



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

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

**DATE: November 25, 2013**

**CALL TO ORDER: 8:30 A.M.**

**PRESENT AT ROLL CALL:**

Mayor Joseph C. Parisi, Jr.  
Councilman Ramon Ferro  
Councilwoman Nora Jobson  
Council President Joe Favaro  
Councilwoman Gloria Oh (*arrived at 8:40AM*)  
Councilwoman Melanie Simon  
Councilman Ed Aversa

**ALSO PRESENT:**

Municipal Attorney E. Carter Corrison  
Superintendent DPW 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.

**PUBLIC PORTION:**

**MAYOR PARISI 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 Simon, seconded by Council President Favaro, the meeting was open to the public for comment on resolutions and anything else. So carried.

**ALL IN FAVOR:**

**AYES: Councilpersons Ferro, Jobson, Favaro, Oh, Simon, Aversa**

On a motion by Councilwoman Simon, seconded by Council President Favaro, the meeting was closed to the public.

**ALL IN FAVOR:**

**AYES: Councilpersons, Ferro, Jobson, Favaro, Oh, Simon, Aversa**

**The Mayor stated that we were asked by our auditor to go over the following resolutions before the end of the year.**

The Borough Clerk read the following resolutions:

**RESOLUTIONS 2013:**

***Consent Agenda***

- 143- Authorization to Amend the Capital Budget
- 144- A Resolution Authorizing an Application to the Local Finance Board
- 145- Authorization of an Emergency Appropriation to Fund State Tax Court Judgments
- 146- Authorize the Clerk to advertise for various full-time and part-time positions
- 147- Temporary Appointment of an Electrical Sub-Code Inspector

**The Mayor asked if there were any questions regarding the resolutions:**

Councilman Ferro questioned Resolution 146. He would like to know the number of days the positions will be advertised.

The Clerk stated the positions will be advertised for a minimum of 10 days and that she would like to get everything done in time for the Re-Organization meeting.

The Mayor clarified the job positions that are not in the budget.

Councilman Aversa stated that he advertises for approximately 3-5 days for his business. If he is not satisfied with the results, then he will re-advertise.

The Mayor stated that a Re-Organization Meeting date will be determined by the close of this meeting. It must be scheduled within the first 7 days of the year.

Lisette Duffy reported that Councilwoman Oh just arrived (8:40AM).

**CONSENT AGENDA**

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

On a motion by Councilman Aversa, seconded by Council President Favaro, Resolutions 143 through 147 were offered for adoption by Consent Agenda.

**ROLL CALL:**

**AYES: Councilpersons Ferro, Jobson, Favaro, Oh, Simon, Aversa**

**NAYS: Councilperson Ferro- Resolution 146**

**Councilwoman Simon asked Councilman Ferro if he wants the Municipal Clerk to advertise for jobs. The Mayor stated that Councilman Ferro could make a motion to advertise for a longer period of time at any time.**

**CAPITAL BUDGET AMENDMENT**

WHEREAS, the local capital budget for the year 2013 was amended on the 14th day of August, 2013; and,

WHEREAS, it is desired to amend said amended capital budget section,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Englewood Cliffs, County of Bergen, that the following amendment(s) to the amended capital budget section of the 2013 Budget be made:

**Insert Resolution here – (excel spreadsheet)**

3 YEAR CAPITAL PROGRAM 2013-2015  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 Project	2 Estimated Total Cost	Current Year 2013	Future Years	4	5	6	BONDS AND NOTES			
				Capital Improvement Fund	Capital Surplus	Grants in Aid and Other Funds	General	Liquidating	Assessment Sch	
2013-3	590,000						590,000			
<b>Total All Projects</b>	<b>3,070,000</b>			<b>115,250</b>		<b>150,000</b>	<b>2,804,750</b>			

Be It Further Resolved that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 25th day of November, 2013.

