



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

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

**DATE: September 11, 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 and prayers for all the people who perished on 9/11 and their families. We continue to support our country and God Bless America.

**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 August 14, 2013.

On a motion by Council President Favaro, seconded by Councilwoman Jobson, and carried unanimously, the Minutes for August 2013, were approved on Consent Agenda.

**ALL IN FAVOR:**

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

**DEPARTMENT HEAD REPORTS** for August 2013

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

On a motion by Council President Favaro, seconded by Councilwoman Jobson, and carried unanimously, the Department Head Reports for August 2013, were approved on Consent Agenda.

**ALL IN FAVOR:**

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

**CORRESPONDENCE**

Gittleman Muhlstock & Chewcaskie L.L.P.  
Ferraioli, Wielkotz, Cerullo & Cuva, P.A.

On a motion by Council President Favaro, seconded by Councilwoman Simon and carried unanimously, all correspondence was filed.

**ALL IN FAVOR:**

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

**CLAIMS FOR THE PERIOD OF** August 15, 2013 through September 11, 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 regarding garbage pickup on holidays. There was a recent problem with garbage pickup the week of Labor Day. Residents were not properly notified of the schedule change in the garbage pickup. Councilman Ferro suggested that “door hangers” be placed on resident’s doors to inform them of the changes.

**Councilwoman Simon recommended that a Reverse 911 would be the best method to notify residents of holiday schedule changes for garbage pickup.**

**The Mayor read a letter from the vendor who apologized for the miscommunication about garbage pickup on Labor Day and reassured the town that it would be corrected.**

**The Mayor recommended, after various ideas were discussed, that on the Wednesday before Thanksgiving, notification by Reverse 911 will be sent to all residents regarding holiday schedule changes for garbage pickup. This will save the town money. Mark Neville, DPW Superintendent informed everyone that the Recycle calendar will include the garbage schedule and the information will be placed on the town website and electronic board by Lisette Duffy, Acting Municipal Clerk.**

Councilman Ferro reported that he has contacted PSE&G numerous times regarding the street lights that are still out and was told that the job has been assigned but not completed yet.

**The Mayor will contact the Regional Director of PSE&G directly with our request list of street lights to speed up the process.**

**COUNCILWOMAN JOBSON** reported that the Board of Health had a meeting recently. There will be a Flu Clinic on October 1<sup>st</sup> from 4-7PM at the Upper School. Children over the age of 3 are included this year. They are working on a flyer for the residents. She contacted a group called Honor Flight who takes WWII veterans to Veteran's Day festivities in Washington, DC. Korean and Vietnam War veterans may be included in the spring at no cost to the town.

**Councilwoman Simon questioned if cats could be licensed.**

**Mary O'Shea from the Board of Health clarified that they do not license cats because collars are problematic for them.**

**COUNCIL PRESIDENT FAVARO** said that Honor Flight is a great program for veterans. In Florida, each veteran needs a guardian to go along with them. The guardians pay their own way. He thanked Police Chief Cioffi, Police Department and Fire Department for helping a man who fell off the cliffs recently. He spoke about his feelings regarding 9-11.

**COUNCILWOMAN OH** reported that the Finance Committee is in order. She and Councilwoman Jobson have started a dialogue with the auditor, Steven Weilkotz, and Bond Counsel with regard to obtaining low interest rates for bond payments and the possibility of refinancing them. She thanked Councilwoman Jobson for her financial expertise.

**Councilwoman Jobson explained that the town owes approximately \$9,000,000. We will try to lock in a low interest rate for the bonds and refinance on a long term basis starting next year. She would like the town to regain their bond rating so resident's taxes will not be increased.**

**The Mayor thanked Councilwoman Oh and Councilwoman Jobson for overseeing the financial aspects of the town.**

**COUNCILWOMAN SIMON** reported that the 2012 Road Program has been completed and the 2013 Road Program is underway. We should have a completion date by November. There is a grant available to various towns for Sage Road improvements which could be granted in 2014. A Recycling Event will be held on October 12<sup>th</sup> which will include books, electronic waste, and coats. A flyer will be going out to the residents. Leaf pick up will begin on September 14<sup>th</sup>.

