. The penalty for overtime violations shall be not less than thirty (\$30.00) dollars nor greater than one hundred (\$100.00) dollars;
- b. The penalty for improper parking violations other than for overtime violations shall be not less than fifty (\$50.00) dollars nor greater than one hundred (\$100.00) dollars;

c. The penalty for prohibited parking during the hours and on the streets set aside for sweeping of streets pursuant to the provisions of subsection 8-3.4 shall be not less than thirty (\$30.00) dollars nor greater than one hundred (\$100.00) dollars.

d. The penalty for overnight parking in the municipal garage (from 2:00am – 6:00am Sunday through Saturday shall be not less than one hundred (\$100.00) dollars nor greater than two-hundred and fifty (\$250.00) dollars.

The failure of any owner or operator to make the appropriate payment to the court clerk on or before the return date shown on the summons or failure to appear in court on the return date shall subject the owner or operator to an additional penalty of not less than fifty (\$50.00) dollars nor more than five hundred (\$500.00) dollars subject to the courts discretion.

## 9-2 PARKING LOTS.

### 9-2.1 Definitions.

As used in this section:

- a. **Operator** shall mean a person who is in actual physical control of a vehicle.
- b. **Park** or **parking** shall mean the standing of a vehicle on a public parking lot, or an entrance or exit thereto, whether or not the vehicle is occupied.
- c. **Parking space** shall mean any space within a parking zone, adjacent to a parking space which is duly designated for the parking of a single vehicle by lines painted or durably marked on the surface of the pavement adjacent to or adjoining the parking space.
- d. **Parking zone** shall mean any parking lot or facility owned, operated and maintained by the authority upon which parking spaces are installed and in operation.
- e. **Public parking lots** shall mean all areas, lots or facilities owned, controlled, operated or maintained by the borough and used for, or devoted to, off-street public parking.
- f. **Vehicle** shall mean every device in, upon or by which a person or property is or may be transported upon a highway or street, accepting devices moved by human or animal power.

### 9-2.2 Public Parking Lots: Entrances or Exits.

a. The following parcels of land leased or owned by the borough upon which the borough shall construct, operate and maintain parking lots and facilities, shall be public parking lots to be known as parking zones and parking spaces for a 24 hour period, seven days a week.

1. Lot No. 1. All that lot or parcel of land constructed for parking purposes on the northeast corner of Gorge and Edgewater Roads immediately adjacent to the tennis courts and the new athletic facility. Appropriate signs will be displayed describing parking fees and regulations. The borough may from time to time, by resolution, change the amount of the permit fees and times for the use of such parking spaces.

a. The following parking regulations shall apply to Lots 1.

#### Parking Regulations

1. Permit parking is in effect seven days per week.
2. Permits may be obtained at the office of the borough clerk and are available on a monthly basis for a fee depending on which type of permit:
  - a. 7AM-5PM Day Permit: \$50.00
  - b. 5PM-7AM Evening Permit: \$60.00
  - c. 24/7 All Day Permit: \$100.00
3. Permits will be issued on a first come, first served basis and a waiting list will be maintained for persons unable to obtain permits. In addition, all parking permits issued are at the discretion of the Borough;
4. Parking stalls are numbered corresponding to the vehicles having authorized permits.
5. Any unauthorized vehicle without a permit shall be subject to having the vehicle towed away, with such tow shall be the responsibility of the owner of the vehicle.

Unauthorized parking is prohibited and unauthorized vehicles will be towed at the owners' expense. Statute 39:4-56.6

2. Lot No. 2. All that lot or parcel of land constructed for parking purposes on the Towne Center Redevelopment Property Public Parking Lot immediately on the first level off of Anderson Avenue. Appropriate signs will be displayed describing parking fees and regulations. The borough may from time to time, by resolution, change the amount of the permit fees and times for the use of such parking spaces.

a. The following parking regulations shall apply to Lots 2.

