



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

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

**DATE: OCTOBER 13, 2016**

**CALL TO ORDER: 8:03 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	Dawn Sullivan
Superintendent of DPW	Mark Neville
Borough Engineer	Andrew Hipolit
Municipal Clerk	Lisette M. Duffy

**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.

**• PRESENTATION OF PHOTO OF ENGLEWOOD CLIFFS**

**The Mayor introduced Ramon Ferro who unveiled a panoramic photo of Englewood Cliffs for the Council Chambers. The Mayor thanked him for the beautiful photo.**

**PROCLAMATION** was read and presented to Andrew Petti by Mayor Kranjac. He congratulated Andrew for winning the State Time Trial Championship for cycling.

- **MINUTES:** Caucus and Regular Minutes of September 14, 2016

On a motion by Council President McMorrow, seconded by Councilman Liang, Caucus and Regular Minutes of September 14, 2016 were approved.

**ALL IN FAVOR:**

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

**CORRESPONDENCE:**

Laird Coates – *Resident*

Rubin Miller – *Resident*

Office of the Attorney General – Privileged and Confidential

Bergen Volunteer Center

On a motion by Council President McMorrow, seconded by Councilman Park, all correspondence was ordered to be filed.

**ALL IN FAVOR:**

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

**CLAIMS FOR THE PERIOD:** September 15, 2016 through October 13, 2016

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

**Point of Order:** Councilwoman Oh would like to discuss a bill that is missing from the list.

The Mayor said the bill would be discussed later under new business.

**ROLL CALL:**

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

**ABSTAIN: Aversa, Oh**

**DEPARTMENT HEAD REPORTS** for September 2016

Finance Department

Fire Department

Municipal Court

Building Department

Police Department

Borough Engineer

On a motion by Council President McMorrow, seconded by Councilman Consalvo, all Department Head Reports for September were approved.

**ALL IN FAVOR:**

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

The Mayor thanked the Englewood Cliffs Police and Fire Department for the wonderful job they did with the fire at St. Michael's Villa. He also thanked the Fire Departments from Fort Lee, Tenafly, Englewood, Edgewater, Cliffside Park, Palisades Park, Ridgefield, Fairview, Hackensack and Leonia who came to assist and the Bergen County OEM, NJ EMS, Holy Name Hospital, Englewood Hospital, and the Palisades Interstate Parkway Commission Police. Letters will be going out to thank them all. He is very proud of our fire and police officers.

Council President McMorrow spoke about the fire at St. Michael's Villa and thanked the Englewood Cliffs Police and Fire Department for the incredible job they did.

Mayor asked the Borough Engineer for the Engineering Report.

**Borough Engineer Andy Hipolit** gave a summary of the following active projects – Charlotte Place and receiving a NJDOT Local Aid Grant, 2016/2015 Riverside Co-Op Paving Programs, status of resurfacing of basketball/tennis courts at Witte Field, upgrades to Witte Field and sewer evaluation.

**On a motion by Council President McMorrow, seconded by Councilman Liang, public discussion will be limited to three minutes per person with no yielding of time.**

**ALL IN FAVOR:**

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

**NAYS: Aversa, Oh**

**Council President McMorrow said there has been a three-minute time limit at previous meetings.**

**PUBLIC PORTION:**

The Mayor stated "IF ANYONE WISHES TO COMMENT ON THE RESOLUTIONS OR ANY OTHER ITEM OTHER THAN ORDINANCES, THEY MAY DO SO AT THIS TIME."

**On a motion by Council President McMorrow, seconded by Councilman Consalvo and carried unanimously,** the meeting was open to the public.

**ALL IN FAVOR:**

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

**PUBLIC SPOKE:**

**Sam Negin, 6 Demarest Court, Englewood Cliffs, NJ** asked question about bicycles.

**H.M. -Abel, MD PhD, 368 Mauro Road, EC, NJ 07632**

Addresses the Governing Body,

All in this room will agree, I am afraid, that we live in a period of extreme partisanship, locally and nationally: Each party tries to gain a perceived advantage at the expense of its perceived opponent, totally oblivious to the fact that there are issues of fact that traverse partisanship, unaffected by who is elected or who holds power.

I am speaking to remind you of one of these issues: the persistent flooding in Mauro Road, the street where I live. By evidence of events recorded by the police and citizens over the past dozen years, this flooding extends down-hill to Castle Drive; subjects the traveling public to serious accidents; destroys

walls and breaks the foundation of houses; enters basement, garages, and living quarters; kills trees in our gardens and grows mold in our homes.

