



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

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL**

**DATE: MAY 13, 2015**

**CALL TO ORDER: 8:00 P.M.**

**PRESENT AT ROLL CALL:**

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

**ALSO PRESENT:**

Borough Attorney	E. Carter Corrison
Borough Engineer	Bernie Mirandi
Chief of Police	Michael Cioffi
DPW Superintendent	Mark Neville
CFO	Chris Battaglia
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 & Regular Minutes of April 8, 2015

On a motion by Council President Favaro, seconded by Councilwoman Oh, Caucus and Regular Meeting minutes of April 8, 2015 were approved.

**ALL IN FAVOR:**

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

**CLAIMS FOR THE PERIOD:** April 9, 2015 through May 13, 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 April 2015

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

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

**ROLL CALL:**

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

**CORRESPONDENCE:** Steven Muhlstock, Esq.  
Edwin Fehre, Chairman of Planning Board

On a motion by Council President Favaro, seconded by Councilwoman Eastwood and carried unanimously, correspondence was ordered filed:

**ROLL CALL:**

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

**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 Councilwoman Oh , seconded by Councilwoman Eastwood and carried unanimously, the meeting was open to the public.

**ALL IN FAVOR:**

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

**The Mayor reminded everyone that we have a full agenda tonight.**

**PUBLIC SPOKE:**

Dave Digrigorio, 165 Charlotte Place Englewood Cliffs, NJ. supports public employees.

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



**RESOLUTIONS 2015: Consent Agenda**

- 61 – Deferred School Tax
- 62 – Cancel Appropriation Reserves
- 63 – Cancel Capital Ordinance
- 64 – Hazard Mitigation Plan
- 65 – Transparent Act of 2015
- 66 – Tax Appeal Block 602, Lot 11
- 67 – HDL Freeze
- 68 – Transfer of Liquor License 0216-33-001-004
- 69 – Appoint Firefighter Stephen Louglas
- 70 – Promotion of Lt. Brian Murphy to Captain
- 71 – Promotion of Sgt. James Tracy to Lieutenant
- 72 – Promotion of P.O. Benjamin Totten to Sergeant
- 73 – Appointment of New P.O. Christopher Minetti
- 74 – Approve Raffle License Sisters of St. Joseph
- 75 – Reject Fire House Bids 7
- 76 – Award Bid for Firehouse Renovation - Alternate A
- 77 – Hire Attorney Raymond R. Wiss, Esq.
- \*79 –Authorization to advertise for bids\*added
- \*80 –Authorization for COAH Representation\*added

**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.

Councilwoman Eastwood read a statement regarding police promotions, the Councilwoman was not in favor of the process.

The Mayor stated that the Police Chief and Councilman Aversa went “by the book” for police promotions process and the the best candidates were chosen for the promotions..

**On a motion by Councilman Aversa and seconded by Council President Favaro, Resolutions 70, 71 and 72 were adopted.**

**ROLL CALL:**

**AYES:** Eastwood, Liang, Favaro, Oh, Consalvo, Aversa  
**NAYS:** Eastwood – 70,71, Liang – 70,71, Consalvo – 70,71

*The vote for Resolution 70 and Resolution 71 resulted in a tie; Mayor Parisi cast the tie breaking vote in favor, resulting in a final vote in the affirmative.*

**On a motion by Councilman Aversa and seconded by Council President Favaro, Resolution 73 was adopted.**

**ROLL CALL:**

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

**CHRISTOPHER MINETTI was sworn in, Oath administered by MAYOR PARISI**

The Mayor recused from Resolution 68 and Resolution 74 and left the podium.

Council President Favaro presided.

**On a motion by Council President Favaro and seconded by Councilman Liang, Resolution 68 was adopted.**

**ROLL CALL:**

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

On a motion by Councilwoman Eastwood and seconded by Councilman Liang, Resolution 74 was adopted.

**ROLL CALL:**

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

The Mayor returned to the podium.

