



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

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

**DATE: JULY 13, 2016**

**CALL TO ORDER: 8:00 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	Denis Murphy
Superintendent of DPW	Mark Neville
Municipal Clerk	Lisette M. Duffy

**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.

**Councilman Consalvo returned to the room.**

**FLAG SALUTE LEAD BY: Mayor Kranjac**

**The Mayor asked for a moment of silence in honor of the five Dallas police officers that were gunned down last week.**

- **MINUTES:** Caucus and Regular Minutes of June 8, 2016  
Special Meeting of June 20, 2016

On a motion by Council President McMorrow, seconded by Councilman Consalvo, Caucus and Regular Minutes of June 8, 2016 and Special Meeting of June 20, 2016 were approved.

**ALL IN FAVOR:**

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

**CORRESPONDENCE:**

Marks – Resident

Sainato – Resident

State of New Jersey, DOT

Eric Bernstein, Esq. – *Privileged & Confidential*

**ALL CORRESPONDENCE WAS ORDERED TO BE FILED.**

**CLAIMS FOR THE PERIOD:** June 9, 2016 through July 13, 2016

Councilman Park pulled two checks, #41637 and #41603, both for Intrep Solutions for additional review.

Councilwoman Oh asked that the Borough Attorney's bills be pulled for February and May for additional review.

The Mayor and Mr. Murphy, Esq. clarified the bills in question for the law firm.

Councilwoman Oh and Councilman Aversa stated the Borough must follow proper protocols for work done by the Borough Attorney.

On a motion by Councilman Park, seconded by Council President McMorrow and carried unanimously, the Claims were ordered paid. The above two checks, #41637 and #41603, will be held over and not paid until reviewed.

**ROLL CALL:**

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

**ABSTAIN: Aversa, Oh**

**DEPARTMENT HEAD REPORTS** for June 2016

Finance Department

Fire Department

Municipal Court

Building Department

Police Department

Borough Engineer

The Mayor thanked Mark Neville, Superintendent of DPW for doing a great job on Recycling Fest, held on Saturday, July 9<sup>th</sup>.

On a motion by Councilwoman Oh, seconded by Councilman Liang, all Department Head Reports for June 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:**

**Diane Clarke, 13 Berkshire Place, Englewood Cliffs, NJ thanked all the members of the Board of Health for their assistance in revising the license fee schedule.**

**Joe Senackerib, 319 Castle Drive, Englewood Cliffs, NJ questioned why there is no National Night Out. The resident is concerned with the relationship between police and the Governing Body.**

**The Mayor stated the Police Department decided not to have National Night Out.**

**Council President McMorrow said the town stepped in to sponsor a Community Night Out on August 2, 2016.**

**The Mayor is organizing a Food Drive to be held at Community Night Out.**

**Councilman Aversa asked the Mayor if he could ask the police if they would be willing to participate.**

**The Mayor responded that Councilman Aversa could speak to the police.**

**Rose Cravotta, 66 Elm Street, Englewood Cliffs, NJ asked if there will be police protection at Community Night Out.**

**Nora Jobson, 550 Floyd Street, Englewood Cliffs, NJ questioned the name change of National Night Out. .**

**The Mayor said it was the Police Department's decision not to participate in National Night Out.**

**Andrew Nikow, 54 Elm Street, Englewood Cliffs, NJ spoke about the relationship with the Governing Body and the Police Department.**

**Yvonne Favaro, 70 Johnson Avenue, Englewood Cliffs, NJ spoke about the lack of a property maintenance official.**

**Carin Geiger, 270 Alfred Street, Englewood Cliffs, NJ spoke about LG, the PBA and police academy.**

**Borough Attorney, Denis Murphy, responded to the inter-office memo that was read by the resident.**

**The Mayor said he gets compliments from residents on how well the town is running.**

**Lauren Eastwood, 4 Willow Drive, Englewood Cliffs, NJ** asked that all lawsuits with confidentiality orders be lifted. The resident questioned a letter she sent in January to the Borough Attorney regarding an investigation.

**The Mayor said that Borough Attorney, Brent Pohlman, would follow up on the resident letter.**

**Deborah Tsabari, 106 Hollywood Ave, Englewood Cliffs, NJ** questioned why the 5K Run is being used to raise funds for Recreation instead of a better cause. The resident questioned police overtime and an issue she had with Hollywood Ave being closed.