In February 2008, Mayor Parisi wrote that this situation was '*intolerable*'. Yet besides stating the obvious, the Borough made no effort whatsoever to identify the source of the floodwaters – there was no interest in finding out. So we found out ourselves: The flood waters originate from 7 acres of asphalted commercial properties that are tied into the residential storm drains and overwhelm their capacity by a huge margin, up to several hundred thousand gallons of water during a moderately severe rainstorm, thrown out from the storm drain intakes in Mauro Road. When the Council and Mayor Parisi finally decided to invest 1.5 million dollars of public funds to make Mauro Road safe by putting in a pipe that was a mere few inches bigger, we showed Mayor Parisi and his Borough Engineer, Mr. Mirandi, that by our exacting calculation, this new pipe would likewise be overwhelmed and 1.5 million dollars thrown out the window. The Borough Engineer and his company that claimed the new pipe to be sufficient, approved that pipe and proceeded to having it installed in-ground without any examination of our evidence.

The very day the new pipe was finally in the ground, on September 6, 2008 - Mauro Road had not yet been resurfaced -, we videotaped not one, but three flooding events in that single day. The flood waters emerged not just from the storm drain intakes, as ever before, but they also broke through the dirt, fountains ejecting out of the plain ground. We informed, in writing *plus* photo evidence, Mayor Parisi and the Borough Engineer, Mr. Mirandi of this evidence: Their new pipe had failed as predicted, and thus would not eliminate floods in Mauro Road. We did not receive a response. Yet: The Borough Engineer, per our letter being made fully aware that the pipe was inadequate and that its installation was defective, nevertheless subsequently proceeded to authorize a payment of over 25,000 dollars for the defective project – a knowing violation of the contract governing this project, which assigned solely to him the key function of certifying the satisfactory execution of public works.

The fountains ejecting out of the plain ground were first video-documented upon completion of the Borough upgrade in September 2008. They were most recently evident during the flooding of June 5 of this year, 2016. We did send the photographic evidence of that flooding and its out-of-plain-ground-fountains to the current Mayor and the current Council President, by return-receipt. We did not receive a response.

On August 24, 2015, property owners along the Mauro Road - Castle Drive corridor and their lawyer, Mr. Steven Taylor, Esq., attended a meeting with Mayor Parisi; the Borough Attorney, Mr. E. Carter Corrison, Esq.; the Borough Engineer, Mr. Mirandi, and also several senior officials of Mr. Mirandi's employer, Boswell Engineering. It became clear that Mayor Parisi and his team had elected to regard the floodings of the Mauro Road – Castle Drive corridor as Acts-of-God; had silently abandoned the properties in that corridor to suffer the fate of flooding; and had for years followed a strategy of engaging the neighborhood in friendly talk and multiple meetings while in actual fact, implementing a strategy of possible inverse condemnation. It was Mr. Taylor who laid this bare by stating that these floods were man-made, not Acts-of-God; that they were the result of engineering failures and of the Borough's choice of indemnifying the commercial properties that produce those floods; and that the Borough could easily resolve the matter by applying its legal powers. Mayor Parisi and the Borough's Lawyer dismissed any prospect of relief by stating categorically that "*more cannot be done*" (quote). That meeting broke the implied covenant of good faith and fair dealing.

I ask the Mayor and the Council, whether Republican or Democrat, to re-establish that covenant. Whether the Borough administration is Republican or Democrat, the residents in the Mauro Road – Castle Drive corridor should not be expected to collude with any strategy of inverse condemnation, advanced in silence.

Whether the Borough administration is Republican or Democrat, the residents in the Mauro Road – Castle Drive corridor should not be trapped by an apparent official reliance on the paradox that, if we continue to document the floods and their damage, we only injure ourselves by driving down the value of our properties, since "*more cannot be done*."

More can be done. It is my understanding that the Borough has moved to take legal action concerning the state of affairs as described.

I respectfully request that the Borough administration, whether Republican or Democrat, continue that legal action and in this way, advances the re-establishment of its broken covenant with the residents in the Mauro Road – Castle Drive corridor.

**Janice Senackerib, 319 Castle Drive, Englewood Cliffs, NJ** thanked the Fire and Police Departments for the great job they did with the fire at St. Michael's Villa. She suggests that everyone in town put a blue ribbon around a tree in support of the Fire and Police Departments and brought some with her tonight.

