



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

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COUNCIL

DATE: August 14, 2013

CALL TO ORDER: 8:00 P.M.

PRESENT AT ROLL CALL:

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

ALSO PRESENT:

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

FLAG SALUTE LEAD BY: Council President Favaro

The Mayor asked for a moment of silence for Ilan Plawker, former Councilman, who recently passed away. Terri Plawker spoke about Ilan and thanked everyone for their condolences.

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.

MINUTES: Caucus & Regular Minutes of July 10, 2013

DEPARTMENT HEAD REPORTS for July 2013

On a motion by Councilwoman Simon, seconded by Council President Favaro, and carried unanimously, the Minutes and Department Head reports for July 2013, were approved on Consent Agenda.

ALL IN FAVOR:

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

CLAIMS FOR THE PERIOD OF July 11, 2013 through August 14, 2013.

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

ROLL CALL:

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

COMMITTEE REPORTS

COUNCILMAN FERRO reported on sanitation. A bond ordinance for generators will be introduced tonight.

COUNCILWOMAN JOBSON reported that she would like a motion tonight for the feasibility to expand our existing transportation system to include non-emergent medical transportation for our non-ambulatory senior citizens.

On a motion by Councilwoman Jobson, seconded by Council President Favaro, and carried unanimously, authorization given to the Borough Attorney for a feasibility to provide non-emergent medical transportation for our non-ambulatory senior citizens.

ROLL CALL:

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

Councilwoman Jobson thanked Police Chief Cioffi for his help in putting up traffic sign at the intersection of Demarest and Floyd Street.

Councilman Ferro commented that he had suggested a traffic sign at the last meeting. He believes that the sign is working although some people are using the sign as a target.

Police Chief Cioffi will enhance the signage in two places on Demarest Ave to include "Stop Ahead" and "Slow Ahead" on Floyd Street.

Councilwoman Jobson will reach out more actively, in conjunction with the Police Department, to other towns regarding bicycle lanes.

The Mayor stated that a meeting was held recently with representatives of Palisades Interstate Parkway, Bergen County and our department heads regarding the bicycle safety issue on Hudson Terrace. The County made a slight improvement by increasing the shoulder margins for bicyclists.

COUNCIL PRESIDENT FAVARO is looking into a plaque with the names of all our veterans past and present to be displayed in Veteran's Park. He is waiting for the list of names. PSE&G placed a light on the flag as requested by DPW Superintendent, Mark Neville.

COUNCILWOMAN OH - nothing to report

COUNCILWOMAN SIMON spoke about the recent road improvements on Hudson Terrace and thanked everyone involved, Mayor Joseph Parisi, Police Chief Cioffi, Deputy Police Chief McMorrow, DPW

Superintendent Mark Neville, Borough Engineer, Bernie Mirandi, Borough Administrator, Lisette Duffy and representatives from Palisades Interstate Parkway and the County. The County increased the margins on the shoulder to improve the safety of the bicyclists and motorists at no cost to the Borough. She is pleased with the outcome and it appears the bicyclists are staying in the margins. The Palisades Interstate Parkway in conjunction with Mark Neville, DPW Superintendent, will also clean the buffer area. The bid for the 2013 Road Program has been granted to D & L Paving Contractors. We are requesting generators for the DPW building and the Municipal Building and five portable generators for traffic lights when we lose power. We will ask for bonding for a new garbage truck for recycling and leaf pick-up.

The Mayor stated that the new garbage truck will be used for residential and commercial recycling.

COUNCILMAN AVERSA spoke about the recreation department. We ended another successful summer camp season last week with excellent pool use. The summer camp will be evaluated for improvements to be made next year. The doggie waste stations are in and will be ready in time for soccer season at Witte Field. We are applying for another open space grant for \$120,000. The basketball court, storage shed, tennis courts and playground equipment for both parks will be considered. The ambulance building renovations are moving forward with a lot of support and ideas from our senior citizens. Councilman Aversa gave an in-depth explanation of the police promotions. Tonight's agenda includes resolutions for police promotions due to the recent retirements of three police officers resulting in eight moves. Seven of the moves are due to contractual obligations. The eighth move should save the town money as we move forward. If the Council approves a new police officer tonight we will fulfill our contractual obligation to keep the police force at 26 officers. Upon retirement of the Deputy Chief, the position will be eliminated in the future.

Councilman Aversa stated that he will remain fiscally responsible to the residents and the Borough and will make sure that we are all well protected.

The Mayor thanked Councilman Aversa for his in-depth analysis of the police promotions and his commitment to our town. He also thanked Police Chief Cioffi and all the police officers of Englewood Cliffs for their dedication to keep the town safe.

DPW SUPERINTENDENT NEVILLE stated that he is looking forward to working on the 2013 Road Program when approved. There is Pre-Construction meeting for Riverside Cooperative, Thursday, August 15th. Pershing Pond dredging is an ongoing project.

The Mayor stated that the Pershing Pond dredging is not only being done for esthetic purposes, but more importantly for mosquito control as part of the Storm Water Management Program. He thanked DPW Superintendent, Mark Neville, Boswell Engineering, the County and the Mosquito Control Commission for their assistance.

BOSWELL ENGINEER ELLIOT SACHS stated that the Borough Attorney will be working on a temporary easement contract with the adjoining property owners of Pershing Pond. There is a Hold Harmless Agreement for the Pershing Pond Restoration on the consent agenda tonight. Mosquito Control Commission will be advising the town of their projected dredging start once the pond is de-watered. Riverside Cooperative Pre-Construction meeting is scheduled for Thursday, August 15th. Bergen County re-striped Hudson Terrace. The 2013 Road Program was awarded to D&L Paving Contractors with Roslyn Avenue as the alternate. Three of the lowest bidders were below the Borough Engineer's estimate.

Council President Favaro wanted clarification of the Fifth Street improvements and how it will be funded.

The Mayor explained that the Council will acquire recommendations from the Borough Engineer, Municipal Planner and the Planning Board regarding this improvement and then determine how it will be funded. Presently, there is no underground storm water drainage.

POLICE CHIEF CIOFFI reported that National Night Out was a great success. We had 26 blood donors at the Blood Drive. He is pleased with the Hudson Terrace shoulder margin improvements. He has received several thank you letters and read one of the letters from a resident. The resident thanked Officer Drimones for his help with a medical emergency. Recently, there was a very serious home invasion in our town and because of the immediate response of the police force; we were able to apprehend two of the suspects. The Chief thanked his police officers for their diligent work and noted that this was a very dangerous situation. We have 26 police officers, the same amount we had in 1973, who do a remarkable job even though the town has grown immensely who do a remarkable job.

