

MARCH 10, 2020

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

**MINUTES OF THE REGULAR MEETING
MARCH 10, 2020**

CALL TO ORDER AT 7:00 P.M.

PRESENT AT ROLL CALL

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

SERCAN ZOKLU STATED:

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

1. NOTICE PUBLISHED ON JANUARY 17, 2020 WITH THE RECORD AND ON JANUARY 19, 2020 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 Councilwoman Nikaj, the minutes of the Caucus Meeting of February 11, 2020 were accepted.

ROLL CALL:

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

On a motion by Councilman Bongard, seconded by Councilwoman Nikaj, the minutes of the Regular Meeting of February 11, 2020 were accepted.

ROLL CALL:

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

CONSENT AGENDA:

On a motion by Councilman Colao, seconded by Councilwoman Martinotti, the claims were ordered paid. Councilwoman Nikaj abstained from any payments pertaining to her husband, Dean Nikaj.

ROLL CALL:

AYES: Bongard, Martinotti, Corcoran, Colao, Nikaj, Chmielewski. ABSTAIN: Nikaj.

RESOLUTIONS:

On a motion by Councilman Colao, seconded by Councilwoman Martinotti, Resolutions 2020-63 to 2020-77 were offered for adoption.

ROLL CALL:

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

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RESOLUTION 2020-63

WHEREAS, the Council has permitted the Borough Administrator Joseph Rutch to prepare a job description for the Borough of Cliffside Park, specifically Senior Emergency Medical Technician/Vehicle Maintenance Coordinator; and

NOW, THEREFORE BE IT RESOLVED that the Council does hereby accept the job descriptions attached hereto which shall be incorporated herein as if set forth in their entirety; and

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

RESOLUTION 2020-64

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, 2020 – June 30, 2021 period in the amount of: DEDR: \$13,933; Cash Match: \$3,483.25; In-Kind: \$10,449.75.
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 2020-65

WHEREAS, CESAR ALVAREZ JR. OF 79 WASHINGTON AVENUE B.2503 L.34 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$28,843.79 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 18-009 SOLD TO US BANK CUST FOR TOWER DBVIII FOR 2017 TAXES IN THE AMOUNT OF \$6,785.32.

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 \$28,843.79 FOR THE REDEMPTION OF SAID TAX TITLE LIEN, AND A CHECK IN THE AMOUNT OF \$35,000.00 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 DB VIII 50 SOUTH 16TH STREET, SUITE 2050, PHILADELPHIA, PA 19102.

RESOLUTION 2020-66

WHEREAS, 39 LAWTON AVE LLC OF 39 LAWTON AVENUE B.3101 L.25 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$2,648.31 WITH THE BOROUGH

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OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 19-009 SOLD TO PAM INVESTORS FOR 2018 TAXES IN THE AMOUNT OF \$2,532.66.

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 \$2,648.31 FOR THE REDEMPTION OF SAID TAX TITLE LIEN, AND A CHECK IN THE AMOUNT OF \$34,000.00 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 PAM INVESTORS, 127 S. WASHINGTON AVENUE, BERGENFIELD, NJ 07621.

RESOLUTION 2020-67

RESOLUTION RE: RESCIND RESOLUTION 2020-51 - Requesting Approval of the Director of the Division of Local Government Services to Establish a Dedicated Trust by Rider for Alcohol Education Rehabilitation Enforcement (DWI Chapter 531 Fund)

NOW, THEREFORE, BE IT RESOLVED by the Borough of Cliffside Park, County of Bergen, New Jersey as follows:

1. The Mayor and Council hereby rescinds Resolution 2020-51 adopted February 11, 2020.
2. The Borough Clerk of the Borough of Cliffside Park is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

RESOLUTION 2020-68

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: MRC

PURPOSE: OPEN SPACE TRUST – COLUMBUS PARK PALYGROUND & SAFETY EQUIP.