**Council President McMorrow said all are welcome to come to the Recreation Advisory Board meetings that are held every month.**

**The Mayor will speak to PSE&G about road closures.**

**Michael Telzer, 9 Churchill Road, Englewood Cliffs, NJ** questioned the Police Department staffing and National Night Out. We must support all the good cops.

**Rose Cravotta, 66 Elm Street, Englewood Cliffs, NJ** asked if there will be a charity associated with the 5K Run.

**Council President McMorrow said any profits from the 5K Run will be donated to the Englewood Cliffs parks and playgrounds for improvements.**

**Mary O'Shea, 12 Irving Ave, Englewood Cliffs, NJ** said 5K runs do not have to be associated with a cause, it's great to raise money for our parks and children.

**Glen Luciano, 20 Laurie Drive, Englewood Cliffs, NJ** spoke about speeding on Johnson Ave. Property maintenance on Sage Road has gotten worse as well as cyclists on Sylvan Ave.

**Tony Morfesis, John Street, Englewood Cliffs, NJ** spoke about traffic on John Street.

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

**ALL IN FAVOR:**

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

**RESOLUTIONS 2016: *Consent Agenda***

- 96 – Audit Compliance
- 97 – Removal of Sidewalk, 431 Summit Street
- 98 – Award Bid Solid Waste Collection
- 99 – Corrective Action Plan for 2015 Annual Audit
- 100 – Adoption of Model Civil Rights Policy
- 101 – Authorize Mayor to Sign Agreement with Green Light Events
- ~~102 – Tax Appeal Block 131, Lot 1 pulled~~
- 103 – Accept Donations for EC Community Night Out
- 104 – Accept Donations for EC5K Run
- 105 – Tax Appeal Block 1104, Lot 11
- ~~106 – Tax Appeal Block 612, Lot 3 pulled~~
- 107 – Liquor License Transfer 0216-33-003-006
- 108 – Renewal of Liquor License 2016-2017

- 109 – Dedication by Rider, Developer’s Escrow Fund
- 110 – Dedication by Rider, POAA
- 111 – Dedication by Rider, Parks & Playgrounds
- 112 – Dedication by Rider, Recreation Programs
- 113 – Dedication by Rider, Community Night
- 114 – Dedication by Rider, 5K Run
- 115 – Award 2016 NJDOT Road Program – Charlotte Pl.
- ~~116 – Authorization to Enter Into Interlocal Services Agreement with the County~~ **pulled**

**CONSENT AGENDA**

All matters listed below are considered 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.

**The Mayor said Resolutions 102, 106 and 116 were pulled from the Consent Agenda.**

**On a motion by Councilman Aversa, seconded by Councilman Liang, Resolutions 96 through 101, 103, 104, 105, and 107 through 115 were adopted.**

**ROLL CALL:**

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

**RESOLUTION 16-96**

**WHEREAS, N.J.S.A. 40A:5-4** requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS, The Annual Report of Audit for the year 2015** has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

**WHEREAS, the Local Finance Board of the State of New Jersey** is authorized to prescribe reports pertaining to the local fiscal affairs, as per **R.S. 52:27BB-34**, and

**WHEREAS, The Local Finance Board** has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: and

**General Comments  
Recommendations**

**WHEREAS, the members of the governing body** have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the annual Audit entitled:

**General Comments  
Recommendations**

as evidenced by the group affidavit form of the governing body, and

**WHEREAS, Such resolution of certification** shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

**WHEREAS, All members of the governing body** have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and



**this 13<sup>th</sup> day of July, 2016**

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**Notary Public of New Jersey**

The Municipal Clerk shall set forth the reason for the absence of signature of any members of the governing body.

**RESOLUTION 16-97**

**RE: REMOVAL OF SIDEWALK, 431 SUMMIT STREET**

Zev and Linda Wachtel, residing at 431 Summit Street, are hereby given permission to remove the sidewalk that is located in front of their home.

It is to be understood that Zev and Linda Wachtel are solely responsible for the removal of the sidewalk and the cost thereof. The Borough of Englewood Cliffs is not responsible for any of the costs of this project.

