



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

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL

DATE: April 17, 2013

CALL TO ORDER: 8:00 P.M.

PRESENT AT ROLL CALL:

Mayor	Joseph C. Parisi, Jr.
Council President	Joe Favaro
Councilman	Ramon Ferro
Councilwoman	Gloria Oh
Councilwoman	Melanie Simon
Councilman	Ed Aversa

ALSO PRESENT:

Municipal Attorney	E. Carter Corrison
Borough Engineer	Bernard Mirandi
Chief of Police	Michael Cioffi
Superintendent DPW	Mark Neville
Municipal Assistant	Rosemarie Weber

ABSENT:

Municipal Clerk	Lisette M. Duffy
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FLAG SALUTE LEAD BY: Council President Favaro

The Mayor asked for a moment of silence for Mel Gittleman, former Borough Attorney who passed away yesterday. The Mayor spoke highly of Mr. Gittleman who did a tremendous job for Englewood Cliffs. He will be missed by many in the community.

BOROUGH CLERK STATED: (Read by Municipal Assistant)

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.

There was a special presentation by Police Chief Cioffi for Ilan Plawker, former Councilman. The Police Chief presented Mr. Plawker with a plaque and spoke highly of the wonderful and dedicated job he did for the town of Englewood Cliffs. The Police Chief gave a wonderful speech honoring

Mr. Plawker speaking about all of his achievements and dedication to the community. Then Ilan Plawker gave a speech saying it was a privilege to serve the town. Joe Favaro spoke highly of Ilan and asked that his family come forward for pictures. Former Chief Jack Murphy was present and spoke highly of Mr. Plawker. His dedication will always be remembered. The Mayor and the Council also thanked Ilan for his dedication and work for the community.

PROCLAMATION: Arbor Day 2013. The Proclamation was read by Councilwoman Melanie Simon.

MINUTES: Caucus & Regular Minutes of March 13, 2013

Minutes of the following meeting were accepted as presented on a motion by Council President Favaro, seconded by Councilwoman Simon and carried.

ALL IN FAVOR:

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

NAYS:

On a motion by Council President Favaro, seconded by Councilwoman Oh, the following reports were ordered filed.

DEPARTMENT REPORTS for MARCH 2013:

Police Report

Court Report

Construction Code Official Report

Fire Report

Analysis of Receipts Disbursements Report

Bill Lists Report

Statement of Cash in Banks and Investments Report

ALL IN FAVOR:

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

NAYS:

CLAIMS FOR THE PERIOD OF March 14, 2013 – April 17, 2013

The claims date will be corrected on the agenda as March 14, 2013 – April 17, 2013.

On a motion by Councilwoman Oh, seconded by Councilwoman Simons, the claims for the month of March 2013 were ordered paid.

ROLL CALL:

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

NAYS:

CORRESPONDENCE FROM THE FOLLOWING WAS READ AND ORDERED FILED:

Steve Muhlstock, Esq

American Diabetes Association, June 2, 2013

Yvonne Favaro, Shade Tree Chairperson
JCC – Rubin Run, May 12, 2013

On a motion by Council President Favaro, seconded by Councilwoman Oh, all correspondence was ordered filed.

ALL IN FAVOR:

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

NAYS:

COMMITTEE REPORTS

COUNCILMAN FERRO stated that 37 street lights are out. This information was given to the Police Department and reported to PSE&G. It will take a few days to repair the street lights.

The Councilman attended the Rabies Clinic held by the Board of Health and was pleased at the turn out. Dr. Tonaci of Englewood Cliffs was the veterinarian. The Bergen County Protect and Serve Animal Control were present with dogs and cats that needed new homes. It was a success and we had our first adoption.

COUNCILWOMAN JOBSON stated that she had no report on transportation yet. Senior Citizen's President is out of town. The Councilwoman will arrange for a meeting regarding transportation, once Mr. Cincotta returns.

COUNCILMAN FAVARO reported that he met with the Fire Department to discuss their building needs. This will be discussed at the May 4, 2013 Budget Meeting.

COUNCILWOMAN OH gave her recommendation to schedule a Budget Workshop for May 4, 2013 at 10:30AM. We will have the opportunity to tweak the numbers and have the auditor and CFO go over the budget. The 2013 Budget will be introduced at the May 8th meeting, the 2nd hearing and public portion will be June 12th.