AMOUNT: \$75,000.00

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 2020-69

WHEREAS, THE BOROUGH CLERK HAS RECEIVED FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL, A SPECIAL RULING TO ISSUE A NEW LICENSE PURSUANT TO N.J.S.A. 33:1-12.18 (AGENCY DOCKET NO. 10-18-573 JOB NO. 264574) FOR THE 2018-2019 LICENSE TERMS TO: KANAME INC., LICENSE #0206-33-021-008; AND

WHEREAS, KANAME INC. HAS PREVIOUSLY SUBMITTED THE 2018-2019 RENEWAL APPLICATIONS AND ALL THE NECESSARY FEES TO THE BOROUGH CLERK AND SAME HAS BEEN FORWARDED TO THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL; AND

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NOW, THEREFORE, BE IT RESOLVED THAT ALL THE REQUIREMENTS HAVE BEEN MET, AND SAID APPLICATION IS IN ORDER FOR APPROVAL BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK.

RESOLUTION 2020-70

WHEREAS, the Cliffside Park Police Department has received a request from **Steve Holman** of **259 Wayne Avenue, Apt 1**, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Steve Holman** has been issued New Jersey Handicap Placard **P2228204** 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:
Wayne Avenue	East	Beginning at a point approximately 17 feet north of the northeast curb line of Railroad Avenue and Wayne Avenue and continuing to a point of 18 feet easterly thereof.

RESOLUTION 2020-71

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

Adopted on: **August 19, 2003**

RESOLUTION 2003-137
94 Washington 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 2020-72

WHEREAS, the Mayor and Council desire to authorize Holiday Decorations and Lights Set up Services; and

WHEREAS, the Budget which allocates funds for such purpose has been adopted; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cliffside Park authorize Frank Berardo, Joseph Rutch and Sercan Zoklu to prepare plans and specifications for bidding of Holiday Decorations and Lights Set Up Services; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to advertise for bids, the date of which is to be mutually agreed by said Borough Clerk and Borough Administrator.

RESOLUTION 2020-73

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WHEREAS, the Council has appointed Marc Marano as the Chief of Police, Vincent Capano as the Deputy Chief of Police, Frank Berardo as the Chief Financial Officer and Sercan Zoklu as the Municipal Clerk; and

WHEREAS, pursuant to Municipal Policy, the Borough requires non-statutory employees in a Managerial Capacity to enter into an Employment Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby authorize the preparation of an Employment Agreement between the Borough of Cliffside Park and the Chief of Police, Deputy Chief of Police, Chief Financial Officer and Municipal Clerk for the Borough of Cliffside Park; and

BE IT FURTHER RESOLVED that the Council does hereby authorize Mayor Thomas Calabrese and/or Administrator to execute the Employment Agreement; and

BE IT FURTHER RESOLVED that a certified true copy of this Resolution be served upon all effected parties.

RESOLUTION 2020-74

Fire Investigator Shared Services Agreement

WHEREAS, the Boroughs of Edgewater, Leonia, Fort Lee, Cliffside Park, and Fairview all have State Certified Fire Investigators with-in their respective Fire Prevention Bureaus; and

WHEREAS, the Boroughs of Edgewater, Leonia, Fort Lee, Cliffside Park, and Fairview would like to enter into an agreement to share services of these individuals in case a need arises by any one of the said municipalities to assist with fire investigation with-in their respective Communities; and

WHEREAS, the Boroughs of Edgewater, Leona, Fort Lee, Cliffside Park, and Fairview agree to assist any of these municipalities with any Fire Investigation at the direction of the Fire Official or his designee when needed; and

WHEREAS, each municipality agrees to absorb all cost associated with their personnel assigned to the investigation; and

NOW, THEREFORE, BE IT RESOLVED by the Borough of Edgewater Governing Body that Mayor Michael J. McPartland and Borough Clerk Annamarie O'Connor are hereby authorized to enter into a Shared Services Agreement for 2020 between the Boroughs of Edgewater, Leonia, Fort Lee, Cliffside Park, and Fairview for the above services if needed.