**RESOLUTION 16-98**

**RESOLUTION AWARDING A CONTRACT FOR SOLID WASTE REMOVAL SERVICES**

**WHEREAS**, the Borough of Englewood Cliffs has received bids for Solid Waste Collection Service; and

**WHEREAS**, bids were received by the Municipal Clerk for Solid Waste Collection Services on June 15, 2016; and

**WHEREAS**, bids were received from the following five (5) contractors:

Company Name: Miele Sanitation Company  
Company Name: Gaeta Recycling Company Inc.  
Company Name: Westphal Waste Services Inc.  
Company Name: Suburban Disposal  
Company Name: Waste Management of New Jersey Inc.

**WHEREAS**, the bids have been reviewed by the Municipal Clerk and the Borough Attorney; and

**WHEREAS**, the Mayor and Council are desirous of awarding the contract to the lowest responsive bidder; and

**WHEREAS**, the review of the bids resulted in Miele Sanitation Company, 60 Railroad Avenue, Closter, New Jersey 07624 being identified as the lowest responsive bidder:

1) for the first year, 8/1/2016 to 7/31/2017 in the amount of \$180,000.00 and a disposal fee in the amount of \$70.00 per ton for the first year;

2) for the two year term, 8/1/2016 to 7/31/2018: the amount of \$180,000.00 and a disposal fee in the amount of \$70.00 for the first and the amount of \$180,500.00 and a disposal fee in the amount of \$70.00 for the second year;

3) for the three year term, 8/1/2016 to 7/31/2019: the amount of \$180,000.00 and a disposal fee in the amount of \$70.00 for the first year; the amount of \$180,000.00 and a disposal fee in the amount of \$70.00 for the second year; the amount of \$180,500.00 and a disposal fee in the amount of \$70.00 for the third year;

4) for the four year term, 8/1/2016 to 7/31/2020: the amount of \$180,000.00 and a disposal fee in the amount of \$70.00 for the first year; the amount of \$180,000.00 and a disposal fee in the amount of \$70.00 for the second year; the amount of \$180,500.00 and a disposal fee in the amount of \$70.00 for the third year; the amount of \$180,500.00 and a disposal fee in the amount of \$70.00 for the fourth year; and

**WHEREAS**, the Chief Finance Officer has filed the required Certification of Funds with the Borough Clerk; and

**WHEREAS**, this contract has been awarded to Miele Sanitation Company through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq.

**WHEREAS**, as provided by Local Public Contract Law 40A:11-15, this contract is for four (4) years providing that funds are appropriated in the respective operating budgets for the expenditure and performance is satisfactory.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Englewood Cliffs, County of Bergen, State of New Jersey, that the contract be awarded to: Miele Sanitation Company 60 Railroad Avenue, Closter, New Jersey 07624 for a four (4) year term beginning on August 2, 2016 and continuing through July 31, 2020 in accordance with the specifications and their proposal as set forth in the annexed Schedule A; and

**BE IT FURTHER RESOLVED** the Borough Attorney is hereby authorized to prepare the appropriate agreement thereof and the Mayor is authorized to sign same.

**BE IT FURTHER RESOLVED** that all persons who have previously received bid documents from the Borough be notified of the passage of this Resolution when and if it is passed and the second and third lowest bidders' papers be retained until such time as the agreement is signed.

**RESOLUTION 16-99**

**RESOLUTION ACCEPTING THE CORRECTIVE ACTION PLAN FOR THE  
2015 ANNUAL AUDIT REPORT**

**WHEREAS**, New Jersey Budget and Fiscal Affairs laws require all local units to prepare and submit a Corrective Action Plan as part of their annual audit process: and

**WHEREAS**, the Corrective Action Plan, a copy of which is attached and made a part of this resolution, covers all findings and recommendations in the audit report and was prepared by the Chief Financial Officer with assistance from other officials affected by the audit recommendations; and

**WHEREAS**, the Corrective Action Plan has been placed on file with the Borough Clerk within 60 days from the date the audit report was received by the governing body; now

**THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Englewood Cliffs that it does hereby accept the Corrective Action Plan prepared by the Chief Financial Officer in response to the 2015 Annual Audit Report; and

**BE IT FURTHER RESOLVED** that the Borough Clerk shall file a copy of the Corrective Action Plan together with a copy of this Resolution to the Director of the Division of Local Government Services.