The Mayor received many compliments from the surrounding towns for the police's swift work with last week's serious home invasion. We value the good coordination and efforts of all the agencies involved.

BOROUGH ATTORNEY stated that the 2013 Road Improvement contract is ready to be signed and the Riverside Cooperative agreement has been signed. A hearing for Patrolman Shaloub's lawsuit will be held soon. A Superior Court Judge has ruled in favor of the LG construction, but he trusts that there will be an appeal. We may be taking further action legislatively to protect the town and LG's interests. All other lawsuits are progressing.

BOROUGH CLERK DUFFY reported that there were 235 voters at the Senate Primary Election and that the residents are pleased with the two voting poll locations. These locations have been approved by the Board of Elections for the remainder of the year. The County will pay all incurred costs for the Senate Primary Election held on August 13th and the Senate Special Election, to be held on October 16, 2013.

Carter Corriston commented that adoption of The Rules and Regulations of the Police Department is on the consent agenda tonight. The revisions started approximately 17 years ago with the PBA and the union, and were left in the hands of the Borough Attorney who replaced Mr. Corriston in 2010.

The Mayor asked the Council if there were any other issues that should be discussed at this time. No one responded.

The Borough Clerk read the following Resolutions:

- **RESOLUTIONS 2013:**
 - 107- Donations to the Police Department
 - 108- Tax Appeal – 744 Palisade Avenue
 - 109- Tax Appeal - Unilever Best Foods – Joseph Novelli
 - 110- Siren Change Order
 - 111- Authorize Mayor to Sign Witte Field Fund Grant
 - 112- Municipal Representative for Open Space Committee
 - 113- Application to Bergen County Recreation Trust Fund
 - 114- Tax Appeal – Van Nostrand
 - 115- Amendment to the Capital Budget
 - 116- Award Bid 2013 Road Program
 - 117- Authorize Mayor to Sign Hold Harmless with Bergen County for Pershing Pond Dredging
 - 118- Authorize Clerk to advertise for bids for Leaf Removal Service
 - 119- Adopt Rules and Regulations of the Borough of Englewood Cliffs Police Department
 - 120- Police Promotions – Sergeant
 - 121- Police Promotions – Lieutenant
 - 122- Police Promotions – Captain
 - 123- Hire P.O. Douglas G. Rommes

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 Oh, seconded by Council President Favaro and carried unanimously, the meeting was opened to the public for discussion on **resolutions.**

The Mayor stated that the three minute rule is in effect for the public since we have a lot on the agenda. When addressing the Council, state your name and address.

The following from the public spoke:

Michael Telzer, 9 Churchill Road, Englewood Cliffs, NJ 07632, congratulated Sergeant Tracey for his assistance with the recent home invasion. There are good police officers on the force. He is in favor of the Police Department’s promotions and budget.

Lauren Eastwood, 4 Willow Drive, Englewood Cliffs, NJ 07632, is not in favor of the police promotions and asked if anyone has done the math to see if the town saved money.

Both the Mayor and Councilwoman Jobson responded that the seven promotions are due to contractual obligations negotiated in 2010 and we are in the process of negotiating a new police contract.

Jacques Geyer, 34 Toni Drive, Englewood Cliffs, NJ 07632 commented that he is pleased with the restriping on Hudson Terrace. Mr. Geyer asked for clarification of the police contract and unfunded liability.

Carter Corriston clarified the contractual question. According to the police contract with the PBA, if a police officer does the work of a higher rank, they must be paid. We are obligated to promote officers when others retire.

The Mayor responded to Mr. Geyer regarding the police promotions and unfunded liability. We must live with the system and follow the rules and regulations that we have. Binding arbitration is not our call. If you want changes with the system, contact your State legislators.

Mary O’Shea, 12 Irving Avenue, Englewood Cliffs, NJ 07632, clarified that the taxi service for the senior’s transportation runs the meter, it is not a flat rate. The resident asked for clarification of the steps for police promotions. She does not agree with the Police Department’s Memorandum of. She congratulated the police officers for their quick response to the recent home break-in.

The Mayor addressed Ms. O’Shea’s concerns about the police promotions and salaries. He clarified that we have a 2% cap and cannot bond on salaries. We are “married” to the seven steps for police promotions and the Deputy Chief position. New contract negotiations are continuing and perhaps there will be changes made to the Table of Organization. He also stated that these promotions were not based on merit, but on contractual obligations.

Rose Cravotta, 66 Elm Street, Englewood Cliffs, NJ 07632, commended the Police Department for their excellent work with the recent break-in. She commented that more police protection is needed. She thanked Councilwoman Jobson for looking into the senior’s needs.

Councilwoman Jobson responded that she will look into County transportation for the seniors and wants to make our senior citizen's quality of life better.

John LaRaia, 3 Leighton Street, Englewood Cliffs, NJ 07632, commended the Police Department for their excellent job with the recent break-in. He stressed that we need police officers to cover all the emergencies in the town especially when numerous problems occur at the same time.

Andrew Nikow, 54 Elm Street, Englewood Cliffs, NJ 07632, asked the Mayor to explain how we got involved with the police union and contract with regard to promotions. He commended the Council for their behavior and civility as compared to other towns.

The Mayor clarified the police promotion issue. Over the years, there were three different labor attorneys and change of Council members dealing with the police, creating diverse attitudes for problem solving.

The Mayor stated the police force is neither the highest or lowest ranked department, but he feels that Englewood Cliffs is the best in the County, which comes at a price. We are not paying the "number one" police salaries.

Steven Rubinsky, 654 Summit Street, Englewood Cliffs, NJ 07632, commented that we should raise the level of police officers to 28 as it was previously, and to include that number in the budget. It is certainly justified. He discussed safety issues concerning the intersection of Demarest and Sylvan Ave and the bicyclists on Sylvan Ave.

After ample opportunity had been given for public discussion, Councilwoman Simon moved the public portion be closed. Motion was seconded by Councilwoman Oh and carried unanimously.

Council President Favaro talked about his first robbery in 1971 and three other robberies as well. It is a terrible feeling to be victim of a crime. We need these police officers to protect us.