Certified by me

Lisette M. Duffy

November 25, 2013  
MUNICIPAL CLERK  
TRENTON, NEW JERSEY

APPROVED \_\_\_\_\_, 2013  
DIRECTOR OF LOCAL GOVERNMENT SERVICES

**RESOLUTION 13-144**

**RESOLUTION OF THE BOROUGH OF ENGLEWOOD CLIFFS,**

**IN THE COUNTY OF BERGEN, NEW JERSEY  
MAKING APPLICATION TO THE LOCAL FINANCE BOARD  
PURSUANT TO N.J.S.A. 40A:2-51**

**WHEREAS, THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY** (the "Borough"), desires to make application to the Local Finance Board for its approval of (i) the adoption of a refunding bond ordinance for amounts owed to others for taxes levied in the Borough (including the refunding of an emergency appropriation made for this purpose), and (ii) the approval of a maturity schedule for the refunding of said taxes owed to others, all pursuant to *N.J.S.A. 40A:2-51*; and

**WHEREAS,** the Borough believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the Borough;
- (c) the amounts to be expended for said purpose are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

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

**Section 1.** The application to the Local Finance Board is hereby approved, and the Chief Finance Officer and Bond Counsel and the Clerk of the Borough, along with other representatives of the Borough, are hereby authorized to prepare such application and to represent the Borough in matters pertaining thereto. The Chief Finance Officer shall present the matter to the Local Finance Board.

**Section 2.** The Clerk of the Borough of Englewood Cliffs is hereby directed to file a copy of this Resolution and a copy of the proposed bond ordinance as passed upon first reading with the Local Finance Board for its consent as part of such application.

**Section 3.** The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute and to cause its consent to be endorsed upon the Bond Ordinance.

Recorded Vote

AYE

NO

ABSTAIN

ABSENT

Council President Favaro  
Councilman Ferro  
Councilwoman Jobson  
Councilwoman Oh  
Councilwoman Simon  
Councilman Aversa

**RESOLUTION 13-145**

**AN EMERGENCY RESOLUTION IN ACCORDANCE**

**WITH N.J.S.A. 40A:4-49 AUTHORIZING AN EMERGENCY  
APPROPRIATION TO FUND STATE TAX COURT JUDGMENTS**

**WHEREAS**, an emergency has arisen with respect to the payment of State Tax Court judgments for prior year taxes levied in the Borough of Englewood Cliffs in the County of Bergen, New Jersey, and no adequate provision was made in the 2013 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above;

**WHEREAS**, the Borough's calendar year 2013 budget was adopted on June 12, 2013, and the extent and magnitude of said State Tax Court judgments was not anticipated and adequate provision was not made in such budget for the payment of same; and

**WHEREAS**, the total amount of the emergency appropriations created in fiscal year 2013, including the appropriation to be created by this resolution, is \$590,000, and three (3) percent of the total operating appropriations in the budget for 2013 is \$401,501; and

**WHEREAS**, the foregoing emergency appropriation together with all prior emergency appropriations created in 2013, if any, exceeds three (3) percent of the total current fund operating appropriations in the budget for 2013.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Englewood Cliffs, in the County of Bergen, State of New Jersey (by not less than 2/3 of all governing body members affirmatively concurring), that in accordance with N.J.S.A. 40A:4-49:

1. In accordance with N.J.S.A. 40A:4-49, petition shall be made to the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey (the "Director") for permission to exceed the statutory limit of 3 percent for the creation of an appropriation for the purpose set forth in the preambles hereof.
2. Subject to the approval of the Director, the Borough hereby authorizes and approves an emergency appropriation pursuant to N.J.S.A. 40A:4-46 and N.J.S.A. 40A:4-49 in the amount of \$590,000 to fund amounts owed by the Borough to the owners of various properties for taxes levied in the Borough, as more particularly described on a list of owners and properties available for inspection in the office of the Borough Clerk, and including all services necessary therefor and incidental thereto.  
  
