



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

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL

DATE: January 14, 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

ABSENT:

Councilman	Nunzio Consalvo(<i>participated via telephone</i>)
Councilman	Ed Aversa(<i>arrived at 9:18 PM</i>)

ALSO PRESENT:

Borough Attorney	E. Carter Corrison
Borough Engineer	Bernie Mirandi
Chief of Police	Michael Cioffi
DPW Superintendent	Mark Neville
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.

Borough Clerk stated that Councilman Consalvo requested that he be contacted via telephone for any votes at this meeting.

The Mayor asked for a motion to have Councilman Consalvo called into the meeting via telephone. On a motion by Councilwoman Eastwood, seconded by Councilman Liang, Councilman Consalvo will be called into the meeting via telephone.

ALL IN FAVOR:

AYES: Eastwood, Liang, Favaro, Oh

Borough Attorney stated that Councilman Consalvo should participate in the entire meeting and hear all the discussions before voting.

The Mayor asked for an amendment to the previous motion.

On a motion by Councilwoman Eastwood, seconded by Councilman Liang, the previous motion was amended to contact Councilman Consalvo via telephone for participation in the entire meeting.

ALL IN FAVOR:

AYES: Eastwood, Liang, Favaro, Oh

Borough Clerk telephoned Councilman Consalvo. She informed him that the Borough Attorney recommended that he be available to participate in the entire meeting. The Councilman agreed to participate.

- **MINUTES:** Caucus & Regular Meeting Minutes of December 10, 2014
Sine Die & Reorganization of January 6, 2015

On a motion by Council President Favaro, seconded by Councilwoman Oh, Caucus and Regular Meeting minutes of December 10, 2014, and Sine Die & Reorganization of January 6, 2015 were approved.

ALL IN FAVOR:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo

ABSTAIN: Eastwood – Caucus & Regular December 10, 2014

CLAIMS FOR THE PERIOD: December 11, 2014 through January 14, 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

- **CORRESPONDENCE:** Steven Muhlstock, Esq.

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

ALL IN FAVOR:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo

DEPARTMENT HEAD REPORTS for December 2014

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

On a motion by Council President Favaro , seconded by Councilwoman Eastwood and carried unanimously, the Department Head Reports for December 2014 were approved.

ALL IN FAVOR:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo

Point of Order: Councilwoman Eastwood questioned Resolution 30, Agreement with Bergen County Animal Shelter. She questioned why it was pulled from the agenda.

The Mayor stated that the Board of Health is an autonomous body and decisions are made at their meetings.

Councilman Liang, Liaison to the Board of Health, was at the January 12 meeting. The animal contract passed and was approved during the meeting.

Open to the Public – No Discussion on Ordinances

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 Councilwoman Oh and carried unanimously, the meeting was open to the public.

ALL IN FAVOR:

AYES: Eastwood, Liang, Favaro, Oh, Consalvo

PUBLIC SPOKE:

Vincent Ascolese, Animal Control Officer for Bergen County Humane Enforcement, Fort Lee, NJ spoke about his services to the town which affects public safety.

Rob Russotti, 2 Snyder Road, Englewood Cliffs, NJ, spoke on behalf of the Bergen County Humane Enforcement.

David Eagle, volunteer for Bergen county Humane Enforcement and Bergen County Animal Shelter. He has worked at both shelters and recommends Humane Enforcement.

Mary O’Shea, 12 Irving Ave, Englewood Cliffs, NJ, prior Board of Health member, spoke about the Bergen County Humane Enforcement. She is in favor of keeping them in town and would like renewal of their contract reconsidered . She is not in favor of the Mayor’s Executive Order. She asked that Time Warner cable be put back on at the senior center. Jean Amorusso, 107 years old and the oldest resident of Englewood Cliffs, passed away recently.

The Mayor responded to the resident’s concerns. The executive order is a way for better communication between the committees and departments.

Cynthia Bellucci, 306 Arthur Ave, Englewood Cliffs, NJ spoke about the Bergen County Animal Shelter and her experience with them.

Diane Clarke, 13 Berkshire Court, Englewood Cliffs, NJ, President of the Board of Health, said that she gave a fair and accurate report of both animal shelters to the board members at the Board of Health meeting on Monday.

She personally went on site and described her findings. The members then voted on the animal contract. There was no public present at the meeting.

Carrol McMorrow, 7 Ridge Road, Englewood Cliffs, NJ, The resident spoke about Bergen County animal shelter and is not in favor of hiring them.

Borough Clerk said the Board of Health meeting was posted on the website calendar. Public notice was given and posted on the bulletin board, published in the newspaper, and placed on the electronic sign by the Borough Hall.