**Joe Klyde, 150 Sylvan Ave, Englewood Cliffs, NJ** questioned the sewer bill.

**Deborah Tsabari, 106 Hollywood Ave, Englewood Cliffs, NJ** asked the Finance Chairman to explain DEA expenditure.

**The Mayor clarified the DEA expenditure and said the money is in the budget and is being used properly.**

**Maria Villari, 45 Jane Drive, Englewood Cliffs, NJ** said Dr. Hanauske did not get enough time to speak and respectfully sat down.

**John LaRaia, 2 Leighton Street, Englewood Cliffs, NJ** asked questions about the Englewood ambulance agreement.

**Borough Clerk said the Englewood ambulance agreement is the same agreement that we have had and nothing has changed, the agreement expires every two years.**

**Dave DiGrigorio, 165 Charlotte Place, Englewood Cliffs, NJ** spoke about Mauro Road, DEA funds, and overtime funding.

**Jack Geyer, 34 Toni Drive, Englewood Cliffs, NJ** asked why Police Chief Cioffi is not present at the meetings.

**Fire Chief George Drimones thanked everyone for helping with the fire at St. Michael's Villa.**

**Lynn Norton, 9 Willow Drive, Englewood Cliffs, NJ** questioned DEA funds in the budget.

**Police Captain Brian Murphy of Englewood Cliffs** thanked the police officers and everyone for their service at the St. Michael's Villa fire. He questioned Councilman Park's comments to the public about the Police Department.

**Councilman Park said some Korean residents have made complaints about the police and racial profiling.**

**Carin Geiger, 270 Alfred Street, Englewood Cliffs, NJ** thanked everyone for the picture and is hopeful that everyone will continue their support of the Cliffs. She questioned legal bills, the result of the hearing on Lt Mura, and IA's.

**Lauren Eastwood, 4 Willow Drive, Englewood Cliffs, NJ** questioned tax appeals and Councilwoman Oh.

**Councilwoman Oh read her response to the resident's concerns.**

**Russell Porrino, 220 Fairview Ave, Englewood Cliffs, NJ** is not in favor of what happens when some residents speak at the meetings and does not like what is being said.

**Penny Rousouli, 44 Birch Street, Englewood Cliffs, NJ** spoke about a call she received for a poll.

**Mary O’Shea, 12 Irving Ave, Englewood Cliffs, NJ** thanked the Police and Fire Departments for the good job they did with the St. Michael’s Villa fire.

**Sonny Oh, 14 Demarest Ave, Englewood Cliffs, NJ** asked if the town would paint a blue line for police dedication and service.

**On a motion by Council President McMorrow, seconded by Councilman Consalvo and carried unanimously, a blue line will be painted for police dedication and service in Englewood Cliffs.**

**ALL IN FAVOR:**

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

**Michael Telzer, 9 Churchill Road, Englewood Cliffs, NJ** spoke about the loss of several people in town.

**The Mayor asked for a moment of silence for Dorothy Cooper who recently passed away.**

**Roberta Books, 6 Demarest Court, Englewood Cliffs, NJ** said it is hard to see people on Summit Ave.

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

**ALL IN FAVOR:**

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

**RESOLUTIONS 2016: Consent Agenda**

- 134 – Authorization to Renew & Sign Ambulance Agreement
- 135 – Amended Bus Stop Resolution
- 136 – Appoint Volunteer Junior Fireman Brandon Wong
- 137 – Award Bid Leaf Pickup and Disposal
- 138 – Ad Hoc Committee
- 139 – Bergen Volunteer Center 50<sup>th</sup> Anniversary
- 140 – Amendment of Dorsey & Semrau Agreement (*added at Caucus*)

**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 clarified Resolution 138, the formation of the Ad Hoc Committee. Mr. DiGrigorio has volunteered to be on the Committee.**

**On a motion by Councilman Aversa, seconded by Councilman Liang, Resolutions 134 through 140 were adopted.**

**ROLL CALL:**

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

**RESOLUTION 16-134**

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH ENGLEWOOD HOSPITAL AND MEDICAL CENTER**

**WHEREAS**, the Borough of Englewood Cliffs is in the need of emergency medical services; and

**WHEREAS**, Englewood Hospital and Medical Center and the Borough of Englewood Cliffs wish to renew the current agreement for the provision of emergency medical services, maintaining all current terms and conditions; and

**WHEREAS**, the Mayor and Council of the Borough of Englewood Cliffs believe it is the best interests of the Borough to maintain this necessary service uninterrupted;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Englewood Cliffs authorize the Mayor to execute said Agreement renewing the services of Englewood Hospital and Medical Center.