3. An emergency exists and the emergency appropriation provided for herein is necessary in order to meet a pressing need for public expenditures to protect or promote the public health, safety, morals or welfare of the inhabitants of the Borough.
4. Except to the extent that provision for paying, funding or refunding said emergency appropriation shall previously have been made by the authorization of bonds pursuant to the Local Bond Law with the approval of the Local Finance Board, said emergency appropriation shall be provided for in full in the 2014 budget, and is requested to be excluded from the appropriation cap, pursuant to N.J.S. 40A:4-43.3c(1).
5. In order to finance the emergency appropriation described in Section 1 of this resolution, the Borough is hereby authorized to borrow the sum of \$590,000 and to issue its emergency notes pursuant to N.J.S.A. 40A:4-51. The emergency notes authorized by this resolution may be issued in amounts and denominations not exceeding in the aggregate the amount of notes authorized herein, as determined by

the chief financial officer of the Borough pursuant to this resolution. The Borough may finance the emergency appropriation from surplus funds available or may borrow money in a manner prescribed herein.

6. The following matters in connection with the notes are hereby determined:
  - (a) All notes issued hereunder and any renewals thereof shall mature at such time as may be determined by the chief financial officer within the limitations of the Local Budget Law;
  - (b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer;
  - (c) The notes shall be in the form determined by the chief financial officer and the chief financial officer's signature upon the notes shall be conclusive as to such determination.
6. The chief financial officer is hereby authorized and directed to determine all matters in connection with the notes not determined by this or a subsequent resolution and the chief financial officer's signature upon the notes shall be conclusive as to such determination.
7. The chief financial officer is hereby authorized to sell the notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.
8. All notes issued pursuant to this resolution shall be executed by the chief financial officer and the Mayor and shall be under the seal of the Borough and attested by the Clerk of the Borough. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the notes.
9. Any note issued pursuant to this resolution shall be a general obligation of the Borough. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the notes authorized herein and, unless otherwise paid or payment is provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.
10. The chief financial officer is authorized and directed to report in writing to this governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.
11. The statement required by the Local Finance Board has been filed with the Clerk and a copy shall be transmitted to the Director.
12. Two (2) certified copies of this resolution as adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.
13. This resolution shall take effect immediately.

Recorded Vote

<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Council President Favaro			
Councilman Ferro			
Councilwoman Jobson			
Councilwoman Oh			
Councilwoman Simon			
Councilman Aversa			

**RESOLUTION 13-146**

**AUTHORIZE MUNICIPAL CLERK TO ADVERTISE FOR PART TIME HELP and FULL TIME HELP FOR VARIOUS DEPARTMENTS**

**BE IT RESOLVED**, that the Borough Council of the Borough of Englewood Cliffs does hereby authorize the Municipal Clerk to advertise on behalf of the Borough of Englewood Cliffs for Part Time and Full Time Help for the following departments:

Department of Public Works

Full Time Laborer (replacement)

Part Time Laborer (replacement)[

Building Department

Property Maintenance Official (replacement)

Building Department Assistant

Electrical Sub-Code Inspector (replacement)

**RESOLUTION 13-147**

**RE: TEMPORARY APPOINTMENT OF ELECTRICAL SUB-CODE OFFICIAL FOR 2013**

**WHEREAS**, it is necessary for the Borough of Englewood Cliffs to engage the services of an Electrical Sub-Code Official, for the remainder of 2013, to provide Electrical Inspection services which are necessary for the operation of said Borough; and

**WHEREAS**, funds will be available by way of Budget Appropriations to compensate said Inspector; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11 et seq) and N.J.A.C. 5:23-4.5A, requires that the resolution authorizing the award of contracts for "professional services" without competitive bids must be publicly advertised;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Englewood Cliffs as follows:

The Borough Electrical Sub-Code Official for the remainder of 2013, is hereby designated as Kenneth J. Riley, 36 Norman Place, Tenafly N.J. 07670. The License Number for the electrical sub-code official is # 34EI00824400. The compensation for said position shall be \$35.00 per electrical inspection.

This contract is awarded without public bidding as professional services under the Local Contracts Law by virtue of N.J.S.A. 40A:11-7 and N.J.A.C. 5:23-4.5A which specifically exempts such contracts from the requirements of public bidding. The Borough Clerk is hereby authorized and directed to publish a copy of this resolution in the newspaper within ten (10) days from the date hereof.

**ORDINANCES 2013:**

**INTRODUCTION and FIRST READING - PUBLIC HEARING December 11, 2013**

Council President Favaro moved to introduce Ordinance 2013- 15 on first reading by title only. Upon second by Councilwoman Simon, motion carried on roll call vote.

