



**BOROUGH OF ENGLEWOOD CLIFFS
BERGEN COUNTY, NEW JERSEY**

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL

DATE: NOVEMBER 9, 2015

CALL TO ORDER: 8:00 P.M.

PRESENT AT ROLL CALL:

Mayor	Joseph C. Parisi, Jr.
Councilwoman	Lauren Eastwood
Councilman	Zhi Liang
Council President	Joe Favaro
Councilwoman	Gloria Oh
Councilman	Nunzio Consalvo
Councilman	Ed Aversa

ALSO PRESENT:

Borough Attorney	E. Carter Corriston
Chief of Police	Michael Cioffi
DPW Superintendent	Mark Neville
Borough Engineer	Bernie Mirandi
Municipal Clerk	Lisette M. Duffy

FLAG SALUTE LEAD BY: Council President Favaro

BOROUGH CLERK STATED:

Adequate notice of this meeting was given to the press and posted as required. Date and time of these meetings was legally given as required by the "Open Public Meetings Act." This notice is on file with the Municipal Clerk and posted on the bulletin board. Minutes of this meeting will be made available to the public upon the completion of typing and proofreading by the Municipal Clerk.

MINUTES: Caucus and Regular Minutes of October 14, 2015

On a motion by Council President Favaro , seconded by Councilwoman Oh, Caucus and Regular Minutes of October 14, 2015 were approved.

ALL IN FAVOR:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo, Aversa

CORRESPONDENCE: Steven Muhlstock, Esq.

ALL CORRESPONDENCE WAS ORDERED TO BE FILED.

CLAIMS FOR THE PERIOD: October 15, 2015 through November 9, 2015

On a motion by Councilman Liang, seconded by Council President Favaro and carried unanimously, the Claims were ordered paid.

ROLL CALL:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo, Aversa

DEPARTMENT HEAD REPORTS for October 2015

Finance Department
Fire Department
Municipal Court
Building Department
Police Department
Borough Engineer

On a motion by Council President Favaro, seconded by Councilwoman Oh and carried unanimously, the Department Head Reports for October 2015 were approved.

ALL IN FAVOR:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo, Aversa

Mayor Parisi congratulated all the winners of the election. He will meet with Mayor-Elect Kranjac to discuss a smooth transition.

PUBLIC PORTION:

The Mayor stated "IF ANYONE WISHES TO COMMENT ON THE RESOLUTIONS OR ANY OTHER ITEM OTHER THAN ORDINANCES, THEY MAY DO SO AT THIS TIME."

On a motion by Council President Favaro , seconded by Councilman Liang and carried unanimously, the meeting was open to the public.

ALL IN FAVOR:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo, Aversa

NO ONE FROM THE PUBLIC SPOKE

On a motion by Council President Favaro, seconded by Councilwoman Oh and carried unanimously, the public portion was closed.

ALL IN FAVOR:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo, Aversa

PUBLIC HEARING

Ordinance 15-13- AN ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$682,500 FOR VARIOUS ACQUISITIONS AND IMPROVEMENTS IN AND FOR THE BOROUGH OF ENGLEWOOD CLIFFS

On a motion by Council President Favaro, seconded by Councilman Liang and carried unanimously, the public hearing was opened relative to Ordinance 15-13 entitled “AN ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$682,500 FOR VARIOUS ACQUISITIONS AND IMPROVEMENTS IN AND FOR THE BOROUGH OF ENGLEWOOD CLIFFS”.

There being no additional discussion, the public hearing was closed on motion by Council President Favaro, seconded by Councilman Liang.

On a motion by Councilwoman Eastwood, seconded by Councilman Consalvo, Ordinance 15-13 was adopted.

ROLL CALL:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo, Aversa

ORDINANCE 2015-13

AN ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$682,500 FOR VARIOUS ACQUISITIONS AND IMPROVEMENTS IN AND FOR THE BOROUGH OF ENGLEWOOD CLIFFS

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, AS FOLLOWS:

Section 1. For the several improvements or purposes described below there is hereby appropriated from Capital Surplus the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$682,500. The several improvements hereby authorized and the several purposes for which the appropriations from Capital Surplus are made, the estimated cost of each improvement and the appropriation therefor are as follows:

(a)

Purpose:

Acquisition of motor vehicles (other than passenger cars and station wagons), and the original apparatus and equipment therefor, including, without limitation, a SUV for the Fire Chief, and including all other work and materials necessary therefor and incidental thereto.