A motion was made by Councilwoman Oh to schedule a Budget Workshop on May 4 10:30 AM, was seconded by Councilwoman Simon.

ALL IN FAVOR:

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

NAYS:

COUNCILWOMAN SIMON reported that Arbor Day will be celebrated on April 25th. The morning activities will take place at North Cliff and the afternoon activities will take place at Upper School. There will be two winners announced at the event, one for the poster contest and another for the poetry contest. The honorees will receive gift certificates. The Department of Public Works is in the process of completing the 2012 roads. The Councilwoman stated that contingent on the budget, ten roads will be identified for the 2013 road project.

COUNCILMAN AVERSA reported that the Police Department will advertise for two new police officers. The Councilman met with the Police Chief as well as the police committee. They worked together on getting the police budget down to less than a 1% increase. The police committee will begin working on the police contract that expires December 3st. The Recreation Department will have a parade this Saturday to celebrate the beginning of Little League Season. There will be hot dogs and face painting after the parade. We are in the process of updating our website with more information

including 2012 and 2013 agendas and minutes. Local unions are willing to donate labor and materials to refurbish the Ambulance Corps building.

DPW SUPERINTENDENT NEVILLE reported that the contractor is in town finishing the 2012 road program. The 2013 road program will begin pending the result of the 2013 municipal budget.

BOROUGH ENGINEER MIRANDI reported that the NJOT grant for the Summit Street program should be awarded this year. He met with Tim Kelly of the Bergen County Mosquito Control who will do the dredging work for the town. A site meeting will be scheduled with Tim Kelly, Borough Engineer and Department of Public Works to review the logistics.

POLICE CHIEF CIOFFI discussed the fact that everyone should be on heightened alert due to the recent events at the Boston Marathon. There was a major school drill on bombs March 26th. Captain LaRaia, Police Chief Cioffi and Mark Neville, Superintendent of the DPW, attended a MEL security. The 59th Witte Clinic will be held on April 20th. The Police Committee meeting will be scheduled to discuss rules and regulations for the police department. The Borough Attorney has been invited to attend this meeting. The Police Department has applied for several grants through OEM. One is for a generator for the senior citizen building and another for the school shelters. The grants would pay 50 percent and the town would supplement the rest. The police department also applied for a grant through the Division of Highway Traffic Safety for bicyclists and truck detail. They would pay \$50 per hour for an officer and the town would supplement the rest.

BOROUGH ATTORNEY Boswell Engineering is ready to proceed with the six month certification for the red light summonses. On Monday, Mr. Corrison will meet with the PBA Local regarding rules and regulations for the police department. There will be mediation with all the involved lawyers regarding LG on May 1st. The case Misk vs. Englewood Cliffs has been settled. Both parties are satisfied, and it is a fair settlement for the town. The town will pay Mr. Misk's legal fees, also there is an additional \$3,000 for a new modified Level 3 siren to be moved 600ft back from Johnson Avenue.

BOROUGH CLERK DUFFY was not present. Rosemarie Weber, Municipal Assistant, had nothing to report.

The following resolutions and ordinances were read by the Mayor:

- **RESOLUTIONS 2013**

CONSENT AGENDA

- 54- Authorization to Hire Public Works Seasonal Help
- 55- Authorization to Enter into Lease NJ STATE Contract 82925 for (1) Police Vehicle
- 56- Accept \$1,000 Donation for the Police Department
- 57- Authorization to Enter Into Interlocal Services Agreement with the County
- 58- Approval of Tax Appeal – 260 Marietta Court
- 59- Authorization to Hire Summer Camp Positions
- 60- Authorization to Hire Tax Appeals Conflicts Attorney
- 61- Authorization for Payment of \$9819.30 in the Settlement of Misk vs. Borough of Eng. Cliffs
- 62- Authorization to Amend Resolution 13-31, Reappointment of DPW Superintendent
- 63- Request for tax Appeal Refunding – **amended**

The Borough Attorney read the amended Resolution 63 – Request for Tax Appeal Refunding and gave an explanation of the changes.

