

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

Mayor Rotundo opened the meeting at 7:00 PM:

Statement: This is a Regular Meeting of the Mayor & Council notice was given as follows:

- a. Notice filed on 1/09/13, with the Newark Star Ledger, official newspaper of the Borough of Palisades Park.
- b. Posting of a notice on the Bulletin Board
- c. Preserving a copy in the Clerk's Office

Pledge of Allegiance led by Councilperson: **JOSEPH TESTA**
Moment of Silence for our Troops

ROLL CALL:

Councilperson	Donohue	Present
"	Kim	Present
"	Lee	Present
"	Pirrera	Excused Absence
"	Ruh	Present
"	Testa	Present

Borough Attorney Joseph R. Mariniello, Sr. Present

ACCEPTANCE OF PREVIOUS MONTHS MINUTES

From: Mayor & Council Regular Meeting: March 19, 2013

Motion Made By Councilperson: Donohue
Seconded By Councilperson: Testa
To Accept Previous Month's Minutes

ROLL CALL:

Councilperson	Donohue	Yes
"	Kim	Yes
"	Lee	Yes
"	Pirrera	Excused Absence
"	Ruh	Yes
"	Testa	Yes

Mayor Rotundo advised everyone that Resolution OC-3 was added to agenda regarding the Boston tragedy. Mayor Rotundo read the Resolution which Council would vote on later.

WHEREAS, a result of a terrorist attack on Monday, April 15, 2013 at the Iconic Event "The Boston Marathon" approximately 154 Americans have been seriously injured and at least three people killed including an eight (8) year old child; and

WHEREAS, the Mayor and Council of the Borough of Palisades Park are outraged by this cowardly act; and

WHEREAS, this occurred on the Massachusetts state holiday of Patriots Day; and

WHEREAS, the people of Boston have for over the past 238 years acted bravely when confronted with tyranny and aggression; and

WHEREAS, this dedication to freedom still exists today;

NOW, THEREFORE BE IT RESOLVED BY THE Mayor and Council of the

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

Borough of Palisades Park that we call upon all of the people of Palisades Park to pray and pay honor to the victims and heroes of this tragic event. Americans are and have always been made stronger and pulled together in times of great adversity. This shall only strengthen our commitment to freedom.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to furnish a certified copy of this Resolution to the Mayor and Council of the birthplace of freedom, Boston, Massachusetts.

CONSENT AGENDA:

CA-1: Authorize Payroll:

RESOLVED, by the Mayor and Council of the Borough of Palisades Park that warrants drawn in the amount of \$599,983.71, payable to the Borough of Palisades Park – Payroll Account be approved and charged to the following appropriations:

Current Account	
3/28/13	\$274,162.67
4/12/13	<u>\$320,413.28</u>
	\$594,575.95
Swim Pool Operation	
3/28/13	\$ 2,760.88
4/12/13	<u>\$ 2,646.88</u>
	\$ 5,407.76
Grand Total	\$599,983.71

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified the availability of funds.

NOW THEREFORE BE IT RESOLVED, that the Borough Clerk be and is hereby authorized to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Collector

CA2: Authorize Payment of Claims(s): Complete Voucher List attached to Minutes:

RESOLVED, by the Mayor and Council of the Borough of Palisades Park, that the following claims, aggregating \$2,847,415.40 as so ordered and approved by the Finance Committee; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified the availability of funds; and

NOW THEREFORE BE IT RESOLVED, that the Mayor, Borough Clerk and Collector shall and are hereby authorized to draw warrants in payment of said

claims:

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

Current Account	\$	2,462,796.47
Add A/O 4/15/2013	\$	<u>165,000.00</u>
TOTAL	\$	2,627,796.47
Capital Account	\$	202,399.25
Swim Pool Account	\$	1,197.69
Recycling Trust	\$	15,874.99
Unemployment	\$	0
Food Handling Trust	\$	0
Municipal Alliance Trust Account	\$	147.00

Total \$2,847,415.40

Developers Escrow Account	\$	13,533.75
COAH III	\$	75.00
Tree Press Account	\$	0
Library Account	\$	0
Federal Forfeiture	\$	4,234.00
Affordable Senior Account	\$	81,191.39

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized to furnish copies of this Resolution to the Chief Financial Officer and the Collector.

