



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

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL

DATE: December 10, 2014

CALL TO ORDER: 8:00 P.M.

PRESENT AT ROLL CALL:

Mayor	Joseph C. Parisi, Jr.
Council President	Joe Favaro
Councilman	Zhi Liang
Councilwoman	Gloria Oh
Councilman	Nunzio Consalvo
Councilman	Ed Aversa

ALSO PRESENT:

Borough Attorney	E. Carter Corrison
Borough Engineer	Bernie Mirandi
Chief of Police	Michael Cioffi
DPW Superintendent	Mark Neville
Municipal Clerk	Lisette M. Duffy

FLAG SALUTE LEAD BY: Council President Favaro

BOROUGH CLERK STATED:

Adequate notice of this meeting was given to the press and posted as required. Date and time of these meetings was legally given as required by the "Open Public Meetings Act." This notice is on file with the Municipal Clerk and posted on the bulletin board. Minutes of this meeting will be made available to the public upon the completion of typing and proofreading by the Municipal Clerk.

• **PRESENTATION – 8u Little League Players**

The Mayor read a proclamation commending the commitment of the 8u Little League Players and coaches. Councilman Aversa presented a special recognition to each player.

- **MINUTES:** Caucus Meeting Minutes of November 12, 2014
Regular Meeting Minutes of November 12, 2014

On a motion by Council President Favaro , seconded by Councilwoman Oh , Caucus and Regular Meeting minutes of November 12, 2014 were approved.

ALL IN FAVOR:

AYES: Liang, Favaro, Oh, Consalvo, Aversa

DEPARTMENT HEAD REPORTS for November 2014

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

On a motion by Council President Favaro , seconded by Councilwoman Oh and carried unanimously, the Department Head Reports for November 2014 were approved.

ALL IN FAVOR:

AYES: Liang, Favaro, Oh, Consalvo, Aversa

- **CORRESPONDENCE:** Steven Muhlstock, Esq.

On a motion by Council President Favaro , seconded by Councilwoman Oh and carried unanimously, correspondence ordered filed:

ALL IN FAVOR:

AYES: Liang, Favaro, Oh, Consalvo, Aversa

CLAIMS FOR THE PERIOD: November 13, 2014 through December 10, 2014.

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

ROLL CALL:

AYES: Liang, Favaro, Oh, Consalvo, Aversa

- **RESOLUTIONS 2014:**

172 – Authorization to Place a Name Plaque on Charlotte Place Corner Entrance to School

Resolution 14-172 was read by Council President Favaro.

The Mayor and Council President Favaro spoke about Ilan Plawker and his family. The Plawker family has given much of their time to Englewood Cliffs, a well as to the County and the State.

Open to the Public on Resolution 172 (only)

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

ALL IN FAVOR:

AYES: Liang, Favaro, Oh, Consalvo, Aversa

PUBLIC SPOKE:

Yang Kim, Pershing Road, Englewood Cliffs, NJ, read a letter supporting the Ilan Plawker street naming.

Rubin Miller, Englewood Cliffs, NJ , was a member of the Board of Education with Ilan Plawker and others. He supports the Ilan Plawker street naming.

Florence Marchi, Englewood Cliffs, NJ, supports the Ilan Plawker street naming.

Mary O'Shea, 12 Irving Ave, Englewood Cliffs, NJ, is not in favor of the Ilan Plawker street naming.

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

ALL IN FAVOR:

AYES: Liang, Favaro, Oh, Consalvo, Aversa

On a motion by Council President Favaro and seconded by Councilwoman Oh, Resolution 14-172 was adopted.

ROLL CALL:

AYES: Favaro, Oh, Aversa

NAYS:

ABSTAIN: Liang, Consalvo

Councilman Consalvo made a statement that he is not in favor of the Plawker street naming. He prefers a plaque to honor Ilan Plawker.

Council President authorized the DPW Superintendent to obtain catalogues to choose a street plaque.

Senator Loretta Weinberg spoke and presented a citation and joint resolution from the NJ Senate and Assembly of State of NJ in honor of Ilan Plawker and spoke about him.

Assemblyman Gordon Johnson spoke about Ilan Plawker's dedication to the education of children and all of his contributions to the community.

Mrs Plawker speaks on behalf of her family and thanked Mayor and Council.