**Borough of Englewood Cliffs  
Corrective Action Plan**

Borough of Englewood Cliffs  
County of Bergen  
Audit Report Year: December 31, 2015

**Finance:**

1. \*That all ordinances with cash deficits over five years old should be funded through a budget appropriation or the issuance of debt.

**Corrective Action Plan**

The Borough will review ordinances with cash deficits and fund through a budget appropriation or the issuance of debt.

2. That more care be taken to ensure over-expenditures do not occur.

**Corrective Action Plan**

The Borough will take care to ensure that over-expenditures do not occur. Transfers will be made as necessary within statutory guidelines.

3. That all interfund balances be liquidated in a timely manner.

**Corrective Action Plan**

All interfunds will be liquidated in a timely manner.

4. That all debt service payments be made in a timely manner.

**Corrective Action Plan**

All debt service payments will be made in a timely manner.

**Departments:**

1. That all departments maintain cash ledgers that summarize monthly receipts.

**Corrective Action Plan**

The Borough will work to ensure that all departments are maintaining cash ledgers that summarize monthly receipts.

2. Municipal Court - The Borough should establish procedures to abstract the municipal share of fees collected for the reserve for fees collected to purchase equipment for police vehicles with mobile video recording systems per N.J.S.A 40A:14-118.1.

**Corrective Action Plan**

The Borough will work with the Municipal Court to establish procedures to abstract the municipal share of fees collected for the reserve for fees collected to purchase equipment for police vehicles with mobile video recording systems per N.J.S.A 40A:14-118.1.

**Payroll:**

1. That more care be taken to ensure funds are transferred prior to overdraft of the account.

**Corrective Action Plan**

Care be taken to ensure funds are transferred prior to overdraft of the account.

**RESOLUTION 16-100**

**A RESOLUTION TO AFFIRM THE BOROUGH OF ENGLEWOOD CLIFFS' CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

**WHEREAS**, it is the policy of the Borough of Englewood Cliffs to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

**WHEREAS**, the governing body of Borough of Englewood Cliffs has determined that certain procedures need to be established to accomplish this policy

**NOW, THEREFORE BE IT ADOPTED** by the Borough of Englewood Cliffs that:

**Section 1:** No official, employee, appointee or volunteer of the Borough of Englewood Cliffs by whatever title known, or any entity that is in any way a part of the Borough of Englewood Cliffs shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Englewood Cliff's business or using the facilities or property of the Borough of Englewood Cliffs.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Englewood Cliffs to provide services that otherwise could be performed by the Borough of Englewood Cliffs.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Englewood Cliffs as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Borough in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.

### **RESOLUTION 16-101**

**WHEREAS**, the Borough of Englewood Cliffs ("Borough") will be organizing and conducting a 5K race to raise funds for the Borough parks and playgrounds; and

**WHEREAS**, the Borough is desirous of engaging the services of a 5K race coordinator to plan and coordinate the race day activities: and

**WHEREAS**, the Borough has identified Green Light Events, LLC ("Vendor") as a vendor experienced in planning and conducting races: and

**WHEREAS**, the Borough as negotiated with the vendor, and the Vendor has agreed to provide the 5K planning and coordinating activities for Six Hundred Dollars (\$600.00) plus a service fee of 2% which is to be capped at \$9.95, a one dollar (\$1.00) per registrant transaction fee, and credit card transaction fee.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs that the Borough to engage the Vendor, Green Light Events, LLC.

**NOW BE IT FURTHER RESOLVED** the Mayor and Borough Administrator are authorized to execute any materials approved by Borough Counsel needed to effectuate the retention of the Vendor.

### **RESOLUTION 16-103**

#### **RESOLUTION AUTHORIZING THE ACCEPTANCE AND USE OF DONATIONS FOR ENGLEWOOD CLIFFS COMMUNITY NIGHT OUT**

**WHEREAS**, the Borough of Englewood Cliffs will be organizing and conducting a Community Night Out ("Event"); and

**WHEREAS**, the Borough is desirous of accepting monetary donations as well as donations of goods and services to benefit the Event; and

**WHEREAS**, the cash donations made to the Borough for the Event will be included in the Borough's accounting of the total revenue of the Event.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs that the Borough hereby authorizes the Borough of Englewood Cliffs to

accept donations for the Event and to expend those donations for purposes of organizing and conducting the event.

