



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

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL

DATE: MARCH 9, 2016

CALL TO ORDER: 8:15 P.M.

PRESENT AT ROLL CALL:

Mayor	Mario M. Kranjac
Councilman	Ed Aversa
Councilman	Zhi Liang
Councilwoman	Gloria Oh
Council President	Carrol McMorrow
Councilman	Mark Park
Councilman	Nunzio Consalvo

ALSO PRESENT:

Borough Attorney	Brent Pohlman
Superintendent of DPW	Mark Neville
Municipal Clerk	Lisette M. Duffy

FLAG SALUTE LEAD BY: Tom Polowitz and son

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 February 10, 2016
Reorganization Minutes of January 3, 2016

On a motion by Councilwoman Oh , seconded by Councilman Liang, Caucus and Regular Minutes of February 10, 2016 and Reorganization Minutes of January 3, 2016 were approved.

ALL IN FAVOR:

AYES: Aversa, Liang, Oh, McMorrow, Park, Consalvo

CORRESPONDENCE:

Eric M. Bernstein *Privileged and Confidential*
Rogut McCarthy *Privileged and Confidential*
John Schepisi, Esq.
Cass-Stieglmayr - Resident
Lee - Resident
Jain - Resident
Eastwood - Resident
Morfesis - Resident
BCUA Rebate

Mayor Kranjac read Samantha Lee's letter to the Mayor and Council regarding the welcome sign of Englewood Cliffs. The Mayor told Samantha Lee who was in the audience, that he will ask for her recommendations.

ALL CORRESPONDENCE WAS ORDERED TO BE FILED.

CLAIMS FOR THE PERIOD: February 11, 2016 through March 9, 2016

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

ROLL CALL:

AYES: Aversa, Liang, Oh, McMorrow, Park, Consalvo

DEPARTMENT HEAD REPORTS for February 2016

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

ALL DEPARTMENT HEAD REPORTS FOR FEBRUARY 2016 WERE APPROVED.

ALL IN FAVOR:

AYES: Aversa, Liang, Oh, McMorrow, Park, Consalvo

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 Councilman Aversa , seconded by Council President McMorrow and carried unanimously, the meeting was open to the public.

ALL IN FAVOR:

AYES: Aversa, Liang, Oh, McMorrow, Park, Consalvo

PUBLIC SPOKE:

Andrew Steiber, 750 Floyd Street, Englewood Cliffs, NJ spoke about advertising in public places and is not in favor of it.

Gerry Misk, 1 Stamford Drive, Englewood Cliffs, NJ would like more information regarding the advertising signs. He feels that the advertising policy should be tweaked.

Joanne Wiese, 175 Chestnut Street, Englewood Cliffs, NJ lives behind Solomon field and complained about the baseballs that are coming into her yard and asked if the town could do something.

Bruce Devlin, Director of Facilities and Head Coach of Dwight Englewood School said he is trying to resolve the situation with installing a fence to protect the homes.

Joe Parisi, 573 Floyd Street, Englewood Cliffs, NJ said that the Dwight Englewood field situation can be considered a temporary emergency situation that can be authorized by the Council prior to applying to the Planning Board.

Joe Favaro, 70 Johnson Ave, Englewood Cliffs, NJ is in favor of the street opening permit and spoke about busing for the Senior citizens. He suggested that the seniors club notify all senior citizens in town, whether they are members or not, of the discontinuation of the transportation service. The resident also spoke regarding the Lighthouse resolution.

Mary O'Shea, 12 Irving Ave, Englewood Cliffs, NJ said the senior's transportation service was eliminated because of insufficient use by the seniors.

Russ Porrino, 220 Fairview Ave, Englewood Cliffs, NJ spoke about the 9W turn on the Planning Board application.

Carin Geiger, 270 Alfred Street, Englewood Cliffs, NJ is not in favor of the order of the agenda. The resident also questioned court fees due and the refunding bond resolution.

Tony Morfesis, 26 John Street, Englewood Cliffs, NJ spoke about DOT safety and the traffic on Sage Road.

Andrew Nikow, 54 Elm Street, Englewood Cliffs, NJ questioned Little League advertising and asked for an update of the police officer litigation.

Borough Attorney recommends that Council members refrain from commenting on police officer litigation.

Lt. James Tracy, PBA Local 45 Bargaining Unit

Good evening Mayor and Council. My name is James Tracy, 3222 City Place, Edgewater, New Jersey. I am here on behalf of Englewood Cliffs PBA Local 45 Bargaining Unit. Just a couple of moments ago, we had a meeting here regarding the same thing that the resident had just brought up. I am not going to repeat the same questions that he asked you and understand that the personnel issue cannot be discussed. But the members of the department have concerns for both their safety and the safety of the residents of this town who you've been elected by to protect. We are familiar with the hearing process. From a PBA standpoint, I've been on both sides of the table during a hearing process. This hearing concluded in late October and it is now March 9 and there's been no decision yet. It is very unlikely that that happens anywhere in the state of New Jersey. This unfortunately has reached the State PBA office. I am getting phone calls now from Mr. Colligan who is the State President of the New Jersey State PBA and he is

inquiring because the officers are inquiring of him with regard to their personal safety and if the Borough has taken any action on it. Again I understand you cannot comment on it. But it's been voted on by the overwhelming majority of the officers, most of them are here to voice the concerns for their safety that no action has been taken yet and it is very unusual that a hearing officer would not have rendered a decision from late October to March 9 and they wanted you to be notified that they are concerned for their safety as well as the safety of the residents of this town.