On a motion by Councilwoman Oh and seconded by Council President Favaro, Resolutions 61 through 67, 69, 75, 76, 77, 79 and 80 were adopted.

**ROLL CALL:**

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

**NAYS:** Eastwood – 77, Liang – 77, Consalvo - 77

*The vote for Resolution 77 resulted in a tie; Mayor Parisi cast the tie breaking vote in favor, resulting in a final vote in the affirmative.*

**RESOLUTION 15-61**

**AUTHORIZING INCREASE IN DEFERRED SCHOOL TAXES  
FOR LOCAL SCHOOL TAXES**

**WHEREAS**, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any additional amounts, and

**WHEREAS**, the Governing Body has decided that an increase in Deferred School Taxes is in the best interest of the Borough at this time,

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2014 as follows:

	<u>Deferred Local School Taxes</u>
Amount Deferred 12/31/13	\$5,167,368.00
Amount Deferred 12/31/14	5,270,191.00

**BE IT FURTHER RESOLVED** by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

**RESOLUTION 15-62**

**WHEREAS** balances exist in Appropriation Reserves and,

**WHEREAS** these balances are unencumbered and,

**WHEREAS** the Mayor and Council wishes to cancel said Appropriation Reserves to utilize as 2015 budget revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs, that the following Appropriation Reserves are hereby cancelled:

Legal Services – Appraisals	\$37,800
Zoning Officer	18,000
Red Light Camera – Other Expenses	<u>53,023</u>
	<u>\$108,823</u>

**RESOLUTION 15-63**

**WHEREAS** balances exist in Appropriation Reserves and,

**WHEREAS** these balances are unencumbered and,

**WHEREAS** the Mayor and Council wishes to cancel said Capital Ordinances.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs, that the following Capital Ordinances are hereby cancelled:

<u>Ordinance Number</u>	<u>Description</u>	<u>Amount</u>	<u>Grants Receivable</u>	<u>Deferred Charges to Future Taxation Unfunded</u>	<u>Fund Balance</u>
2007-05	Alterations & Improvements to 482 Hudson Terrace	\$9,099.18			\$9,099.18
2007-20	Various Improvements	116,779.77			116,779.77
2008-1	Drainage at Various Locations	350,000.00			350,000.00
2008-9	Reconstruction & Improvements to Clendenin Place & Kahn Terrace	4,306.31		\$26.00	4,280.31
2009-05	Rehabilitation of Woodland Park Basketball Courts	31,477.03	\$10,051.00		21,426.03
2009-13	Reconstruction & Improvements to Pershing Road	37,553.98	23,074.00		14,479.98

2009-14	Various Improvements	<u>6,767.33</u>			<u>6,767.33</u>
		<u>\$555,983.60</u>	<u>\$33,125.00</u>	<u>\$26.00</u>	<u>\$522,832.60</u>

**RESOLUTION 15-64**

**WHEREAS** the Borough of Englewood Cliffs, NJ, has experienced natural hazards that result in public safety hazards and damage to private and public property;

**WHEREAS** the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

**WHEREAS** the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

**WHEREAS** a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee;

**WHEREAS** the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

**WHEREAS** the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management’s website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and

**NOW THEREFORE BE IT RESOLVED by the Borough of Englewood Cliffs:**

1. The Bergen County Multi-Jurisdictional *Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on April 13, 2015* by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the Borough of Englewood Cliffs; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Englewood Cliff’s departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Englewood Cliffs, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Bergen County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

## **RESOLUTION 15-65**

**WHEREAS**, Assembly Bill No. A-4235 supplementing chapter 4 of Title 54, R.S.54:4-65 and designated the "Transparent Tax Act of 2015" is being considered for adoption by the New Jersey State Assembly; and,

**WHEREAS**, the amendment would permit the local jurisdiction to print separate tax bills to each taxpayer, one showing the amount of property taxes due and payable for municipal tax purposes, the other shall state the amount of property taxes due and payable for county purposes, school purposes, fire district purposes, and for the purposes of any other special district on behalf of which the municipality collects property taxes; and,