## **RESOLUTION 16-104**

### **RESOLUTION AUTHORIZING THE ACCEPTANCE AND USE OF DONATIONS FOR EC5K RUN**

**WHEREAS**, the Borough of Englewood Cliffs will be organizing and conducting a 5K Run (“Event”); and

**WHEREAS**, the Borough is desirous of accepting monetary donations as well as donations of goods and services to benefit the Event; and

**WHEREAS**, the cash donations made to the Borough for the Event will be included in the Borough’s accounting of the total revenue of the Event.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs that the Borough hereby authorizes the Borough of Englewood Cliffs to accept donations for the Event and to expend those donations for purposes of organizing and conducting the event.

## **RESOLUTION 16-105**

### **AUTHORIZING SETTLEMENT OF TAX APPEALS GRACE LEE TANG v. BOROUGH OF ENGLEWOOD CLIFFS BLOCK 1104, LOT 11 (20 CAROL DRIVE)**

**WHEREAS**, complaints were filed with the State of New Jersey Tax Court for the 2015 and 2016 tax years challenging the assessment for property designated on the tax map as Block 1104, Lot 11 (20 Carol Drive) by the owner of said property, Grace Lee Tang; and,

**WHEREAS**, the Borough Tax Appeal Attorney and Borough Tax Assessor have negotiated a settlement with the taxpayer in which the professionals believe are in the best interests of the Borough of Englewood Cliffs; and,

**WHEREAS**, the Mayor and Borough Council of the Borough of Englewood Cliffs is concerned about maintaining fair and proper assessments for all properties within the Borough of Englewood Cliffs under the Local Property Tax; and,

**WHEREAS**, the settlement of the pending tax appeal(s) will insure the fair assessment of such property for the applicable tax years.

**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 the litigation entitled Grace Lee Tang v. Borough of Englewood Cliffs; and,

**BE IT FURTHER RESOLVED**, that pursuant to such settlement, for tax years 2015 and 2016, the assessment of \$2,608,500 will be reduced to \$2,500,000, resulting in a total credit collectively of approximately \$2,018.10; and,

**BE IT FURTHER RESOLVED** that the aforementioned settlement is predicated upon a waiver of payment of interest on any refund and/or credit provided and that the taxpayer shall be receiving credit(s) against future tax payments, rather than a refund being distributed by the Borough of Englewood Cliffs.

### **RESOLUTION 16-107**

#### **TITLE: TRANSFER OF PLENARY LICENSE #0216-33-003-006 PERSON TO PERSON**

**WHEREAS**, an application has been filed for a person to person transfer of Plenary Retail Consumption License 0216-33-003-006, heretofore issued to State of New Jersey; and

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

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

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with license business;

**NOW, THEREFORE BE IT RESOLVED** that the Englewood Cliffs Governing Body does hereby approve, the transfer of the aforesaid Plenary Retail Consumption License to La Bicicleta LLC and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to La Bicicleta LLC, effective **NUNC PRO TUNC** June 30, 2016."

### **RESOLUTION 16-108**

#### **TITLE: RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES**

**TITLE: Renewal of Plenary Retail consumption Licenses**

**WHEREAS**, application for Plenary Retail Consumption Licenses have been made by the following; and

**WHEREAS**, no protests have been filed with the Municipal Clerk;

**NOW, THEREFORE BE IT RESOLVED**, that the Municipal Clerk be and she is hereby authorized and directed to issue a Plenary Retail consumption License to the following applicants, subject to payment of the proper fees as set forth in the Borough Ordinance.