CONSENT AGENDA (The Mayor recused himself from the following resolutions)

- 64- Approval of Sidewalk Removal at 573 Floyd Street
- 65- Approval of Place to Place Transfer, Extension of Premises 717 E. Palisade Avenue
- 66- Approval of Raffle License for Sisters of St. Joseph

ORDINANCES 2013: INTRODUCTION and FIRST READING - PUBLIC HEARING May 8, 2013

- 02 - AMEND AND SUPPLEMENT CHAPTER III, ENTITLED "POLICE REGULATIONS", SPECIFICALLY SECTIONS 3-5.1 and 3-10.2**
- 03 - AN ORDINANCE AMENDING ORDINANCE NO. 2012-16 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."**

The Mayor advised that ordinance 13-02 may need additional revision.

On a motion by Council President Favaro, seconded by Councilman Ferro, Ordinance 13-03 was tabled for amendment.

ROLL CALL:

AYES: Councilpersons Ferro, Jobson, Favaro, Simon

NAYS: Councilpersons Oh, Aversa

Councilman Ferro questioned how many candidates applied for the summer camp position as posted on resolution 59.

Councilman Aversa stated there were approximately eight.

Councilman Ferro commented on Resolution 61 and the placement of the siren as per Mr. Misk's suit. The Councilman was of the opinion that had the town listened to Mr. Misk's recommendation on moving the siren to Sage Road, the town would have avoided the legal case and loss of time.

The Borough Attorney disagreed with Councilman Ferro's comment, as Mr. Misk suggested to have the siren removed.

Councilwoman Simon and Councilman Aversa were not in favor of moving it to Sage Road, as this would have been in another residential area.

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 Council President Favaro, seconded by Councilwoman Simon, the meeting was open to the public for comment on resolutions and anything else. Carried

ALL IN FAVOR:

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

NAYS:

The following people from the public spoke:

Steve Rubinsky, 654 Summit Street, Englewood Cliffs, NJ 07632, discussed the 2013 road situation. There is a problem with Summit St and the resident wants the road repaired. He discussed Resolution 63 regarding the bicycle and dog situation at Witte Field and made suggestions to the Council. The resident asked the Council if they would consider changing the time of the Budget Workshop meeting scheduled for May 4, due to religious observance. Mr. Rubinsky also commented on the timeliness of the electronic board announcements.

A motion was made by Councilwoman Oh, seconded by Councilwoman Jobson to change the time of the Budget Workshop meeting on May 4th, from 10:30AM to 2PM.

ALL IN FAVOR:

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

NAYS:

Janice Heller, 25 Cambridge Place, Englewood Cliffs, NJ 07632, spoke about Ilan Plawker and thanked him for all of his years of service to the town and state.

Natalie Ashwal, 5 First Street, Englewood Cliffs, NJ 07632, thanked Ilan Plawker for his service to the town. Mrs. Ashwal questioned the new location of the Bayview Avenue siren and if the residents would be able to hear it once moved to Van Nostrand Avenue. The resident is in favor of the park ordinance regarding the bicycles and dogs.

Florence Marchi, 25 Pershing Road, Englewood Cliffs, NJ 07632, thanked Ilan Plawker for all he has done for the town. The sign in the park regarding the no bicycles is bothersome to her. Our children's safety must be considered.

Lauren Eastwood, 4 Willow Drive, Englewood Cliffs, NJ 07632, asked Councilwoman Jobson why she voted yes on resolutions and bills she had not previously seen. The resident stated that her two correspondences are not listed on tonight's agenda

Councilwoman Jobson stated that she did read all the information that was given to her and made a responsible vote. The Council would never do anything incorrect and bills are done by responsible people.

Jack Geyer, 34 Toni Drive, Englewood Cliffs, NJ 07632, read an excerpt from Senator Weinberg's editorial from The Record dated March 16, 2013 which supports public records and how resolutions are made available to the public immediately. Mr. Geyer brought up Resolution 2013-50, from the last Mayor and Council meeting. He is insulted by the resolution and the personal use of borough vehicles and it indicates freebies to the five borough employees.

The Mayor expressed his confidence in these five individuals who use the vehicles. After discussion, it was decided that the town will document the use of the vehicles.