Councilman Ferro commented that not too long ago, we had 14 police promotions and three of those officers just retired and that is the reason we are now in this position. Some of these officers left earlier than the retirement age. He disagreed with the obligation of replacing ranking officers.

Police Chief Cioffi responded that these officers chose to leave early for various reasons and not because of conflict with the Chief or Police Department. They just wanted to move on.

The Mayor responded that if we wanted to change the issue of replacing ranking officers in the police contract, we could have notified the Arbitrator at the time to identify the issue and it could have been resolved.

Councilman Aversa commented that the extra Lieutenant promotion is not permanent and is outside of our contractual obligation.

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 Councilwoman Simon and seconded by Councilwoman Oh, Resolutions 107 through 123 were placed on Consent Agenda.

ALL IN FAVOR

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

On a motion by Councilwoman Simon and seconded by Council President Favaro, Resolutions 107 through 123 were offered for adoption by Consent Agenda.

ROLL CALL:

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

NAYS: Councilperson Ferro – Resolutions 120, 121, and 122

RESOLUTION 13-107

RESOLUTION ACCEPTING DONATIONS FOR THE POLICE DEPARTMENT

WHEREAS, the below listed person(s) are residents or 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; and

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

Vergona Family	\$500
C.A Shea & Company, Inc.	\$500

Total Donation	\$1,000
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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 donation(s) for use in Borough's Police Department.

RESOLUTION 13-108

WHEREAS, Bank of America is the owner of certain property located in the Borough of Englewood Cliffs, at Block 512, Lot 4, also known as 744 Palisade Avenue; Block 512, Lot 5, also known as 490 Hudson Terrace; and Block 512, Lot 6, also known as 9 Kahn Terrace; and

WHEREAS, taxpayer has filed 2008, 2009, 2010, 2011 and 2012 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 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 Bank of America vs. Englewood Cliffs; and be it further

RESOLVED that for Block 512, Lot 4, also known as 744 Palisade Avenue, for tax year 2008, the assessment of \$2,958,600 will be reduced to \$1,800,000, resulting in a refund of \$8,354; for tax year 2009, the assessment of \$2,958,600 will be reduced to \$1,900,000, resulting in a refund of \$7,950; for tax year 2010, the assessment of \$2,958,600 will be reduced to \$2,000,000, resulting in a refund of \$7,621; for tax year 2011, the assessment of \$2,958,600 will be reduced to \$2,100,000, resulting in a refund of \$6,817; and for tax year 2012, the assessment of \$2,958,600 will be reduced to \$2,400,000, resulting in a refund of \$4,608; and be it further

RESOLVED that for Block 512, Lot 5, also known as 490 Hudson Terrace, all assessments for tax years 2008, 2009, 2010, 2011 and 2012 are affirmed at \$794,100, and be it further

RESOLVED that for Block 512, Lot 6, also known as 9 Kahn Terrace, all assessments for tax years 2008, 2009, 2010, 2011 and 2012 are affirmed at \$691,800; and be it further

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

RESOLUTION 13-109

WHEREAS, the Borough has previously retained the services of Joseph Novelli, a cost estimator, for cost and depreciation estimating in conjunction with ongoing litigation entitled “Unilever Best Foods vs. Englewood Cliffs”; and

WHEREAS, by virtue of a consolidation of the tax years under appeal by the Tax Court, Joseph Novelli must perform further cost and depreciation estimates for tax years 2011 and 2012; and

WHEREAS, Joseph Novelli has submitted an estimate for such purpose, in the amount of \$3,500, which is annexed hereto and made a part hereof;

NOW, THEREFORE, be it

RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs that Joseph Novelli is authorized to perform further cost and depreciation estimates for tax years 2011 and 2012 in connection with a pending real property tax appeal entitled “Unilever Best Foods vs. Englewood Cliffs”; and

BE IT FURTHER RESOLVED that Mr. Novelli was previously retained, and therefore, no public bidding or solicitation is required; and

BE IT FURTHER RESOLVED that the Borough Attorney shall prepare an appropriate amendatory contract, if necessary, and the Mayor is hereby authorized to execute such contract; and

BE IT FURTHER RESOLVED that Joseph Novelli shall be compensated for his revision report, in accordance with his proposal, in the amount of \$3,500; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has or will certify the existence of current funds which are necessary for the payment to the cost estimator for the services to be rendered; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to maintain a copy of this Resolution and a copy of the contract with Joseph Novelli, in her offices, for public inspection.

RESOLUTION 13-110

WHEREAS, previously an action was brought by Gerard N. Misk vs. the Borough of Englewood Cliffs, et al and a third-party action was brought against Tactical Communications, Inc.; and

WHEREAS, the matter with the Plaintiff, Gerard N. Misk, was amicably settled and a Stipulation of Dismissal for the entire action was filed; and

WHEREAS, in order to accomplish the terms of that settlement it is necessary that further work be performed in order to conform with the settlement pursuant to N.J.S.C. 5:30-11.3; and

WHEREAS, a Change Order is necessary, a copy of which is on file with the Borough Clerk, said Change Order being in the amount of \$12,600.00.

NOW THEREFORE, BE IT RESOLVED, that a Change Order be issued in that amount of \$12,600.00, which is less than 20% of the original contract which was \$63,861.49, making the total cost in the amount of \$76,461.49, in order to affect the installation of the two (2) remaining sirens at the new locations agreed upon and furnish the necessary labor and upgraded equipment in regard to same; and

IT IS FURTHER RESOLVED that the Mayor shall be authorized to sign the necessary documents in regard to the Change Order.

RESOLUTION 13-111

BE IT RESOLVED, that the Mayor and Council of the Borough of Englewood Cliffs wish to enter into a grant agreement with the County of Bergen for the purpose of using a \$59, 001.00 grant award from the 2012 Funding Round of the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the project entitled Witte Memorial Recreation Complex Refurbishment Project, located in Block 1201 Lot(s) 7 on the tax maps of the Borough of Englewood Cliffs;

BE IT FURTHER RESOLVED, that the Mayor shall be authorized to be the signatory to the aforesaid grant agreement CONTRACT; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize the Borough Clerk to sign all County of Bergen Payment Vouchers submitted in conjunction with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognize that the Borough of Englewood Cliffs is liable for a dollar for dollar match for any funds awarded in accordance with the Trust Fund’s requirements;

RESOLUTION 13 – 112

Municipal Representative for Open Space Committee

WHEREAS, the Borough of Englewood Cliffs has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund; and

WHEREAS, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Fund Municipal Park

Improvement Program Regional Subcommittee for the term of one year coinciding with the fiscal year July 1, 2013 through June 30, 2014;

NOW, THEREFORE, BE IT RESOLVED, that the governing body hereby appoints Ed Aversa as its representative to participate as its representative to participate as a member of the Open Space Trust Fund Municipal Program Regional Subcommittee.