**State Issued License Number**

**Name and Address**

0216-33-003-006

La Bicicleta LLC  
601 59<sup>th</sup> Street  
West New York, NJ 07093

0216-33-006-009

Il Yeon Kwon  
464 Sylvan Avenue  
Englewood Cliffs, NJ 07632

**RESOLUTION 16-109**

**TITLE: A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DEVELOPER'S ESCROW TRUST FUND REQUIRED BY NJS 40:55D-53.1**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and

**WHEREAS**, NJS 40:55D-53.1 provides for receipt of funds by the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Developer's Escrow Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Developer's Escrow Trust Fund created in accordance with the provisions of NJS 40:55D-53.1 as per N.J.S.A. 40A:4-39
2. The Clerk of the Borough of Englewood Cliffs, Bergen County is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION 16-110**

**TITLE: A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR PARKING OFFENSES ADJUDICATION ACT TRUST FUND REQUIRED BY NJS 39:4-139.9**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and

**WHEREAS**, NJS 39:4-139.9 provides for receipt of funds by the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Parking Offenses Adjudication Act Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Parking Offenses Adjudication Act Trust Fund created in accordance with the provisions of NJS 39:4-139.9 as per N.J.S.A. 40A:4-39
2. The Clerk of the Borough of Englewood Cliffs, Bergen County is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION 16-111**

**TITLE: A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATIONS FOR IMPROVEMENTS PARKS AND PLAYGROUNDS**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S.A 40A:5-29 to accept bequests, legacies and gifts made for the purpose of making improvements to Borough parks and playgrounds; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Donations – Parks and Playgrounds Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Donations – Parks and Playgrounds Trust Fund pursuant to N.J.S.A 40A:5-29
2. The Clerk of the Borough of Englewood Cliffs, Bergen County is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

### **RESOLUTION 16-112**

#### **TITLE: A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR RECREATIONAL PURPOSES**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S.A.40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A.40A:4-39, as amended by P.L. 1999, c.292, for the exclusive purpose of depositing and expending funds paid by individuals to offset the costs of operating municipal “fee-based” recreation programs.
2. The Clerk of the Borough of Englewood Cliffs, Bergen County is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

### **RESOLUTION 16-113**

#### **A RESOLUTION OF THE BOROUGH OF ENGLEWOOD CLIFFS REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATION BY RIDER FOR THE COLLECTION AND DEPOSIT OF COMMUNITY NIGHT DONATIONS AND REVENUE**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A: 5-29 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

**NOW, THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Englewood Cliffs, County of Bergen, State of New Jersey as follows:

1. The Governing Body hereby requests permission of the Director of the Division of Local Government Services to collect and deposit monies into the **Community Night** trust fund and to dedicate this trust to provide the maintenance and upgrade of Parks and Recreation programs in Englewood Cliffs.
2. The Municipal Clerk of the Borough of Englewood Cliffs is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

#### **RESOLUTION 16-114**

#### **A RESOLUTION OF THE BOROUGH OF ENGLEWOOD CLIFFS REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATION BY RIDER FOR THE COLLECTION AND DEPOSIT OF ENGLEWOOD CLIFFS 5K FUNDRAISER REVENUE**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A: 5-29 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

**NOW, THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Englewood Cliffs, County of Bergen, State of New Jersey as follows:

3. The Governing Body hereby requests permission of the Director of the Division of Local Government Services to collect and deposit monies into the **5K Fundraiser** trust fund and to dedicate this trust to pay expenses associated with running the event and to provide the maintenance and upgrade of Parks and Recreation programs in Englewood Cliffs.
4. The Municipal Clerk of the Borough of Englewood Cliffs is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

#### **RESOLUTION 16-115**

#### **RESOLUTION AUTHORIZING THE AWARD FOR THE 2016 NJDOT ROADWAY IMPROVEMENTS CHARLOTTE PLACE (SYLVAN AVENUE TO SUMMIT STREET)**

**WHEREAS**, the Borough of Englewood Cliffs ("Borough") has decided there is a need to undertake road improvements to Charlotte Place; and

**WHEREAS**, on July 6, 2016, the Borough of Englewood Cliffs received three (3) sealed bids for the 2016 NJDOT Roadway Improvement Project, Charlotte Place from Sylvan Avenue to Summit Street; and

**WHEREAS**, the bids have been reviewed by the Municipal Engineer and the Municipal Attorney; and

**WHEREAS**, the Mayor and Council are desirous of awarding the contract to the lowest responsive bidder; and

**WHEREAS**, DLS Contracting was the lowest responsive bidder with a total amount of \$205,532.00 for the Base Bid plus Alternate A and Alternate B; and