Mary O’Shea, 12 Irving Avenue, Englewood Cliffs, NJ 07632, discussed parking on Irving Avenue. She took pictures of some of the parking signs and distributed them to the Mayor and Council. The resident discussed the signs and said that many of them are outdated or illegible. She said there is no ordinance for Irving Ave requiring residential parking permits. Mrs. O’Shea was questioning the assets of the disbanded Ambulance Corps. The resident would like the same courtesy afforded to others when she speaks.

The Mayor stated that the Ambulance Corps is an autonomous group who owned their own equipment. The rigs were either donated or bought by the Ambulance Corps.

Police Chief Cioffi stated that every street in town should have residential parking. If signs need to be updated, the Police Department will do so. The Borough Attorney recommended an ordinance that will stretch the residential parking permit to Irving Ave.

Ilan Plawker, 39 Elm Street, Englewood Cliffs, NJ 07632, enlightened the public regarding OPRA requests. The purpose of OPRA requests is to allow the public to see clean and open government and understand what is going on and it should not be a fishing expedition for individual personal gain. The former Councilman stated that there are individuals costing the town a lot of money and it is being abused. He has contacted the state legislators to have a modification to the statutes to state the purpose of their OPRA search.

The Mayor stated that he, Lisette Duffy, Municipal Clerk and Council President Favaro, went to Senator Weinberg’s office last week, with a suitcase filled with OPRA requests weighing 150pounds. There were 568 OPRA requests for the year 2012, and 402 were from Lauren Eastwood. It takes approximately 30 minutes of the clerk’s time per request which equates to 5 and one half weeks of man hours totaling approximately \$6000 wasted on “fishing expeditions”.

Dr. James Bancroft, 43 Mercer Ave, Englewood Cliffs, NJ 07632, stated that he enjoyed working on the council with Ilan Plawker for 6 years and wished him well. He discussed Resolution 50 regarding the use of borough vehicles. Dr. Bancroft recommended implementing an inventory control of the vehicles, similar to that of other towns. He stated that the victims at the Boston Marathon bombing had immediate medical attention and wants the same for our town. The borough vehicles should be left in the borough if one of the emergency personnel is away for an extended period of time.

The Borough Attorney said the resolution was made due to a citizen’s request.

Natalie Ashwal, 5 First Street, Englewood Cliffs, NJ 07632, the resident expressed her disappointment in the constant bickering amongst some of the Council members. Mrs. Ashwal is appalled at the amount lawsuits and continuous OPRA requests that cost our town money.

Robert Lee, 10 Demarest Court, Englewood Cliffs, NJ 07632, questioned whether the town would ever have a high school.

Council President Favaro said the town does not have the quota of students for a high school.

Florence Marchi, 25 Pershing Road, Englewood Cliffs, NJ 07632, the resident asked if we have an emergency team that can respond immediately should an emergency arise in our town.

The Mayor said we have police surgeons that are town residents and we have Englewood Hospital.

Pat Drimones, 71 John Street, Englewood Cliffs, NJ 07632 and Lynn Norton thanked Ilan Plawker for his professionalism and service to the community, the Mayor and the Council as well as the Board of Education.

Maria Villari, 45 Jane Drive, Englewood Cliffs, NJ 07632 stated that the park should be enjoyed by everyone and a solution is needed. Mrs. Villari, asked if the Council received her thank you card.

Councilwoman Simon pointed out the Ordinance is about the safety of the residents. The Councilwoman pointed out the use of bicycles and permitting dogs at the park, is difficult to control.

Carol McMorro, **7 Ridge Road, Englewood Cliffs**, NJ 07632 questioned why her OPRA request from February 2013 was not fully responded to. She only received part of the request.

Councilwoman Simon stated an OPRA request can only be answered if the requested information exists. If the information is not available, then the OPRA request has been fulfilled.

The Mayor informed the former Councilwoman that the Clerk will look into her OPRA.

After ample opportunity had been given for public discussion, Councilman Simon moved the public comment be closed. Motion was seconded by Councilwoman Oh. So ordered.

ALL IN FAVOR:

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

NAYS:

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 Council President Favaro, seconded by Councilwoman Oh, Resolutions 54, 55, 56, 57, 58 59, 60 61, 62 and 63 were offered for adoption by Consent Agenda.