### **RESOLUTION 16-135**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs, County of Bergen and State of New Jersey.

That pursuant to N.J.S.A. 39-4-8(e) the following described locations are **designated as bus stops:**

#### **ENGLEWOOD CLIFFS COUNTY ROADS**

**1. Along Palisades Avenue (CR 505), eastbound on the southerly side thereof at:**

- a. Floyd Street – (near side)  
Beginning at the westerly curbline of Floyd Street and extending 105 feet westerly therefrom (location 11637).

**2. Along Palisades Avenue (CR 505), westbound on the northerly side thereof at:**

- a. Floyd Street – (near side)  
Beginning at the easterly curbline of Floyd Street and extending 105 feet easterly therefrom (location 11638).
- b. Summit Street – (far side)  
Beginning at the westerly curbline of Summit Street and extending 100 feet westerly therefrom (location 11639).

That the Mayor and Council of the City of Englewood Cliffs will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

## **RESOLUTION 16-136**

### **RE: APPOINT VOLUNTEER JUNIOR FIREMAN**

**WHEREAS**, the Englewood Cliffs Volunteer Fire Department has recommended the appointment of Brandon Wong as an active member of the Englewood Cliffs Volunteer Fire Department;

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Englewood Cliffs does hereby approve the membership of Brandon Wong as an active member of the Englewood Cliffs Volunteer Fire Department.

## **RESOLUTION 16-137**

### **RE: AWARD BID – Disposal of fall leaves beginning October 17, 2016 to December 2, 2016 or until all leaves are collected**

**WHEREAS**, the Borough of Englewood Cliffs has received two (2) bids for the transfer of leaves from the Department of Public Works yard for the fall leaf season; and

**WHEREAS**, the Public Notice to Bidders was properly published in The Record on September 22, 2016; and

**WHEREAS**, the bids have been reviewed by the Superintendent of the Department of Public Works and the Municipal Attorney; and

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

**WHEREAS**, Nature's Choice Cooperation, has provided the lowest total cost in the amount of \$8.90 per cubic yard; and

**WHEREAS**, the CFO has certified that the funds for this agreement have been appropriated in the 2016 adopted Budget; and

**WHEREAS**, it is the recommendation of the Superintendent of the Department of Public Works and the Municipal Attorney that the contract be awarded to Nature's Choice Corporation, 398 Lincoln Blvd, Middlesex, New Jersey 08846 for the price of \$8.90 per cubic yard.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council does hereby award the contract for the for the disposal of leaves beginning October 17, 2016 to December 2, 2016 or until all leaves are collected, to Nature's Choice Corporation, 398 Lincoln Blvd, Middlesex, New Jersey 08846 for the price of \$8.90 per cubic yard and that the Borough Attorney is hereby authorized and directed to prepare the appropriate agreement therefor 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 16-138**

#### **A RESOLUTION OF THE BOROUGH OF ENGLEWOOD CLIFFS, COUNTY OF BERGEN, AND STATE OF NEW JERSEY ESTABLISHING A SPECIAL COMMITTEE, TO BE CALLED THE AD HOC IDEAS COMMITTEE, TO EXPLORE NEW IDEAS FOR THE BOROUGH RELATING TO ALL ASPECTS OF THE BOROUGH**

**WHEREAS**, the Mayor has been contacted by citizens regarding ideas for the development of programs and improvements; and

**WHEREAS**, the Mayor and Council believe that community based committees offer solutions that benefit the entire Borough; and

**WHEREAS**, the Borough Code and By-Laws of the Council permit the Mayor to establish special committees to engage in actions and for purposes other than those being performed by the Council's Standing Committees; and

**WHEREAS**, the Mayor and Council believe an Ad Hoc Ideas Committee would permit the Borough to engage with the community and develop programs and improvements which are beneficial to the entire Borough; and

**WHEREAS**, the Mayor and Council of the Borough of Englewood Cliffs deem it in the best interest of the Borough to establish an Ad Hoc Ideas Committee; and

**NOW THEREFORE BE IT RESOLVED** that the Borough of Englewood Cliffs hereby authorizes the establishment of the Ad Hoc Ideas Committee as follows:

#### Establishment

A committee to be known as the "Ad Hoc Ideas Committee" is hereby established for the purpose of discussing ideas for programs and improvements to the Borough of Englewood Cliffs, the programs offered within the Borough and the quality of life for residents of the Borough. The Committee shall act in an advisory capacity only and provide its ideas for programs and improvements to the Mayor and Council at Council meetings each month.