**(Agenda is subject to change as a result of matters not known at time of printing)*

RESOLUTION 14-172

WHEREAS, residents who have unselfishly contributed their time to the Borough have been recognized by the Mayor and Council; and

WHEREAS, ILAN PLAWKER was one such individual who epitomized volunteering his service to Country, State, and Community; and

WHEREAS ILAN PLAWKER distinguished himself in the field of education in service to the children of Englewood Cliffs, this State, and this Nation; and

WHEREAS, his service to others included:

Marine Corp veteran during the Korean conflict;

Member of the Englewood Cliffs Ambulance Corp

Member and President of the Englewood Cliffs Board of Education for 15 years;

Member and Council President of the Englewood Mayor and Council for 18 years;

Appointed by Governor Corzine as a member of the State Board of Education to a 6 year term and served as Vice-President.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and Council, wishes to recognize Ilan Plawker for all the services provided to his Country, State and Community; and

BE IT FURTHER RESOLVED, that a commemorative plaque be placed on the intersection going into Upper School designating the street as PLAWKER WAY.

Appointment of Council Vacancy

The Mayor said that Councilman Ferro submitted a resignation letter effective immediately. He spoke highly of Councilman Ferro's service to the town and thanked him for his service.

A letter was submitted by Republican County Committee Chairperson, Carrol McMorrow, nominating three candidates to fill the Council vacancy.

Borough Clerk read the list of the three candidates nominated: Mario Kranjac, Carrol McMorrow and Lauren Eastwood.

Councilman Consalvo made a motion to nominate Mario Kranjac.

ROLL CALL:

**(Agenda is subject to change as a result of matters not known at time of printing)*

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

The nomination did not pass.

Councilman Consalvo made a motion to nominate Carrol McMorrow.

ROLL CALL:
AYES: Liang, Consalvo
NAYS: Favaro, Oh, Aversa

The nomination did not pass.

Council President Favaro made a motion to nominate Lauren Eastwood.

ROLL CALL:
AYES: Liang, Favaro, Oh, Consalvo, Aversa
NAYS:

The nomination passed.

Borough Clerk will send a certified letter to Ms. Eastwood, who was not present, to notify her of the appointment and that the Clerk is available to administer the oath.

Open to the Public

PUBLIC PORTION:

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

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

ALL IN FAVOR:
AYES: Liang, Favaro, Oh, Consalvo, Aversa

PUBLIC SPOKE:

Glen Luciano, 20 Laurie Drive, Englewood Cliffs, NJ asked for clarification of the two different agendas, Caucus versus Regular and Resolution 178. The resident is not pleased with Time Warner Cable service and feels the company has a serious problem with their infrastructure.

The Mayor clarified the two agendas, Resolution 178 and responded to the resident's concerns regarding Time Warner Cable. He will ask the Borough Clerk to set up a meeting with Time Warner Cable to discuss the issues.

**(Agenda is subject to change as a result of matters not known at time of printing)*

Jack Geyer, 34 Toni Drive, Englewood Cliffs, NJ, said he is not happy with Verizon service and the way Councilman Ferro was treated by the public at the prior Council meeting.

The Mayor would like the Communication Committee to create a subcommittee to help resolve service issues regarding the cable company.

Mary O'Shea, 12 Irving Ave, Englewood Cliffs, NJ, feels that 120 Charlotte Place has adequate parking and is not in favor of Resolution 178. The resident inquired regarding Ordinance 14-13, Special Emergency Appropriation.

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

ALL IN FAVOR:

AYES: Liang, Favaro, Oh, Consalvo, Aversa

COMMITTEE REPORTS

COUNCILMAN LIANG reported that the interview process for the CFO position is ongoing and he is on the Committee for street naming.

COUNCIL PRESIDENT FAVARO reported that the DPW salted the streets due to today's snow.

COUNCILWOMAN OH reported that we are moving forward with the interview process for CFO/Tax Collector position.

COUNCILMAN CONSALVO – nothing to report

COUNCILMAN AVERSA reported that the Third Tree Lighting ceremony was a success. He thanked the Police and Fire Departments and school for their support. We will light the menorah for Chanukah on Tuesday. Basketball registration has begun.

DPW SUPERINTENDENT NEVILLE reported that leaf season ends on Friday. Garbage will be picked up Friday, December 26th and Friday, January 3rd due to the holidays for north and south side of town. We are finishing up the road program.