**WHEREAS**, both bills shall include a brief tabulation showing the distribution of the total amount to be raised by taxes; and,

**WHEREAS**, A-4235 would require the municipal tax collector to send notice of the pro rata share, if any, of the property tax appeal refunds paid by the municipality during the tax year to the county, school districts, and fire districts for inclusion in their annual budgets;

**WHEREAS**, in the following tax year in which the refunds were paid, the municipal tax collector is then required to deduct the applicable pro rata share of the property tax refund from the amounts to be paid to the county, and each school and fire district; and,

**WHEREAS**, these amendments, if adopted, will assist the general public to understand the tax bill, the structure of the taxes, and the level of support for each agency, and will further provide a more equitable structure to share the obligation of paying approved tax appeals as the title states, creates transparency in the tax supporting local assessments.

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Englewood Cliffs, County of Bergen, and State of New Jersey, hereby supports Assembly Bill A-4235 amending Title 54:4-65 and urges the Legislature to approve and pass the bill for the reasons expressed herein; and,

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the members of the NJ State Assembly, the members of the NJ Senate, and the Governor of the State of NJ, the New Jersey State League of Municipalities, the Municipal Clerks' Association of New Jersey, and all Bergen County municipalities.

## **RESOLUTION 15-66**

**WHEREAS**, Maurice Mosseri is the owner and taxpayer of property located at 170 Pershing Road in the Borough of Englewood Cliffs, at Block 602, Lot 11; and

**WHEREAS**, taxpayer filed 2013, 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 Mosseri vs. Englewood Cliffs; and be it further

**RESOLVED** that for tax year 2013, the assessment of \$2,413,600 will be reduced to \$2,000,000; and for both tax years 2014 and 2015, the assessment of \$2,413,600 will be reduced to \$1,900,000; resulting in a total refund of \$7979; and be it further

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

#### **RESOLUTION 15-67**

**WHEREAS**, HDL Realty LLC is the owner of premises known as Parkway Toyota Dealership, located at 50 Sylvan Avenue, Block 130, Lot 22; and

**WHEREAS**, earlier tax appeals were settled for tax years 2009 through 2012; and

**WHEREAS**, the taxpayer did not include Freeze Act language with respect to the 2012 Judgment, and therefore, did not receive any reduction for tax years 2013 and 2014; and

**WHEREAS**, the taxpayer has opted to apply the Freeze Act to the 2012 Judgment for tax years 2013 and 2014, pursuant to N.J.S.A. 54:51A-8; and

**WHEREAS**, there has been no change of circumstance, material expansion or renovation of the property, reassessment or revaluation, which would allow the avoidance of the application of the Freeze Act for tax years 2013 and 2014; and

**WHEREAS**, the Tax Appeal Attorney has negotiated a waiver of any and all pre-judgment interest on the 2013 and 2014 refunds, and a waiver of any legal fees in connection with the Freeze Act proceeding;

**NOW, THEREFORE**, be it

**RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs that the real property Tax Appeal Attorney is hereby authorized to execute the application for Judgment pursuant to the Freeze Act, thereby avoiding the payment of any interest or legal fees in connection with this proceeding; and

**BE IT FURTHER RESOLVED** that the total refund for tax years 2013 and 2014 is \$60,045

#### **RESOLUTION 15-68**

##### **TITLE: TRANSFER OF PLENARY LICENSE #0216-33-001-004 PERSON TO PERSON**

**WHEREAS**, an application has been filed for a person to person transfer of Plenary Retail Consumption License 0216-33-001-004, heretofore issued to 11K Restaurant Corporation for premises located at 495 Sylvan Avenue, Englewood Cliffs, NJ 07632;

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

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

**WHEREAS**, the applicant has disclosed and the issuing authority 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 license business;

**NOW, THEREFORE BE IT RESOLVED** that the Englewood Cliffs Governing body does hereby approve, effective May 13, 2015, the transfer of the aforesaid Plenary Retail Consumption License to 495 Sylvan Avenue Bar, LLC, and does hereby direct the Municipal 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 495 Sylvan Avenue Bar, LLC, effective May 13, 2015.