**A motion was made by Councilwoman Simon to authorize the Borough Administrator to bid for six portable generators for the street lights, 2 for DPW and Borough Hall, and a garbage truck, subject to final specs and approval by Borough Attorney. Motion was not completed.**

**Councilman Ferro recommended that the motion include the 5 generators for pump stations. The Mayor proposed that the motion be amended to include pump stations.**

**On an amended motion by Councilwoman Simon seconded by Council President Favaro and carried unanimously, request authorization for the Borough Administrator to go to bid for six portable generators, 2 generators for Borough Hall and DPW, garbage truck and five pump stations generators, subject to final specs and approval by Borough Attorney.**

**ROLL CALL:**

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

**On a motion by Councilwoman Simon, seconded by Councilwoman Oh and carried unanimously, authorization approved to go to bid for recycling bins and use of recycling funds for vegetation and recycling bins.**

**ROLL CALL:**

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

**On a motion by Councilwoman Simon, seconded by Councilwoman Jobson and carried unanimously, discussion was open to the public.**

**Steve Rubinsky, 325 Riverviews Lane, Edgewater, NJ 07020** requested that the town get large bins to accommodate garbage.

**Rose Cravotta, 66 Elm Street, Englewood Cliffs, NJ 07632** asked for clarification of vegetation bins.

The Mayor clarified that vegetation bins are for vegetable waste, branches, vines, twigs.

**Mary O'Shea, 12 Irving Avenue, Englewood Cliffs, NJ 07632** thanked the town for the vegetation bins and agreed that we need large bins.

Councilwoman Simon stated that recycling has paid off well for the town.

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

**COUNCILMAN AVERSA** spoke about the Recreation Department. Opening day for soccer was Saturday. Recreation committee is looking into some new programs including ceramics for young people and seniors, Zumba, fencing; aerobics has been eliminated due to lack of interest. We eliminated movie night for various reasons and will use those funds to do a Truck or Treat. The Girls Soccer program is going very well and we are working with Fort Lee again. Co-ed soccer can be difficult as the children get older. We have applied for open space county grant for both playgrounds. Mark Neville, DPW Superintendent is obtaining proposals for the storage shed and basketball courts. The ambulance corps building is progressing. Formal police negotiations will begin next week. He reported that we are working on obtaining generators for Borough Hall and DPW so they will be able to function during a power outage. Lisette Duffy, Acting Municipal Clerk, has been working diligently on the codification of ordinances from 2010 to the present and all should be updated by the end of 2013.

**Lisette Duffy, Acting Municipal Clerk, responded that codification of 2010, 2011 and 2012 Ordinances will all be completed by next week and be placed on the town website. Codification of the 2013 Ordinances should be completed by the end of this year.**

**DPW SUPERINTENDENT NEVILLE** reported that the 2012 Riverside Cooperative Program is completed and the 2013 program will begin shortly. The new DPW vehicle, purchased with recycling funds, was received 2 weeks ago. He thanked everyone for this equipment. The new recycling bins will be larger than the old ones. The next recycling event will be held on October 12<sup>th</sup>.

**BOSWELL ENGINEER MIRANDI** reported on the Pershing Pond project. We are next on the list for the Bergen County Mosquito Control and they will be coordinating the next step with DPW and the Engineer's Office. The north side of the pond has been dewatered. We are moving forward with the 2014 local aid application for DOT, due September 20<sup>th</sup>. The Pre-construction meeting for the 2013 Road Program was held last week with the contractor who will be in town shortly. Mr. Mirandi asked the Council for their support on two resolutions: local aid project and Bergen County ADA ramps which will be reimbursed from the County.

**The Mayor said the 2012 Riverside Cooperative project went very well with no complaints.**

**POLICE CHIEF CIOFFI** reported that a short memorial service for 9-11 was held this morning. On September 6<sup>th</sup>, a training class and two major drills were held at the school with reference to school safety and an active shooter. This went very well. He is working on towing ordinances with the Borough Attorney regarding private towing companies. On September 10<sup>th</sup>, a Right to Know class was held with JIF. The Fire Chief is having same class on September 26<sup>th</sup>. In August, the Police Department issued 54 summonses to bicyclists. An auction will be held for two police vehicles, impounded vehicles, the trailer and three old fire sirens. He has spoken to Tactical and the sirens should be active in the next couple weeks.