The Borough Attorney responded that he is sure the Police Chief will ensure the safety of all his men and the town at all times.

The Mayor reminded the police to wear reflective vests at night for safety.

Yvonne Favaro, 70 Johnson Ave, Englewood Cliffs, NJ said the Council should allow the children to speak since it is getting late.

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

ALL IN FAVOR:

AYES: Aversa, Liang, Oh, McMorrow, Park, Consalvo

PUBLIC HEARING

Ordinance 16-03- ORDINANCE AMENDING CHAPTER 19 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ENGLEWOOD CLIFFS AND PROVIDING FOR ADVERTISING SIGNAGE AND BANNERS

On a motion by Council President McMorrow, seconded by Councilwoman Oh and carried unanimously, the public hearing was opened relative to Ordinance 16-03 entitled " ORDINANCE AMENDING CHAPTER 19 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ENGLEWOOD CLIFFS AND PROVIDING FOR ADVERTISING SIGNAGE AND BANNERS"

PUBLIC SPOKE:

Rafi Jafri, 25 Snyder Road, Englewood Cliffs, NJ is in favor of Ordinance 16-03 and spoke on behalf of the Little League who were present at the meeting. The Ordinance will help to fund the Little League.

The Mayor supports the Little League and its sense of community.

Council President McMorrow thanked all the parents and children for coming tonight. She commended the Little League Board for creating a sense of community, building our community and working together.

Ralph Slater, 1 Johnson Ave, Englewood Cliffs, NJ asked how much revenue will be generated.

The Mayor and Council President McMorrow are confident that funds will be generated.

Gerry Misk, 1 Samford Drive, Englewood Cliffs, NJ said there seems to be a conflict between the ordinance and the policy. The town should limit the number of signs allowed.

Borough Attorney clarified the ordinance for Mr. Misk.

Resident at 49 Johnson Ave, Englewood Cliffs, NJ said often there is broken glass on her property next to the park.

Carin Geiger, 270 Alfred Street, Englewood Cliffs, NJ spoke about green spaces and the importance of parks. The ordinance does not respect the green spaces.

Roberta Brooks, 6 Demarest Court, Englewood Cliffs, NJ spoke against the signs.

Lauren Eastwood, 4 Willow Drive, Englewood Cliffs, NJ spoke in favor of the signs.

Joe Cioffi, 30 Sylvan Ave, Englewood Cliffs, NJ spoke in favor of the signs.

Mary O'Shea, 12 Irving Ave, Englewood Cliffs, NJ is in favor of fund raising for the Little League.

Lynn Norton, 9 Willow Drive, Englewood Cliffs, NJ is not in favor of the signs.

Councilman Aversa suggested we use placards to advertise instead of unsightly signs to raise money. Council President McMorrow thanked Councilman Aversa for his suggestion but she is in favor of the signs. The Mayor said Council President McMorrow has worked tirelessly with the Little League on this issue.

Councilwoman Oh said Little league needs to raise money so perhaps we could put a time limit on the ordinance for the signs to see if it works.

Pat Rosen, 60 Karens Lane, Englewood Cliffs, NJ is in favor of Little League and agrees with Councilman Aversa's suggestion for advertising.

Joe Romana, 6 Samford Drive, Englewood Cliffs, NJ is the Safety Director of Little League and said the signs would only be up during Little League and soccer season.

Ralph Slater, 1 Johnson Ave, Englewood Cliffs, NJ spoke about trees and plaques for raising money.

Angelo Mungoli, 42 Mercer Ave, Englewood Cliffs, NJ said that businesses have donated money for uniforms over past years.

Yvonne Favaro, 70 Johnson Ave, Englewood Cliffs, NJ questioned where the money goes that is raised by the Field House Snack Bar.

The Mayor will find out the answer and follow up.

Melanie Simon, 33 Lynn Drive, Englewood Cliffs, NJ suggested pavers for fund raising.

Andrew Nikow, 54 Elm Street, Englewood Cliffs, NJ asked to postpone discussion until the next meeting.

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

Borough Attorney read revisions on space limitations for the signs.

Councilman Aversa understands that some of the Little League fees will go to other recreation programs.

On a motion by Council President McMorrow, seconded by Councilman Consalvo, Ordinance 16-03 was adopted.

ROLL CALL:

AYES: Liang, Oh, McMorrow, Park, Consalvo

NAYS: Aversa

Council President McMorrow thanked everyone.