CA3: Authorize Board of Education Monies:

RESOLVED, by the Mayor and Council of the Borough of Palisades Park that the Collector shall be and is hereby authorized to draw warrants in the amount of \$1,666,370.00 for the month of March 2013, payable to the Palisades Park Board of Education, in accordance with the following schedule, same to be charged to the School Acct:

March 2013	<u>\$ 1,666,370.00</u>
------------	------------------------

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified the availability of funds; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Collector

CA4: Authorize Social Security Payment:

RESOLVED, by the Mayor and Council of the Borough of Palisades Park that the Collector is hereby authorized to draw warrants for the following period endings:

Period Ending	Amount
3/28/13	\$ 13,841.15
4/12/13	\$ 15,440.42

Total \$29,281.57

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

payable to Chase Manhattan Bank, representing the employer's share of Social Security for the above payroll periods is hereby approved and ratified; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified the availability of funds in line item # 01-2010-36-4722-001; and

NOW THEREFORE BE IT RESOLVED, that the Borough Clerk be and is hereby authorized and directed to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Collector

C

CA-5: Resolution Authorizing 2012 Recycling Tonnage Grant:

WHEREAS, The Mandatory Source Separation and Recycling Act, PL 1987, c.102, has established a recycling fund from which tonnage grant may be made to Municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new Municipal Recycling Programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on Municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the Municipality; and

WHEREAS, a Resolution authorizing this Municipality to apply for the 2012 Recycling Tonnage Grant will memorialize the commitment of this Municipality to recycling and to indicate the assent of the Borough of Palisades Park to the efforts undertaken by the Municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a Resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park that Palisade Park hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates, Joseph Ferguson, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling; and

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to furnish copies of this Resolution to the following: Chief Financial Officer, NJ Dept of Environmental Protection, and the Recycling Coordinator.

CA-6: Resolution Authorizing Tax Reimbursement (Recycling):

REA TAX REIMBURSEMENT RESOLUTION

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311, in 2012 in the amount of **\$20,661.00**. Documentation supporting this submission is available at 275 Broad Avenue, Palisades Park, New Jersey and shall be maintained for no less than five (5) years from this date.

CA-7: Resolution Authorizing \$700.00 Cash Advance for Joseph Testa (RE: Memorial Day Parade):

RESOLVED, by the Mayor and Council of the Borough of Palisades Park that the Collector shall be and is hereby authorized to issue a check in the amount of **\$700.00**, payable to Joseph Testa, for cash advance for Memorial Day Parade expenses.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Collector
3. Joseph Testa

CA-8: Resolution Authorizing to Rescind B.Y.O.B. (254 Broad Ave.):

WHEREAS, on September 15, 2009 ordinance #1539 was adopted by the mayor and Council of the Borough of Palisades Park permitting B.Y.O.B. in non-licensed premises; and

WHEREAS, said Ordinance stated that establishments must file an application along with a non-refundable fee of \$250.00 and be investigated by the Police Department; and

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

WHEREAS, the application(s) have been investigated by the Police Department and it is the determination of the Police Chief that the following be approved:

Permit #037-13 Young Hee Kim 254 Broad Avenue
and;

WHEREAS, the applicant is no longer an owner of this establishment;

NOW, THEREFORE BE IT RESOLVED that Resolution CA-6 approving the permit was passed by the Mayor & Council at the meeting held on March 19, 2013 is hereby rescinded.

CA-9: Resolution Authorizing Extension of Liquor License (#0245-33-024-008):

WHEREAS, Woori House, Inc. T/A Pokoo Restaurant, Liquor License #0245-33-024-008 as a result of Civil Action in the Superior Court of New Jersey Law Division – Bergen County docket No.: L-7846-12 has been ordered pursuant to N.J.S.A. 14A:14-1 et. seq. to appoint a receiver, and

WHEREAS, plaintiff's request to appoint a statutory receiver pursuant to N.J.S.A. 14A:14-2 was granted by Susan J. Steele Judge of the Superior Court.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park that Liquor License #0245-33-024-009 be granted an extension in compliance with N.J.A.C. 13:2-6.1 to the court appointed receiver, Alan Gould Esq., 3000 Pacific Avenue, P.O. Box 333, Wildwood, New Jersey 08260 effective immediately.

CA-10: Resolution Authorizing Proposed Wide Drainage Easement (450 Broad Ave.):

WHEREAS, the Board of Adjustment at a meeting held December 17, 2012 granted a variance for Lot 9 Block 224 on the Tax Assessor's Map of the Borough of Palisades Park commonly known as 450 Broad Avenue; and

WHEREAS, approval of that application was subject to the owner providing a Deed of Easement for the municipal storm drain to the Borough and to the Borough Attorney for his review and approval,

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF PALISADES PARK that upon receipt of such Deed of Easement from the owner of Lot 9 Block 224, CHUNG KHO, and approval by the Borough Attorney the Borough hereby accepts such Deed of Easement; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Borough Attorney, the Owner, Chung Kho, the Applicant, Jae An Kwon, and the Borough Engineer.