Appropriation and Estimated Cost: \$50,000

- (b) Purpose:
Improvements and upgrades to municipal buildings and parks, including, without limitation, restoration of tennis courts, soffits, ceiling tiles, fence at Birch Street Park and shed at Witte Field, and including all other work and materials necessary therefor and incidental thereto.

Appropriation and Estimated Cost: \$400,000

- (c) Purpose:
Acquisition and installation of information technology and telecommunications equipment, including, without limitation, computers, servers and printers, and including all other work and materials necessary therefor and incidental thereto.

Appropriation and Estimated Cost: \$50,000

- (d) Purpose:
Upgrades to police lockers, including all other work and materials necessary therefor and incidental thereto.

Appropriation and Estimated Cost: \$75,000

- (e) Purpose:
Repairs and improvements to Borough sewer system, including all other work and materials necessary therefor and incidental thereto.

Appropriation and Estimated Cost: \$100,000

- (f) Purpose:
Acquisition and installation of various signage throughout the Borough, including all other work and materials necessary therefor and incidental thereto.

Appropriation and Estimated Cost: \$7,500

Section 2. The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect in accordance with law.

RESOLUTIONS: *Consent Agenda*

- 134 – Tax Appeal Block 506, Lot 6
- 135 – Agreement to Share Donated Firefighting Foam
- 136 – Authorize Mayor to Sign TWA-ZNS Realty 9 Fifth Street
- 137 – Appoint Plumbing Sub Code Official/Inspector
- 138 – Purchase Information Technology Equipment through Coop Contract
- 139 – Authorization to Purchase Fire Vehicle through Sate Contract
- 140 – Purchase 2015 Caterpillar 279D CTL-SSL Loader through National Contract
- 141 – Purchase 2015 Caterpillar 305E2 Mini Hydraulic Excavator through National Contract
- 142 – Approve Housing Element and Fair Share Plan **(ADDED IN CAUCUS)**

CONSENT AGENDA

All matters listed below are considered to be routine in nature and was enacted by one motion. There was separate discussion of these items. If any discussion was desired by the Council, that particular item was removed from the Consent Agenda and was considered separately.

On a motion by Councilwoman Oh, seconded by Councilman Consalvo, Resolutions 134 through 142 were adopted.

ROLL CALL:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo, Aversa

RESOLUTION 15-134

WHEREAS, Lukoil North America, LLC is the owner and taxpayer of property located at 490 Sylvan Avenue in the Borough of Englewood Cliffs, at Block 506, Lot 6; and

WHEREAS, taxpayer filed 2014 and 2015 real property tax appeals, which matters are presently pending in the Tax Court of New Jersey; and

WHEREAS, it is the opinion of the Tax Assessor, Appraiser and Tax Appeal Attorney that the settlement of these matters is in the best interests of the Borough of Englewood Cliffs;

NOW, THEREFORE, be it

RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs that the Borough's Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to settle litigation entitled Lukoil North America, LLC vs. Englewood Cliffs; and be it further

RESOLVED that for tax year 2014, the complaint will be withdrawn, and the assessment of \$1,850,00 will remain intact; and for tax year 2015, the assessment of \$1,850,00 will be reduced to \$1,400,000; and be it further

RESOLVED that the Council acknowledges that fact that the Assessor has agreed to reduce the 2016 assessment to a total of \$1,300,000; and be it further

RESOLVED that the aforesaid settlement is predicated upon a waiver of payment of interest on any refund.

RESOLUTION 15-135

RESOLUTION ACCEPTING DONATION OF FIREFIGHTING FOAM AND AUTHORIZING EXECUTION OF AGREEMENT WITH THE COUNTY OF BERGEN REGARDING THE TERMS THEREOF.