**BOROUGH ATTORNEY** stated that the 2013 Riverside Cooperative and 2013 Road Program agreements are in order and need to be signed by Mayor. The agreements for the DPW garage doors and leaf recycling are completed. The ADA compliance has been reviewed. The County will reimburse the town \$3000 for the design of the ADA ramps, and \$46,000 for the construction cost. The agreement has been prepared. The litigation being handled by JIF is moving ahead. He is hopeful that a lawsuit will be dismissed involving a woman convicted of extortion who is suing the town for false arrest. There are five pending lawsuits and no litigation other than LG. Mr. Corrison will prepare a resolution for the next meeting about retaining another planner regarding a possible alternate ordinance that we have on LG based upon legal questions he has on the ordinance.

**BOROUGH CLERK DUFFY** reported that she suggested to the Council that the Borough enclose a borough information card with the next tax bill containing the Borough Hall's address, phone number, fax number, contact numbers for Mayor & Council, department phone numbers, Twitter, Facebook and website addresses. She is working with Councilman Aversa and the Communications Department to expedite this information to the residents.

The Borough Clerk read the following Resolutions:

- **RESOLUTIONS 2013:**  
*Consent Agenda*
  - 125- Donations to the Police Department
  - 126- Dedication by Rider for Snow Removal
  - 127- Tax Appeal – 25 Karens Lane
  - 128- Transfer of Plenary License #0216-33-001-004
  - 129- Submission of NJOT Grant application
  - 130- Award Bid for Leaf Pick up
  - 131- Award Bid for DPW Garage Doors
  - 132- Authorization for ADA Curb Design

**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 Jobson, seconded by Councilwoman Simon and carried unanimously,** the meeting was opened to the public for discussion on **resolutions**.

**The following from the public spoke:**

**Steven Rubinsky, 325 Riverviews Lane, Edgewater, NJ 07020,** commented that a recent newspaper article in the Record reported incorrect information about the Englewood Cliffs Police Department issues and contract. He feels that this is inappropriate and wants corrective action to be taken.

**Carter Corriston agreed with Mr. Rubinsky and responded that the newspaper article reported erroneous and misconstrued information about the Police Department. The town fulfilled the police contractual obligations specified by binding arbitration and litigation.**

**On a motion by Councilwoman Simon, seconded by Council President Favaro and carried unanimously, the meeting was closed to the public for discussion on resolutions.**

**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 Jobson, Resolutions 125 through 132 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 Councilwoman Jobson, Resolutions 125 through 132 were offered for adoption by Consent Agenda.**

**ROLL CALL:**

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

**NAYS: Councilperson Ferro – Resolution 127**

**RECUSE: Councilperson Aversa – Resolution 127**

**RESOLUTION 13-125**

**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 \$250; and

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

Amanda Rallo

\$250

**Total Donation**

**\$250**

**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 13-126**

**RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR SNOW REMOVAL RESERVE TRUST FUND PURSUANT TO PL2001, C. 138 AND N. J. S. A. 40A:4-62.1**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and,

**WHEREAS**, PL2001, C. 138 AND N. J. S. A. 40A:4-62.1 provides for receipts of unallocated funds of the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider; and,

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

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for **SNOW REMOVAL AS PER PL2001, C. 138 AND N. J. S. A. 40A:4-62.**
2. The Municipal Clerk of The Borough of Englewood Cliffs is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

**RESOLUTION 13-127**

**WHEREAS**, Scott and Patricia Joseph are the owners of certain property located in the Borough of Englewood Cliffs, at Block 603, Lot 7, also known as 25 Karens Lane; 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 Scott and Patricia Joseph vs. Englewood Cliffs; and be it further

**RESOLVED** that, for tax year 2012, the assessment of \$1,135,000 will be reduced to a total of \$1,050,000, resulting in a refund of \$701; and for tax year 2013, the assessment of \$1,135,000 will be reduced to a total of \$1,050,000, resulting in a refund of \$722; and be it further

