



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

MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND COUNCIL

DATE: MARCH 28, 2016

CALL TO ORDER: 8:00 P.M.

PRESENT AT ROLL CALL:

Mayor	Mario M. Kranjac
Councilman	Ed Aversa
Councilman	Zhi Liang(<i>via telephone</i>)
Councilwoman	Gloria Oh(<i>arrived 8:25PM</i>)
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

Borough Clerk called Councilman Liang.

Mayor Kranjac asked Councilman Liang to stay on the phone for the duration of the meeting.

FLAG SALUTE LEAD BY: Mayor Kranjac

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.

RESOLUTION 16-60

RE: CLOSED SESSION

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting, and

WHEREAS, the Mayor and Council of the Borough of Englewood Cliffs has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Englewood Cliffs will go into closed session for the following reason as outlined in N.J.S.A. 10:4-12:

Potential litigation

On a motion by Councilman Consalvo, seconded by Councilman Park, the Council went into closed session.

ALL IN FAVOR:

AYES: Aversa, Liang, McMorrow, Park, Consalvo

On a motion by Councilman Aversa, seconded by Council President McMorrow and carried unanimously, the Council came out of closed session.

ALL IN FAVOR:

AYES: Aversa, Liang, 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 Consalvo, seconded by Councilman Aversa and carried unanimously, the meeting was open to the public.

ALL IN FAVOR:

AYES: Aversa, Liang, McMorrow, Park, Consalvo

PUBLIC SPOKE:

Mike and Marissa Kochonover, 11 Fifth Street, Englewood Cliffs, NJ asked for an update of Fifth Street.

Borough Attorney gave the status of Fifth Street and said there should be an answer by the next Mayor and Council meeting in April.

The Mayor responded that the matter has been turned over to the Council and Borough Engineer.

Council President McMorrow thanked the residents for their patience on this matter.

Tony Morfesis, 26 John Street, Englewood Cliffs, NJ spoke about the Bagel Shop business and that the items of concern have not been changed.

The Mayor asked Borough Attorney if there was any progress on the exhaust fan and parking issue.

Borough Attorney reported that the vent is not in the correct position and is waiting for an update of the issues.

The Mayor asked that the Borough Attorney follow up with the Planning Board to be sure that the resident's issues are being addressed.

On a motion by Councilman Aversa, seconded by Councilman Consalvo and carried unanimously, the public portion was closed.

ALL IN FAVOR:

AYES: Aversa, Liang, McMorrow, Park, Consalvo

CORRESPONDENCE:

Steven Muhlstock, Esq. *Privileged and Confidential*

Eric M. Bernstein *Privileged and Confidential*

Senator Weinberg

Morfesis - Resident

Arthur Avenue

Bergen County American Legion

Englewood Library

River Keeper

Wheels for Meals

ALL CORRESPONDENCE WAS ORDERED TO BE FILED.

Councilwoman Oh arrived at 8:25 P.M.

FIRST HEARING AND INTRODUCTION – ORDINANCE

Ordinance 16-05- ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

On a motion by Council President McMorrow, seconded by Councilman Consalvo and carried unanimously, Ordinance 16-05 entitled “ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK(N.J.S.A. 40A:4-45.14)” was introduced and passed on the first reading.

Councilwoman Oh asked for clarification of the ordinance.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance is scheduled for **May 9, 2016 at 8 P.M.**

ROLL CALL:

AYES: Liang, McMorrow, Park, Consalvo

ABSTAIN: Aversa, Oh

Ordinance 16-06- ORDINANCE AMENDING ORDINANCE 7003 AND ESTABLISHING ANNUAL FEES FOR PLENARY RETAIL CONSUMPTION LICENSES AND A CLUB LICENSE WITHIN

**THE CONFINES OF THE BOROUGH OF ENGLEWOOD CLIFFS, COUNTY OF BERGEN,
STATE OF NEW JERSEY**

On a motion by Council President McMorrow, seconded by Councilman Consalvo and carried unanimously, Ordinance 16-06 entitled "ORDINANCE AMENDING ORDINANCE 7003 AND ESTABLISHING ANNUAL FEES FOR PLENARY RETAIL CONSUMPTION LICENSES AND A CLUB LICENSE WITHIN THE CONFINES OF THE BOROUGH OF ENGLEWOOD CLIFFS, COUNTY OF BERGEN, STATE OF NEW JERSEY" was introduced and passed on the first reading.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this ordinance is scheduled for **May 9, 2016 at 8 P.M.**