The Mayor would like the Borough Clerk to send a Reverse 911 to the residents regarding garbage pick up for the holidays.

BOROUGH ENGINEER MIRANDI reported that we are finishing up the road program.

POLICE CHIEF CIOFFI reported that we have applied for several grants and hopes to receive funds. The schools held several safety drills that were successful.

(Agenda is subject to change as a result of matters not known at time of printing)

The Mayor asked the Borough Clerk to put an announcement on the website that Santa will be on the fire truck on December 20th.

BOROUGH ATTORNEY – nothing to report

BOROUGH CLERK reported that a sign with Council member names is in the process of being updated. She and the DPW Superintendent attended a Little League meeting. There is now a mobile app for all smart phone users to send an email directly to the Borough Clerk to report problems in the town i.e. street light out, etc.

* **ORDINANCES 2014: Public Hearing on each individual Ordinance**

14-13 Authorize Special Emergency Appropriation for Accrued Severance Liabilities

14-14 Amend and Supplement Building and Housing Section 9-17.4 Certificate of Continued Occupancy

14-15 Amend Salary Ordinance for Fire Inspector - Annual Salary

PUBLIC HEARING

Ordinance 14-13 – An Ordinance of the Borough of Englewood Cliffs, in the County of Bergen, New Jersey, Authorizing a Special Emergency Appropriation Pursuant to N.J.S.A. 40A:4-53 To Fund Accumulated Severance Liabilities

On a motion by Council President Favaro, seconded by Councilwoman Oh and carried unanimously, the public hearing was opened relative to Ordinance 14-13 entitled “ AN ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 TO FUND ACCUMULATED SEVERANCE LIABILITIES”

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

On a motion by Council President Favaro and seconded by Councilman Liang, Ordinance 14-13 was adopted.

ROLL CALL:

AYES: Liang, Favaro, Oh, Consalvo, Aversa

ORDINANCE NO. 14-13

AN ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 TO FUND ACCUMULATED SEVERANCE LIABILITIES

WHEREAS, the Borough of Englewood Cliffs, in the County of Bergen, New Jersey, has accrued accumulated severance liabilities due to retirements of employees in the fiscal year 2014 budget year; and

**(Agenda is subject to change as a result of matters not known at time of printing)*

WHEREAS, *N.J.S.A.* 40A:4-53(h) permits a municipality of the State of New Jersey to adopt an ordinance authorizing a special emergency appropriation in order to fund the cost of contractually required severance liabilities resulting from the layoff or retirement of employees.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than a majority of a quorum thereof affirmatively concurring), AS FOLLOWS:

1. The Borough of Englewood Cliffs is hereby authorized to incur a special emergency appropriation pursuant to *N.J.S.A.* 40A:4-53 in an amount not to exceed \$231,000 in order to fund the cost of accumulated severance liabilities resulting from the retirement of employees in fiscal year 2014.

2. Upon final adoption of this Ordinance, the Borough Council of the Borough shall pursuant to *N.J.S.A.* 40A:4-55 adopt a Resolution setting forth the amount appropriated for this accumulated absence liability and further setting forth how said Borough will finance such appropriation.

3. A copy of this ordinance as adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs, State of New Jersey.

4. This Ordinance shall take effect in accordance with law.

Ordinance 14-14 – An Ordinance To Amend And Supplement Chapter IX Entitled “Building And Housing” Of The General Ordinances And Revised Code of the Borough of Englewood Cliffs, Section 9-17 Entitled “Certificate of Continued Occupancy”, Specifically Section 9-17.4 Entitled “Applications”

On a motion by Council President Favaro, seconded by Councilman Aversa and carried unanimously, the public hearing was opened relative to Ordinance 14-14 entitled “ AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IX ENTITLED “BUILDING AND HOUSING” OF THE GENERAL ORDINANCES AND REVISED CODE OF THE BOROUGH OF ENGLEWOOD CLIFFS, SECTION 9-17 ENTITLED “CERTIFICATE OF CONTINUED OCCUPANCY”, SPECIFICALLY SECTION 9-17.4 ENTITLED “APPLICATIONS”

Mary O’Shea, 12 Irving Ave, Englewood Cliffs, NJ, asked for clarification of Ordinance 14-14.

The Mayor and Borough Attorney clarified Ordinance 14-14.