#### **RESOLUTION 15-69**

##### **RE: APPOINT VOLUNTEER FIREMAN**

**WHEREAS**, the Englewood Cliffs Volunteer Fire Department has recommended the appointment of Stephen Louglas as an active member of the Englewood Cliffs Volunteer Fire Department;

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Englewood Cliffs does hereby approve the membership of Stephen Louglas as an active member of the Englewood Cliffs Volunteer Fire Department.

#### **RESOLUTION 15-70**

##### **PROMOTION OF POLICE OFFICER - CAPTAIN**

**WHEREAS**, pursuant to the Memorandum of Understanding entered into between PBA Local #45 and the Borough of Englewood Cliffs Police Department executed on June 21, 2012 and Ordinance No. 12-11; and

**WHEREAS**, the Borough agreed to fill any vacancies caused by either a resignation or retirement within the Police Department within 60 days of said vacancy occurring; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs, that Lieutenant Brian Murphy be and is hereby promoted to the position of Police Captain, to be effective as of July 1, 2015; and

**BE IT FURTHER RESOLVED** that Police Captain's salary shall be as set forth in the 2015 Salary Ordinance for Police Captain and said salary will become effective July 1, 2015.

#### **RESOLUTION 15-71**

#### **PROMOTION OF POLICE OFFICER- LIEUTENANT**

**WHEREAS**, pursuant to the Memorandum of Understanding entered into between PBA Local #45 and the Borough of Englewood Cliffs Police Department executed on June 21, 2012 and Ordinance 12-11; and

**WHEREAS**, the Borough agreed to fill any vacancies caused by either a resignation or retirement within the Police Department within 60 days of said vacancy occurring; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs, that Sergeant James Tracy be and hereby is promoted to the position of Lieutenant, said promotion to be effective as of July 1, 2015; and

**BE IT FURTHER RESOLVED** that the Officer's salary shall be as set forth in the 2015 Salary Ordinance for Police Lieutenant and said salary will become effective July 1, 2015.

#### **RESOLUTION 15-72**

#### **PROMOTION OF POLICE OFFICER - SERGEANT**

**WHEREAS**, pursuant to the Memorandum of Understanding entered into between PBA Local #45 and the Borough of Englewood Cliffs Police Department executed on June 21, 2012 and Ordinance 12-11; and

**WHEREAS**, the Borough agreed to fill any vacancies caused by either a resignation or retirement within the Police Department within 60 days of said vacancy occurring; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs, that Patrolman Benjamin Totten be and hereby is promoted to the position of Sergeant, said promotion to be effective as of July 1, 2015; and

**BE IT FURTHER RESOLVED** that the Officer's salary shall be as set forth in the 2015 Salary Ordinance for Police Sergeant and said salary will become effective July 1, 2015.

**RESOLUTION 15-73**

**RESOLUTION HIRING CHRISTOPHER MINETTI AS A POLICE OFFICER**

**WHEREAS**, upon the recommendation of the Chief of Police, the Borough has an immediate need for additional Police Officers for the Borough Police Department; and

**WHEREAS**, after careful consideration, the Borough Chief of Police has recommended **CHRISTOPHER MINETTI** for hiring as a new Police Officer based on his qualifications and completion of appropriate testing and training; and

**WHEREAS**, the Police Committee believes it is appropriate to adhere to the Chief's recommendation;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs that the Borough hereby authorizes the hiring of **CHRISTOPHER MINETTI** to the position of Police Officer, effective May 13, 2015.

**NOW THERE FOR BET IT FURTHER RESOLVED**, that **CHRISTOPHER MINETTI** be and he is hereby offered a "Conditional Offer of Employment as a Police Officer of the Borough of Englewood Cliffs, subject to the following conditions:

That this appointment becomes effective upon successfully completing a medical and psychological examination and a background investigation conducted by the Englewood Cliffs Police Department.