ORDINANCE NO. 16-03

ORDINANCE AMENDING CHAPTER 19 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ENGLEWOOD CLIFFS AND PROVIDING FOR ADVERTISING SIGNAGE AND BANNERS

BE IT ORDAINED by the Mayor and Council of the Borough of Englewood Cliffs, in the County of Bergen and State of New Jersey, as follows:

1. Chapter 19 of the Revised General Ordinances of the Borough of Englewood Cliffs entitled "Signs Billboard and Outdoor Advertising", shall be amended by the following amendment to subsection 19-18.1 which shall read in its entirety as follows:

19-18.1 Municipal Recreation Fields

- (a) Advertising signs may be placed on the interior portion of the fences surrounding the Borough's recreation fields.
 - (b) Advertising may be placed on the scoreboards on the Borough's recreation fields.
 - (c) Any sign placed pursuant to subsections (a) and (b) above can be no bigger than sixteen square feet.
 - (d) A sign placed pursuant to subsections (a) and (b) above cannot be illuminated.
 - (e) The Borough shall be permitted to accept donations for the signs placed pursuant to subsection (a) and (b). Said donations shall be dedicated to the Englewood Cliffs Parks and Recreation Donations Trust.
 - (f) The terms and conditions relating to the placement of signs on municipal recreation fields shall be governed by a recreation field advertising policy that is to be adopted by the Mayor and Council.
2. If any section or provision of the Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.
 3. All ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

PUBLIC PORTION:

On a motion by Councilwoman Oh, seconded by Councilman Liang and carried unanimously, the meeting was open to the public.

ALL IN FAVOR:

AYES: Aversa, Liang, Oh, McMorrow, Park, Consalvo

PUBLIC SPOKE:

Steven Taylor, Esq., Fort Lee, NJ asked permission to give a presentation regarding Mauro Road flooding.

On a motion by Council President McMorrow, seconded by Councilman Consalvo and carried unanimously, public comment was suspended.

ALL IN FAVOR:

AYES: Aversa, Liang, Oh, McMorrow, Park, Consalvo

RESOLUTIONS 2016: Consent Agenda:

- 50 – Resolution Supporting the Turning Movements on Route 9W at 980 Sylvan
- 51 – Port Authority Bus Terminal Project
- 52 – Fire Apparatus Shared Services Agreement
- 53 – Award Refunding Bonds to TD Bank, N.A.
- 54 – Authorization to Advertise for Scavenger Services
- 55 – Authorization to Auction off Borough Approved Vehicle (Chevrolet)
- 56 – Authorization to Auction off Borough Approved Vehicle (Ford)
- 57 – Authorization to Advertise for Summer Camp Personnel
- 58 – Authorize Mayor to Sign Little League Agreement
- 59 – Approval of Borough Sign Policy **added at meeting**

Councilman Aversa retired from the dais and left the room.

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 McMorrow, seconded by Councilman Liang, Resolutions 51 through 59 were adopted.

ROLL CALL:

AYES: Liang, Oh, McMorrow, Park, Consalvo

ABSENT: Aversa

Mayor recused from Resolution 50.

On a motion by Council President McMorrow, seconded by Councilman Consalvo, Resolution 50 was adopted.

ROLL CALL:

AYES: Liang, Oh, McMorrow, Park, Consalvo

ABSENT: Aversa

RESOLUTION 16-50

RESOLUTION SUPPORTING THE TURNING MOVEMENTS

**ON ROUTE 9W AT THE 980 SYLVAN DRIVEWAY
FORMERLY KNOWN AS THE 922 SYLVAN DRIVEWAY**

WHEREAS, the New Jersey Department of Transportation (NJDOT) has reviewed the plans for a proposed office building at 980 Sylvan Avenue, formerly known as 922 Sylvan Avenue, located at the corner of Route Sylvan Avenue (AKA: Route 9W) and Sage Road, in the Borough of Englewood Cliffs; and

WHEREAS, the approved site plan for the project proposes a left turn movement into the subject site from northbound Route 9W via a northbound left turn lane and a right turn into the site via a southbound right turn lane; and

WHEREAS, the approved site plan for the project proposes to permit left turn egress from the site driveway onto northbound Route 9W; and

WHEREAS, these movements are illustrated in the site plan attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the NJDOT has requested that the Applicant, Lighthouse E.C. LLC, obtain a resolution from the Governing Body of the Borough of Englewood Cliffs supporting the left turn movements above referred to as well as the creation of a northbound left turn lane and a southbound right turn lane at the site driveway, thereby, allowing the NJDOT to create the required State Highway Traffic Regulation Orders for Route 9W, Mile Post 3.62; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Englewood Cliffs, County of Bergen in the State of New Jersey, that, as requested by the NJDOT, the Governing Body hereby supports the proposed left turn movements to and from Route 9W at the site driveway (Mile Post 3.62), as well as the creation of a northbound left turn lane and a southbound right turn lane at the site driveway as shown on the site plan heretofore submitted to the NJDOT and approved by the Planning Board of the Borough of Englewood Cliffs at its meeting of February 11, 2016. Such office building will be constructed at 980 Sylvan Avenue, formerly known as 922 Sylvan Avenue, located at the corner of Sylvan Avenue (AKA: Route 9W) and Sage Road, in the Borough of Englewood Cliffs.