WHEREAS, the County of Bergen operates the Bergen County Law and Public Safety Institute (the "Institute"); and

WHEREAS, the New York City Fire Department ("FDNY") has removed from service 7,820 gallons of National Foam Kidd brand firefighting foam concentrate, ("Firefighting Foam") that is past its shelf life and has thus exceeded its operational life for firefighting purposes; and

WHEREAS, the City of New York ("the City"), acting by and through the FDNY, has agreed to donate the Firefighting Foam to the County for use by the Institute for training purposes; and

WHEREAS, the Bergen County Board of Chosen Freeholders, by Resolution No. 1198-15, adopted on October 14, 2015, authorized the County to share the donated Firefighting Foam with Englewood Cliffs for training purposes, subject to availability and the terms set forth in an "AGREEMENT TO SHARE DONATED FIREFIGHTING FOAM CONCENTRATE," (the "Agreement") annexed hereto as Exhibit A; and

WHEREAS, the governing body of Englewood Cliffs has determined that it is in the best interest of the residents and taxpayers of the municipality to accept the donation of the Firefighting Foam for training purposes, subject to the terms and conditions set forth in the Agreement,

NOW, THEREFORE, BE IT RESOLVED by the governing body of Englewood Cliffs, as follows:

1. The recitals set forth above are incorporated into the body of this resolution as if set forth at length herein.
2. The Englewood Cliffs hereby accepts the donation from the County of Bergen of the Firefighting Foam as set forth above, subject to the terms of the Agreement annexed hereto as Exhibit A.
3. The Mayor is hereby authorized to execute an Agreement with the County of Bergen in the form annexed hereto as Exhibit A, together with any other documents necessary to complete the above contemplated transaction.

RESOLUTION 15-136

WHEREAS, ZNS Realty, LLC has made application for a Treatment Works Application (TWA) at 9 Fifth Street, Block 202, Lot 4.02; and

WHEREAS, it is necessary in regard to same to authorize the Mayor to consent to said Treatment Works Application (TWA); and

WHEREAS, the Borough Engineer has approved all of the documents necessary to proceed;

NOW, THEREFORE, BE IT RESOLVED, that the Council hereby authorizes Mayor Joseph C. Parisi, Jr., to sign said authorization.

RESOLUTION 15-137

RE: APPOINTMENT OF PLUMBING SUB-CODE OFFICIAL/INSPECTOR

WHEREAS, the Borough is in need of a new Plumbing Sub-Code Official; and

WHEREAS, it is necessary for the Borough of Englewood Cliffs to engage the services of a Plumbing Sub-Code Official/Inspector, for a Four (4) year term, to provide Plumbing Inspection services which are necessary for the operation of said Borough; and

WHEREAS, funds will be available by way of Budget Appropriations to compensate said Inspector; and

WHEREAS, the Governing Body believes that Michael D. Quercia is qualified and is the best candidate for the position; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs that Michael D. Quercia, License #010879, is hereby appointed to the position of Plumbing Sub-Code Official/Inspector at a salary consistent with the 2015 Salary Ordinance.

RESOLUTION 15-138

RE: PURCHASE INFORMATION TECHNOLOGY EQUIPMENT THROUGH COOPERATIVE CONTRACT # EANDI-2006

WHEREAS, the Borough of Englewood Cliffs, through its IT Department has recommended purchasing new computers and other information technology equipment; and

WHEREAS, the Borough has appropriated funds as part of the 2015 Capital Budget, Ordinance 2015-09; and

WHEREAS, the Treasurer has certified that said funds are available; and

WHEREAS, there is a Cooperative Contract in effect with Hewlett-Packard, E&I -MULTI EDUCATIONAL & INSTITUTIONAL COOPERATIVE Contract (EANDI-2006) in regard to the purchase of said technology.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Englewood Cliffs hereby authorizes the Borough Administrator, Lisette Duffy, to issue a purchase order to HP Inc. Public Sector Sales, 14231 Tandem Blvd, Austin, TX 78728, in the amount of \$21,834.60 pursuant to the Cooperative Contract # (EANDI-2006) and further authorizes the Mayor of the Borough of Englewood Cliffs to sign the necessary purchase agreement.

RESOLUTION 15-139

RE: AUTHORIZATION TO PURCHASE FIRE VEHICLE THROUGH STATE CONTRACT

WHEREAS, the Borough of Englewood Cliffs hereby desires to purchase a 2016 Special Service Vehicle 4X4 EL Vehicle pursuant to New Jersey Contract #A88728 from Cherry Hill Winner Ford; and

WHEREAS, the Borough has appropriated funds as part of previously adopted Capital Ordinance; and

WHEREAS, the Treasurer has certified that said funds are available; and

WHEREAS, there is a State Contract in effect with Cherry Hill Winner Ford in regard to the purchase of said fire vehicle.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Englewood Cliffs hereby authorizes the Fire Chief of the Borough of Englewood Cliffs, to issue a purchase order to Cherry Hill Winner Ford, 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034 in the amount of \$44,691.00 pursuant to

the N.J. Contract #A88728 and further authorizes the Mayor of the Borough of Englewood Cliffs to sign the necessary purchase agreement.