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**CANDIDATE**

**RESOLUTION 15-74**

**RE: APPROVAL OF RAFFLE LICENSE  
ID#133-4-7504  
GUILD FOR SISTERS OF ST. JOSEPH OF PEACE**

**WHEREAS**, the **GUILD FOR SISTERS OF ST. JOSEPH OF PEACE** has applied for an On-Premise raffle license; and

**WHEREAS**, the **GUILD FOR SISTERS OF ST. JOSEPH OF PEACE** has complied with all requirements as outlined in N.J.A.C. 13; and

**WHEREAS**, the Findings and Determination has been certified by the Chief of Police;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Mayor and Council of the Borough of Englewood Cliffs does hereby approve the issuance of an **ON PREMISE 50/50** raffle license to the **GUILD FOR SISTERS OF ST. JOSEPH OF PEACE**.

**BE IT FURTHER RESOLVED** that raffle will be conducted on **SEPTEMBER 24, 2015**, from **1:00 P.M. TO 2:00 P.M.** at **St. MICHAEL VILLA, 399 HUDSON TERRACE** in the Borough of Englewood Cliffs.

#### **RESOLUTION 15-75**

**WHEREAS**, bids were duly advertised for renovation to the Firehouse located at 475, Sylvan Avenue, Borough of Englewood Cliffs; and

**WHEREAS**, three bids were received; one by Northeastern Interior Services, 112 Mill Street, Paterson, NJ 07501, in the amount of \$236,000, the second by Billy Contracting & Restoration Inc. 12 Maple Avenue, Pine Brook, NJ 07058, in the amount of \$299,000; and the third from Di Carolis Associates, Inc. 33 DiCarolil Court, Hackensack, NJ 07601, in the amount of \$279,047; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-13.2, this bid substantially exceeds the municipality's appropriation for said project;

**WHEREAS**, there are insufficient monies appropriated to accept this bid.

**NOW, THEREFORE**, be it resolved that said bid is hereby rejected and that notice be given to the bidders of this action; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk return all bid documents to the bidders and re-advertise for bid submissions for Firehouse Renovation as soon as possible.

#### **RESOLUTION 15-76**

**RE: Award Bid: Firehouse Renovation Alternate Bid for the Borough of Englewood Cliffs**

**WHEREAS**, the Borough of Englewood Cliffs has solicited bids for the Firehouse Renovation HVAC for the Borough of Englewood Cliffs; and

**WHEREAS**, the Borough of Englewood Cliffs has received one (4) bids for the Firehouse Renovation HVAC; and

**WHEREAS** Climate Concepts, LLC, located at PO Box 27, Montvale, NJ 07645, has submitted a bid in the amount of \$6,500; and

**WHEREAS**, the Borough Administrator and Municipal Attorney have reviewed said bid.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council hereby award the contract for Alternate A, HVAC for the firehouse renovation project for the Borough of Englewood Cliffs, in the amount of \$6,500 to Climate Concepts, LLC, located at PO Box 27, Montvale, NJ 07645 and that the Mayor is authorized to enter into a contract pursuant to said bid specifications for said services and the Mayor is authorized to sign same

#### **RESOLUTION 15-77**

**WHEREAS**, it appears that the Police Department is conducting an IA investigation regarding a member of the Department; and

**WHEREAS**, if action is taken it will be necessary for the Department to have Legal Representation; and

**WHEREAS**, in the past the Borough has retained Raymond R. Wiss, Esq., as the attorney in such matters; and

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and the Council of the Borough of Englewood Cliffs that it hereby retains Raymond R. Wiss, of Westwood, New Jersey to represent the Department in regard to this matter and agrees to pay him @ \$150.00 per hour and is hereby appointed as Attorney for such matters; and this contract for professional services is awarded as an exception to the bidding requirements pursuant to N.J.S.A. 40A:11-5(1)(a)(i). In accordance with said statute a notice of this award setting forth the nature, duration, service and amount of the contract and that the resolution and contract are on file and available for public inspection in the office of the Englewood Cliffs Borough Clerk and shall be published in The Record, and