RESOLUTION 16-51

**A RESOLUTION urging the Port Authority of New York and New Jersey to replace the
Port Authority Bus Terminal.**

WHEREAS, the Port Authority Bus Terminal, built in 1950, was designed to support no more than 150,000 passengers per day; and

WHEREAS, the Port Authority Bus Terminal is the busiest bus terminal in the world supporting 8,000 buses and over 230,000 passengers per weekday, leading to heavy congestion, long lines, and regular service disruptions; and

WHEREAS, the demand for bus service across the Hudson is expected to increase by as much as 50% per day by 2040; and

WHEREAS, the Port Authority of New York and New Jersey has acknowledged the physical and functional obsolescence of the Bus Terminal; and

WHEREAS, there is no rail option for Englewood Cliffs residents, buses are the only form of mass transit to New York; and

WHEREAS, significant numbers of Englewood Cliffs residents commute to New York;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Englewood Cliffs hereby urges the Port Authority of New York and New Jersey to begin capital planning and construction of a new Port Authority Bus Terminal

RESOLUTION 16-52

SHARED SERVICES AGREEMENT FOR THE SHORT TERM EMERGENCY SHARING OF FIRE APPARATUS BETWEEN THE COUNTY OF BERGEN AND ANY MUNICIPALITY WITHIN THE COUNTY OF BERGEN

WHEREAS, the County of Bergen operates a Fire Academy through the County's Department of Public Safety; and

WHEREAS, the County of Bergen owns certain fire apparatus, including ladder vehicles and engines (Fire Apparatus) used for training firefighters; and

WHEREAS, subject to the operational needs of the Fire Academy, the County seeks to make certain Fire Apparatus available to the municipalities within Bergen County on a temporary/emergency basis solely for use as front line fire apparatus; and

WHEREAS, the Borough of Englewood Cliffs seeks to ensure its ability to utilize the Fire Apparatus on a temporary/emergency basis as front line fire apparatus; and

WHEREAS, the County and the Borough of Englewood Cliffs have determined that by entering into this Shared Services Agreement governing the terms for borrowing the County's Fire Apparatus in advance of the Borough of Englewood Cliffs' need to utilize the Fire Apparatus, the parties will be able to facilitate the prompt availability of the Fire Apparatus at such time as the Borough of Englewood Cliffs has a need to utilize it; and

WHEREAS, this Agreement is established in accordance with the Uniform Shared Services and Consolidation Act, P.L.2007, c.63 (C.40A:65-1, et seq); and

WHEREAS, the County has authorized this agreement by adoption of Resolution No. 1458-15 on December 16, 2015; and

BE IT RESOLVED, the Borough of Englewood Cliffs has authorized this agreement by adoption of this Resolution set forth on the signature page of this Agreement, adopted on the date set forth therein.

BE IT FURTHER RESOLVED, copies of this resolution shall be provided to the Bergen County Executive and the Chief of the Englewood Cliffs Fire Department.

RESOLUTION 16-53

RESOLUTION OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, PRESCRIBING THE DETAILS AND BOND FORM FOR \$3,205,000 GENERAL IMPROVEMENT REFUNDING BONDS (SERIES 2016), DATED MARCH 23, 2016, AUTHORIZING THE ACCEPTANCE OF AN OFFER TO PURCHASE SAID BONDS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the refunding bond ordinance hereinafter described has been duly adopted and it is necessary to provide for the issuance of the refunding bonds authorized by such bond ordinance; NOW, THEREFORE,

BE IT RESOLVED by the Borough Council of the Borough of Englewood Cliffs, in the County of Bergen, New Jersey (the "Borough"), as follows:

Section 1. There shall be issued at this time \$3,205,000 of the refunding bonds (the "Bonds") authorized pursuant to the refunding bond ordinance adopted by the Borough Council of the Borough on December 9, 2015 (Ord. No. 2015-15) (the "Bond Ordinance"). The Bonds are being issued to refund \$3,020,000 aggregate principal amount of the Borough's outstanding General Obligation Bonds, Series 2007, dated July 15, 2007 and maturing in annual installments on July 15 of each year from 2018 to 2022, inclusive (the "Refunded Bonds"). The proceeds of the Bonds will be used to (A) to pay all of the interest on the Refunded Bonds due on the interest payment dates from July 15, 2016 to and including July 15, 2017, and to redeem the Refunded Bonds on July 15, 2017 at the redemption price of 100% of the principal amount thereof, plus accrued interest to the redemption date, and (B) pay the costs of issuance of the Bonds. The Borough Council hereby specifically and irrevocably elects to redeem the Refunded Bonds on July 15, 2017 at a redemption price of 100% of the principal amount thereof, plus accrued interest to the date of redemption.

Section 2. The Bonds shall be issued as a single issue of bonds, aggregating \$3,205,000 consisting of an issue of bonds of the minimum authorized denomination of \$100,000 each with integral multiples of \$5,000 in excess thereof, numbered in the order of their maturity. Said issue shall be payable in annual installments on July 15 in each year as follows:

\$520,000 in the year 2018,

\$670,000 in the year 2019,

\$665,000 in the year 2020,
\$670,000 in the year 2021, and
\$680,000 in the year 2022.