#### Composition; term

The Committee shall consist of the following, who will serve for one (1) year:

- A. One (1) member of the Council to act as Chairperson as set forth in the Council By-Laws
- B. Four (4) citizen members to be appointed by the Mayor
- C. The Mayor shall be a member, ex-officio

### **RESOLUTION 16-139**

#### **RESOLUTION HONORING THE BERGEN VOLUNTEER CENTER ON ITS 50TH ANNIVERSARY**

**WHEREAS**, the Bergen Volunteer Center was founded in 1966 to meet community needs through the power of volunteers. Its direct service programs organize volunteers to provide

invaluable support to some of Bergen County's most vulnerable citizens. The Mentoring Youth program has recruited, trained and supervised volunteer mentors for children who have been abused or neglected; since 1978 Mentoring Youth has provided a trusted mentor to more than 3,700 children. The Mentoring Moms program recruits, trains and supervises mentors for mothers whose children are at-risk for abuse or neglect; since 1995 more than 500 mothers have been matched with a mentor. The Chore Service provides home safety repairs for senior citizens and the disabled free of charge through the volunteer efforts of senior citizens. The Business Volunteer Council organizes corporations to help eliminate hunger and illiteracy; and

**WHEREAS**, the Bergen Volunteer Center ensures that Bergen County has a pipeline of committed, civic leaders through its training programs: Bergen LEADS for adults and Teen LEADS and Ready-Set-Serve for young people. They also strengthen the nonprofit community by maintaining a database of volunteer opportunities, providing volunteer managers' training and the Expert Exchange workshops and webinars; and

**WHEREAS**, Englewood Cliffs Municipality has benefitted from the efforts of the Bergen Volunteer Center since 2010 in the following ways:

- 53 residents received safety repairs from the Chore Service
- 2 children received a mentor
- 1 mother received a mentor; and

**WHEREAS**, residents of Englewood Cliffs Municipality have supported the Bergen Volunteer Center since 2010 in the following ways:

- 1 served as a Mentoring Youth mentor
- 1 served as a Mentoring Moms mentor
- 35 supported the Bergen Volunteer Center with their philanthropy; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Englewood Cliffs Municipality, County of Bergen, hereby honors the Bergen Volunteer Center for its 50 years of turning caring into action and knowing that the Bergen Volunteer Center is not getting old, it is just getting started.

#### **RESOLUTION 16-140**

### **RESOLUTION OF THE BOROUGH OF ENGLEWOOD CLIFFS, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING RESOLUTION 16-121 TO INCREASE THE CONTRACT VALUE WITH DAWN M. SULLIVAN, ESQ. AND FRED SEMRAU, ESQ. OF THE LAW FIRM OF DORSEY & SEMRAU, LLC TO CONTINUE TO SERVE AS SPECIAL COUNSEL**

**WHEREAS**, by virtue of Resolution 16-121 adopted September 9, 2016 the Borough Council did authorize Dawn M. Sullivan, Esq. of the law firm of Dorsey & Semrau, LLC to serve as Special Counsel to assist the Borough following the resignation of prior Borough Counsel; and

**WHEREAS**, Resolution 16-121 and the related Professional Services Agreement did authorize serviced in an amount not to exceed \$9,000; and

**WHEREAS**, a Proposal has been submitted to the Mayor and Council reflecting the necessary amendment to the Professional Services Agreement as follows:

- A monthly meeting retainer of \$2,300 which will cover attendance at the remaining Council meetings, consultation regarding the agendas for the meetings and preparation for the meetings
- All other matters will be billed at an hourly rate of \$125

**WHEREAS**, the Mayor and Council President have been advised that the number of files and volume of work created by the abrupt resignation of prior Borough Counsel far exceeds the amount of transitional work previously anticipated and is expected to continue through the end of the year, necessitating an amendment of Professional Services Agreement; and