Mario Kranjac, 47 N. Virginia Court, Englewood Cliffs, NJ questioned the decision to change the animal contract and is not in favor of Bergen County Animal Shelter and the Mayor's Executive Order.

Diane Clarke, 13 Berkshire Court, Englewood Cliffs, NJ spoke about "kill" and "no kill" animal shelters.

The Mayor said this is not an open forum on animal shelters. This is a Board of Health matter, therefore, there will be no further discussion at this meeting.

David DiGrigorio, 165 Charlotte Place, Englewood Cliffs, NJ is not pleased about the PARCC tests for children. Children have to take two extra tests on the computer per year and wants politicians to be aware of this. The resident would like the town to consider recording town meetings and putting them on the internet and/or local channels.

Carrol McMorrow, 7 Ridge Road, Englewood Cliffs, NJ is concerned with the speed of emergency vehicles traveling to an emergency when the siren goes off.

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

• **RESOLUTIONS 2015:**

Consent Agenda

26 – Tax Appeal Block 506, Lot 1

27 – Application to the LFB Bond Ordinance

28 – Authorization to Enter into Agreement with Riverside Cooperative and Mayor to Sign Contract

29 – Authorization Approving Bergen County Mutual Aid

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.

Mayor recused from Resolution 26 and left the podium.

Council President Favaro presided.

Councilman Aversa arrived at 9:18 P.M.

On a motion by Councilman Aversa and seconded by Councilman Liang, Resolutions 26 through 29 were adopted.

ROLL CALL:

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

The Mayor returned to the podium.

RESOLUTION 15-26

WHEREAS, Palencliffs, LLC is the owner and taxpayer of property located at 700 – 712 Palisade Avenue in the Borough of Englewood Cliffs, at Block 506, Lot 1; and

WHEREAS, taxpayer filed 2013 and 2014 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 Palencliffs, LLC vs. Englewood Cliffs; and be it further

RESOLVED that for both tax years 2013 and 2014, the assessment of \$5,500,000 will be reduced to \$5,000,000, resulting in a total refund, inclusive of both years, of approximately \$8,395; and be it further

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

RESOLUTION 15-27

**RESOLUTION OF THE BOROUGH OF ENGLEWOOD CLIFFS,
IN THE COUNTY OF BERGEN, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE
BOARD PURSUANT TO N.J.S.A. 40A:2-51**

WHEREAS, THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY (the "Borough"), desires to make application to the Local Finance Board for its approval of (i) the adoption of a refunding bond ordinance for amounts owed to others for taxes levied in the Borough (including the refunding of an emergency appropriation made for this purpose), and (ii) the approval of a maturity schedule for the refunding of said taxes owed to others, all pursuant to *N.J.S.A. 40A:2-51*; and

WHEREAS, the Borough believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the Borough;
- (c) the amounts to be expended for said purpose are not unreasonable or exorbitant; and

- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Englewood Cliffs in the County of Bergen, New Jersey as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, auditor and bond counsel and the Clerk of the Borough, along with other representatives of the Borough, are hereby authorized to prepare such application and to represent the Borough in matters pertaining thereto.

Section 2. The Clerk of the Borough of Englewood Cliffs is hereby directed to file a copy of this Resolution and a copy of the proposed bond ordinance as passed upon first reading with the Local Finance Board for its consent as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute and to cause its consent to be endorsed upon the bond ordinance.

RESOLUTION 15-28

TITLE: AUTHORIZING THE BOROUGH OF ENGLEWOOD CLIFFS TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to enter into Cooperative Pricing Agreements; and

WHEREAS, the Borough of Northvale hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and

WHEREAS, the Borough of Englewood Cliffs, County of Bergen, State of New Jersey, desires to participate in the Riverside Cooperative;

NOW, THEREFORE, BE IT RESOLVED on the 14th day of January, 2015, by the Mayor and Council of the Borough of Englewood Cliffs, County of Bergen, State of New Jersey, as follows:

TITLE

This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Northvale

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11 (5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency;

CONTRACTING UNIT

The Lead Agency entering into contracts on behalf of the Borough of Englewood Cliffs shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40-11-11, et. seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

RESOLUTION 15-29

RESOLUTION APPROVING THE BERGEN COUNTY MUTUAL AGREEMENT

WHEREAS, the police departments in Bergen County have a day to day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order; and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies; and

WHEREAS, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies; and

WHEREAS, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App. A:9-40.6; and

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Englewood Cliffs to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs that the Police Department of the Borough of Englewood Cliffs, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

BE IT FURTHER RESOLVED that a copy of the Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen.