The Bonds shall be designated "General Improvement Refunding Bonds (Series 2016)". The indebtedness evidenced by each Bond shall be deemed to have been incurred for the purpose described in the Bond Ordinance and in this resolution.

Section 3. The Bonds shall be dated March 23, 2016, and shall bear interest from their date until their respective maturities at the rate of 1.55% **per** annum, payable on each January 15 and July 15, commencing July 15, 2016 (each, an "Interest Payment Date"), in each year until maturity or sinking fund redemption.

Section 4. The Bonds shall not be subject to optional redemption prior to their stated maturities.

Section 5. The Bonds maturing on July 15, 2018, are subject to mandatory sinking fund redemption prior to maturity on July 15 in the years shown below, at 100% of the principal amount thereof plus accrued interest to the date of redemption, from sinking fund payments in the amounts set forth below:

<u>Year</u>	<u>Principal Amount</u>
2016	\$ 20,000
2017	50,000
2018 (maturity)	450,000

The Bonds to be redeemed from sinking fund payments shall be selected by lot by the Bond Registrar/Paying Agent (as hereinafter defined); *provided, however*, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar/Paying Agent shall treat each Bond as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000.

Section 6. Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any

redemption notice will not affect the validity of the redemption proceedings. If any Bond subject to redemption is a part of a greater principal amount of the Bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying Agent and, for that portion of the Bond not to be redeemed, a new Bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the Bond surrendered less the amount to be redeemed.

Section 7. The Bonds will be issued in fully registered form. Interest on the Bonds will be payable at the times stated in Section 3 of this resolution, and principal of the Bonds will be paid annually on July 15 as set forth in the maturity schedule hereinbefore stated, to the registered owners of the Bonds. Interest will be payable to owners of Bonds shown on the records of the Bond Registrar/Paying Agent as of the last business day of the month preceding the month in which such Interest Payment Date occurs.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

Section 8. The Bonds shall be signed by the Mayor by manual or facsimile signature and by the Chief Financial Officer by manual or facsimile signature, the corporate seal of the Borough shall be imprinted, affixed or reproduced thereon, and such seal shall be attested by the Borough Clerk or Deputy Borough Clerk by manual or facsimile signature. The Bonds will be authenticated by the manual signature of the Bond Registrar/Paying Agent.

Section 9. Each of the Bonds shall be issued in substantially the following form:

[Form of Bond]

No. R-__

\$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF BERGEN
BOROUGH OF ENGLEWOOD CLIFFS
GENERAL IMPROVEMENT
REFUNDING BOND (SERIES 2016)

INTEREST RATE

<u>PER ANNUM</u>	<u>MATURITY DATE</u>	<u>DATED DATE</u>
1.55%	JULY 15, 20__	MARCH 23, 2016

REGISTERED OWNER: TD BANK, N.A.

PRINCIPAL SUM: -----DOLLARS

The Borough of Englewood Cliffs, a municipal corporation of the State of New Jersey, located in the County of Bergen (hereinafter referred to as the "Borough"), for value received, hereby acknowledges itself indebted and promises to pay to the REGISTERED OWNER named above, on the MATURITY DATE specified above, upon surrender hereof, the PRINCIPAL SUM stated above and to pay to the REGISTERED OWNER hereof interest thereon from the DATED DATE of this Bond until it shall mature at the INTEREST RATE PER ANNUM specified above, payable on each January 15 and July 15, commencing July 15, 2016 (each, an "Interest Payment Date"), of each year until maturity or sinking fund redemption. The principal hereof is payable at the office of the Chief Financial Officer, Borough Hall, 482 Hudson Terrace, Englewood Cliffs, New Jersey 07632 (the "Bond Registrar/Paying Agent"). The interest so payable on any such Interest Payment Date will be paid to the person in whose name this Bond is registered on the record date for such interest, which shall be the last business day of the month preceding the month in which such Interest Payment Date occurs. Both the principal of and interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This Bond is one of an issue of Bonds of like date and tenor, except as to number, denomination and maturity, issued pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended) and pursuant to a refunding bond ordinance adopted by the Borough Council of the Borough on December 9, 2015 (Ord. No. 2015-15) and a resolution adopted by the Borough Council of the Borough on March 9, 2016. The Bonds are issued in minimum authorized denominations of \$100,000 each with integral multiples of \$5,000 in excess thereof.

This Bond is not subject to optional redemption prior to its stated maturity.

The Bonds maturing on July 15, 2018, are subject to mandatory sinking fund redemption prior to maturity on July 15 in the years shown below, at 100% of the principal amount thereof

plus accrued interest to the date of redemption, from sinking fund payments in the amounts set forth below:

<u>Year</u>	<u>Principal Amount</u>
2016	\$ 20,000
2017	50,000
2018 (maturity)	450,000

The Bonds to be redeemed from sinking fund payments shall be selected by lot by the Bond Registrar/Paying Agent; *provided, however*, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar/Paying Agent shall treat each Bond as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000.

Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any Bond subject to redemption is a part of a greater principal amount of the Bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying Agent and, for that portion of the Bond not to be redeemed, a new Bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the Bond surrendered less the amount to be redeemed.

