



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

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL

DATE: February 10, 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
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 Meeting Minutes of January 14, 2015

On a motion by Council President Favaro , seconded by Councilman Aversa , Caucus and Regular Meeting minutes of January 14, 2015 were approved.

ALL IN FAVOR:

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

CLAIMS FOR THE PERIOD: January 15, 2015 through February 10, 2015

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

ROLL CALL:

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

DEPARTMENT HEAD REPORTS for January 2015

Finance Department
Municipal Court
Building Department
Police Department
Borough Engineer

On a motion by Council President Favaro, seconded by Councilman Aversa and carried unanimously, the Department Head Reports for January 2015 were approved.

ALL IN FAVOR:

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

The Mayor recommended that Resolution 40 be amended for clarification and will be subject to approval by the DCA.

On a motion by Council President Favaro, seconded by Councilwoman Oh, Resolution 40 will be amended and will be subject to approval by the DCA. The motion passed.

ROLL CALL:

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

The Mayor explained that Prosecutor, Walter Scrod has been nominated for Bergen County Superior Court Judge. Congratulations.

On a motion by Council President Favaro, seconded by Councilwoman Oh, RFQ for Prosecutor will be advertised.

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 Council President Favaro 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 Councilman Aversa, seconded by Council President Favaro and carried unanimously, the public portion was closed.

ALL IN FAVOR:

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

RESOLUTIONS 2015:

Consent Agenda

- 31 – Council on Drug and Alcoholism Grant
- 32 – Temporary Capital Budget 2015
- 33 – Tax Reimbursement Certification
- 34 – Tonnage Grant Application
- 35 - Emergency Repair to Jail Cells
- 36 – Fund Petty Cash for Police Department
- 37 – Change in Petty Cash Custodian for Finance
- 38 – Purchase 2015 Caterpillar 924 K High Lift Loader
- 39 – Tax Sale Certificate Refund #2009-7
- 40 – Tax Sale Certificate Refund #201313-001
- 41 – Establish Cash Fund Drawer
- 42 – Change in Petty Cash Amount
- 43 - Open Space Trust Fund Agreement

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 Council President Favaro and seconded by Councilman Liang, Resolutions 31 through 43 were adopted.

ROLL CALL:

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

The Mayor advised everyone that there is a budget meeting, Wednesday, February 11, 2015, 7PM in the Borough Hall to discuss police, fire, court and other items.

RESOLUTION 15-31

**RE: GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT
CYCLE JULY 2014-JUNE 2019**

FORM 1B

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Englewood Cliffs, 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 therefore has an established Municipal Alliance Committee; and,

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough of Englewood Cliffs County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Englewood Cliffs Municipal Alliance grant for fiscal year 2016 in the amount of:

DEDR	\$ 9876.00
Cash Match	\$ 2469.00
In-Kind	\$ 7407.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Joseph C. Parisi, Jr., Mayor

CERTIFICATION

I, Lisette M. Duffy, Municipal Clerk of the Borough of Englewood Cliffs, County of Bergen, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 10th day of February, 2015.

Lisette M. Duffy, RMC, Municipal Clerk

RESOLUTION 15-32

WHEREAS, the Borough of ENGLEWOOD CLIFFS desires to establish the 2015 Temporary Capital Budget of said municipality by inserting therein the following project.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Englewood Cliffs as follows:

Section 1. The 2015 Temporary Capital Budget of the Borough of Englewood Cliffs is hereby established by the adoption of the schedule to read as follows:

Temporary Capital Budget of the
Borough of Englewood Cliffs
County of Bergen, New Jersey

Projects Scheduled for 2015
Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Grants</u>	<u>Budget Appr. Fund</u>	<u>Capital Imp. Fund</u>	<u>Bonds</u>	<u>Self-Liquidating Bonds</u>
Refund of Tax Appeals	635,000				635,000	

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2015 Temporary Capital Budget, to be included in the 2015 Permanent Capital Budget as adopted.

Resolution 15-33

TAX REIMBURSEMENT CERTIFICATION

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from whi

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Englewood Cliffs that Englewood Cliffs hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2014 in the amount of \$6,244.69. Documentation supporting this submission is available at 482 Hudson Terrace Englewood Cliffs, NJ and shall be maintained for no less than five years from this date.