RESOLUTION 13-113

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Borough of Englewood Cliffs desires to further the public interest by obtaining a matching grant of \$75,000 from the County Trust Fund to fund the following project: Playground Equipment Renovation; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project(s).

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of August 29, 2013, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council of the Borough of Englewood Cliffs) has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Mayor and Council of the Borough of Englewood Cliffs is committed to providing a dollar for dollar cash match for the project; and,
4. That the Mayor and Council of the Borough of Englewood Cliffs agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
5. That this resolution shall take effect immediately.

RESOLUTION 13-114

WHEREAS, Young & Sun Eun are the owners and taxpayers of property located at 26 Van Nostrand Avenue in the Borough of Englewood Cliffs, at Block 206, Lot 25.01;

Harriet Siew is the owner and taxpayer of property located at 30 Van Nostrand Avenue in the Borough of Englewood Cliffs, at Block 206, Lot 25.03; and

Jieming & Thomas Liang are the owners and taxpayers of property located at 34 Van Nostrand Avenue in the Borough of Englewood Cliffs, at Block 206, Lot 25.05;

Ruben Lozano and Minna Choi are the owners and taxpayers of property located at 42 Van Nostrand Avenue in the Borough of Englewood Cliffs, at Block 206, Lot 25.09; and

Erul & Sun Yuh are the owners and taxpayers of property located at 44 Van Nostrand Avenue in the Borough of Englewood Cliffs, at Block 206, Lot 25.10; and

Wooseok & Soojin Hah are the owners and taxpayers of property located at 46 Van Nostrand Avenue in the Borough of Englewood Cliffs, at Block 206, Lot 25.11; and

Won & Caroline Kim are the owners and taxpayers of property located at 48 Van Nostrand Avenue in the Borough of Englewood Cliffs, at Block 206, Lot 25.12; and

Tsui Chen Wu and Lien Hong are the owners and taxpayers of property located at 50 Van Nostrand Avenue in the Borough of Englewood Cliffs, at Block 206, Lot 25.13; and

Arie & Jennie Bronstein are the owners and taxpayers of property located at 54 Van Nostrand Avenue in the Borough of Englewood Cliffs, at Block 206, Lot 25.14; and

WHEREAS, taxpayers have 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, 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 Eun vs. Englewood Cliffs; and be it further

RESOLVED that for both tax years 2012 and 2013, for Block 206, Lot 25.01, the assessment of \$1,149,700 will be reduced to \$1,070,600, resulting in a refund of approximately \$1,304 (inclusive of both years); and be it further

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 Siew vs. Englewood Cliffs; and be it further

RESOLVED that for both tax years 2012 and 2013, for Block 206, Lot 25.03, the assessment of \$1,198,800 will be reduced to \$1,088,100, resulting in a refund of approximately \$1,826 (inclusive of both years); and be it further

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 Liang vs. Englewood Cliffs; and be it further

RESOLVED that for both tax years 2012 and 2013, for Block 206, Lot 25.05, the assessment of \$1,206,600 will be reduced to \$1,078,400, resulting in a refund of approximately \$2,114 (inclusive of both years); and be it further

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 Lozano vs. Englewood Cliffs; and be it further

RESOLVED that for both tax years 2012 and 2013, for Block 206, Lot 25.09, the assessment of \$1,199,700 will be reduced to \$1,085,500, resulting in a refund of approximately \$1,884 (inclusive of both years); and be it further

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 Yuh vs. Englewood Cliffs; and be it further

RESOLVED that for both tax years 2012 and 2013, for Block 206, Lot 25.10, the assessment of \$1,208,900 will be reduced to \$1,074,500, resulting in a refund of approximately \$2,216 (inclusive of both years); and be it further

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 Hah vs. Englewood Cliffs; and be it further

RESOLVED that for both tax years 2012 and 2013, for Block 206, Lot 25.11, the assessment of \$1,243,200 will be reduced to \$1,129,700, resulting in a refund of approximately \$1,872 (inclusive of both years); and be it further

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 Kim vs. Englewood Cliffs; and be it further

RESOLVED that for both tax years 2012 and 2013, for Block 206, Lot 25.12, the assessment of \$1,211,800 will be reduced to \$1,088,800, resulting in a refund of approximately \$2,030 (inclusive of both years); and be it further

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 Wu vs. Englewood Cliffs; and be it further

RESOLVED that for both tax years 2012 and 2013, for Block 206, Lot 25.13, the assessment of \$1,208,800 will be reduced to \$1,078,400, resulting in a refund of approximately \$2,152 (inclusive of both years); and be it further

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 Bronstein vs. Englewood Cliffs; and be it further

RESOLVED that for both tax years 2012 and 2013, for Block 206, Lot 25.14, the assessment of \$1,187,800 will be reduced to \$1,074,500, resulting in a refund of approximately \$1,870 (inclusive of both years); and be it further

RESOLVED that the aforesaid settlements are predicated upon waiver of payment of interest on any refund.

RESOLUTION 13-115

CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2013 was amended on the 10th day of July, 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:

RECORDED VOTE	(((
(Insert Last Names)	AYES	NAYS	ABSTAIN
	(((
	(((

**FROM
CAPITAL BUDGET (CURRENT YEAR ACTION) 2013**

1	2	3	4	5a	5b	5c	5d	5e	6
Project	Project Number	Estimated Total Cost	Amounts Reserved in Prior Years	2013 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants in Aid and other funds	Debt Authorized	To Be Funded in Future Years
Total All Projects		1,955,000			79,000		150,000	1,526,000	200,000

3 YEAR CAPITAL PROGRAM 2013-2015

**Anticipated Project Schedule
and Funding Requirement**

1	2	3	4	5					
Project	Project Number	Estimated Total Cost	Estimated Completion Time	Budget Year 2013	Budget Year 2014	Funding Amounts Per Year			
						1	2	3	4
						2015	2016	2017	2018
Total All Projects		1,955,000		1,755,000	100,000	100,000			