The Bond Registrar/Paying Agent shall keep at its office the books of the Borough for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the hereinabove mentioned resolution upon the surrender hereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall deliver in exchange for this Bond a new bonds or bonds, registered in the name of the transferee, of authorized denomination, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, be performed or happen precedent to or in the issuance of this Bond exist, have been performed and have happened, and that this Bond, together with all other indebtedness of the Borough, is within every debt and other limit prescribed by the Constitution or statutes of said State.

The full faith and credit of the Borough are hereby pledged irrevocably to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the Certification of Authentication hereon shall have been signed by the Bond Registrar/Paying Agent.

IN WITNESS WHEREOF, the Borough has caused this Bond to be signed by its Mayor by manual or facsimile signature and by its Chief Financial Officer by manual or facsimile signature and its seal to be impressed, affixed or reproduced hereon, and said seal to be attested by its Borough Clerk by manual or facsimile signature, and this Bond to be dated March 23, 2016.

[SEAL]

(manual or facsimile signature)

Mayor

ATTEST:

(manual or facsimile signature) (manual or facsimile signature)

Borough Clerk

Chief Financial Officer

AUTHENTICATION DATE: MARCH 23, 2016

CERTIFICATION OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned resolution, and is one of the General Improvement Refunding Bonds (Series 2016), dated March 23, 2016 of the Borough of Englewood Cliffs, in the County of Bergen, State of New Jersey.

Chief Financial Officer, as Bond Registrar/Paying Agent

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto _____, the within Bond, and irrevocably appoints

_____, attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:

[End of Form of Bond]

Section 10. Bonds may, upon surrender thereof at the office of the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the Borough upon the surrender thereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the

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unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar/Paying Agent shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be canceled by the Bond Registrar/Paying Agent. The Borough or the Bond Registrar/Paying Agent may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including interest thereon, to the extent of the sum or sums so paid.

The Borough shall appoint such registrars, transfer agents, depositories or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to the then commercial standards for the timely payment of principal and interest with respect to the Bonds. The Chief Financial Officer is hereby appointed registrar and paying agent for the Bonds (the "Bond Registrar/Paying Agent") subject to the right of the Borough Council to appoint another Bond Registrar/Paying Agent, and, as such, shall keep at the Borough Hall, 482 Hudson Terrace,

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Englewood Cliffs, New Jersey 07632, the books of the Borough for the registration, registration of transfer, exchange and payment of the Bonds.

Section 11. The Mayor, the Chief Financial Officer and the Borough Clerk are hereby authorized and directed to cause the Bonds to be prepared and to execute and deliver the Bonds upon payment of the purchase price therefor.

Section 12. The Bonds are hereby sold to TD Bank, N.A. (the "Purchaser") in accordance with its proposal received on March 2, 2016 at an interest rate of 1.55% per annum and a purchase price equal to the par amount of \$3,205,000. The sale of the Bonds at private sale upon such terms and at such purchase price is hereby determined to be in the best interests of the Borough. The following proposals were also received on March 2, 2016:

<u>Bank</u>	<u>Interest Rate</u>
Webster Bank	1.88%
Capital One Public Funding, LLC	2.25

Section 13. The Escrow Deposit Agreement to be dated March 23, 2016 (the "Escrow Deposit Agreement") by and between the Borough and The Bank of New York Mellon Trust Company, N.A., Woodland Park, New Jersey and Dallas, Texas, as escrow agent with respect to the Refunded Bonds, in substantially the form submitted to the Borough, is hereby approved.

Section 14. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Bonds) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code").

Section 15. The Borough hereby designates the Bonds as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. It is hereby determined and stated

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that (1) the Bonds are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2016. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; *however*, the Borough does not covenant to do so, and expressly states that a covenant is not made hereby.

Section 16. The Mayor is hereby authorized to execute the Escrow Deposit Agreement, in substantially the form thereof presented to the Borough, with such changes, variations, omissions and insertions as the Mayor shall approve. The execution thereof by the Mayor shall constitute conclusive evidence of such approval. The Mayor, the Chief Financial Officer and the Borough Clerk are hereby authorized and directed to execute and deliver such other documents and to take such other action as they determine to be necessary or appropriate in order to effectuate the issuance and sale of the Bonds and the refunding of the Refunded Bonds, including, without limitation, the execution and delivery of all closing documents and certificates and any agreements concerning the investment of funds to be used to redeem the Refunded Bonds.

Section 17. It is hereby determined and stated the Bonds are being issued in accordance with the conditions set forth in N.J.S.A. 40A:2-51(c) and N.J.A.C. 5:30-2.5, which permit the issuance of refunding bonds without the prior approval of the Local Finance Board, in the Division of Local Government Services, in the New Jersey Department of Community Affairs (the "Local Finance Board"). The Chief Financial Officer is hereby authorized to file a certificate with the Local Finance Board after the issuance of the Bonds stating that such

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conditions have been met and including financial information concerning the refunding and a certified copy of this resolution.

Section 18. This resolution shall take effect immediately upon its adoption.