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

#### **RESOLUTION 2013-128**

**TITLE:** TRANSFER OF PLENARY LICENSE #0216-33-001-004  
PERSON TO PERSON

**WHEREAS**, an application has been filed for a person to person transfer of Plenary Retail Consumption License 0216-33-007-008, heretofore issued to 11K Restaurant Corporation for premises located at 495 Sylvan Avenue, Englewood Cliffs, N.J.; and

**WHEREAS**, the submitted application form is complete in all respects, the Sales Tax Clearance Certificate is included, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with license business;

**NOW, THEREFORE BE IT RESOLVED** that the Englewood Cliffs Governing Body does hereby approve, effective September 11, 2013 the transfer of the aforesaid Plenary Retail Consumption License to 495 Sylvan, Inc. and does hereby direct the Municipal Clerk to endorse

the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to 495 Sylvan, Inc. effective September 11, 2013”

#### **RESOLUTION 2013-129**

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for Sage Road project.

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Englewood Cliffs formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Englewood Cliffs Borough-00289 to the New Jersey Department of Transportation on behalf of the Borough of Englewood Cliffs.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Englewood Cliffs, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

#### **RESOLUTION No. 13-130**

**RE: AWARD BID – Disposal of fall leaves beginning October 16, 2013 to December 31, 2013 or until all leaves are collected**

**WHEREAS**, the Borough of Englewood Cliffs has received one (1) bid for the transfer of leaves from the Department of Public Works yard for the fall leaf season; and

**WHEREAS**, the Public Notice to Bidders was properly published in The Record on August 29, 2013; and

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

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

**WHEREAS**, Environmental Renewal, LLC, has provided the lowest total cost in the amount of \$7.94 per cubic yard; and

**WHEREAS**, it is the recommendation of the Superintendent of the Department of Public Works and the Municipal Attorney that the contract be awarded to Environmental Renewal, LLC, located at 27 Andrews Drive, Woodland Park, New Jersey 07424 for the price of \$7.94 per cubic yard.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council does hereby award the contract for the for the disposal of leaves beginning October 16, 2013 to December 31, 2013 or until all leaves are collected, to Environmental Renewal, LLC, located at 27 Andrews Drive, Woodland Park,

New Jersey 07424, for the price of \$7.94 per cubic yard and that the Borough Attorney is hereby authorized and directed to prepare the appropriate agreement therefor and the Mayor is authorized to sign same.

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

### **RESOLUTION No. 13-131**

#### **RE: AWARD BID – SEVEN (7) GARAGE DOORS OR EQUAL**

**WHEREAS**, the Borough of Englewood Cliffs has received two (2) bids for garage doors for the Department of Public Works; and

**WHEREAS**, the Public Notice to Bidders was properly published in The Record on August 29, 2013; and

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

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

**WHEREAS**, New Jersey Door Works, Inc. has provided the lowest total cost in the amount of \$31,600.00; and

**WHEREAS**, it is the recommendation of the Superintendent of the Department of Public Works and the Municipal Attorney that the contract be awarded to New Jersey Door Works, Inc., located at 689 Ramsey Avenue, Hillside, New Jersey 07205 for the price of \$31,600.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council does hereby award the contract for seven (7) garage doors for the Department of Public Works to New Jersey Door Works, Inc., located at 689 Ramsey Avenue, Hillside, New Jersey 07205 for the price of \$31,600.00 and that the Borough Attorney is hereby authorized and directed to prepare the appropriate agreement therefor and the Mayor is authorized to sign same.

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

### **RESOLUTION 2013-132**

#### **TITLE: ADA CURB RAMP INSTALLATION ON COUNTY ROADS AS REQUIRED BY BERGEN COUNTY**

**WHEREAS**, the Mayor and Council of the Borough of Englewood Cliffs does hereby authorize Boswell Engineering to provide plans and sight specifications for the upcoming ADA Curb Ramp Improvements project.

**THEREFORE BE IT RESOLVED**, that Boswell Engineering is authorized to develop an engineering design at a cost not to exceed \$3,000.00, which shall be reimbursed by the County of Bergen.