ROLL CALL:

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

NAYS: Councilperson Ferro – Resolution 59

CONSENT AGENDA:

The Mayor has a conflict of interest with the remaining resolutions. The Mayor recused himself and the Council President Favaro offered the following resolutions for adoption by Consent Agenda:

64 –Approval of Sidewalk Removal at 573 Floyd Street

Council President Favaro amended the wording from Mayor and Mrs. Parisi, to Mr. & Mrs. Parisi.

65 – Approval of Place to Place Transfer, Extension of Premises 717 E. Palisade Avenue

66 –Approval of Raffle License for Sisters of St. Joseph

ROLL CALL:

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

NAYS:

Resolution 13-54

BE IT RESOLVED, that the Mayor and Council of the Borough of Englewood Cliffs does hereby approve the five (5) seasonal employees for the 2013 summer season help in the Department of Public Works

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

APPROVED:

Lisette M. Duffy, Acting Municipal Clerk

Joseph C. Parisi, Jr. Mayor

RESOLUTION 13-55

TITLE: (1) 2013 Ford Police Interceptor Sedan, complete with a full lighting package and prisoner partition

WHEREAS, the Englewood Cliffs Police Department has recommended that the Borough enter into a lease through **NJ State Contract #82925**, with Winner Ford, 250 Haddonfield Berlin Road, Cherry Hill, NJ 08034-3507, for each payment not to exceed \$20,000 payable in two annual installments; and

NOW THEREFORE, BE IT RESOLVED, that the Borough of Englewood Cliffs, County of Bergen, State of New Jersey authorizes the Mayor to execute a contract with Winner Ford, 250 Haddonfield Berlin Road, Cherry Hill, NJ 08034 -3507 in an amount not to exceed \$20,000 per year, payable in two annual installments ,under State Contract #82925.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

APPROVED:

Lisette M. Duffy, Acting Municipal Clerk

Joseph C. Parisi, Jr. Mayor

CERTIFICATION OF FUNDS:

Joseph Iannaconi, Jr., CFO

RESOLUTION 13-56

RESOLUTION ACCEPTING DONATIONS FOR THE POLICE DEPARTMENT

WHEREAS, the below listed person(s) are friends of the Borough of Englewood Cliffs; and

WHEREAS, these person(s) have 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) have generously and unselfishly agreed to donate to the Borough Police Department in the aggregate amount of \$1,000.00 and

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

YEA J.REALTY, LLC	\$1000
Total Donation	\$1,000

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs that the Borough hereby accepts the above listed donation(s) for use in Borough's Police Department.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

APPROVED:

Lisette M. Duffy, Acting Municipal Clerk

Joseph C. Parisi, Jr., Mayor

RESOLUTION 13-57

RESOLUTION APPROVING THE BERGEN COUNTY MUTUAL AGREEMENT

WHEREAS, the police departments in Bergen County have a day to day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order; and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies; and

WHEREAS, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies; and

WHEREAS, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App. A:9-40.6; and

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property; and

WHEREAS, it is the desire of the Borough of Englewood Cliffs, to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association.

NOW, THEREFORE, BE IT RESOLVED by Borough of Englewood Cliffs that the Englewood Cliffs Police Department, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

BE IT FURTHER RESOLVED that a copy of the Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

Lisette M. Duffy, Acting Municipal Clerk

APPROVED:

Joseph C. Parisi, Jr. Mayor

RESOLUTION 13-58

WHEREAS, Jianping Ling is the owner of certain property located in the Borough of Englewood Cliffs, at Block 301, Lot 13, also known as 260 Marietta Court; and

WHEREAS, taxpayer has filed 2012 and 2013 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 and Tax Appeal Attorney that the settlement of this matter 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 Jianping Ling vs. Englewood Cliffs; and be it further

RESOLVED that, for tax year 2012, the assessment of \$1,458,700 will be reduced to a total of \$1,275,000, resulting in a refund of \$1,515; and for tax year 2013, the assessment of

\$1,458,700 will be reduced to a total of \$1,275,000, resulting in a refund of approximately \$1,516; and be it further

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

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

APPROVED:

Lisette M. Duffy, Acting Municipal Clerk

Joseph C. Parisi, Jr., Mayor

RESOLUTION 13-59

RESOLUTION HIRING FOR SUMMER CAMP POSITIONS

WHEREAS, the Borough of Englewood Cliffs needs to fill positions for the Borough's summer camp; and

WHEREAS, the Recreation Department has compiled a list of individuals that they feel are qualified for the positions; and

WHEREAS, the Recreation Department recommends that the Governing Body hire these individuals;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs that the Borough hereby hires the following individuals for the Borough's summer camp:

- Kurt Peluso - Morning and afternoon camp Director at an annual salary of \$6,400
- Dan Iozzia - Morning and afternoon camp Assistant Director at an annual salary of \$5,400
- Mary Calabro - Morning camp Assistant Director at an annual salary of \$4,000
- Timarie Toscano - Morning camp Assistant Director at an annual salary of \$4,000

NOW THEREFORE, BE IT FURTHER RESOLVED these individuals shall comply with all other Borough of Englewood Cliffs ordinances with respect to being qualified to serve in these positions.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

APPROVED:

Lisette M. Duffy, Acting Municipal Clerk

Joseph C. Parisi, Jr., Mayor

RESOLUTION 13-60

WHEREAS, on or about January 31, 2013, pursuant to N.J.S.A. 40A:11-5, the Borough of Englewood caused to be published a Notice for Tax Appeal Attorney -Conflicts, pursuant to the Fair and Open Process; and

WHEREAS, pursuant to said request the Borough Administrator has received two (2) responses; one from Donald J. Lenner, Esq., 11 State Street, Hackensack, New Jersey on February 20, 2013 and one from Eric M. Bernstein, Eric M. Bernstein & Associates, 34 Mountain Boulevard, Building A, P.O. Box 4922, Warren, New Jersey 07059 on February 21, 2013; and

WHEREAS, the Borough Attorney and Acting Administrator have reviewed said requests and the response of Donald J. Lenner, Esq., 11 State Street, Hackensack, New Jersey is preferable to the Borough of Englewood Cliffs; and

WHEREAS, it appears that pursuant to his application said attorney is qualified to represent the Borough of Englewood Cliffs in Tax Appeal Conflict matters;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Englewood Cliffs hereby agrees to hire Donald J. Lenner, Esq., 11 State Street,

Hackensack, New Jersey, at the rate of \$120.00 per hour for such conflict work as shall be assigned for tax appeal conflict services for a period of one year.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

APPROVED:

Lisette M. Duffy, Acting Municipal Clerk

Joseph C. Parisi, Jr., Mayor

RESOLUTION 13-61

WHEREAS, a lawsuit has been instituted in behalf of Gerard N. Misk through his attorney, Bruce H. Dickstein, Esq., 513 Forest Avenue, Teaneck, New Jersey 07666, in the Superior Court of New Jersey, Law Division, Bergen County, Docket No. BER-L-9495-12 and entitled "Gerard N. Misk, Plaintiff, vs. The Borough of Englewood Cliffs in the County of Bergen, a Public Body Corporate and Politic, The Council of the Borough of Englewood Cliffs and Joseph Parisi, Jr., Mayor, Defendants/Third-Party Plaintiffs, vs. Tactical Communications, Third-Party Defendant, and

WHEREAS, the parties have discussed settlement of said matter; and

WHEREAS, the Mayor, Joseph C. Parisi, Jr., Fire Commissioner, Joseph Favaro and the Fire Chief, George Drimones have agreed to this settlement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Englewood Cliffs hereby authorizes settlement of this matter pursuant to a Settlement Agreement which is on file with the Clerk and to further pay legal fees to the

“Law Office of Bruce H. Dickstein, LLC, Attorney Trust Account”, in the amount of \$9,819.30.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

APPROVED:

Lisette M. Duffy, Acting Municipal Clerk

Joseph C. Parisi, Jr., Mayor

RESOLUTION 13-62

AMENDED RESOLUTION 13-31

REAPPONTMENT OF DEPARTMENT OF PUBLIC WORKS SUPERINTENDENT

WHEREAS, the Superintendent of the Department of Public Works appointment terminated on December 8, 2012; and

WHEREAS the Mayor and Council of the Borough of Englewood Cliffs is desirous of extending same; and