RESOLUTION 15-34

RE: TONNAGE GRANT APPLICATION RESOLUTION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2014 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Englewood Cliffs to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs that Englewood Cliffs hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Mark Neville as recycling coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

RESOLUTION 15-35

WHEREAS, an emergency has arisen affecting the public health, welfare, or safety of the residents of Englewood Cliffs with respect to the jail cells at the Englewood Cliffs Police Department; and

WHEREAS, the CFO has certified that the funds for this repair have been appropriated as part of the 2014 Capital Budget, Ordinance 2014-10; and

WHEREAS, Bogush Inc., 190 Main Avenue Wallington, NJ 07057, provided a quote to supply and install a 4 new Stainless Steel Acorn Toilet Lavatory Penal Sink System in the amount of \$12,995.00 per unit, for a total amount not to exceed \$51,980.00; and

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Englewood Cliffs hereby approve the authorization of the installation 4 new Stainless Steel Acorn Toilet Lavatory Penal Sink System on an emergency basis by Bogush Inc.

BE IT FURTHER RESOLVED that a certified copy of this resolution be attached to the purchase order for the installation along with the Certification of the CFO.

RESOLUTION 15-36

RE: CASH FUND FOR CHIEF OF POLICE

WHEREAS, N.J.S.A. 40a:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Englewood Cliffs, County of Bergen to establish such a fund the Police Department in the amount of \$500.00; and

WHEREAS, the custodian for this fund is Michael Cioffi, Chief of Police, who is bonded by South Bergen Municipal Joint Insurance Fund; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Englewood Cliffs hereby authorizes such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

RESOLUTION 15-37

RE: CHANGE IN CUSTODIAN OF PETTY CASH FUND

WHEREAS, Joseph Iannaconi, Chief Financial Officer was custodian of the Department of Finance Petty Cash Fund; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Mayor and Council of the Borough of Englewood Cliffs, County of Bergen, is changing custodians to Chris Battaglia, Chief Financial Officer; and

WHEREAS, Chris Battaglia who is bonded by South Bergen Municipal Joint Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Englewood Cliffs, County of Bergen hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval

RESOLUTION 15-38

RE: PURCHASE 2015 CATERPILLAR 924 K HIGH LIFT 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 924 K High Lift Loader; and

WHEREAS, the Borough has appropriated funds as part of the 2014 Capital Budget, Ordinance 2014-10; and; 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 \$178,641.09 pursuant to the National Contract #120377 and further authorizes the Mayor of the Borough of Englewood Cliffs to sign the necessary purchase agreement.

RESOLUTION 2015-39

RE: TAX SALE CERTIFICATE #2009-7 REFUND

WHEREAS, the Borough of Englewood Cliffs holds Tax Sale Certificate #2009-7 on property commonly known as 471 Palisade Avenue, Englewood Cliffs, NJ 07632, Block 601, Lot 13 and;

WHEREAS, a check has been received to redeem said lien in the amount of \$30,635.07; and the Mayor and the Borough Clerk will endorse the certificate.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englewood Cliffs, that the Tax Collector be authorized to return the certificate to the property owner.

RESOLUTION 2015-40

RE: TAX SALE CERTIFICATE #201313-001 REFUND

WHEREAS, US Bank Cust for FNA Jersey had purchased Tax Sale Certificate #201313-001 on property commonly known as 50 Jane Drive, Englewood Cliffs, NJ 07632, Block 1107, Lot 13 and;

WHEREAS, the tax sale certificate has been redeemed;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englewood Cliffs, that the Tax Collector-Treasurer be authorized to issue a refund check drawn from the Current Account, in the amount of \$123,847.80; and

BE IT FURTHER RESOLVED, that the Tax Collector/Treasurer be authorized to issue a check for the premium in the amount of \$262,000; and

BE IT FURTHER RESOLVED that both checks be made payable to:

FNA Jersey BOI, LLC
575 Route 70, 2nd floor
P.O. Box 1030
Brick, NJ 08723

RESOLUTION 15-41

RE: RESOLUTION ESTABLISHING CHANGE FUND

WHEREAS from time to time the offices listed herein are required to make change for cash payments received; and

WHEREAS there exists a need to maintain such a fund for use of operation of said Offices;

NOW THEREFORE, BE IT RESOLVED by the Borough of Englewood Cliffs, County of Bergen that, the change funds listed herein and below be established.

BE IT FURTHER RESOLVED that the listed custodian be responsible for the maintenance of corresponding Change Fund.