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

**(Agenda is subject to change as a result of matters not known at time of printing)*

On a motion by Councilwoman Oh and seconded by Councilman Liang, Ordinance 14-14 was adopted.

ROLL CALL:

AYES: Liang, Favaro, Oh, Consalvo, Aversa

ORDINANCE NO. 14-14

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IX
ENTITLED "BUILDING AND HOUSING " OF THE GENERAL ORDINANCES AND
REVISED CODE OF THE BOROUGH OF ENGLEWOOD CLIFFS, SECTION 9-17
ENTITLED "CERTIFICATE OF CONTINUED OCCUPANCY", SPECIFICALLY
SECTION 9-17.4 ENTITLED "APPLICATIONS"**

BE IT ORDAINED by the Borough of Englewood Cliffs, New Jersey, that Chapter IX entitled "Building and Housing " of the General Ordinances and Revised Code of the Borough of Englewood Cliffs, Section 9-17 entitled "Certificate of Continued Occupancy", specifically Section 9-17.4 entitled "Applications" be amended and supplemented as follows:

9-17 CERTIFICATE OF CONTINUED OCCUPANCY

4. Applications for Certificate

A (1). In the event the property is under lease and the lease expires, the property owner shall immediately advise the Construction Official, or his representative, of the termination of the lease or the renewal of same, depending upon the circumstances, and shall again furnish a copy of the new rental, lease, sub-lease, or sub-let agreement. In the event that the same tenant becomes a non-lease tenant, this information shall be furnished to the Construction Official or his representative, setting forth the terms of the new agreement. The owner shall comply with all other terms of this ordinance, specifically in regard to the extension of any lease or agreement, and shall give the Construction Official, or his representative, seven

(7) days notice. If there is a continuation of occupancy by the same tenant, a new Certificate of Continued Occupancy shall not be required.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed as to said inconsistencies and conflict, and

BE IT FURTHER ORDAINED that if any section or provision of this ordinance shall be held to be invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this ordinance except insofar as the section or provision declared invalid shall be inseparable from the remainder or any portion thereof.

This ordinance shall take effect upon final adoption and publication according to law.

Ordinance 14-15 – 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 Aversa and carried unanimously, the public hearing was opened relative to Ordinance 14-15 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”

Mary O’Shea, 12 Irving Ave, Englewood Cliffs, NJ, questioned the money.

The Borough Clerk answered the resident’s questions.

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

On a motion by Council President Favaro and seconded by Councilwoman Oh, Ordinance 14-15 was adopted.

ROLL CALL:

AYES: Liang, Favaro, Oh, Consalvo, Aversa

ORDINANCE 2014-15

**(Agenda is subject to change as a result of matters not known at time of printing)*

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 2014, as set forth below:

Fire Inspector – an annual salary of \$5,000

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.

RESOLUTIONS 2014:

Consent Agenda

- 173 - Special Emergency Appropriation
- 174 - Tax Appeal Tsai 250 Marietta Street
- 175 - Tax Appeal Tag New Sylvan Corp 930-940 Sylvan Ave
- 176 - Tax Appeal Yildiz 7 Jane Drive
- 177 - Authorize Mayor to Sign Deed of Easement - ZNS Realty
- 178 - Authorize Mayor to Sign License Agreement 120 Charlotte Place
- 179 - Authorize Mayor to Sign Agreement with the State for a Generator Adapted Controller Cabinet
- 180 – Award Bid and Authorize Mayor to Sign 2015 Tree Pruning & Removal Agreement
- 181 – Reject Bid for Storage Shed at Witte Field
- 182 - Renewal of 2014 Liquor License 0216-33-001-004 11K Restaurant
- 183 – Police Donation
- 184 – Appoint Junior Firefighter Frank Sayrafe
- 185 – Appoint Junior Firefighter Joseph Lombardi

CONSENT AGENDA

All matters listed below are considered to be routine in nature and was enacted by one motion. There was separate discussion of **these** items. If any discussion was desired by the Council, that particular item was removed from the Consent Agenda and was considered separately.

Borough Attorney stated that Resolution 173 must be voted on separately.

On a motion by Councilwoman Oh and seconded by Councilman Aversa , Resolution 173 was adopted.