CA-11: Resolution Authorizing Receipt of Bids for Mechanical HVAC:

BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park, that the Borough Clerk, is hereby authorized to advertise for the receipt of bids for the following purpose:

AFFORDABLE HOUSING MECHANICAL HVAC

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Borough Administrator

CA-12: Resolution Authorizing Award of Contract for Swim Pool Chemicals:

WHEREAS, pursuant to NJSA 40A:11-1 et seq., the Borough of Palisades Park solicited sealed bids from interested vendors for the Swim Pool Chemicals; and

WHEREAS, the Borough Clerk has caused the required notice to be advertised; and

WHEREAS, on April 10, 2013, two (2) bids were received pursuant to the advertisement; and

WHEREAS, the bids was reviewed by the Pool Manager for conformance with the bid specifications.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park that Miracle Chemical Company, 1151B Highway #33, Farmingdale, New Jersey is hereby determined to be the lowest responsible bidder for the Pool Chemicals for the Swimming Pool; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized to enter into a contract with Miracle Chemical Company for such services and in said amount to be prepared by the Borough Attorney; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall is hereby authorized and directed to furnish copies of this Resolution to the Chief Financial Officer, Borough Attorney, Swim Club Manager and Miracle Chemical Company.

CA-13: Resolution Authorizing Award of Contract for Swim Pool Grounds

Maintenance:

WHEREAS, pursuant to NJSA 40A:11-1 et seq., the Borough of Palisades Park solicited sealed bids from interested vendors for the Swim Club Grounds Maintenance; and

WHEREAS, the Borough Clerk has caused the required notice to be advertised; and

WHEREAS, on April 10, 2013, one (1) bid was received pursuant to the advertisement; and

WHEREAS, the bid was reviewed by the Pool Manager for conformance with the bid specifications.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park that Pat Scanlan Landscaping, Inc., 14 Plains Drive,

New City, New York 01956 is hereby determined to be the lowest responsible bidder for the Grounds Maintenance for the Swim Club Facilities for the year 2013
Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

in the amount of \$17,000.00; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized to enter into a contract with Pat Scanlan Landscaping, Inc. for such services and in said amount to be prepared by the Borough Attorney; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall is hereby authorized and directed to furnish copies of this Resolution to the Chief Financial Officer, Borough Attorney, Swim Club Manager and Pat Scanlan Landscaping, Inc.

CA-14: Tax Court Judgment (1 W. Palisades Blvd.):

RESOLVED, by the Mayor and Council of the Borough of Palisades Park that the Collector shall be and is hereby authorized to issue a check in the amount of \$23,480.73, payable to "Brach Eichler L.L.C. & Monfred, Inc.," as a result of a Tax Court Judgment, covering years 2010, 2011 & 2012 dated October 31, 2012, on property known as Block 218, Lot 7, 1 W. Palisades Boulevard.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Collector

CA-15: Refund of Duplicate Tax Payment (55B Henry Avenue):

RESOLVED, by the Mayor and Council of the Borough of Palisades Park that the Collector is hereby authorized to issue a check in the amount of \$4,865.00, payable to "CoreLogic Tax Service" for a duplicate tax payment made on the 4th quarter 2012, on property known as Block 201, Lot 17, Qualifier C0002, 55B Henry Avenue.

BE IT FURTHER RESOLVED, Mrs. Ham purchased her home in October of 2012. As a result of their new purchase, their closing agent, "Cliffco Abstract, LLC" and "CoreLogic Tax Service" paid the 4th quarter taxes for 2012 due November 1st 2012.

BE IT FURTHER RESOLVED, CoreLogic paid "B" side in error (Mrs. Ham), the payment for 4th quarter 2012 was meant for the "A" side (Jiyeeon Ku). CoreLogic had the names reversed on their property descriptions.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Collector

CA-16: Redemption of Tax Sale Certificate (432A 6th St.):

RESOLVED, by the Mayor and Council of the Borough of Palisades Park that the Collector is hereby authorized to issue a check in the amount of \$34,754.58, payable to "Robert Rothman" for the Redemption of Tax Sale Certificate #3136, dated December 15, 2011 on property known as Block 403, Lot 6, Qualifier

C000A, 432A 6th Street. This amount includes a premium of \$0.00.

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

BE IT FURTHER RESOLVED, that the taxpayer has paid to the Borough Tax Collector the full amount of said redemption, less the premium, to the Borough of Palisades Park.