**Parking Regulations**

1. Permit parking is in effect seven days per week.
2. Permits may be obtained at the office of the borough clerk and are available on a monthly basis for a fee depending on which type of permit:
  - a. 7AM-5PM Day Permit: \$40.00
  - b. 5PM-7AM Evening Permit: \$90.00
  - c. 24/7 All Day Permit: \$125.00
3. Permits will be issued on a first come, first served basis and a waiting list will be maintained for persons unable to obtain permits. In addition, all parking permits issued are at the discretion of the Borough;
4. Parking stalls are numbered corresponding to the vehicles having authorized permits.
5. No Parking is permitted in the Municipal Parking Facility from 2:00am through 6:00am Sunday through Saturday unless a 24/7 All Day Permit is displayed.
6. Any unauthorized vehicle without a permit shall be subject to having the vehicle towed away, with such tow shall be the responsibility of the owner of the vehicle. Unauthorized parking is prohibited and unauthorized vehicles will be towed at the owners' expense. Statute 39:4-56.6

**9-2.3 Parking within Lines.**

The borough shall have lines or markings painted or placed upon the pavement adjacent to each parking meter for the purpose of designating the parking space for which the meter is to be used. Each vehicle parked adjacent to, in front of or next to any parking meter shall park within the lines or markings so established. It shall be unlawful and a violation of this section to park any vehicle across such lines or markings, or to park any vehicle in such a position that the vehicle shall not be entirely within the area so designated by such lines or markings.

**9-2.4 Monthly Daytime Parking Permits.**

The borough may issue monthly daytime parking permits. Such permits shall entitle the operator to park his vehicle in the lots designated in the permit during the daytime parking hours. Upon issuance of the permit, the operator shall receive a permit which he shall affix on the front dashboard.

**9-2.5 Monthly Overnight Parking Permits.**

The borough may issue monthly overnight parking permits. Such permits shall entitle the operator to park his vehicle in the lots designated in the permit during overnight parking hours. Upon issuance of the permit, the operator shall receive a sticker, which he shall affix on the front dashboard.

**9-2.6 Monthly 24/7 All Day Parking Permits.**

The borough may issue monthly 24/7 all day parking permits. Such permits shall entitle the operator to park his vehicle in the lots designated in the permit during overnight parking hours. Upon issuance of the permit, the operator shall receive a sticker, which he shall affix on the front dashboard.

**9-2.7 Posting of Hours.**

The borough shall designate the hours during which parking spaces shall be in operation and the hours during which parking permits shall be in effect, in all public parking lots owned, operated, controlled and maintained by the borough. A sign shall be posted at each parking lot.

**9-2.8 Parking of Certain Vehicles.**

The following described vehicles shall be prohibited from parking in or using any public parking lot owned, operated or maintained by the borough:

- a. Any truck having a load weight capacity up to five ton.
- b. Any tractor or trailer.
- c. Any vehicle moved by human or animal power.

**9-2.9 Pneumatic Tires.**

Vehicles not equipped with pneumatic tires properly inflated shall not park in or use any public parking lot owned, operated or maintained by the borough.

**9-2.10 Tampering With Permits.**

It shall be unlawful and a violation herein for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking permit.

**9-2.11 Repairing In Public Lots Prohibited.**

It shall be unlawful for any person to wash, paint, or repair a vehicle in a public parking lot; provided that this subsection shall not be construed to prohibit necessary emergency repairs of a vehicle.

**9-2.12 Parking Rates.**

The borough shall fix the rates to be charged for parking of vehicles, during daytime and overnight parking periods, in any parking space zone in a public parking lot owned, operated, controlled and maintained by the borough.

**9-2.13 Enforcement.**

It shall be the duty of the borough police officers in accordance with instructions issued by the chief of police, to inspect, check and report the use of the parking area and parking zones and to note record and report the following:

- a. The number of each parking space which indicates that the vehicle occupying the parking space has obtained the proper parking permit is or has been parked in violation of any of the provisions of this section.
- b. The state license number of such vehicle.
- c. The time at which such vehicle is parked in violation of any of the provisions of this section.
- d. Any other facts, knowledge of which is necessary to a thorough understanding of such violation.