ROLL CALL:

AYES: Liang, Favaro, Oh, Consalvo. Aversa

RESOLUTION 14-173

**RESOLUTION PURSUANT TO N.J.S.A. 40A:4-55
PROVIDING FOR A SPECIAL EMERGENCY
APPROPRIATION OF THE BOROUGH OF ENGLEWOOD
CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY,
FOR ACCUMULATED SEVERANCE LIABILITIES AND
PROVIDING FOR THE FINANCING THEREOF BY THE
ISSUANCE OF SPECIAL EMERGENCY NOTES OF THE
BOROUGH**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), as follows:

SECTION 1. In accordance with N.J.S.A. 40A:4-53(h), the Borough of Englewood Cliffs, in the County of Bergen, New Jersey (the "Borough"), has heretofore finally adopted, on December 10, 2014, Ordinance No. 14-13 entitled "An Ordinance of the Borough of Englewood Cliffs, in the County of Bergen, New Jersey, Authorizing a Special Emergency Appropriation Pursuant to N.J.S.A. 40A:4-53 to Fund Accumulated Severance Liabilities" ("Ordinance No. 14-13)", appropriating \$231,000 to fund the cost of accumulated severance liabilities resulting from retirements in Fiscal Year 2014.

SECTION 2. The Borough hereby determines to finance the special emergency appropriation referred to in Section 2 herein by the issuance of Special Emergency Notes of the Borough, which may be renewed from time to time, as provided by law. Pursuant to N.J.S.A. 40A:4-55(b) of the Local Budget Law, at least 1/5th of all such Special Emergency Notes, and renewals thereof, shall mature and be paid in each year, so that all such Special Emergency Notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of adoption of this resolution. Accordingly, not to exceed \$231,000 in Special Emergency Notes are hereby authorized to be issued.

SECTION 3. All Special Emergency Notes issued hereunder shall mature at such times as may be determined by the chief financial officer, subject to the limitations set forth in Section 3 hereof. The chief financial officer shall determine all matters in connection with Special Emergency Notes issued pursuant to this resolution, and the chief financial officer's signature upon the Special Emergency Notes shall be conclusive evidence as to all such determinations. All Special Emergency Notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:4-55(b). The chief financial officer is hereby authorized to sell part or all of the Special Emergency Notes from time to time, at no less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the Special Emergency Notes pursuant to this resolution is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Special Emergency Notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full on the minutes of such meeting.

SECTION 4. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the Special Emergency Notes authorized by this resolution. The Special Emergency Notes shall be direct, unlimited obligations of the Borough. The powers and obligations of the Borough to pay any Special Emergency Note issued pursuant to this resolution and the Local Budget Law shall be unlimited and the Borough shall have the power and be obligated to levy ad valorem taxes upon all taxable property within the Borough for the payment of such Special Emergency Notes and interest thereon, without limitation of rate or amount.

SECTION 5. All Special Emergency Notes issued pursuant to this resolution shall be executed by the chief financial officer and the Mayor of the Borough, and shall be under the seal of the Borough and attested by the Borough Clerk. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the Special Emergency Notes.

SECTION 6. The Borough reasonably expects to commence the purposes described in the ordinance referred to in Section 1 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of Special Emergency Notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the Special Emergency Notes authorized in Section 2 hereof.

SECTION 7. A copy of this resolution as adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs, State of New Jersey.

SECTION 8. This resolution shall take effect upon the adoption hereof, or, if later, upon Ordinance No. 14-13 taking effect in accordance with its terms.

_____ offered the above resolution and moved its adoption. The motion was seconded by _____.

ROLL CALL:

AYES:

NAYES:

ABSTAIN:

On a motion by Council President Favaro and seconded by Councilman Aversa, Resolutions 174 through 185 were adopted.

ROLL CALL:

AYES: Liang, Favaro, Oh, Consalvo. Aversa

NAYS: Liang – 178, Consalvo – 175, 178

RECUSE: Oh - 177

Councilman Consalvo questioned the LLC on Resolsution 175 and if there is a conflict of interest.

The Mayor will have tax appeal attorney follow up on the question.

Borough Clerk read a letter regarding Resolution 175.

Councilwoman Oh stated that if a share holder owns more than 10%, Council must be notified.