**IT IS FURTHER RESOLVED** that a copy of said Resolution be sent to Raymond R. Wiss, Esq.

**RESOLUTION 15-79**

**RE: AUTHORIZE MUNICIPAL CLERK TO ADVERTISE FOR BIDS**

BE IT RESOLVED, that the Mayor and Council of the Borough of Englewood Cliffs does hereby authorize the Municipal Clerk to advertise bids for the **“2015 ROAD IMPROVEMENT PROGRAM”**

**RESOLUTION 15-80**

**RE: AUTHORIZE MUNICIPAL PLANNER AND BOROUGH ATTORNEY TO REPRESENT THE BOROUGH REGARDING COAH COMPLIANCE**

**WHEREAS**, the Borough of Englewood Cliffs needs to respond to New Jersey Supreme Court’s Decision on Affordable Housing; and

**WHEREAS**, the Borough’s Municipal Planner, Burgis Associates and the Borough Attorney, Breslin and Breslin, will respond on the Borough’s behalf in regard to the Fair Housing Act and affordable housing issues; and

**WHEREAS**, Pursuant to their RFQ, and previously executed agreement for the year 2015, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Englewood Cliffs does hereby authorize the Municipal Planner and the Borough Attorney, to represent the Borough in regard to COAH Compliance.

**PUBLIC HEARING**

**Ordinance 15-04 – AN ORDINANCE CHANGING NAME AND DESIGNATION OF NEAL DRIVE IN THE BOROUGH OF ENGLEWOOD CLIFFS TO WUNSCH WAY, COUNTY OF BERGEN, STATE OF NEW JERSEY**

**On a motion by Council President Favaro, seconded by Councilman Liang and carried unanimously, the public hearing was opened relative to Ordinance 15-04 entitled, “AN ORDINANCE CHANGING NAME AND DESIGNATION OF NEAL DRIVE IN THE BOROUGH OF ENGLEWOOD CLIFFS TO WUNSCH WAY, COUNTY OF BERGEN, STATE OF NEW JERSEY”.**

**PUBLIC SPOKE:**

**Albert Wuncsh, 17 Stephens Drive, Englewood Cliffs, NJ 07632, thanked the Mayor and Council for Ordinance 15-04.**

**Carrol McMorro, 7 Ridge Road, Englewood Cliffs, NJ 07632, is in favor of Ordinance 15-04 recognizing the Wunsch family.**

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

On a motion by Council President Favaro, seconded by Councilwoman Oh Ordinance 15-04 was adopted.

**ROLL CALL:**

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

**ORDINANCE 15-04**

**AN ORDINANCE CHANGING NAME AND DESIGNATION OF NEAL DRIVE IN THE BOROUGH OF ENGLEWOOD CLIFFS TO WUNSCH WAY, COUNTY OF BERGEN, STATE OF NEW JERSEY**

**WHEREAS,** The Mayor and Council of the Borough of Englewood Cliffs is desirous of changing the name and designation of Neal Drive to Wunsch Way; and

**WHEREAS,** the New Jersey Statutes in such case made and provided and in particular N.J.S.A. 40:67-1 empowers and authorized the Mayor and Council of the Borough of Englewood Cliffs to designate the names of street within the Borough by Ordinance;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Englewood Cliffs as follows:

1. The street in the Borough of Englewood Cliffs presently known as Neal Drive be and hereby is changed so as hereinafter to be known as Wunsch Way.

**BE IT FURTHER ORDAINED** that the official map of the Borough of Englewood Cliffs be and hereby is amended to indicate the change of street name from Neal Drive to Wunsch Way.

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances other than the zoning ordinance of the borough which are inconsistent with the provisions of this chapter are hereby repealed to the extent of such inconsistency, and

**BE IT FURTHER ORDAINED** should any part or provision of this Ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part held so unconstitutional or invalid.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect immediately upon publication after final passage according to law.