**WHEREAS**, it is the recommendation of the Municipal Engineer that the contract be awarded to DLS Contracting, 663 Franklin Avenue, Nutley, New Jersey 07110; and

**WHEREAS**, the Governor of the State of New Jersey has issued Executive Order 210 directing the shutdown of all ongoing work, including municipal work, that is funded by the Transportation Trust Fund Authority as of 11:59 pm on July 2, 2016; and

**WHEREAS**, a substantial portion of this proposed roadway improvement project is being funded by the Transportation Trust Fund Authority; and

**WHEREAS**, the Mayor and Council do not want to enter into a contract for the 2016 NJDOT Roadway Improvement Project, Charlotte Place from Sylvan Avenue to Summit Street unless and until Executive Order 210 is rescinded and the funding is provided.

**NOW, THEREFORE, BE IT RESOLVED**, that in an effort to timely complete the proposed roadway improvement project, the Mayor and Council does hereby award the contract for the Base Bid and Alternate A and Alternate B for the 2016 NJDOT Roadway Improvement Project, Charlotte Place from Sylvan Avenue to Summit Street, in the amount of \$205,532.00 to DLS Contracting, and that the Borough Attorney is hereby authorized to prepare the appropriate agreement thereof contingent upon the rescission of Executive Order 210 and funding by the Transportation Trust Fund Authority for the proposed roadway improvement project; and.

**BE IT FURTHER RESOLVED**, that the Mayor is not authorized to execute the contract for this project until such time as Executive Order 210 is rescinded.

**BE IT FURTHER RESOLVED**, that this contract shall be subject to and contingent upon the availability of funds. A copy of the certification of availability of funds shall be annexed to this resolution upon those funds becoming available.

**BE IT FURTHER RESOLVED**, that all persons who have previously received bid documents from the Borough be notified of the passage of this Resolution when and if it is passed and the second and third lowest bidders' papers be retained until such time as the agreement is signed.

## **PUBLIC HEARING**

**Ordinance 16-07- BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2016 ROAD RESURFACING PROGRAM AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

On a motion by Councilwoman Oh, seconded by Councilman Liang and carried unanimously, the public hearing was opened relative to Ordinance 16-07 entitled "BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2016 ROAD RESURFACING PROGRAM AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS"

### **PUBLIC SPOKE:**

Glen Luciano, 20 Laurie Drive, Englewood Cliffs, NJ questioned the breakdown of the ordinance.

Council President McMorrow gave the breakdown of Ordinance 16-07.

Andrew Nikow, 54 Elm Street, Englewood Cliffs, NJ thanked everyone for the fire truck.

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

On a motion by Councilwoman Oh, seconded by Council President McMorrow, Ordinance 16-07 was adopted.

### **ROLL CALL:**

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

## **ORDINANCE NO. 16-07**

**BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2016 ROAD RESURFACING PROGRAM AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE**

**ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE  
ISSUANCE OF SUCH BONDS.**

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

Section 1. The Borough of Englewood Cliffs, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake the 2016 Road Resurfacing Program and to acquire new additional or replacement equipment and machinery and a new fire engine, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum

amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of the resurfacing of various roads in the Borough and the Department of Public Works ("DPW") parking lot as the 2016 Road Resurfacing Program, as set forth on a list on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads and parking lot being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 362,000
Down Payment Appropriated	\$ 17,250
Bonds and Notes Authorized	\$ 344,750
Period of Usefulness	10 years

B. Acquisition of a new pumper fire engine, including original apparatus and equipment.

Appropriation and Estimated Cost	\$ 650,000
Down Payment Appropriated	\$ 31,000
Bonds and Notes Authorized	\$ 619,000
Period of Usefulness	10 years

C. Acquisition of new additional or replacement equipment and machinery consisting of a vehicle lift for the use of the DPW.

Appropriation and Estimated Cost	\$ 8,000
Down Payment Appropriated	\$ 400
Bonds and Notes Authorized	\$ 7,600
Period of Usefulness	15 years

D. Acquisition of new additional or replacement equipment and machinery consisting of lights, sirens and other equipment for a Fire Department SUV.