RESOLUTION 14-174

WHEREAS, Shiu-Lin Tsai is the owner and taxpayer of property located at 250 Marietta Street in the Borough of Englewood Cliffs, at Block 308, Lot 9; and

WHEREAS, taxpayer filed 2012, 2013 and 2014 real property tax appeals, which matters are presently pending in the Tax Court of New Jersey; and

WHEREAS, it is the opinion of the Tax Assessor, Appraiser and Tax Appeal Attorney that the settlement of these matters is in the best interests of the Borough of Englewood Cliffs;

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 litigation entitled Tsai vs. Englewood Cliffs; and be it further

RESOLVED that for tax years 2012, 2013 and 2014, the assessment of \$1,233,800 will be reduced to \$1,175,000, resulting in a total refund, inclusive of all three years, of approximately \$1,496; and be it further

RESOLVED that the aforesaid settlement is predicated upon a waiver of payment of interest on any refund.

RESOLUTION 14-175

WHEREAS, TAG New Sylvan Corporate Center, LLC is the owner and/or taxpayer of property located at 930 - 940 Sylvan Avenue in the Borough of Englewood Cliffs, at Block 1201, Lot 9.04; and

WHEREAS, the taxpayer filed 2009 and 2014 real property tax appeals, which matters are presently pending in the Tax Court of New Jersey; and

WHEREAS, it is the opinion of the Tax Assessor, Appraiser and Tax Appeal Attorney that the settlement of these matters is in the best interests of the Borough of Englewood Cliffs;

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 litigation entitled TAG New Sylvan Corporate Center, LLC vs. Englewood Cliffs; and be it further

RESOLVED that for tax years 2009, 2010, 2011 and 2012, the taxpayer will withdraw the complaints, and the assessment of \$35,719,500 will remain intact; for tax year 2013, the assessment of \$35,719,500 will be reduced to \$34,000,000; for tax year 2014, the assessment of \$35,719,500 will be reduced to \$34,000,000; and for tax year 2015, the Assessor will set the assessment at \$32,500,000, resulting in a total refund, inclusive of all years, of \$29,558; and be it further

RESOLVED that the aforesaid settlement is predicated upon a waiver of payment of interest on any refund.

RESOLUTION 14-176

WHEREAS, Arakil & Akabi Yildiz are the owners and taxpayers of property located at 7 Jane Drive in the Borough of Englewood Cliffs, at Block 1102, Lot 2; and

WHEREAS, taxpayers filed 2013 and 2014 real property tax appeals, which matters are presently pending in the Tax Court of New Jersey; and

WHEREAS, it is the opinion of the Tax Assessor, Appraiser and Tax Appeal Attorney that the settlement of these matters is in the best interests of the Borough of Englewood Cliffs;

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 litigation entitled Yildiz vs. Englewood Cliffs; and be it further

RESOLVED that for tax years 2013 and 2014, the assessment of \$2,411,600 will be reduced to \$2,150,000, resulting in a total refund, inclusive of both years, of approximately \$4,497; and be it further

RESOLVED that the aforesaid settlement is predicated upon a waiver of payment of interest on any refund.

RESOLUTION 14-177

WHEREAS, the Borough of Englewood Cliffs and ZNS Realty, LLC wish to enter into a Deed of Easement for sewer purposes in regard to premises located at 9 Fifth Street, Block 202, Lot 4.02;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor, Joseph C. Parisi, Jr., is hereby authorized to execute said Deed of Easement in behalf of the Borough of Englewood Cliffs.

YEAS -

NAYS-

RESOLUTION 14-178

WHEREAS, the Borough of Englewood Cliffs (Licensor) and 120 Charlotte Place Associates (Licensee) wish to enter into a License Agreement; and

WHEREAS, since the development of Licensee's property portions of three (3) parking spaces on the Licensee's property have minimally encroached onto the Rose Avenue right-of-way but have not interfered with the Rose Avenue and its improvements; and

WHEREAS, on May 8, 2014, the Planning Board approved the Site Plan Application and on approved July 10, 2014 the Resolution of Approval was memorialized; and

WHEREAS, the parties now desire to memorialize their respective rights and obligations in regard to same.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor, Joseph C. Parisi, Jr., is hereby authorized to execute said License Agreement in behalf of the Borough of Englewood Cliffs.