**ROLL CALL:**

**AYES: Councilpersons Ferro, Jobson, Favaro, Oh, Simon, Aversa**

**ORDINANCE NO. 2013-15**

**REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF AN EMERGENCY APPROPRIATION FOR THE PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$590,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$590,000 BONDS OR NOTES OF THE BOROUGH OF ENGLEWOOD CLIFFS FOR FINANCING THE COST THEREOF**

WHEREAS, pursuant to the Local Budget Law, specifically N.J.S.A. 40A:4-46, the Borough of Englewood Cliffs, in the County of Bergen, New Jersey (the "Borough"), has heretofore authorized, by resolution adopted by the Borough Council on November 25, 2013, an emergency appropriation in the amount of \$590,000 with respect to the payment of amounts owed by the Borough to others for taxes levied in the Borough (the "Emergency Appropriation"); and

WHEREAS, the Borough has determined that it is in the best interests of the Borough to pay, fund or refund the Emergency Appropriation through the issuance by the Borough of its refunding bonds or notes in an aggregate principal amount of \$590,000, as provided in this refunding bond ordinance.

**NOW THEREFORE, 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), DOES ORDAIN AS FOLLOWS:**

Section 1. The Borough of Englewood Cliffs, in the County of Bergen, New Jersey (the "Borough"), is hereby authorized to refund all or part of the Emergency Appropriation, and there is hereby appropriated, the amount of \$590,000 for funding the Emergency Appropriation which

provided for the payment of amounts owed by the Borough to the owners of various properties for taxes levied in the Borough, as more particularly described on a list of owners and properties available for inspection in the office of the Borough Clerk.

Section 2. An aggregate amount not exceeding \$13,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the purpose described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$590,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature in accordance with the maturity schedule for the bonds approved by the Local Finance Board; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The chief financial officer is hereby authorized to sell part or all of the notes from time to time 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 notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Borough as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 6. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

**Old/New Business: Discussion of 2014 calendar for officials and personnel**

The Mayor asked if the Re-organization meeting could be scheduled Monday, January 6<sup>th</sup>, preferably, or Tuesday, January 7, 2014 as he is not available on Sunday, January 5<sup>th</sup>. Councilman Ferro suggested Sunday, January 5, 2014.

The Mayor stated we need time to prepare and advertise for the Re-Organization meeting and we should decide at this meeting. The Mayor asked for a roll for Re-Organization meeting on January 7, 2014 at 6PM.

**ROLL CALL:**

**AYES: Councilpersons Jobson, Favaro, Oh, Simon, Aversa**

**NAYS: Councilman Ferro**

After additional discussion regarding the calendar, it was decided that the January meeting will be Wednesday, January 15, 2014 and the February meeting will be Tuesday, Feb. 11, 2014 due to scheduling conflicts with some of the Council members and Borough Attorney. The remainder of the year's meetings will be scheduled the second Wednesday of the month.

The Mayor asked the Municipal Clerk how the voucher payment system is coming along. The Clerk explained the cut-off date for vouchers is the Friday prior to Mayor and Council meetings. Only high priority vouchers are put through after Friday.

The Mayor stated that if anyone has a scheduling conflict with any of the meetings, to contact the Clerk and she will do her best to meet everyone's needs. Everyone will be informed of the 2014 Mayor & Council meeting schedule when completed.

**MAYOR PARISI STATED:**

**"IF THERE WAS ANY UNFINISHED BUSINESS AT THIS TIME**

Seeing and Hearing none, the meeting was adjourned at 9:00 AM.

The Mayor wished everyone a Happy Thanksgiving and thanked everyone for coming in early for this meeting.

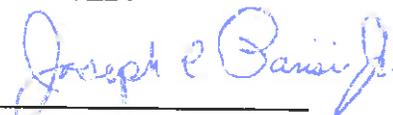
*Respectfully submitted by Lisette M. Duffy, Acting Municipal Clerk, Administrator*

**ATTEST:**



**Lisette M. Duffy, Acting Municipal Clerk**

**APPROVED:**



**Joseph C. Parisi, Jr. Mayor**