RESOLUTION 16-54

RESOLUTION AUTHORIZING THE MUNICIPAL CLERK TO SOLICIT BIDS FOR COMPLETE SCAVENGER SERVICE FOR THE BOROUGH OF ENGLEWOOD CLIFFS

WHEREAS, the Borough of Englewood Cliffs current Scavenger Service contract between the Borough of Englewood Cliffs and Waste Management Company will expire on July 31, 2016 and;

The Borough of Englewood Cliffs is desirous to assure a new contract is awarded in a timely manner; Complete Scavenger Service for the Borough of Englewood Cliffs

BE IT RESOLVED that the Englewood Cliffs Mayor and Council authorize the Municipal Clerk to solicit bids for a Complete Scavenger Service for the Borough of Englewood Cliffs for the years 2016 – 2020.

RESOLUTION 16-55

WHEREAS, the Borough of Englewood Cliffs (Borough”) is in possession of a 1998 Chevrolet K3500 pick-up truck that is no longer being used by the Borough and is surplus; and

WHEREAS, the Borough has estimated the value of this vehicle to be \$3,755.00.

WHEREAS, N.J.S.A. 40A:11-36 provides for the disposition and auction of municipally owned items

WHEREAS, the Borough is desirous of auctioning the vehicle and attempting to generate revenue from it rather than discarding the vehicle; and

WHEREAS, if the Borough is unable to dispose of the vehicle at auction the Governing Body authorizes the disposal of the vehicle in accordance with N.J.S.A. 40A:11-36(4).

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

1. The 1998 Chevrolet K3500 pick-up truck shall be sold at auction with a minimum bid price of \$3,000.
2. If the vehicle is not disposed of at action the Borough can attempt to dispose of

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the vehicle in accordance with N.J.S.A. 40A:11-36(4).

RESOLUTION 16-56

WHEREAS, the Borough of Englewood Cliffs (Borough”) is in possession of a 1999 Ford Expedition that is no longer being used by the Borough and is surplus; and

WHEREAS, the Borough has estimated the value of this vehicle to be \$2,367.00.

WHEREAS, N.J.S.A. 40A:11-36 provides for the disposition and auction of municipally owned items

WHEREAS, the Borough is desirous of auctioning the vehicle and attempting to generate revenue from it rather than discarding the vehicle; and

WHEREAS, if the Borough is unable to dispose of the vehicle at auction the Governing Body authorizes the disposal of the vehicle in accordance with N.J.S.A. 40A:11-36(4).

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

1. The shall 1999 Ford Expedition be sold at auction with a minimum bid price of \$1,500.00
2. If the vehicle is not disposed of at action the Borough can attempt to dispose of the vehicle in accordance with N.J.S.A. 40A:11-36(4).

RESOLUTION 16-57

TITLE: AUTHORIZE MUNICIPAL CLERK TO ADVERTISE FOR SUMMER CAMP PERSONNEL FOR THE NEIL VILL SUMMER RECREATION PROGRAM

BE IT RESOLVED that the Borough Council of the Borough of Englewood Cliffs does hereby authorize the Municipal Clerk to ADVERTISE on behalf of the Borough of Englewood Cliffs for SUMMER CAMP PERSONNEL

RESOLUTION 16-58

RE: AUTHORIZE THE MAYOR TO SIGN LEASE AGREEMENT WITH ENGLEWOOD CLIFFS LITTLE LEAGUE

WHEREAS, The Borough of Englewood Cliffs does not organize a Little League program; and

WHEREAS, the Englewood Cliffs Little League is a non-profit that operates a youth baseball program for residents of Englewood Cliffs; and

WHEREAS, the Borough of Englewood Cliffs permits the Englewood Cliffs Little League to use and maintain the Borough’s fields for its youth baseball program; and

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WHEREAS, Englewood Cliffs Little League, and the Borough of Englewood Cliffs are desirous of entering into a field use agreement governing the terms and conditions of the groups use of the Borough of Englewood Cliff's field; and

NOW THEREFORE, BE IT RESOLVED, that the Borough of Englewood Cliffs, New Jersey will enter into a field use agreement with the Englewood Cliffs Little League and the Mayor is authorized to execute same.

RESOLUTION 16-59

WHEREAS, the Mayor and Council have enacted an Ordinance providing for signs on the fences of the Borough's athletic fields; and

WHEREAS, the Ordinance requires that the Mayor and Council develop and adopt a policy governing the implementation and administration of the Ordinance; and

WHEREAS, the such policy has been developed and reviewed by the Mayor and Council.

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

1. That the Athletic Field Advertising policy is adopted.

PUBLIC HEARING

Ordinance 16-04- ORDINANCE AMENDING CHAPTER 9 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ENGLEWOOD CLIFFS AND PROVIDING FOR BUILDING AND HOUSING

On a motion by Council President McMorrow, seconded by Councilman Liang and carried unanimously, the public hearing was opened relative to Ordinance 16-04 entitled "ORDINANCE AMENDING CHAPTER 9 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ENGLEWOOD CLIFFS AND PROVIDING FOR BUILDING AND HOUSING"

NO ONE SPOKE FROM THE PUBLIC.

Council President McMorrow clarified that this ordinance is not for permits. It will lower the engineering fees for residential applications.

There being no additional discussion, the public hearing was closed on motion by Councilwoman Oh, seconded by Councilman Consalvo.