Department Location	Custodian	Authorized Amount
Tax/Finance	Janice Romano	\$100.00
Court	Antoinette Ceccon	\$100.00
Police Records	Maribel Liberti	\$25.00

RESOLUTION 15-42

RE: CHANGE IN MONETARY AMOUNT

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund, and,

WHEREAS, it is the desire of the Borough of Englewood Cliffs, County of Bergen, that the petty cash fund for the Tax/Finance office be decreased from \$500.00 to \$400.00

NOW, THEREFORE, BE IT RESOLVED that Borough of Englewood Cliffs, County of Bergen hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval

RESOLUTION 15-43

RE: AUTHORIZATION TO ENTER INTO AGREEMENT WITH BERGEN COUNTY FOR OPEN SPACE TRUST FUND

ATTACHMENT C

GRANTEE AUTHORIZING RESOLUTION

BE IT RESOLVED, that the Mayor and Council of Borough of Englewood Cliffs wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$6,500.00 matching grant award from the 2013 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled Witte Complex Playground Replacement located in Witte Memorial Recreation Complex on Johnson Avenue in Block 1201, Lot 7 on the tax maps of the Borough of Englewood Cliffs;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize **Lisette Duffy, Borough Administrator** to be a signatory to the aforesaid Contract; and,

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about December 4, 2015; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award of \$6500) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund’s requirements.

COMMITTEE REPORTS

COUNCILWOMAN EASTWOOD - no report

COUNCILMAN LIANG gave an update on the budget process.

COUNCIL PRESIDENT FAVARO gave an update on the reduced salt supply. To date, we are OK.

COUNCILWOMAN OH reported that Assemblywoman Valerie Huttle has been named Deputy Speaker of the Assembly.

COUNCILMAN CONSALVO gave an update of the most recent Board of Education meeting. Replacement of windows and PARCC testing were discussed.

COUNCILMAN AVERSA provided an update on all recreation programs.

DPW SUPERINTENDENT NEVILLE provided an update on the reduced salt supply.

BOROUGH ENGINEER MIRANDI is working on the engineer's report for 2015 Road Improvement Program and street signage (stop signs) at the intersection of Middlesex Ave and Castle Drive. Local aid application was submitted to the state for Summit Street. He is reviewing the Witte Field basketball court renovations to reduce the cost for re-bid.

The Mayor recommended that a motion to introduce by title only, be made to amend the sign ordinance to include a stop sign at the intersection of Middlesex Ave and Castle Drive.

On a motion by Council President Favaro, seconded by Councilman Liang, an amendment to the sign ordinance to include a stop sign at the intersection of Middlesex Ave and Castle Drive, by introduction, was made. The motion passed and the Public Hearing will be held on March 11, 2015.

ROLL CALL:

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

POLICE CHIEF CIOFFI reported that Captain Dan Morrissey will be submitting a formal letter of resignation to the Mayor and Council by the end of April. Residents will be ticketed next snow storm if their cars are parked on snow covered streets. He discussed the grants that have been submitted including a grant for generators.

BOROUGH ATTORNEY reported that funds should be set aside for Riverside Cooperative. The agreement for the purchase of a new police vehicle is ready to be signed by proper officials of the Borough.

BOROUGH CLERK - no report

UNFINISHED/NEW BUSINESS:

Councilwoman Eastwood made a statement about the agenda not being on the website in a timely fashion. She also stated that closed session minutes from the last meeting were not on tonight's agenda

A motion was made by Councilwoman Eastwood, to put the agendas on the website on the Friday prior to the Mayor and Council meeting. The motion passed.

ROLL CALL:

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

The Borough Clerk stated that she posted both agendas on the website, the Friday prior to the meeting. .

The Mayor recommended that the Borough Clerk post next month's agenda, the day after the previous meeting.

The Borough Clerk stated that closed session minutes must be approved by the Borough Attorney before they can be approved by Mayor and Council.

The Mayor will authorize the Borough Clerk to call the State for guidance about closed session minutes when the entire council is not present.

On a motion by Council President Favaro, seconded by Councilwoman Oh, Borough Clerk is authorized to call the State for guidance about closed session minutes when the entire Council is not present. The motion passed.

ROLL CALL:

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

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 PORTION:

Rose Cravotta, Elm Street, Englewood Cliffs, NJ, read a letter commending police officers. She presented an award to Police Chief Cioffi.

Steve Rubinsky, 5030 Palisade Ave, Fort Lee, NJ asked about closed session minutes.

Carrol McMorrow, 7 Ridge Road, Englewood Cliffs, NJ, asked for clarification regarding the release of closed session minutes.

Andrew Nikow, 54 Elm Street, Englewood Cliffs, NJ, spoke about the technical problems that can occur with any website.

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

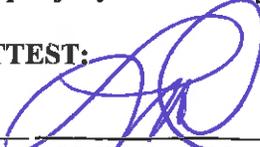
ALL IN FAVOR:

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

Seeing and hearing none, the meeting was adjourned at 8:45 P.M.

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

ATTEST:



Lisette M. Duffy, RMC Borough Clerk