Appropriation and Estimated Cost	\$ 10,000
Down Payment Appropriated	\$ 1,350
Bonds and Notes Authorized	\$ 8,650
Period of Usefulness	5 years

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Aggregate Appropriation and Estimated Cost	\$1,030,000
Aggregate Down Payment Appropriated	\$ 50,000

Aggregate Amount of Bonds and Notes  
Authorized

\$ 980,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$40,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$50,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$50,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$980,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$980,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of

said bonds shall, not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 9.99 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$980,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of

America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage

**Ordinance 16-08 - CAPITAL ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE UNDERTAKING OF A FEASIBILITY STUDY FOR IMPROVEMENTS TO THE WITTE FIELD RECREATION COMPLEX IN, BY AND FOR THE BOROUGH APPROPRIATING THEREFOR THE SUM OF \$30,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS OF THE BOROUGH**

On a motion by Council President McMorrow, seconded by Councilman Liang and carried unanimously, the public hearing was opened relative to Ordinance 16-08 entitled "CAPITAL ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE UNDERTAKING OF A FEASIBILITY STUDY FOR IMPROVEMENTS TO THE WITTE FIELD RECREATION COMPLEX IN, BY AND FOR THE BOROUGH APPROPRIATING THEREFOR THE SUM OF \$30,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS OF THE BOROUGH"

No one from the public spoke.

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

On a motion by Council President McMorrow, seconded by Councilman Liang, Ordinance 16-08 was adopted.

**ROLL CALL:**

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

**NAYS:** Aversa

**ORDINANCE NO. 16-08**

CAPITAL ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE UNDERTAKING OF A FEASIBILITY STUDY FOR IMPROVEMENTS TO THE WITTE FIELD RECREATION COMPLEX IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$30,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS OF THE BOROUGH.

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

Section 1. The Borough of Englewood Cliffs, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to undertake a feasibility study for improvements to the Witte Field Recreation Complex in, by and for the Borough.

Section 2. The sum of \$30,000 is hereby appropriated to the payment of the cost of the improvement authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from Capital Surplus of the Borough. The sum of \$30,000 is hereby appropriated from Capital Surplus of the Borough to the payment of the cost of said purpose.

Section 3. Said improvement is a lawful capital improvement of the Borough having a period of usefulness of at least five (5) years. Said improvement shall be made as a general improvement, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 5. This ordinance shall take effect at the time and in the manner provided by law.

### **COMMITTEE REPORTS**

**COUNCILMAN AVERSA – Lighting** – There are no problems.

**COUNCILMAN LIANG – Board of Health** - He attended the recent meeting of the Board of Health. The Board members approved the ordinance to revise license fees. The Recycling Fest was a success.

**COUNCILWOMAN OH - Transportation** - She is looking into alternate ways to transport seniors to Shoptite and other places. A meeting will be scheduled to discuss this issue.

**COUNCIL PRESIDENT MCMORROW – Recreation** – She spoke about Community Night Out, scheduled for August 2, 2016 with a rain date of August 3<sup>rd</sup> and she is in the process of getting sponsors. There will be no cost to the town. 5K Run contract has been approved. Little League was a success this year and we are planning the soccer season. Soccer tots was a success. She spoke about the inter-office memo read by a resident and does not agree with anything the resident read in her statement. She spoke about a letter that was leaked to the press.

**COUNCILMAN PARK** - not audible

**COUNCILMAN CONSALVO** – He had a wonderful time at the Seniors Annual BBQ on Sunday, July 10<sup>th</sup> and thanked the Committee for putting it together. The DPW did a great job on the Recycling Fest.

**The Mayor thanked Borough Administrator for her assistance at the Recycling Fest.**

**BOROUGH ENGINEER** - He gave project updates for Witte Field, Charlotte Place and 2016 Riverside Co-Op.

**DPW SUPERINTENDENT** - He thanked everyone who helped to make the Recycling Fest a success and gave an update of the Witte Field improvements.

Seeing and hearing none, the meeting was adjourned at 9:45 P.M.

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

**ATTEST:**

A handwritten signature in blue ink, appearing to be 'LMD', is written over a horizontal line.

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