NOW, THEREFORE, BE IT RESOLVED, the Superintendent of the Department of Public Works’ shall be appointed for three years, beginning January 1, 2013, and the salary shall be as follows:

For the year 2013	-	\$92,400.00
For the year 2014	-	\$96,096.00
For the year 2015	-	\$99,939.84

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON JANUARY 16, 2013

ATTEST:

APPROVED:

Lisette Duffy, Acting Municipal Clerk

Joseph C. Parisi, Mayor

RESOLUTION 13-63

A RESOLUTION REQUESTING THE LEGISLATURE TO CORRECT THE INEQUITY IN THE BURDEN OF FUNDING REAL ESTATE TAX REFUNDS

WHEREAS, municipalities throughout the State bear the burden and responsibility of levying and collecting real estate taxes on behalf of not only the municipality, but also for the county and the school district; and

WHEREAS, the tax rate is struck on the basis of the assessed valuation of the municipality at the beginning of the tax year and is computed to include not only the tax rate for municipal purposes but also a tax rate for county purposes, county open space purposes and school district purposes; and

WHEREAS, the portion of the tax rate for municipal purposes is often as little of one-third of the overall tax rate; and

WHEREAS, by way of illustration, the 2012 tax rate of the Borough of Englewood Cliffs was \$0.825 per \$100 of net taxable assessed valuation, of which \$0.204 was for county and county open space purposes, \$0.297 was for school district purposes and \$0.324 was for municipal, library and municipal open space purposes; and

WHEREAS, each of the components of the overall tax rate for the Borough of Englewood Cliffs was calculated on the basis of a net taxable assessed valuation of \$3,416,882,634.00; and

WHEREAS, during the tax year 2012, the net taxable assessed valuation of the Borough of Englewood Cliffs declined by \$10,371,097.00 from \$3,416,882,634.00 to \$3,406,511,537.00, of which \$73,887.00 was the result of reductions resulting from the issuance of judgments by the Bergen County Board of Taxation; and

WHEREAS, as a result of such reductions, the Borough of Englewood Cliffs was required to refund \$67,972.66 in real estate taxes, of which only \$26,647.24 were received for municipal purposes by the Borough of Englewood Cliffs; and

WHEREAS, the balance of the amount of the real estate taxes required to be refunded had been paid to and received by the County of Bergen and the Englewood Cliffs School District; and

WHEREAS, despite not having received such tax dollars, the burden for the payment of the full amount of the tax refunds fell solely upon the Borough of Englewood Cliffs; and

WHEREAS, under the current State statutes, the county is not required to share in the payment of such tax refunds despite the fact that they have received portions of the tax dollars attributable to such tax refunds; and

WHEREAS, as a result of the foregoing, the residents and taxpayers of the Borough of Englewood Cliffs, as well as, similarly situated municipalities throughout the State, are forced to bear an inequitable burden in the payment of such real estate tax refunds;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Englewood Cliffs, Bergen County, New Jersey, that the New Jersey Legislature is hereby petitioned to draft and adopt a statutory requirement for counties to refund their pro rata share of any tax refunds resulting from a reduction in the net taxable assessed valuation of the municipality as a result of tax appeal judgments; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to provide a copy of the within resolution to Governor Christopher J. Christie, State Senator Loretta Weinberg, Assemblywoman Valerie Vainieri Huttle, Assemblyman Gordon M. Johnson, and the municipal clerks of each municipality in New Jersey.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

APPROVED:

Lisette M. Duffy, Acting Municipal Clerk

Joseph C. Parisi, Jr., Mayor

RESOLUTION 13-64

RE: REMOVAL OF SIDEWALK, 573 FLOYD STREET

Mr. & Mrs. Joseph Parisi, residing at 573 Floyd Street, are hereby given permission to remove the sidewalk that is located in front of their home.