RESOLUTION 2020-75

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:

CLASS III SPECIAL POLICE OFFICERS – 1 Year Term
Thomas Solimano #311

Term Expires

12/31/20

RESOLUTION 2020-76

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WHEREAS, an application has been filed for a person-to-person transfer of plenary retail consumption license number 0206-33-031-008, heretofore, issued to RJ CP LLC; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cliffside Park does hereby approve, effective March 10, 2020, the transfer of the aforesaid plenary retail consumption license to Lefkose Home Investments LLC, and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: "THIS LICENSE, SUBJECT, TO ALL ITS TERMS AND CONDITIONS, IS HEREBY TRANSFERRED TO LEFKOSE HOME INVESTMENTS LLC EFFECTIVE MARCH 10, 2020."

RESOLUTION 2020-77

WHEREAS, Police Officer, Jason Kangas, has been employed by the Borough from August 1, 2000, to the present for a total of 19 years and 7 months; and

WHEREAS, Jason Kangas, during his tenure, has accumulated sick, vacation and compensation time throughout the 19 year and 7-month period of service, as more fully described in Chief Marc Marano's Memorandum dated March 10, 2020, attached hereto; and

THEREFORE, BE IT RESOLVED that Jason Kangas has petitioned the Council, and the Council has agreed to accept March 1, 2021, as his last day of employment with retirement commencing on April 1, 2021; and

THEREFORE, BE IT RESOLVED this Council does hereby accept the retirement calculations prepared by Chief Marc Marano, and does hereby authorize Jason Kangas to utilize his accrued sick and vacation time and time which will continue to accrue in the calendar year 2021, with the Stipulation that Officer Kangas has filed his PFRS Retirement Application with a commencement date of April 1, 2021; and

BE IT FURTHER RESOLVED a Certified True Copy of this Resolution be tendered to Jason Kangas; Frank Berardo, CFO; Joseph Rutch, Borough Administrator; and Chief Marc Marano.

Councilman Bongard **INTRODUCED AN ORDINANCE ENTITLED:**

ORDINANCE 2020-02

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 April 16, 2020 and in The Jersey Journal on April 15, 2020. Motion was seconded by Councilman Chmielewski.

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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 May 12, 2020 in the Mayor and Council Chambers at 7:00 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 2020-02

ORDINANCE AMENDING ORDINANCE 2-17 POLICE DEPARTMENT

WHEREAS, Chief Marano has recommended to the Council that as a result of the implementation of the Pittman Schedule the composition of the Department must be restructured; and

NOW, THEREFORE, BE IT ORDAINED that Chapter 2-17 Police Department, specifically Section 2-17.1 "Department Established" be amended as follows:

2-17.1 Department Established

The police department shall consist of on chief, who shall be the highest uniformed officer in the borough; one deputy chief who shall be the second highest ranking uniformed officer in the borough; one to three captains; one to six lieutenants; one to fifteen sergeants; one to ten detectives, all senior ranks sergeant, lieutenant and captain may hold dual ranks (i.e. detective sergeant, etc.) and as many police officers and such other employees as the council may from time to time deem necessary and proper to effectively run the department.

BE IT FURTHER ORDAINED, incorporated into this Ordinance is the Departmental Organizational Chart effective February 11, 2020.

BE IT FURTHER ORDAINED, the Chief of Police or his designee may change the Organizational Chart at any time without Council approval, subject only to the supplying of a copy of its revised Chart upon the Borough Clerk.

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

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

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

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

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

PUBLIC PORTION:

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On a motion by Councilman Corcoran, seconded by Councilwoman Nikaj, 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: Kleidon Ndreu asked if the Borough of Cliffside Park was open and the Clerk stated that it is open for business.

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

ADJOURN:

On a motion by Councilman Corcoran, seconded by Councilman Bongard, the meeting was adjourned at 7:02 p.m.

ATTEST:



SERCAN ZOKLU, RMC
BOROUGH CLERK

APPROVED:



THOMAS CALABRESE
MAYOR