**9-2.14 Summons.**

If a violation exists, a summons shall be issued to the violator, or the police officer shall attach to such vehicle a notice to the owner thereof, that such vehicle has been parked in violation of a provision of this section and instructing such owner or operator to appear before the municipal court of the borough with respect to such violation.

**9-2.15 Applicability.**

This section shall be deemed an additional provision for the regulation of traffic and parking in those parking zones provided for herein. It shall not interfere with the established bus stops, taxicab stands and prohibited and restrictive parking as may be hereafter designated by the mayor and council and by the police department of the borough.

**THE CLERK READ THE STATEMENT THAT ALL OF THESE ORDINANCES ARE AVAILABLE FOR PUBLIC INSPECTION AND A PUBLIC HEARING ON THESE ORDINANCES WILL BE AT THE NEXT SCHEDULED MAYOR AND COUNCIL MEETING, SEPTEMBER 10, 2019.**

**ORDINANCES: SECOND HEARING AND ADOPTION**

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

**ORDINANCE 2019-07**

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

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

The following people spoke on the ordinance: None.

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

Councilman Corcoran 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: Spoto, Bongard, Martinotti, Corcoran, Colao, Nikaj.

**ORDINANCE 2019-07**

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

**WHEREAS**, the Carlyle Towers Condominium Association, Inc., located at 100 Winston Drive, Cliffside Park, New Jersey, has petitioned the Mayor and Council to rename a portion of the Roadway servicing the 100 Winston Towers or Carlyle Towers from Winston Towers Drive to Carlyle Drive; and

**WHEREAS**, The Borough Engineer and Borough Attorney Offices' have reviewed the Street name Change Petition and Engineering Requests and have concluded that the renaming of the Street will not legally affect any issues pertaining to the Borough with the burden of correcting the Residential address issues with the United States Postal Service to be the sole obligation of the Carlyle Tower Condominium Association Inc.; and

**WHEREAS**, Winston Drive extends from Palisade Avenue, in the vicinity of Wayne Avenue, through to Lafayette Avenue. Winston Drive also extends to the Carlyle Towers encompassing the access drive inclusive of the turnaround circle area; and

**WHEREAS**, One Thousand Six Hundred and Sixty (1,660) residences have a Winston Drive Property Address, of which 389 Residents are located within the Carlyle Towers at 100 Winston Drive;

**NOW, THEREFORE BE IT ORDAINED**, that the Council does hereby create a new Provision Chapter 18A-8.0 entitled "Street Names" renaming a portion of Winston Drive to Carlyle Drive; and

**BE IT FURTHER ORDAINED**, the Dimensions of the new Roadway are as follows:

AUGUST 6, 2019

60 Feet easterly of the southeasterly intersection of Winston Drive right-of-way and Lafayette Avenue right-of-way, continuing in a northeasterly direction through the circle turnaround area then westerly ending approximately 120 feet easterly of the previously described southeasterly intersection of Winston Drive right-of-way and Lafayette Avenue right-of-way;

**BE IT FURTHER ORDAINED**, that the physical Street Name Change from Winston Drive to Carlyle Drive is geographically shown on the attached diagram with the controlling dimensions being stated in this Ordinance; and

**BE IT FURTHER ORDAINED**, the cost of all new Street Signage shall be the obligation of the Carlyle Towers Condominium Association Inc.; and

**BE IT FURTHER ORDAINED**, that this Ordinance Subsection shall be codified as Chapter 18A-8.0, "Street Name Change".

**SEVERABILITY.** If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

**REPEALER.** All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

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

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

**PUBLIC PORTION:**

On a motion by Councilman Corcoran, seconded by Councilwoman Martinotti,, 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.

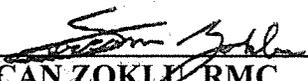
**PUBLIC PARTICIPATION:** None.

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

**ADJOURN:**

On a motion by Councilman Bongard, seconded by Councilwoman Nikaj, the meeting was adjourned at 5:06 p.m.

**ATTEST:**

  
SERCAN ZOKLER, RMC  
BOROUGH CLERK

**APPROVED:**

  
THOMAS CALABRESE  
MAYOR