**WHEREAS**, a notice of this action shall be published in accordance with law, and said notice to provide that the originally awarded Professional Services Agreement, and this Resolution serving as an Addendum to the Contract are available for public inspection in the office of the Borough Clerk and that the professional services offered by Dawn M. Sullivan, Esq. and Fred Semrau, Esq. of the law firm of Dorsey & Semrau, LLC are to continue until the end of the year or until new Borough Counsel and Labor Counsel are retained, whichever comes first.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the of the Borough of Englewood Cliffs, County of Bergen and State of New Jersey that they do hereby authorize the Borough Administrator to approve an amendment of the Professional Services Agreement to Dawn M. Sullivan, Esq. and Fred Semrau, Esq. of the Law Firm of Dorsey & Semrau, LLC, which amount is in excess of the originally approved contract amount to cover the remaining period of service as Special Counsel.

#### **PUBLIC HEARING**

#### **ORDINANCE 16-09 - AN ORDINANCE FIXING SALARIES, WAGES AND COMPENSATION FOR ALL SALARIED, APPOINTED AND ELECTED OFFICERS WITHIN THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY**

**On a motion by Councilwoman Oh, seconded by Councilman Liang and carried unanimously, the public hearing was opened relative to Ordinance 16-09 entitled “AN ORDINANCE FIXING SALARIES, WAGES AND COMPENSATION FOR ALL SALARIED, APPOINTED AND ELECTED OFFICERS WITHIN THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY”**

#### **PUBLIC SPOKE:**

**Mary O’Shea, 12 Irving Ave, Englewood Cliffs, NJ** had question about seasonal employees.

**Carin Geiger, 270 Alfred Street, Englewood Cliffs, NJ** questioned if there are increases for certain employees.

**Council President McMorro** explained that salary increases cannot be discussed under the advice of Counsel, until negotiations are finished. DPW and Police have contractual increases.

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

On a motion by Councilman Liang, seconded by Councilman Consalvo, Ordinance 16-09 was adopted.

**ROLL CALL:**

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

**ORDINANCE 2016-09**

**AN ORDINANCE FIXING SALARIES, WAGES AND COMPENSATION** for all salaried, appointed and elected Officers within the Borough of Englewood Cliffs, in the County of Bergen, and State of New Jersey.

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

**SECTION I.** The following salaries, wages and/or compensation shall be paid to the respective employees of the Borough of Englewood Cliffs, for the year 2016, as set forth below:

1. Mayor - an annual salary of \$3,000.00
2. Council Persons (6) - an annual salary of \$2,500.00 each
3. Borough Administrator - annual salary of \$11,032.00
4. Borough Attorney – professional service by firm
5. Borough Clerk - an annual salary of \$88,400.00
6. Clerical/Secretarial - an hourly wage of \$10.00 - \$20.00
7. Tax Collector - an annual salary of \$24,000.00
8. Chief Financial Officer - an annual salary of \$7,000.00
9. Deputy Tax Collector - an annual salary of \$65,332.00
10. Tax Office Clerk - an annual salary of \$38,613.00
11. Tax Assessor - an annual salary of \$21,777.00
12. Secretary to Planning Board - an annual salary of \$10,000.00
13. Municipal Court Judge - an annual salary of \$20,475.00
14. Violations & Municipal Court - an annual salary of \$54,080.00
15. Borough Prosecutor - an annual salary of \$4,000.00
16. Borough Public Defender - an annual salary of \$10,649.00
17. Extra Help Municipal Court - an hourly wage of \$20.00 to \$30.00
18. Construction Code Official - an annual salary of \$34,320.00
19. Building Sub Code Official - an annual salary of \$15,000.00
20. Fire Sub-Code Official - an annual salary of \$5,000.00
21. Electrical Inspector – an annual salary of \$10,000.00
22. Plumbing Sub-Code Official - an annual salary range of \$9,862.00
23. Sewer Operator - an annual salary of \$6,000.00
24. Technical Assistant to Construction Official – an annual salary of \$43,105.00
25. COAH Report Prep – an annual salary of \$2,000.00
26. Fire Inspector – an annual salary of \$5,000.00
27. Board of Health Secretary - an annual salary of \$10,000.00
28. Shade Tree Secretary – \$1.00
29. Seasonal Employees - an hourly wage of minimum wage up to \$40.00
30. Fire Prevention Official – an annual salary of \$17,000.00
31. Police Records Clerk - an annual salary of \$34,535.00
32. School Crossing Guards - a per diem wage of \$60.00 - \$100.00
33. Superintendent of D.P.W. - an annual salary of \$99,940.00
34. Secretary of DPW/Recycling - an annual salary of \$40,345.00
35. Administrative Assistant – an annual salary of \$25,958.00
36. Recreation Director – an annual salary of \$12,000.00