RESOLUTION 15-140

RE: PURCHASE 2015 CATERPILLAR 279D CTL-SSL LOADER THROUGH NATIONAL CONTRACT

WHEREAS, the Borough of Englewood Cliffs, through its Superintendent of the Department of Public Works, Mark Neville, has a need to purchase a 2015 Caterpillar 279D CTL-SSL Loader; and

WHEREAS, the Borough has appropriated funds as part of previously adopted Capital Ordinance; and

WHEREAS, the Treasurer has certified that said funds are available; and

WHEREAS, there is a National Contract in effect with Foley Inc. of Piscataway in regard to the purchase of said machinery.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Englewood Cliffs hereby authorizes the Superintendent of the Department of Public Works, Mark Neville, to issue a purchase order to Foley Inc., 855 Centennial Avenue, Piscataway, New Jersey 08855 in the amount of \$73,081.96 pursuant to the National Contract #120377 and further authorizes the Mayor of the Borough of Englewood Cliffs to sign the necessary purchase agreement.

RESOLUTION 15-141

RE: PURCHASE 2015 CATERPILLAR 305E2 MINI HYDRAULIC EXCAVATOR THROUGH NATIONAL CONTRACT

WHEREAS, the Borough of Englewood Cliffs, through its Superintendent of the Department of Public Works, Mark Neville, has a need to purchase a 2015 Caterpillar 305E2 Mini Hydraulic Excavator; and

WHEREAS, the Borough has appropriated funds as part of previously adopted Capital Ordinance; and

WHEREAS, the Treasurer has certified that said funds are available; and

WHEREAS, there is a National Contract in effect with Foley Inc. of Piscataway in regard to the purchase of said machinery.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Englewood Cliffs hereby authorizes the Superintendent of the Department of Public Works, Mark Neville, to issue a purchase order to Foley Inc., 855 Centennial Avenue, Piscataway, New Jersey 08855 in the amount of \$68,510.80 pursuant to the National Contract #120377 and further authorizes the Mayor of the Borough of Englewood Cliffs to sign the necessary purchase agreement.

RESOLUTION 15-142

WHEREAS, the Court has granted immunity to the Borough of Englewood Cliffs for exclusionary zoning, which Order will expire on December 1, 2015; and

WHEREAS, it is necessary for the Borough to submit pursuant to said Order a Housing Element and Fair Share Plan on or before said date.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorizes the filing of the Housing Element and Fair Share Plan completed by Burgis Associates, Inc., dated October 2, 2015, to be filed with the Court on or before December 1, 2015.

FIRST HEARING AND INTRODUCTION - ORDINANCES

Ordinance 15-14- AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.40A:4-53

On a motion by Council President Favaro, seconded by Councilman Liang and carried unanimously, Ordinance 15-14 entitled "AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S. 40A:4-53", was introduced and passed on the first reading.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance is scheduled for **December 9, 2015 at 8 P.M.**

ROLL CALL:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo, Aversa

Ordinance 15-15- AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.40A:4-53 -REFUNDING BOND ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION BONDS OF THE BOROUGH AND APPROPRIATING AN

AMOUNT NOT EXCEEDING \$3,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,500,000 REFUNDING BONDS OF THE BOROUGH OF ENGLEWOOD CLIFFS FOR FINANCING THE COST THEREOF

On a motion by Council President Favaro, seconded by Councilwoman Eastwood and carried unanimously, Ordinance 15-15 entitled “AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S. 40A:4-53-REFUNDING BOND ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION BONDS OF THE BOROUGH AND APPROPRIATING AN AMOUNT NOT EXCEEDING \$3,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,500,000 REFUNDING BONDS OF THE BOROUGH OF ENGLEWOOD CLIFFS FOR FINANCING THE COST THEREOF”, was introduced and passed on the first reading.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance is scheduled for **December 9, 2015 at 8 P.M.**