**Ordinance 15-05 – AN ORDINANCE CHANGING NAME AND DESIGNATION OF MARILYN DRIVE IN THE BOROUGH OF ENGLEWOOD CLIFFS TO MONTIGNY DRIVE, COUNTY OF BERGEN, STATE OF NEW JERSEY**

**On a motion by Council President Favaro, seconded by Councilwoman Oh and carried unanimously, the public hearing was opened relative to Ordinance 15-05 entitled “AN ORDINANCE CHANGING NAME**

AND DESIGNATION OF MARILYN DRIVE IN THE BOROUGH OF ENGLEWOOD CLIFFS TO MONTIGNY DRIVE, COUNTY OF BERGEN, STATE OF NEW JERSEY”

**PUBLIC SPOKE:**

**Albert Wuncsh, 17 Stephens Drive, Englewood Cliffs, NJ 07632**, said Ordinance 15-05 is an important dedication and spoke about Mr. Montigny. He thanked the Mayor and Council.

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

On a motion by Council President Favaro, seconded by Councilman Liang Ordinance 15-05 was adopted.

**ROLL CALL:**

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

**ORDINANCE 15-05**

**AN ORDINANCE CHANGING NAME AND DESIGNATION OF  
MARILYN DRIVE IN THE BOROUGH OF ENGLEWOOD CLIFFS  
TO MONTIGNY DRIVE  
COUNTY OF BERGEN, STATE OF NEW JERSEY**

**WHEREAS**, The Mayor and Council of the Borough of Englewood Cliffs is desirous of changing the name and designation of Marilyn Drive to Montigny Drive; and

**WHEREAS**, the New Jersey Statutes in such case made and provided and in particular N.J.S.A. 40:67-1 empowers and authorized the Mayor and Council of the Borough of Englewood Cliffs to designate the names of street within the Borough by Ordinance;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Englewood Cliffs as follows:

1. The street in the Borough of Englewood Cliffs presently known as Marilyn Drive be and hereby is changed so as hereinafter to be known as Montigny Drive.

**BE IT FURTHER ORDAINED** that the official map of the Borough of Englewood Cliffs be and hereby is amended to indicate the change of street name from Marilyn Drive to Montigny Drive.

**BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances other than the zoning ordinance of the borough which are inconsistent with the provisions of this chapter are hereby repealed to the extent of such inconsistency, and

**BE IT FURTHER ORDAINED** should any part or provision of this Ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part held so unconstitutional or invalid.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect immediately upon publication after final passage according to law.

## **FIRST HEARING AND INTRODUCTION - ORDINANCES**

### **Ordinance 15-06- CALENDAR YEAR 2015-ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK(N.J.S.A. 40A:4-45.14)**

**On a motion by Council President Favaro, seconded by Councilman Aversa and carried unanimously, Ordinance 15-06 entitled “CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK(N.J.S.A. 40A:4-45.14), 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 **June 10, 2015 at 8 P.M.**

#### **ROLL CALL:**

**AYES: Liang, Favaro, Oh, Aversa**

**NAYS: Eastwood, Consalvo**

### **Ordinance 15-07 – AN ORDINANCE AMENDING AND CHANGING THE PAYMENT OF FEES IN REGARD TO TRAFFIC CONTROL AND WORK PLACE SAFETY, BOROUGH OF ENGLEWOOD CLIFFS ,COUNTY OF BERGEN, STATE OF NEW JERSEY**

**On a motion by Council President Favaro, seconded by Councilman Consalvo and carried unanimously, Ordinance 15-07 entitled “AN ORDINANCE AMENDING AND CHANGING THE PAYMENT OF FEES IN REGARD TO TRAFFIC CONTROL AND WORK PLACE SAFETY, BOROUGH OF ENGLEWOOD CLIFFS, COUNTY OF BERGEN, STATE OF 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 **June 10, 2015 at 8 P.M.**

#### **ROLL CALL:**

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

### **Ordinance 15-08 – AN ORDINANCE AMENDING CHAPTER 2A-1 ENTITLED TOWING AND STORAGE SPECIFICALLY ADDING SECTION 2-13A.22, ET SEQ.**