- 37. Environmental Inspector – an annual salary of \$1.00
- 38. Part Time DPW Employees- Minimum wage up to \$20.00
- 39. Chief of Police – an annual salary of \$182,950.00

**SECTION II.**

- A. Longevity for Administrative employees who receive health benefits shall be implemented and supplemented by adding thereto two percent (2%) increase for each four (4) years of service with a maximum of fourteen percent (14%) for twenty-eight years of service as a “longevity pay increase.”
- B. Longevity for Police shall be implemented and supplemented by adding thereto two percent (2%) increase for each four (4) years of service with a maximum of eighteen percent (18%) for 36 years of service, as a “longevity pay increase.”
- C. Terminal Leave:
  - 20 years of more up to 25 years – two (2) months;
  - 25 years or more up to 30 years – three (3) months;
  - 30 or more years – four (4) months;
  - 35 or more years – five (5) months;
  - 40 or more years – six (6) months;

**SECTION III.** Should any part or provision of this Ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part held so unconstitutional or invalid.

*Public Hearing – moved to November 10, 2016*

**Ordinance 16-10 - AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF ENGLEWOOD CLIFFS, SPECIFICALLY REPEALING AND REPLACING, SECTIONS 3-6, ENTITLED, "USE OF RECREATIONAL FACILITIES LIMITED" AND 3.5, ENTITLED, 3-5 CLOSING HOURS FOR PARKS AND RECREATION AREAS.**

**Point of Order:** Council President McMorrow asked to make a motion to authorize the Borough Clerk to advertise for a part time assistant in the Building Department.

Councilman Aversa had questions about the part time building assistant.

Council President McMorrow said a determination was made that there is a need for a part time assistant in the Building Department.

**On a motion by Council President McMorrow, seconded by Councilman Consalvo, authorization for the Borough Clerk to advertise for a part time building assistant, was approved.**

**ROLL CALL:**

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

**On a motion by Council President McMorrow, seconded by Councilman Liang, authorization for the Borough Clerk to check with the building inspectors for their availability to work extra hours and then advertise for extra hours for property coverage, was approved.**

**ROLL CALL:**

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

## **COMMITTEE REPORTS**

**COUNCILMAN AVERSA – Lighting** – will look into Summit Ave for more light. He is not happy that the Police Department had to hear about racial profiling complaints from Councilman Park. There are proper procedures to follow in reporting this type of incident.

**COUNCILMAN LIANG** – no report

**COUNCILWOMAN OH - Transportation** –no report

**BOROUGH ATTORNEY** – reported that the Mauro Road situation is being addressed and we are moving forward to correct the situation. After discussion and re-evaluation about the release of the resignation correspondence from Schwartz, Simon, Edelson & Celso, she is asking for a motion for the Governing Body to waive attorney-client privilege and only release the August 23, 2016 SSEC resignation letter, Mayor Kranjac's responsive email from August 23, 2016 and August 24, 2016 SSEC letter of reply to the public. The ongoing situation with the Englewood Library is being resolved. She asked for permission to refer special filings to our special litigation counsel, Lanza and Lanza.

**On a motion by Councilwoman Oh, seconded by Councilman Aversa, authorization for the Governing Body to waive attorney-client privilege and only release the August 23, 2016 SSEC resignation letter, Mayor Kranjac's responsive email from August 23, 2016 and the August 24, 2016 SSEC letter of reply to the public, was approved.**

### **ROLL CALL:**

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

**Councilwoman Oh said there may be some conflict with the special litigation counsel.**

**The Mayor said there is no conflict.**

**Council President McMorrow said she is taking the advice of our Borough Attorney.**

**Borough Attorney will have Lanza and Lanza run a conflict check.**

**On a motion by Councilman Liang, seconded by Councilman Aversa, authorization for the Borough Attorney to contact Lanza and Lanza for a conflict check, and if no conflict, the special litigation will be referred to Lanza and Lanza, was approved.**

### **ROLL CALL:**

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

**COUNCIL PRESIDENT MCMORROW – Recreation** – soccer program is going well. There was a grand opening of tennis courts. She spoke about starting an adult tennis program. She thanked Mark Neville for his help with the courts. 5 K Run will be held on Sunday, October 23<sup>rd</sup>. Trunk or Treat event will be held on October 30<sup>th</sup> with a costume contest for pets. New borough sign was installed on corner of Palisade and Sylvan Ave.