**BE IT FURTHER RESOLVED**, that the Englewood Cliffs Mayor and Council authorize the Municipal Clerk to solicit bids for the ADA Curb Ramp Improvements project for the Borough of Englewood Cliffs.

**PUBLIC HEARING ON ORDINANCES**

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

**On a motion by Councilwoman Simon seconded by Councilwoman Jobson and carried unanimously, the public hearing was opened relative to Ordinance 13-07 entitled, “TEMPORARY PARKING PROHIBITION FOR SNOW PLOWING AND REMOVAL”.**

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 Council President Favaro, Ordinance 13-07 was **adopted**.

**ROLL CALL:**

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

**ORDINANCE NO. 13-07**

**AN ORDINANCE PROVIDING FOR TEMPORARY PARKING PROHIBITION FOR SNOW PLOWING AND REMOVAL**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Englewood Cliffs as follows:

A. Whenever snow has fallen and the accumulation is such that it covers the street or highway **for two (2) inches or more**, an emergency shall exist and no vehicles shall be parked on any street or highways or portions thereof indicated. The owner or operator of any vehicle parked on the street prior to the time that the street became covered with snow shall remove it from the street **within two hours** after the street became covered with snow of **two (2) inches or more**.

The above parking prohibitions shall remain in effect after the snow has ceased, until the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic.

B. Any unoccupied vehicle parked or standing in violation of this section shall be deemed a nuisance and a menace to the safe and proper regulation of traffic and any Police Officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle.

C. Violations and Penalties Any person convicted of a violation of this section shall be liable to a penalty of \$50.00 for each day parking thereof that said violation exists.

D. Signs Signs advising the public of this Ordinance shall be located at each and every entrance to the Borough from all adjoining borders of the Palisade Interstate Parkway.

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

**On a motion by Council President Favaro seconded by Councilwoman Simon 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 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”

**Steven Rubinsky, 325 Riverview Lane, Edgewater, NJ 07020,** asked if Ordinance 13-11 includes the 5 extra generators for the pump stations.

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

On a motion by Council President Favaro and seconded by Councilwoman Jobson, Ordinance 13-11 was **adopted**.

**ROLL CALL:**

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

**ORDINANCE NO. 13-11**

AN ORDINANCE OF THE BOROUGH OF ENGLEWOOD CLIFFS, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF GENERATORS 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

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 \$525,000, including the sum of \$26,250 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 \$498,750 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: Provision of generator service and related equipment for Borough pump stations, the acquisition of generators for Borough Hall and the Department of Public Works and the acquisition of portable generators, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$317,000
<u>Maximum Amount of Bonds or Notes:</u>	\$301,150
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment</u>	\$ 15,850

- (b) Purpose: Acquisition of rear packer garbage truck, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$208,000
<u>Maximum Amount of Bonds or Notes:</u>	\$197,600
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 10,400

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

(d) 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 11.038 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 \$498,750 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 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. 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. 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 9. 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 10. 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 11.

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

**FIRST HEARING AND INTRODUCTION – ORDINANCES**

**Ordinance 13-12 – AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IX ENTITLED “BUILDING AND HOUSING” OF THE GENERAL ORDINANCES AND REVISED CODE OF THE BOROUGH OF ENGLEWOOD CLIFFS, SPECIFICALLY SECTION 9-17.4 ENTITLED “APPLICATIONS”**

**On a motion by Councilwoman Simon seconded by Councilwoman Jobson and carried unanimously, the public hearing was opened relative to Ordinance 13-12 entitled “AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IX ENTITLED”BUILDING AND HOUSING” OF THE GENERAL ORDINANCES AND REVISED CODE OF THE BOROUGH OF ENGLEWOOD CLIFFS, SPECIFICALLY SECTION 9-17.4 ENTITLED “APPLICATIONS”” 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 October 9, 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:**

The Mayor wished everyone a great day.

Seeing and Hearing none, the meeting was adjourned at 9:20 pm.

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

**ATTEST:**

**APPROVED:**



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Lisette M. Duffy, Acting Municipal Clerk

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Joseph C. Parisi, Jr. Mayor