ROLL CALL:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo, Aversa

Ordinance 15-16- AN ORDINANCE AMENDING CHAPTER XVII, FIRE PREVENTION OF THE BOROUGH OF ENGLEWOOD CLIFFS, COUNTY OF BERGEN, NEW JERSEY

On a motion by Council President Favaro, seconded by Councilwoman Oh and carried unanimously, Ordinance 15-16 entitled “AN ORDINANCE AMENDING CHAPTER XVII, FIRE PREVENTION OF THE BOROUGH OF ENGLEWOOD CLIFFS, COUNTY OF BERGEN, NEW JERSEY”, was introduced and passed on the first reading.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance is scheduled for **December 9, 2015 at 8 P.M.**

ROLL CALL:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo, Aversa

Ordinance 15-17- AN ORDINANCE AMENDING ORDINANCE 2015-10 ENTITLED “AN ORDINANCE FIXING SALARIES, WAGES AND COMPENSATION FOR ALL SALARIED APPOINTED AND ELECTED OFFICERS WITH THE BOROUGH OF ENGLEWOOD CLIFFS, SPECIFICALLY SECTION I

Mayor Parisi stated that he would like Fire Official, Joe Cardullo, “riced” and invited to attend the December 9, 2015 Caucus meeting to discuss the Ordinance.

On a motion by Council President Favaro, seconded by Councilman Aversa and carried unanimously, Ordinance 15-17 entitled “AN ORDINANCE AMENDING ORDINANCE 2015-10 ENTITLED “AN ORDINANCE FIXING SALARIES, WAGES AND COMPENSATION FOR ALL SALARIED APPOINTED AND ELECTED OFFICERS WITH THE BOROUGH OF ENGLEWOOD CLIFFS, SPECIFICALLY SECTION I”, was introduced and passed on the first reading.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance is scheduled for **December 9, 2015 at 8 P.M.**

ROLL CALL:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo, Aversa

On a motion by Council President Favaro , seconded by Councilman Liang and carried, the Clerk is authorized to advertise for RFP/RFQ's for a QPA(qualified purchasing agent).

ALL IN FAVOR:

AYES: Liang, Favaro, Oh, Consalvo, Aversa

NAYS: Eastwood

COMMITTEE REPORTS

COUNCILWOMAN EASTWOOD - no report

COUNCILMAN LIANG – no report

COUNCIL PRESIDENT FAVARO congratulated the winners of the election. He reminded everyone to move the leaves away from the curb so the water will go into the storm drains.

COUNCILWOMAN OH congratulated the winners of the election and is looking forward to working with them.

COUNCILMAN CONSALVO reported that a temporary Superintendent of the Board of Education has been appointed.

COUNCILMAN AVERSA - no report

DPW SUPERINTENDENT NEVILLE reported that a reverse 9-1-1 will be sent to all residents to notify them that recycling has been rescheduled to Thursday, November 12 due to Veterans Day holiday on Wednesday, November 11.

BOROUGH ENGINEER MIRANDI reported on the 2015 Road Program and Riverside Cooperative. The paving has been completed and striping will begin soon. The NJDOT local aid application for Charlotte Place has been submitted. Residents should alert their landscapers to keep the leaves away from the curbs.

POLICE CHIEF CIOFFI congratulated the winners of the election. The Junior Police Academy had their graduation ceremony on October 22. He spoke about the grants for the generators, tazers and body cameras.

BOROUGH ATTORNEY congratulated the winners of the election and looks forward to working with them. He spoke about the COAH process.

BOROUGH CLERK said the election went well and congratulated the winners. She is looking forward to working with them.

NEW BUSINESS:

Councilwoman Eastwood had questions about the RFP/RFQs.

The Mayor announced that lawn flags will be available in front of his home for residents to display for Veterans Day. The Clerk will send a Reverse 9-1-1 to notify the residents about the flags and recycling schedule change.

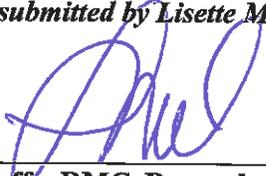
The next Mayor and Council meeting will be held on December 9th 2015.

The Mayor wished everyone a Happy Thanksgiving.

Seeing and hearing none, the meeting was adjourned at 8:25 P.M.

Respectfully submitted by Lisette M. Duffy, RMC Borough Clerk.

ATTEST:



Lisette M. Duffy, RMC, Borough Clerk