ROLL CALL:

AYES: Liang, Oh, McMorrow, Park, Consalvo

ABSTAIN: Aversa

2016 BUDGET INTRODUCTION Resolution 16-61 *Public Hearing on May 9, 2016*

The Mayor spoke about the 2016 Budget. There will be no tax increase for the residents of Englewood Cliffs for 2016. He thanked Council President McMorrow and Finance Chairman, Councilman Park for their diligent and hard work on the budget. Everyone worked together well and the process involved a lot of time. The Mayor's directive was to cut the budget with no decrease in services and no increase in taxes for the residents. This was successfully accomplished despite a \$362,000 deficit from last year. Police overtime will be reduced with diligent oversight and necessary overtime will be planned for and funded. Department Chairpersons will be held fully accountable for budget performance. He promised the town fiscal responsibility.

Councilman Park, Finance Chairman, thanked everyone for their hard work on the budget, and stated, we will continue to work together.

On a motion by Councilman Park, seconded by Council President McMorrow, Resolution 16-61 was adopted.

ROLL CALL:

AYES: Liang, McMorrow, Park, Consalvo

ABSTAIN: Aversa, Oh

The Mayor thanked everyone.

RESOLUTION 16-61

Be it Resolved, that the following statements of revenue and appropriations shall constitute the approved Municipal Budget for the year 2016;

General Appropriations

Appropriations within "CAPS" - Municipal Purposes	\$11,116,456.00
Appropriations excluded from "CAPS" - Municipal Purposes	4,297, 148.92

Reserve for Uncollected Taxes	500,000.00
Total General Appropriations	15,913,604.92
Less: Anticipated Revenues	3,497,537.43
Amount to be Raised by Taxes for Support of Municipal Budget	
Local Tax Municipal Purposes	\$12,416,067.49
Total to be Raised by Taxes	\$12,416,067.49

The Governing Body of the Borough of Englewood Cliffs does hereby approve the above as the Budget for the year 2016:

RECORDED VOTE

Ayes { **Liang, McMorrow, Park, Consalvo**
Nays {
Abstained { **Aversa, Oh**
Absent {

RESOLUTIONS 2016: Consent Agenda

- 62 – Self Exam
- 63 – Authorize Clerk to Advertise for DPW Seasonal Help
- 64 – Authorization to go out to Bid for Basketball and Tennis Courts

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.

Borough Attorney and Borough Clerk clarified Resolutions 62 and 64.

On a motion by Councilman Consalvo, seconded by Councilman Park, Resolutions 62, 63 and 64 were adopted.

ROLL CALL:

AYES: Aversa, Liang, Oh, McMorrow, Park, Consalvo
NAYS: Aversa – 62
ABSTAIN: Oh – 62

RESOLUTION 16-62

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 the BOROUGH of ENGLEWOOD CLIFFS has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the BOROUGH meets the necessary conditions to participate in the program for the 2016 budget year, so now therefore

BE IT RESOLVED, by the BOROUGH Council of the BOROUGH of ENGLEWOOD CLIFFS that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

1. That with reference of the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES UPON ADOPTION.

RESOLUTION 16-63

TITLE: AUTHORIZE MUNICIPAL CLERK TO ADVERTISE FOR SEASONAL DPW PERSONNEL

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 SEASONAL DPW PERSONNEL

RESOLUTION 16-64

WHEREAS, the Borough of Englewood Cliffs is desirous of providing a safe recreational environment at Borough parks for the residents of Englewood Cliffs; and

WHEREAS, the Mayor and Council of the Borough of Englewood Cliffs does hereby authorize **Maser Consulting P.A.** to provide plans and sight specs for the basketball and tennis courts at Witte Field; and

WHEREAS, If the borough awards a contract for the repair of the tennis courts and basketball courts at Witte Field, the improvements will be funded through Capital Ordinance 15-13.

NOW, THEREFORE, BE IT RESOLVED, that the Englewood Cliffs Mayor and Council authorize the Municipal Clerk to solicit bids for the refurbishment of the basketball and tennis courts at Witte Field.

THERE WAS NO UNFINISHED/NEW BUSINESS.

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