**COUNCILMAN PARK** - said he has received complaints from some residents of the Asian community about racial profiling. He said many residents are worried about writing formal complaints.

**The Mayor wants our community to be in harmony and work together. He will reach out to the PBA and the Borough Hall and organize a get together.**

**Borough Clerk said she has a wonderful staff including the police and is offended by the negative comments made about all of them.**

**Councilwoman Oh agrees that when we know each other, we get along better.**

**Councilwoman Oh asked Councilman Consalvo the number of times the Police Committee has met this year to discuss police issues. She said Councilman Park should have notified the Police Committee of these issues.**

**Councilman Consalvo said the Police Committee has met a few times this year.**

**Councilman Park said Councilman Consalvo recommended the residents write a formal complaint, but they are worried about doing that.**

**Councilman Liang supports the Mayor and said we need to have good communication.**

**COUNCILMAN CONSALVO** – commended the Police and Fire Departments and everyone for the excellent job they did with the St. Michael Villa fire. He is in favor of the blue ribbons on the trees in support of the police.

**BOROUGH CLERK** - thanked the Fire and Police Departments for the great job they did with the fire at St. Michael's Villa, she sent the Chief an email thanking bot departmens forther heroic effortrs.

#### **UNFINISHED/NEW BUSINESS**

The Mayor gave an update of the plans for the new LG building.

The Mayor is working with the Police Department to place drop off boxes for expired medications at the Police Department.

Borough Attorney requests a motion to approve and execute the Memorandum of Agreement for the panoramic photo of Englewood Cliffs between the Borough of Englewood Cliffs and Mayor Kranjac.

**On a motion by Council President McMorrow, seconded by Councilman Consalvo, the Memorandum of Agreement between the Borough of Englewood Cliffs and Mayor Kranjac for the photo of Englewood Cliffs, was approved.**

#### **ROLL CALL:**

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

Borough Attorney requests a motion to have a discussion calling for an exam to fill the opening in the Police Department.

**On a motion by Councilman Liang, seconded by Councilman Consalvo, authorization to permit the Mayor and Council to have a discussion pursuant to the code, calling for an exam to fill the opening in the Police Department, was approved.**

#### **ROLL CALL:**

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

**NAYS: Aversa**

Borough Attorney requests a motion to permit the Mayor and Council to review the current hiring process/policy for the Police Department.

**On a motion by Councilman Aversa seconded by Council President McMorrow, authorization to permit the Mayor and Council to review the current hiring process/policy for the Police Department, was approved.**

**ROLL CALL:**

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

Borough Attorney was asked to investigate allegations of conflict of interest regarding Councilwoman Oh. She said going forward, the Governing Body members should seek legal advice about former clients and business relationships to avoid conflict of interest issues.

Borough Attorney requests a motion to allow the Mayor and Council on advice of counsel to seek outside counsel to file counter insurance claims to protect the borough interests.

**On a motion by Councilman Aversa seconded by Councilwoman Oh, authorization to permit the Mayor and Council with the advice and consultation of Counsel to, when feasible, seek outside counsel to file counter claims in litigation matters when insurance counsel has declined, was approved.**

**ROLL CALL:**

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

Councilwoman Oh had questions about Lanza and Lanza invoice.

Council President McMorrow was unaware of the invoice and asked how it was released.

Borough Attorney said it was released to the public by OPRA request.

The Mayor said we are resolving legal problems and Mauro Road.

Council President McMorrow spoke about the Mauro Road issue.

**Point of order:** Councilwoman Oh spoke about her concern regarding a meeting on the invoice and if there was a conflict of interest.

Council President McMorrow said there was no conflict of interest.

**DPW SUPERINTENDENT** – reported that leaf season begins next week. He commended the Fire and Police Departments for their excellent service at the St. Michael Villa fire.

**The Mayor thanked DPW Superintendent for everything he does for this town.**

Seeing and hearing none, the meeting was adjourned at 10:30 P.M.

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

**ATTEST:**



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