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

1 Project	2 Estimated Total Cost	3 Current Year 2013	4 Future Years	4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds	BONDS AND NOTES				
							General	Liquidating	Assessment	School	
Total All Projects	1,955,000			89,000		150,000	1,716,000				

**TO
CAPITAL BUDGET (CURRENT YEAR ACTION)**

1 Project	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5a 2013 Budget Appropriation	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and other funds	5e Debt Authorized	6 To Be Funded in Future Years
Acquisition of generators and a dump truck	2013-2	525,000			26,250			498,750	
Total All Projects		2,480,000			105,250		150,000	2,024,750	200,000

**3 YEAR CAPITAL PROGRAM 2013-2015
Anticipated Project Schedule and Funding Requirement**

1 Project	2 Project Number	3 Estimated Total Cost	4 Estimated Completion Time	5 Funding Amounts Per Year					
				Budget Year 2013	Budget Year 2014	Budget Year 2015	Budget Year 2016	Budget Year 2017	Budget Year 2018
Acquisition of generators and a dump truck	2013-2	525,000		525,000					
Total All				2,280,000					

RESOLUTION 13-116
RE: AWARD BID - 2013 Road Improvement Program

WHEREAS, on August 13, 2013, the Borough of Englewood Cliffs received six (6) sealed bids for the 2013 Road Improvement Program; and

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

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

WHEREAS, D&L Paving Contractors, Inc., has provided the lowest cost for the base bid plus Alternate A for a total cost in the amount of \$967,662.54;

Base Bid	\$899,356.75
Base Bid and Alternate A	\$ 68,305.79

and;

WHEREAS, it is the recommendation of the Municipal Engineer that the contract be awarded for the Base Bid and Alternate A to D&L Paving Contractors, Inc., located at 681 Franklin Avenue, Nutley, New Jersey 07110;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council does hereby award the contract for the 2013 Road Improvement Program, in the amount of \$967,662.54 to D&L Paving Contractors, Inc., and that the Borough Attorney is hereby authorized to prepare the appropriate agreement thereof and the Mayor is authorized to sign same.

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

RESOLUTION 13-117

WHEREAS, the Borough of Englewood Cliffs wishes to enter into a Hold Harmless Agreement with the County of Bergen, Department of Public Works, Mosquito Control Division,

One Bergen County Plaza, Hackensack, New Jersey 07601, for the purpose of dredging and cleaning of Pershing Pond; and

WHEREAS, the Municipal Attorney has reviewed same.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to enter into and execute said agreement in behalf of the Borough of Englewood Cliffs.

RESOLUTION 13-118

RESOLUTION AUTHORIZING THE MUNICIPAL CLERK TO ADVERTISE FOR BIDS FOR LEAF REMOVAL SERVICE

Whereas, the Borough of Englewood Cliffs' Leaf Removal Contract contract between the Borough of Englewood Cliffs and Environmental Renewal, LLC will expire on December 31, 2013 and;

The Borough of Englewood Cliffs is desirous to assure a new contract is awarded in a timely manner;

Be It Resolved, that the Englewood Cliffs Mayor and Council authorize the Municipal Clerk to solicit bids for Leaf Removal Services for the Borough of Englewood Cliffs for 2013

RESOLUTION NO. 2013-119

WHEREAS, the Borough of Englewood Cliffs has prepared a manual for Rules and Regulations of the Englewood Cliffs Police Department; and

WHEREAS, same has been given to PBA Local #45 and its representatives; and

WHEREAS, the same has been duly negotiated; and

WHEREAS, PBA Local #45 has signed off on these Rules and Regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Englewood Cliffs Police Department hereby adopts the following Rules and Regulations pursuant hereto; and

BE IT FURTHER RESOLVED, that copies of same be made available to the Members of the PBA and legal the representative, Marcia Tapia, Esq., of the Law Firm of Loccke Correia Limsky & Bukosky, 24 Salem Street, Hackensack, New Jersey 07601.

RESOLUTION NO. 2013-120

PROMOTION OF POLICE OFFICER - SERGEANT

WHEREAS, pursuant to the Memorandum of Understanding entered into between PBA Local #45 and the Borough of Englewood Cliffs Police Department executed on June 21, 2012 and Ordinance 12-11; and

WHEREAS, the Borough agreed to fill any vacancies caused by either a resignation or retirement within the Police Department within 60 days of said vacancy occurring; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs, that Patrolman Ronald Waldt and Patrolman Nicholas Drimones, Patrolman Colin Ford be and hereby are promoted to the position of Sergeant, said promotion to be effective as of August 14, 2013; and

BE IT FURTHER RESOLVED that the Officers' salaries shall be as set forth in the 2013 Salary Ordinance for Police Sergeant and said salary will become effective December 1, 2013.

RESOLUTION NO. 2013-121

PROMOTION OF POLICE OFFICER- LIEUTENANT

WHEREAS, pursuant to the Memorandum of Understanding entered into between PBA Local #45 and the Borough of Englewood Cliffs Police Department executed on June 21, 2012 and Ordinance 12-11; and

WHEREAS, the Borough agreed to fill any vacancies caused by either a resignation or retirement within the Police Department within 60 days of said vacancy occurring; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs, that Sergeant Gerard McDermott III, Sergeant Gregory Romano, Sergeant Keith Wicker, and Sergeant William Henkelman, be and hereby are promoted to the position of Lieutenant, said promotions to be effective as of August 14, 2013; and

BE IT FURTHER RESOLVED that the Officers' salaries shall be as set forth in the 2013 Salary Ordinance for Police Lieutenant and said salary will become effective December 1, 2013.

RESOLUTION NO. 2013-122

PROMOTION OF POLICE OFFICER - CAPTAIN

WHEREAS, pursuant to the Memorandum of Understanding entered into between PBA Local #45 and the Borough of Englewood Cliffs Police Department executed on June 21, 2012 and Ordinance No. 12-11; and

WHEREAS, the Borough agreed to fill any vacancies caused by either a resignation or retirement within the Police Department within 60 days of said vacancy occurring; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs, that Lieutenant Daniel Morrissey, be and is hereby promoted to the position of Police Captain, to be effective as of August 14, 2013; and

BE IT FURTHER RESOLVED that Police Captain's salary shall be as set forth in the 2013 Salary Ordinance for Police Captain and said salary will become effective December 1, 2013.