Council President Favaro speaks about a police vehicle and asks Councilman Aversa to speak regarding the resolution.

Councilman Aversa clarified that the police vehicle is part of the 2014 budget. Motion made by Councilman Aversa and seconded by Council President Favaro to purchase a police vehicle.

Borough Attorney read a resolution drafted during the Caucus meeting.

A motion was made by Councilwoman Eastwood and seconded by Councilman Liang to carry the resolution.

ROLL CALL:

AYES: Eastwood, Liang, Consalvo

NAYS: Favaro, Oh, Aversa

As a result of a tie, Mayor Parisi cast the tie breaking vote resulting in the motion being defeated.

Original motion made by Councilman Aversa:

ROLL CALL:

AYES: Favaro, Oh, Aversa

ABSTAIN: Eastwood, Liang, Consalvo

The Mayor reminded everyone that the next Mayor and Council meeting will be Tuesday, February 10, 2015. The public hearing for Ordinance 15-01 will be March 11, 2015.

- **ORDINANCES 2015: FIRST READING**
01 – Refunding Bond Ordinance for the Funding of an Emergency Appropriation
Public Hearing March 11, 2015

INTRODUCTION OF ORDINANCE

Ordinance 15-01 – REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF AN EMERGENCY APPROPRIATION FOR THE PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$635,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$635,000 BONDS OR NOTES OF THE BOROUGH OF ENGLEWOOD CLIFFS FOR FINANCING THE COST THEREOF

On a motion by Councilman Liang, seconded by Council President Favaro and carried, Ordinance 15-01 entitled “REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF AN EMERGENCY APPROPRIATION FOR THE PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$635,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$635,000 BONDS OR NOTES 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 was scheduled for **March 11, 2015**.

ROLL CALL:

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

COMMITTEE REPORTS

COUNCILWOMAN EASTWOOD - no report

COUNCILMAN LIANG spoke about the recent Board of Health meeting and gave his observation of the procedure process for the animal control contract. President, Diane Clarke, gave a detailed description from personal on site visits to both shelters. There was discussion and the Board of Health members award the contracted to the new shelter. The Councilman has started the 2015 budget process.

The Mayor gave an update regarding the new CFO and budget process. Pre-budget meetings will begin January 23, 2015. On January 24, there will be a drive around the town with some of the department heads and committee chairpersons to see what items can be budgeted. Work sessions will be scheduled and the Borough Clerk will advertise the meetings for the public.

COUNCIL PRESIDENT FAVARO thanked the DPW Department for the excellent job they do and especially for snow preparation. He described the procedure of placing brine solution on the streets to help melt the snow and ice. The stars are on the sign post for the veterans.

COUNCILWOMAN OH - no report

COUNCILMAN CONSALVO questioned how many contracts does the Board of Health negotiate.

The Mayor asked Councilman Liang, Liaison to the Board of Health, to obtain the information for Councilman Consalvo.

COUNCILMAN AVERSA spoke about recreation events. A Recreation Committee meeting is scheduled for January 28. One of the biggest committee issues is getting communication to people outside of the town. He is working on the spring recreation schedule.

DPW SUPERINTENDENT NEVILLE spoke about the 2015 Road Program which will be underway soon. Rodney Bialko, former DPW Superintendent is recovering well from triple bypass heart surgery. We all wish him a speedy recovery.

BOROUGH ENGINEER MIRANDI reported that the stop sign configuration on Castle Drive and Middlesex Ave is being reviewed and he will report back to the Police Chief. We are waiting to hear from the State regarding the local aid grant application that was submitted. The 2014 Road Paving Project is completed. Striping will be finished when weather permits.

POLICE CHIEF CIOFFI attended a meeting on January 7, with joint public officials from Tenafly, Alpine and Englewood Cliffs regarding proposed improvements on 9W for bike safety. The project would begin in the year 2020 and last for 18 months. There is an annual bicycle race scheduled for May 17, which will pass through Hudson Terrace. He said that due to the police accreditation, the Borough will receive discount of \$4,447.00 for the JIF insurance premium. Coyotes have been sighted in Englewood Cliffs and traps have been set up.

The Mayor stated that each Council member who attends a JIF safety class, a \$250 premium reduction will be given per person.

BOROUGH ATTORNEY reported that he is working on the professional contracts.

BOROUGH CLERK - nothing to report

- **UNFINISHED/NEW BUSINESS:**
Mayor's Executive Order

The Mayor's Executive Order was read by the Mayor.

The Mayor asked for a vote of confidence.

ROLL CALL:

AYES: Liang, Favaro, Oh, Aversa

NAYS: Eastwood

Councilman Consalvo was not available for vote.