BE IT FURTHER RESOLVED, that the Lien Holder bid and paid, \$0.00 as a Premium to the Borough of Palisades Park on the day sale for Tax Sale Certificate #3136.

BE IT FURTHER RESOLVED, that this check is to reimburse the Buyer of the lien; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Collector

CA-17: Redemption of Tax Sale Certificate (432B 6th St.):

RESOLVED, by the Mayor and Council of the Borough of Palisades Park that the Collector is hereby authorized to issue a check in the amount of \$35,062.60, payable to “Robert Rothman” for the Redemption of Tax Sale Certificate #3137, dated December 15, 2011 on property known as Block 403, Lot 6, Qualifier C000B, 432B 6th Street. This amount includes a premium of \$0.00.

BE IT FURTHER RESOLVED, that the taxpayer has paid to the Borough Tax Collector the full amount of said redemption, less the premium, to the Borough of Palisades Park.

BE IT FURTHER RESOLVED, that the Lien Holder bid and paid, \$0.00 as a Premium to the Borough of Palisades Park on the day sale for Tax Sale Certificate #3137.

BE IT FURTHER RESOLVED, that this check is to reimburse the Buyer of the lien; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Collector

CA-18: Resolution Accepting Resignation of Elevator Sub-Code Official (Russell Kunz):

WHEREAS, the Mayor and Council of the Borough of Palisades Park, received written notification of Resignation from Russell Kunz, Elevator Sub-Code Official/Inspector.

NOW THEREFORE BE IT RESOLVED, with deep regret that the Mayor and Council hereby accept the Resignation of Russell Kunz, effective October 1, 2013.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the following:

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

1. Construction Code Official
2. Chief Financial Officer

CA-19: Resolution Authorizing Shop Rite to Sell items Outdoors:

WHEREAS, Shop Rite has requested permission to temporarily sell gardening supplies; and

WHEREAS, the Building Inspector has reviewed and approved their plan; and

WHEREAS, no materials shall be placed in the public right of way;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that permission for the temporary sale of said items be granted; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to furnish copies of this Resolution to the following:

1. Building Inspector
2. Shop Rite – Store Manager

Motion Made By Councilperson: Kim
Seconded By Councilperson: Donohue
To Approve Consent Agenda CA-1 thru CA-19

ROLL CALL:

Councilperson	Donohue	Yes	
	“	Kim	Yes
	“	Lee	Yes
“	Pirrera	Excused	Absence
“	Ruh	Yes	
“	Testa	Yes	

OFF CONSENT:

OC-1: Hearing of 2013 Municipal Budget (Adoption):

BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park, County of Bergen, State of New Jersey, that the 2013 Budget hereinbefore set forth, is hereby adopted, and shall constitute an appropriation for the purposes stated of the sums set forth as appropriations and authorization in the amount of: \$18,567,307.10, for Municipal Purposes.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to furnish a copy of this Resolution to the following:

1. Chief Financial Officer
2. Tax Collector
3. Director – State of NJ – Division of Local Government Services
4. Bergen County Board of Taxation

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

Motion Made By Councilperson: Testa
Seconded By Councilperson: Ruh
To Open OC-1 to the Public

PUBLIC PARTICIPATION: NONE

Mayor Rotundo stated that the Municipal Budget cannot be adopted tonight because the State has to approve it first. Budget will be carried over to next meeting.

Motion Made By Councilperson: Testa
Seconded By Councilperson: Donohue
To Close OC-1 to the Public

All present in favor of voice vote.

OC-2: Resolution Covenanting that the Municipality will Comply with Internal Revenue Code 1986 designating Tax Exempt Obligations:

Member _____ introduced and moved the adoption of the following resolution and Member _____ seconded the motion:

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF PALISADES PARK, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF PALISADES PARK AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$3,040,008 BOND ANTICIPATION NOTE, DATED APRIL 19, 2013 AND PAYABLE APRIL 17, 2014, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED

WHEREAS, the Borough of Palisades Park, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$3,040,008 bond anticipation note,
Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

dated April 19, 2013 and payable April 17, 2014 (the "Note"); and

WHEREAS, the Borough desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Palisades Park, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2013.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2013.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2013 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

Motion Made By Councilperson: Ruh
Seconded By Councilperson: Lee
To Open Off Consent OC-2 to Public

PUBLIC PARTICIPATION: NONE

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

Motion Made By Councilperson: Ruh
Seconded By Councilperson: Kim
To Close & Adopt Off Consent OC-2

Roll Call:

Councilperson	Donohue	Yes
“	Kim	Yes
“	Lee	Yes
“	Pirrera	Excused Absence
“	Ruh	Yes
“	Testa	Yes

OC-3: Resolution In Support of the People of Boston:

WHEREAS, a result of a terrorist attack on Monday, April 15, 2013 at the Iconic Event “The Boston Marathon” approximately 154 Americans have been seriously injured and at least three people killed including an eight (8) year old child; and

WHEREAS, the Mayor and Council of the Borough of Palisades Park are outraged by this cowardly act; and

WHEREAS, this occurred on the Massachusetts state holiday of Patriots Day; and

WHEREAS, the people of Boston have for over the past 238 years acted bravely when confronted with tyranny and aggression; and

WHEREAS, this dedication to freedom still exists today;

NOW, THEREFORE BE IT RESOLVED BY THE Mayor and Council of the Borough of Palisades Park that we call upon all of the people of Palisades Park to

pray and pay honor to the victims and heroes of this tragic event. Americans are and have always been made stronger and pulled together in times of great adversity. This shall only strengthen our commitment to freedom.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to furnish a certified copy of this Resolution to the Mayor and Council of the birthplace of freedom, Boston, Massachusetts.

Motion Made By Councilperson: Testa
Seconded By Councilperson: Ruh
To Adopt Off Consent OC-3

Roll Call:

Councilperson	Donohue	Yes
“	Kim	Yes
“	Lee	Yes
“	Pirrera	Excused Absence
“	Ruh	Yes
“	Testa	Yes

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

2nd READING/PUBLIC HEARING & ADOPTION:

#1596 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2013

ORDINANCE #1596

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK, FOR CALENDAR YEAR 2013 (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government CAP Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by Ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by Ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Palisades Park in the County of Bergen finds it advisable and necessary to increase its CY2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety, and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$215,333.21 in excess of the increase in final appropriations otherwise permitted by the Local Government CAP Law, is advisable and necessary; and

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Palisades Park, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY2013 budget year, the final appropriations of the Borough of Palisades Park shall, in accordance with this Ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$531,155.24, and that the CY2013 municipal budget for the Borough of Palisades Park be approved and adopted in accordance with this Ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion Made By Councilperson: Testa
Seconded By Councilperson: Donohue
To Open Ordinance #1596 to Public

PUBLIC PARTICIPATION: NONE

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

Motion Made By Councilperson: Testa
Seconded By Councilperson: Donohue
To Close & Adopt Ordinance #1596

ROLL CALL:

Councilperson	Donohue	Yes
“	Kim	Yes
“	Lee	Yes
“	Pirrera	Excused Absence
“	Ruh	Yes
“	Testa	Yes

NOTICE IS HEREBY GIVEN that the Mayor and Council of the Borough of Palisades Park adopted Ordinance #1596 after public hearing, at a meeting held on April 16, 2013. A copy of the Ordinance has been posted on the Bulletin Board in the Borough Hall and will be available at the office of the Borough Clerk.

Mayor Rotundo stopped meeting at this point so a gentleman can give his presentation on changing the lighting to LED. You would save money combining heating, air conditioning and lighting. Mayor Rotundo needs a proposal in writing before it could be considered and it would have to be reviewed by the Borough Attorney before coming back for a formal presentation.

COUNCIL REPORTS:

Councilperson Lee: Also agreed that the LED lights would be brighter and better.

Councilperson Kim: Advised everyone present that there will be a Health Fair on Saturday, April 20 from 10 AM to 2 PM at Lindbergh School.

Councilperson Donohue: Easter Egg hunt was attended by the Mayor and Council and a lot of people from town attended. Also advised that the Mayor threw out the first pitch at opening day of Little League which was also well attended.

Councilperson Testa: Advised that the plans for the Memorial Day Parade are moving along.

Motion Made By Councilperson: Donohue
Seconded By Councilperson: Ruh
To Open Meeting to the Public

PUBLIC PARTICIPATION:

Marsha Schorer: Questioned if the town permits outdoor dining. Borough Clerk answered question. Also questioned the size and height of buildings and amount of space between each one. Mayor Rotundo answered question.

Susan Brauer: Also explained that the building in question was more than allowed.

Borough Administrator answered question.

Borough of Palisades Park
Regular Meeting of the Mayor and Council
April 16, 2013

Motion Made By Councilperson: Testa
Seconded By Councilperson: Lee
To Close Public Portion & Adjourn Meeting

All present in favor by Voice Vote:

Attest:

Martin A. Gobbo, RMC – Borough Clerk