RESOLUTION 13-123

RESOLUTION HIRING DOUGLAS G. ROMMES AS A POLICE OFFICER

WHEREAS, upon the recommendation of the Chief of Police, the Borough has an immediate need for additional Police Officers for the Borough Police Department; and

WHEREAS, after careful consideration, the Borough Chief of Police has recommended **DOUGLAS G. ROMMES** for hiring as a new Police Officer based on his qualifications and completion of appropriate testing and training; and

WHEREAS, the Police Committee believes it is appropriate to adhere to the Chief's recommendation;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs that the Borough hereby authorizes the hiring of **DOUGLAS G. ROMMES** to the position of Police Officer, effective August 15, 20

PUBLIC HEARING ON ORDINANCES

13-05 - PAYMENT OF FEES FOR OFF DUTY POLICE OFFICERS *(from outside vendors)*

On a motion by Council President Favaro seconded by Councilwoman Jobson and carried unanimously, the public hearing was opened relative to Ordinance 13-05 entitled, " AN ORDINANCE PROVIDING FOR THE PAYMENT OF FEES IN REGARD TO TRAFFIC CONTROL AND WORK PLACE SAFETY BOROUGH OF ENGLEWOOD CLIFFS COUNTY OF BERGEN, STATE OF NEW JERSEY",

There being no additional discussion, the public hearing was closed on motion by Council President Favaro, seconded by Councilwoman Simon.

On a motion by Council President Favaro and seconded by Councilwoman Simon, Ordinance 13-05 was adopted.

ROLL CALL:

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

ORDINANCE NO. 13-05

**AN ORDINANCE PROVIDING FOR THE PAYMENT OF FEES
IN REGARD TO TRAFFIC CONTROL AND WORK PLACE SAFETY
BOROUGH OF ENGLEWOOD CLIFFS
COUNTY OF BERGEN, STATE OF NEW JERSEY**

WHEREAS, it has been determined by the Mayor and Council of the Borough of Englewood Cliffs that in regard to the construction of work upon the public highways of the municipality and adjoining facilities, that the same may necessitate traffic control and work place safety for the benefit of the public;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Englewood Cliffs, that upon notice to the Borough of construction of work upon the public highways of the municipality and adjoining facilities, the Chief of Police or his designee, shall determine whether or not it is necessary to have a police officer present during said period of time and/or a patrol car, if necessary, and if it is determined that the same is necessary there shall be charges in the following manner:

1. \$75.00 per hour, or part thereof, for an off-duty Police Officer - **minimum four(4) hours.**
2. \$25.00 per hour, or part thereof, for the presence of a police vehicle - **minimum four (4) hours.**
3. **All time in excess of four (4) hours shall be charged at the same rate for two (2) hour periods or part thereof and thereafter for one (1) hour periods or parts thereof.**

These fees shall be paid by the appropriate contractor and/or utility company or the person performing said work, within thirty (30) days of receipt of an invoice concerning same.

BE IT FURTHER ORDAINED that the appropriate contractor or utility company shall give the Borough twenty four (24) hour notice of their intent to perform work upon the public highways of the municipality and adjoining facilities. However, in the event of an emergency, such time notice shall be waived.

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 other than the zoning ordinance of the borough which are inconsistent with the provisions of this chapter are hereby repealed to the extent of such inconsistency, and

BE IT FURTHER ORDAINED 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.

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

Ordinance 13-08 – DESIGNATED BOROUGH PARKING

On a motion by Council President Favaro seconded by Councilwoman Oh and carried unanimously, the public hearing was opened relative to Ordinance 13-08 entitled “AN ORDINANCE AMENDING CHAPTER III ENTITLED “POLICE REGULATIONS”, SPECIFICALLY SECTION 3-7; SECTION 3-12.2(c); SECTION 3-12.4; 3-12.6, AND 3-12.7 AND FURTHER AMENDING CHAPTER VII, ENTITLED “TRAFFIC”, SPECIFICALLY SECTION 7-3.3; SECTION 7-10.2;”

Mary O’Shea, 12 Irving Avenue, commented that there are parking problems on Irving Ave especially concerning the new school.

The Mayor stated that an amendment to the Planning Board’s pending resolution concerning parking restrictions on the corner of 9W and Irving Ave will be considered.

There being no additional discussion, the public hearing was closed on a motion by Councilwoman Simon, seconded by Councilwoman Oh and carried unanimously.

On a motion by Councilwoman Simon and seconded by Councilwoman Oh, Ordinance 13-08 was adopted.

ROLL CALL:

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

ORDINANCE NO. 13-08

AN ORDINANCE AMENDING CHAPTER III ENTITLED “POLICE REGULATIONS”, SPECIFICALLY SECTION 3-7; SECTION 3-12.2(c); SECTION 3-12.4; 3-12.6, AND 3-12.7 AND FURTHER AMENDING CHAPTER VII, ENTITLED “TRAFFIC”, SPECIFICALLY SECTION 7-3.3; SECTION 7-10.2

BE IT ORDAINED by the Mayor and Council of the Borough of Englewood Cliffs that Chapter III Entitled “Police Regulations”, Specifically Section 3-7; Section 3.12(c) ; Section 3.12-4, 3-12.6, and 3-12.7 and Chapter VII, Entitled “Traffic Section 7-3.3 and Section 7-10.2; be amended to read as follows:

3-7 Outdoor Parking of Commercial Vehicles, Boat and Trailers In Residential Areas

It shall be unlawful and a violation of this section to park or to permit to remain on any residential property in any zone, outside the garage or any other accessory building on such residential property for any part of the day for seven consecutive days or for any part of a day on any 28 days or more during any given calendar year, any commercial vehicle, boat, trailer, boat trailer, motor home, camper, or motorized recreational vehicle designed for overnight occupancy.

28 days shall be considered as the maximum days allowed within one calendar year that these vehicles pursuant to this ordinance may park.

3-12.2(c) Residential Parking Only

No vehicle shall park on any residential streets between 10:00 p.m. and 10:00 a.m. without a residential parking permit.

3-12.4 Expiration of Permits

The residential parking permits shall be valid in perpetuity unless changed by this ordinance.