**On a motion by Council President Favaro, seconded by Councilwoman Oh and carried unanimously, Ordinance 15-08 entitled “AN ORDINANCE AMENDING CHAPTER 2A-1 ENTITLED TOWING AND STORAGE SPECIFICALLY ADDING SECTION 2-13A.22, ET SEQ.”, 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 **June 10, 2015 at 8 P.M.**

#### **ROLL CALL:**

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

### **Ordinance 15-09 – AN ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS ACQUISITIONS AND IMPROVEMENTS IN AND FOR THE BOROUGH OF ENGLEWOOD CLIFFS AND**

**APPROPRIATING \$1,008,500 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$958,075 IN BONDS OR NOTES OF THE BOROUGH OF ENGLEWOOD CLIFFS TO FINANCE THE SAME.**

**On a motion by Council President Favaro, seconded by Councilwoman Oh and carried unanimously, Ordinance 15-09 entitled "AN ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS ACQUISITIONS AND IMPROVEMENTS IN AND FOR THE BOROUGH OF ENGLEWOOD CLIFFS AND APPROPRIATING \$1,008,500 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$958,075 IN BONDS OR NOTES OF THE BOROUGH OF ENGLEWOOD CLIFFS TO FINANCE THE SAME", 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 **June 10, 2015 at 8 P.M.**

**ROLL CALL:**

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

**COMMITTEE REPORTS**

**COUNCILWOMAN EASTWOOD - no report**

**COUNCILMAN LIANG – no report**

**COUNCIL PRESIDENT FAVARO – no report**

**COUNCILWOMAN OH - no report**

**COUNCILMAN CONSALVO – updated the Council on the school budget**

**COUNCILMAN AVERSA – no report**

**DPW SUPERINTENDENT NEVILLE** spoke about the quarterly safety reports.

**BOROUGH ENGINEER MIRANDI** thanked the Mayor and Council for approving the 2015 Road Program. Englewood Cliffs did not receive state local aid. The sanitary sewer fees have been calculated.

**POLICE CHIEF CIOFFI** spoke about the safety reports. He spoke about Memorial Day, May 25, Grand Fondo Race, May 17, and the police promotions. He received a thank you letter from a resident who was taken to the hospital by the police. There was a bear sighting near North Cliffs school recently and appropriate action was taken.

**BOROUGH ATTORNEY – no report**

**BOROUGH CLERK** spoke about community events. There will be a Memorial Day celebration on May 25 at the Fire House, 9:30AM. Coffee and donuts will be provided by the Fire Department in the Community Center. A Free Rabies Clinic and Animal Adoption will be held on Saturday, May 30 from 1:30 P.M. to 4:30 P.M. at the Community Center (the old Ambulance building). The Clinic is co-sponsored by the Bergen County Animal Shelter in Teterboro and the Englewood Cliffs veterinarian. A Recycle Fest will be held at the DPW, 342 Hudson Terrace on Saturday, June 10 from 9 A.M. to 1 P.M. Only the following items will be accepted: office paper and documents, cardboard, books and coats.

**UNFINISHED/NEW BUSINESS:**

The Mayor announced that the next meeting and public hearing will be June 10, 2015 at 8PM.

The Mayor invited everyone to attend the Memorial Day celebration to honor our fallen heroes.

**On a motion by Councilwoman Eastwood , seconded by Council President Favaro and carried unanimously, the meeting was re-opened to the public.**

**ALL IN FAVOR:**

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

**PUBLIC SPOKE:**

**Dave Digrigorio, 165 Charlotte Place Englewood Cliffs, NJ** spoke about taxes and schools. He is not opposed to increased taxes because of the great schools and service.

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

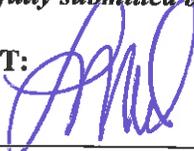
**ALL IN FAVOR:**

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

Seeing and hearing none, the meeting was adjourned at 9:12 P.M.

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

ATTEST:



**Lisette M. Duffy, RMC Borough Clerk**