It is to be understood Mr. & Mrs. Joseph Parisi are solely responsible for the

removal of the sidewalk and the cost thereof. The Borough of Englewood Cliffs is not responsible for any of the costs of this project.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

APPROVED:

Lisette M. Duffy, Acting Municipal Clerk

Joseph Favaro, Council President

RESOLUTION 13-65

TITLE: PLACE TO PLACE TRANSFER, EXTENSION OF PREMISES

WHEREAS, an application has been filed for a place to place transfer (Expansion of premises) of Plenary Retail Consumption License 0216-33-007-009, for purposes of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the currently license term;

NOW, THEREFORE BE IT RESOLVED that the Borough of Englewood Cliffs Mayor and Council does hereby approve, effective April 17, 2013, the expansion of the aforesaid Plenary Retail Consumption Licensed premises located at 717 Palisade Ave, Borough of Englewood Cliffs, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

APPROVED:

Lisette M. Duffy, Acting Municipal Clerk

Joseph C. Parisi, Jr., Mayor

RESOLUTION 13 - 66

**RE: APPROVAL OF RAFFLE LICENSE
ID#133-4-7504
GUILD FOR SISTERS OF ST. JOSEPH OF PEACE**

WHEREAS, the **GUILD FOR SISTERS OF ST. JOSEPH OF PEACE** has applied for an On-Premise raffle license; and

WHEREAS, the **GUILD FOR SISTERS OF ST. JOSEPH OF PEACE** has complied with all requirements as outlined in N.J.A.C. 13; and

WHEREAS, the Findings and Determination has been certified by the Chief of Police;

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor and Council of the Borough of Englewood Cliffs does hereby approve the issuance of an **ON PREMISE 50/50** raffle license to the **GUILD FOR SISTERS OF ST. JOSEPH OF PEACE**.

BE IT FURTHER RESOLVED that raffle will be conducted on **SEPTEMBER 12, 2013**, from **1:00 P.M. TO 2:00 P.M.** at **St. MICHAEL VILLA, 399 HUDSON TERRACE** in the Borough of Englewood Cliffs.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS ON APRIL 17, 2013

ATTEST:

APPROVED:

Lisette Duffy, Deputy Borough Clerk

Joseph C. Parisi Jr., Mayor

ORDINANCES 2013:
INTRODUCTION and FIRST READING - PUBLIC HEARING May 8, 2013

Councilwoman Simon moved to introduce Ordinance 2013- 03 on first reading by title only. Upon second by Councilwoman Oh, motion carried on roll call vote.

ROLL CALL:

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

NAYS: Councilperson Ferro

ORDINANCE NO. 13-03

AN ORDINANCE AMENDING ORDINANCE NO. 2012-16 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.”

BE IT ORDAINED by the Mayor and Council of the Borough of Englewood Cliffs that

Ordinance #2012-16 be amended so as to set forth on Schedule “A”:

POLICE SALARIES FOR 2012

Chief of Police a salary for 2012 of \$168,192.96

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon adoption and publication in accordance with law; and

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 T FURTHER ORDAINED that should any part or provision of this Ordinance be held unconstitutional or invalid, such decisions shall not affect the validity of this Ordinance as whole or any part thereof, other than the part held so unconstitutional or invalid.

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

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF AN ORDINANCE INTRODUCED AT A MEETING OF THE MAYOR AND COUNCIL HELD ON APRIL 17, 2013

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

ATTEST:

Lisette M. Duffy, Acting Municipal Clerk

By: _____
Joseph Parisi, Jr., Mayor

Council President Favaro added he has known Ilan Plawker for over 45 years. He and his family have been great to our community. The Council President mentioned the Mayor and Council received a thank you card from Maria Villari. She had a death in the family and thanked the Council for the flowers.

The Mayor announced that on Mother's Day, May 12th, the JCC is having the Rubin Run which includes a half marathon, 5K and a walk. The marathon goes through Englewood Cliffs, every safety precaution will be taken. The Mayors in the surrounding towns have invited the Mayor in a challenge. The Mayor who receives the most registrations for the run will receive the Mayor's Runner Cup which will be displayed in the borough. Also as a side bet, the Mayor who wins would be taken out by the other Mayors for a healthy dinner.

**MAYOR PARISI STATED:
"IF THERE WAS ANY UNFINISHED BUSINESS AT THIS TIME**

Seeing and Hearing none, the meeting was adjourned at 9:42 pm.

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

ATTEST:

APPROVED:

Lisette M. Duffy, Acting Municipal Clerk

Joseph C. Parisi, Jr. Mayor