3-12.6(b) Enforcing Agency

Signs advising the public of the “Residential Permit Parking Only” shall be located in the following places:

1. Hudson Terrace - Northbound
2. 8th Street
3. 7th Street
4. 6th Street
5. US 9W - Northbound
6. 3rd Street
7. 2nd Street
8. 1st Street
9. Camner Street
10. Leighton Street
11. Rossett Street
12. Hammett
13. Cliff Road
14. John Street
15. Dillingham Place
16. Summit Street / Palisade Avenue - Southbound
17. Palisade Avenue / Summit Street - Eastbound S/E Corner
18. Summit Street / Palisade Avenue - Northbound
19. Martin Court
20. Beverly Road
21. Stratford Road
22. Dorchester Road
23. Palisade Avenue / Hudson Terrace - Southbound
24. Palisade Avenue / US 9W - Westbound N/E Corner
25. Pershing Road
26. Chestnut Street
27. Booth Avenue
28. Lyncrest Road
29. Johnson Avenue - From Woodland Street
30. US 9W South - North of Sage Road

]Section 3.12-7 Streets Designated for Restricted Parking

All public streets are hereby designated as “Residential Permit Parking Only”.

An exception to this ordinance shall be commercial vehicles parked in front of homes where services are rendered.

Section 7-3.3 Parking Prohibited at All Times on Certain Streets

Schedule I - No Parking, shall be amended to prohibit parking on the east side of 3rd Street from the north end to Henry Street.

Section 7-10.2 U-Turn Prohibition

Schedule XIV shall be amended to include no U-turns on Floyd Street between Hollywood Avenue and Van Wagoner Drive.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances other than the zoning ordinance of the Borough which are inconsistent with the provisions of this chapter are hereby repealed to the extent of such inconsistency; and

BE IT FURTHER ORDAINED 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.

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

Ordinance 13-09 – ROAD IMPROVEMENTS AND OTHER RELATED EXPENSES

On a motion by Councilwoman Simon seconded by Council President Favaro and carried, the public hearing was opened relative to Ordinance 13-09 entitled “AN ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR ROAD AND PARKING LOT RECONSTRUCTION AND IMPROVEMENTS TO FIREHOUSE AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF ENGLEWOOD CLIFFS AND APPROPRIATING \$1,555,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,336,000 IN BONDS OR NOTES OF THE BOROUGH OF ENGLEWOOD CLIFFS TO FINANCE THE SAME”

Steven Rubinsky, 654 Summit Street asked for clarification on paving for Summit Street.

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

On a motion by Councilwoman Simon and seconded by Councilwoman Oh, Ordinance 13-09 was adopted.

ROLL CALL:

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

ORDINANCE NO. 13-09

AN ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR ROAD AND PARKING LOT RECONSTRUCTION AND IMPROVEMENTS TO FIREHOUSE AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF ENGLEWOOD CLIFFS AND APPROPRIATING \$1,555,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,336,000 IN BONDS OR NOTES OF THE BOROUGH OF ENGLEWOOD CLIFFS TO FINANCE THE SAME

BE IT ORDAINED 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. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Englewood Cliffs, in the County of Bergen, New Jersey (the "Borough"), as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$1,555,000 including the grant in the amount of \$150,000 from the New Jersey Department of Transportation's Fiscal Year 2013 Municipal Aid Program appropriated for the purpose set forth in Section 3(a) of this bond ordinance and the sum of \$69,000 as the down payment for the improvements or purposes required by the Local

Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,336,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds or notes are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: Reconstruction of Summit Street (funded by NJDOT grant) to a Class B standard, as provided in the Local Bond Law, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$175,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 25,000
<u>NJDOT Grant for Summit Street:</u>	\$150,000
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment</u>	\$ 0

- (b) Purpose: Reconstruction of various streets and parking lots to a Class B standard, as provided in the Local Bond Law, as identified on a list on file in the Borough Clerk's office, and including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$1,225,000
<u>Maximum Amount of Bonds or Notes:</u>	\$1,163,750
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 61,250

- (c) Purpose: Capital repairs to and reconstruction of the Englewood Cliffs Firehouse located at 475 Sylvan

Avenue, and including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$155,000
<u>Maximum Amount of Bonds or Notes:</u>	\$147,250
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 7,750

(d) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(e) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. 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 bond 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 subject to the provisions of the Local Bond Law. 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 bond 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. The capital budget (or temporary capital budget, as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the

resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget, as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Borough may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,336,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$205,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The Borough reasonably expects to commence the acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Except for the grant described in Section 8, any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. As a portion of the total appropriation of \$1,555,000 made in Section 1 hereof, there is herein appropriated for the purpose described in Section 3(a) hereof the sum of \$150,000 constituting the amount payable to the Borough from a grant from the State of New Jersey Department of Transportation's Fiscal Year 2013 Municipal Aid Program for Summit Street.

Section 9. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be

distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance 13-10 – SALARIES, WAGES AND COMPENSATION

On a motion by Councilwoman Simon, seconded by Councilwoman Jobson and carried unanimously, the public hearing was opened relative to Ordinance 13-10 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”

Steven Rubinsky, 654 Summit Street, questioned the salary for the Borough Attorney.

The Mayor responded that there is no salary. The legal firm has a contract with the town, which is in the budget.

Mary O’Shea, 12 Irving Avenue, asked for the average percentage increase for non-union employees.

The Mayor said it was not done by percentage increase but by dollar amount, varying by position.

There being no additional discussion, the public hearing was closed on motion by Councilwoman Simon, seconded by Council President Favaro.

On a motion by Councilwoman Simon and seconded by Councilwoman Oh, Ordinance 13-10 was adopted.

ROLL CALL:

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

ORDINANCE 2013-10

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 2013, as set forth below:

1. Mayor - an annual salary of \$3,000.00
2. Council Persons (6) - an annual salary of \$2,500.00 each
3. Borough Administrator - annual salary of \$10,400.00
4. Borough Attorney – professional service by firm
5. Borough Clerk - an annual salary of \$57,200.00
6. Deputy Borough Clerk - an annual salary range of \$10,000.00 to \$40,000.00
7. Clerical/Secretarial - an hourly wage of \$10.00 - \$20.00
8. Tax Collector - an annual salary of \$54,766.00
9. Chief Financial Officer - an annual salary of \$2,060.00
10. Deputy Tax Collector - an annual salary of \$60,403.00
11. Tax Office Clerk - an annual salary of \$35,700.00
12. Tax Search Officer - an annual salary of \$1,860.00
13. Tax Assessor - an annual salary of \$20,134.00
14. Secretary to Planning Board - an annual salary of \$18,000.00
15. Municipal Court Judge - an annual salary of \$28,398.00
16. Violations & Municipal Court - an annual salary of \$50,000.00
17. Borough Prosecutor - an annual salary of \$4,262.00
18. Borough Public Defender - an annual salary of \$10,649.00
19. Extra Help Municipal Court - an hourly wage of \$20.00 to \$30.00
20. Construction Code Official - an annual salary of \$34,320.00
21. Building Sub Code Official - an annual salary of \$15,000.00
22. Fire Sub-Code Official - an annual salary of \$5,000.00
23. Electrical Inspector – an annual salary of \$10,527.92
24. Plumbing Sub-Code Official - an annual salary range of \$9,862.00
25. Sewer Operator - an annual salary of \$6,000.00
25. Technical Assistant to Construction Official – an annual salary of \$39,853.00
26. COAH Report Prep – an annual salary of \$2,000.00
27. Fire Inspector – a twelve month salary of \$5,000.00
28. Board of Health Secretary - an annual salary of \$10,000.00
29. Shade Tree Secretary – \$1.00
30. Seasonal Employees - an hourly wage of minimum wage to \$20.00
31. Fire Prevention Official – an annual salary of \$12,746.00
32. Police Records Clerk - an annual salary of \$31,930.00
33. School Crossing Guards - a per diem wage of \$60.00 - \$100.00
34. Superintendent of D.P.W. - an annual salary of \$92,400.00
35. Secretary of DPW/Recycling - an annual salary of \$37,301.00
36. Municipal Assistant – an annual salary of \$24,000.00

37. Recreation Director – an annual salary of \$12,000.00

38. Environmental Inspector – an annual salary of \$1.00

SCHEDULE A

POLICE SALARIES FOR 2013

Chief of Police:	a salary for 2013 of \$172,398.00
Deputy Chief of Police	a salary for 2013 of \$165,767.00
Police Captain:	a salary for 2013 of \$153,487.00
Police Lieutenant	a salary for 2013 of \$142,118.00
Sergeant	a salary for 2013 of \$131,592.00
Patrolman (1 st Grade)	a salary for 2013 of \$121,843.00

PATROLMAN HIRED AFTER 1999 2013 SALARY

BASE

1. 35,874.00
2. 45,255.00
3. 53074.00
4. 64,302.00
5. 75,530.00
6. 86758.00
7. 97,985.00
8. 113,823.00
9. PATROLMAN 1st GRADE

SCHEDULE B

DEPARTMENT OF PUBLIC WORKS SALARIES FOR 2013

DPW Worker: New Hires: \$22,500.00

Part-time Department of Public Works Employees:

An hourly wage of minimum wage to \$20.00

	<u>DRIVER</u>	<u>MECHANIC</u>
Step 0	\$22,500.00	\$40,000.00
Step 1	\$26,000.00	\$44,017.00
Step 2	\$29,579.33	\$47,169.00
Step 3	\$33,158.66	\$50,321.00
Step 4	\$36,737.99	\$53,473.00
Step 5	\$40,317.32	\$56,625.00
Step 6	\$43,896.65	\$59,777.00
Step 7	\$47,475.98	\$62,929.00
Step 8	\$51,055.31	\$66,081.00
Step 9	\$54,634.64	\$69,233.00
Step 10	\$58,213.97	\$72,385.00
Step 11	\$62,713.97	\$73,885.00
Step 12	\$64,213.79	\$75,385.00

Mechanic: (OG) an annual salary of \$81,928.00

DPW Forman: (OG) an annual salary of \$83,048.92

SECTION II.

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

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

FIRST HEARING AND INTRODUCTION – ORDINANCES

Ordinance 13-07 – TEMPORARY PARKING PROHIBITION FOR SNOW PLOWING AND REMOVAL

On a motion by Councilwoman Jobson seconded by Councilwoman Simon and carried unanimously, the public hearing was opened relative to Ordinance 13-07 entitled “AN ORDINANCE PROVIDING FOR TEMPORARY PARKING PROHIBITION FOR SNOW PLOWING AND REMOVAL” was introduced and passed on the first reading.

The Ordinance was **approved** on the following roll call, and the public hearing relative to this was scheduled for September 11, 2013.

ROLL CALL:

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

Ordinance 13-11 – BOND ORDINANCE FOR GENERATORS AND GARBAGE PACKER

On a motion by Councilwoman Jobson seconded by Council President Favaro and carried unanimously, the public hearing was opened relative to Ordinance 13-11 entitled “AN ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF GENERATORS, EQUIPMENT AND A

GARBAGE TRUCK AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF ENGLEWOOD CLIFFS AND APPROPRIATING \$525,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$498,750 IN BONDS OR NOTES OF THE BOROUGH OF ENGLEWOOD CLIFFS TO FINANCE THE SAME” **was introduced and passed on the first reading.**

The Ordinance was **approved** on the following roll call, and the public hearing relative to this was scheduled for September 11, 2013.

ROLL CALL:

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

MAYOR PARISI STATED:

“IF THERE WAS ANY UNFINISHED BUSINESS AT THIS TIME

UNFINISHED / NEW BUSINESS:

Councilwoman Simon proposed that metal detectors be re-instated at the Council meetings for the safety of the Council and the public.

Councilman Ferro agreed with Councilwoman Simon on this matter and stated that metal detectors are used when Court is in session.

On a motion by Councilwoman Simon, seconded by Councilwoman Oh and carried unanimously, the Police Committee in conjunction with the Police Chief will be asked to look into the cost feasibility of installing metal detectors in the Council meeting room for the safety of the Council, all Boards and the public.

ROLL CALL:

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

Councilwoman Simon recommended that the Borough Attorney act in the town’s behalf to request a reimbursement of costs for the loss of Channel 2(CBS) and Showtime service.

On a motion by Councilwoman Simon, seconded by Council President Favaro and carried unanimously, to recommend that the Borough Attorney draft a letter to Time Warner to request reimbursement for the loss of Channel 2(CBS) and Showtime service to the town residents.

ROLL CALL:

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

Prior to closing, Mayor Parisi stated that Ilan Plawker will be missed. He asked that everybody be a good neighbor and be there for Terri Plawker during this difficult time.

Enjoy the rest of the summer.

Seeing and Hearing none, the meeting was adjourned at 10:15 pm.

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

ATTEST:

APPROVED:



Lisette M. Duffy, Acting Municipal Clerk

Joseph C. Parisi, Jr. Mayor