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On a motion by Council President McMorrow, seconded by Councilman Liang, Ordinance 16-04 was adopted.

ROLL CALL:

AYES: Liang, Oh, McMorrow, Park, Consalvo

ABSENT: Aversa

ORDINANCE NO. 16-04

ORDINANCE AMENDING CHAPTER 9 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ENGLEWOOD CLIFFS AND PROVIDING FOR BUILDING AND HOUSING

BE IT ORDAINED by the Mayor and Council of the Borough of Englewood Cliffs, in the County of Bergen and State of New Jersey, as follows:

5. Chapter 9 of the Revised General Ordinances of the Borough of Englewood Cliffs entitled "BUILDING AND HOUSING FEES", shall be amended by the following amendment to subsection 9-22.9 which shall read in its entirety as follows:

9-22.9 Fees

- a. The basic fee for a Soil Disturbance Permit application shall be two hundred fifty (\$250.00) dollars.
 - b. The basic fee for engineering review of an application shall be five hundred (\$500.00) dollars.
 - c. The applicant shall post one thousand (\$1,000.00) dollars in engineering escrow for engineering inspections of site improvements associated with the project, including drainage, grading and soil erosion.
 - d. The applicant will be required to post a one hundred twenty five (\$125.00) dollar fee per revision for review of revisions made to the engineering plan of the site for drainage, grading and soil erosion.
 - e. In addition, the applicant shall deposit in cash or bond, a Performance Guarantee in the amount of five thousand (\$5,000.00) dollars to prevent erosion or flooding onto lands or streets adjacent to the lot and to eliminate any soil disturbance condition which is likely to be dangerous to health and safety. This amount shall be returned to the applicant upon final inspection and approval by the Borough Engineer.
 - f. The applicant is required as part of the project to provide an as-built drawing showing all site conditions including final drainage, grading and site features for the property, prior to receiving certificate of occupancy for the property. This document shall be reviewed and approved by the Borough Engineer prior to the release of the performance guarantee.
2. If any section or provision of the Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.
 3. All ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

COMMITTEE REPORTS

COUNCILMAN AVERSA - ABSENT

COUNCILMAN LIANG spoke about the DPW budget.

COUNCILWOMAN OH - no report

COUNCILMAN CONSALVO spoke about the most recent Board of Education meeting and thanked Mayor Kranjac for his book donation.

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COUNCILMAN PARK spoke about the budget and thanked the department heads for their assistance.

COUNCIL PRESIDENT MCMORROW said a Treasure Hunt will be held at Witte Field, 11AM, March 26th. Basketball playoffs are March 12th and finals are March 19th. The soccer clinic has been a success. We have an unfunded liability of \$362,000 for two tax appeals that has to be resolved.

The Mayor said the budget process is going well and would like to schedule a special meeting on March 24th.

NEW BUSINESS:

The Mayor appointed Council President McMorrow, Councilwoman Oh and Councilman Liang to the Ad Hoc Negotiating Committee.

On a motion by Council President McMorrow, seconded by Councilman Liang, the Borough Clerk is authorized to go out for RFP for a collection service.

ALL IN FAVOR:

AYES: Liang, Oh, McMorrow, Park, Consalvo

ABSENT: Aversa

The Mayor has been working on the Mauro Road issue, Fifth Street (unpaved road), and the Budget. He met with the Deputy Chief of Police to discuss traffic issues, the Police Chief to discuss other matters, the PBA representatives, and the Long Term Planning Committee. He attended the Bergen County Mayor's Breakfast and gave an update on heroin addiction in Bergen County. He read Dr. Suess books to the children of Goddard School.

The Borough Clerk said that JIF is offering a class to all council members. The town will receive a \$250 credit for each person that attends. She is looking into the possibility of offering the class in Englewood Cliffs. The class can also be taken on-line.

PUBLIC PORTION:

On a motion by Councilwoman Oh , seconded by Council President McMorrow and carried unanimously, the meeting returned to public comment.

ALL IN FAVOR:

AYES: Liang, Oh, McMorrow, Park, Consalvo

ABSENT: Aversa

PUBLIC SPOKE:

Dr. Hartmut Hanauske, 368 Mauro Road, Englewood Cliffs, NJ provided a video presentation on Mauro Road flooding.

Steven Taylor, Esq., Fort Lee, NJ said the residents on Mauro Road want a solution to the flooding problem.

The Mayor thanked the resident for the presentation and will follow up on this issue.

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Joe Cioffi, 30 Sylvan Ave, Englewood Cliffs, NJ spoke about his property flooding issue and how it was fixed.

On a motion by Council President McMorrow, seconded by Councilman Liang and carried unanimously, the public portion was closed.

ALL IN FAVOR:

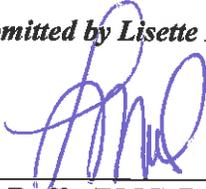
AYES: Liang, Oh, McMorrow, Park, Consalvo

ABSENT: Aversa

Seeing and hearing none, the meeting was adjourned at 11:19 P.M.

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

ATTEST:



Lisette M. Duffy, RMC, Borough Clerk