YEAS -

NAYS-

RESOLUTION 14-179

WHEREAS, a traffic condition exists at Route U.S. 9W & Palisade Avenue, in the Borough of Englewood Cliffs, in the County of Bergen, which requires the installation of a Generator Adapted Controller Cabinet; and

WHEREAS, it is necessary to expedite the safe movement of vehicular traffic; and

WHEREAS, the State of New Jersey has indicated its willingness to install a Generator Adapted Controller Cabinet at said location; and

WHEREAS, the State of New Jersey has proposed a form of agreement pertaining to the installation and maintenance of said Generator Adapted Controller Cabinet;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk of the said Borough of Englewood Cliffs be and hereby is authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said agreement being attached hereto and made a part hereof:

RESOLUTION 14-180

RE: AWARD BID – 2015 Tree pruning and removal for the Shade Tree Commission of the Borough of Englewood Cliffs

WHEREAS, the Borough of Englewood Cliffs has received four (2) bids for the 2015 Tree pruning and removal for the Shade Tree Commission of the Borough of Englewood Cliffs; and

WHEREAS, the Public Notice to Bidders was properly published in The Record on November 28, 2014 ; and

WHEREAS, the bids have been reviewed by the Shade Tree Commission of the Borough of Englewood Cliffs 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, Reliable Tree Service, Inc., has provided the lowest total cost in the amount of \$150.00 per crew hour; and

WHEREAS, it is the recommendation of the Shade Tree Commission and the Municipal Attorney that the contract be awarded to Reliable Tree Services, Inc., located at 547 St. Paul Avenue, Cliffside Park, New Jersey for the price of 150.00 per crew hour.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council does hereby award the contract for the for 2014 Tree pruning and removal for the Shade Tree Commission of the Borough of Englewood Cliffs, Reliable Tree Services, Inc., located at 547 St. Paul Avenue, Cliffside Park, New Jersey for the price of 150.00 per crew hour 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 lowest bidder's papers be retained until such time as the agreement is signed.

RESOLUTION 14- 181

WHEREAS, bids were duly advertised for a Storage Shed at Witte Field; and

WHEREAS, one bid was received C.B. Structures, Inc., 202 Orlan Road, New Holland, PA 17557, in the amount of \$39,122.00; and

WHEREAS, there are insufficient monies appropriated to accept this bid.

NOW, THEREFORE, be it resolved that said bid is hereby rejected and that notice be given to the bidders of this action;

RESOLUTION 2014-182

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 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.

RESOLUTION 14-183

RESOLUTION ACCEPTING DONATION FOR THE POLICE DEPARTMENT

WHEREAS, the below listed persons are residents and friends of the Borough of Englewood Cliffs; and

WHEREAS, this person(s) has demonstrated a great appreciation for the efforts of the Borough's Police Department; and

WHEREAS, in recognition of the fine work of the Police Department, the below listed person(s) has generously and unselfishly agreed to donate to the Borough Police Department in the aggregate amount of \$500; and

WHEREAS, the Governing Body is proud to have the following residents and friends of Englewood Cliffs and appreciate their generosity;

Elias Sayour Foundation, Inc.	\$500
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NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs that the Borough hereby accepts the above listed donations for use in Borough's Police Department.

RESOLUTION 14-184

RE: APPOINT VOLUNTEER JUNIOR FIREMAN

WHEREAS, the Englewood Cliffs Volunteer Fire Department has recommended the appointment of Frank Sayrafe as a junior 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 Frank Sayrafe as a junior member of the Englewood Cliffs Volunteer Fire Department

RESOLUTION 14-185

RE: APPOINT VOLUNTEER JUNIOR FIREMAN

WHEREAS, the Englewood Cliffs Volunteer Fire Department has recommended the appointment of Joseph Lombardi as a junior 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 Joseph Lombardi as a junior member of the Englewood Cliffs Volunteer Fire Department

MAYOR PARISI STATED:

“IF THERE WAS ANY UNFINISHED BUSINESS AT THIS TIME

- **UNFINISHED / NEW BUSINESS:**
Reorganization Meeting Date 2015

The Mayor said that the Reorganization Meeting will be held on Tuesday, January 6, 2015 at 6PM. Everyone was in favor. The Borough Clerk will advertise.

No new business.

The Mayor asked for an extension of this meeting.

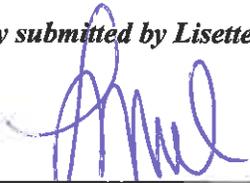
Continue at the Sine Die Meeting

The Mayor wished everyone a Happy and Healthy Holiday Season.

Seeing and hearing none, the meeting was adjourned at 9:31 PM.

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

ATTEST:



Lisette M. Duffy, RMC Borough Clerk