

Borough of Palisades Park
 Regular Meeting of the Mayor and Council
 February 19, 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: **CYNDY PIRRERA**
 Moment of Silence for our Troops

ROLL CALL:

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

Borough Attorney	Joseph R. Mariniello, Jr.	Present
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ACCEPTANCE OF PREVIOUS MONTHS MINUTES

From: Mayor & Council Regular Meeting: January 15, 2013
 Mayor & Council Special Meeting: January 29, 2013

Motion Made By Councilperson: Donohue

Seconded By Councilperson: Kim

To Accept Previous Month's Minutes

ROLL CALL:

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

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 **\$897,016.65**, payable to the Borough of Palisades Park – Payroll Account be approved and charged to the following appropriations:

Current Account	
1/18/13	\$365,931.89
2/1/13	\$254,181.27
2/15/13	<u>\$268,512.49</u>
	\$888,625.65
Swim Pool Operation	
1/18/13	\$ 3,752.68
2/1/13	\$ 2,319.16

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2/15/13	\$ <u>2,319.16</u>
	\$ 8,391.00

Grand Total	\$897,016.65
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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 \$2,207,695.25 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:

Current Account	\$	2,172,187.93
Capital Account	\$	8,440.00
Swim Pool Account	\$	699.91
Recycling Trust	\$	300.00
Unemployment	\$	22,082.66
Food Handling Trust	\$	2,642.75
Municipal Alliance Trust Account	\$	1,342.00

Total \$2,207,695.25

Developers Escrow Account	\$	5,294.00
COAH III	\$	0
Tree Press Account	\$	3,550.00
Library Account	\$	1,670.92
Affordable Senior Account	\$	278.66

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 January 2013, payable to the Palisades Park Board of Education, in accordance with the following schedule, same to be charged to the School Acct:

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January 2013

\$ 1,666,370.00

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
1/18/13	\$ 20,876.59
2/1/13	\$ 12,431.11
2/15/13	\$ 13,202.48

Total \$45,510.18

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

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CA-5: Resolution Authorizing Emergency Repairs to Traffic Control Box (E. Homestead, Sunset Place, Seventh St):

WHEREAS, pursuant to N.J.S.A. 40A:11-6 et. seq., any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefore, notwithstanding that the contract price will exceed the bid threshold, when any emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, on December 31, 2012, the traffic control box due to an auto accident at the intersection of East Homestead Avenue, Sunset Place and Seventh Street was damaged and was in immediate need of repair; and

WHEREAS, the lack of a properly functioning the traffic control box at the intersection of East Homestead Avenue, Sunset Place and Seventh Street affects the public safety and welfare of the residents and the Borough; and

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WHEREAS, the Borough is responsible to provide for proper functioning and maintenance of such traffic control boxes throughout the Borough; and

WHEREAS, the Borough Administrator was notified by the P.D. of the situation and instructed Trico Electric Company to make the needed repairs to ensure the restored safety of the area and the proper functioning of the traffic control box in this emergent situation.

NOW THEREFORE BE IT RESOLVED that authorization is hereby awarded to Trico Electric Company, LLC of Teterboro, NJ 07608 in the amount not to exceed \$22,000.00; to provide all necessary labor, materials, equipment and services as needed to make these repairs and restore the safety of the traffic control box at the intersection of East Homestead Avenue, Sunset Place and Seventh Street was damaged and was in immediate need of repair; and

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as an emergency affecting the public health, safety or welfare of the Borough which requires the immediate performance of services; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to immediately forward to Trico Electric Company, LLC of Teterboro, NJ 07608, the Chief Financial Officer and the Borough Administrator, a copy of this resolution and the police report.

CA-6: Resolution Authorizing Hiring of Chief Fire Inspector (Mike Valente):

WHEREAS, the Mayor and Council created the position of an Chief Fire Inspector of the Borough of Palisades Park; and

WHEREAS, Michael Valente has the experience and meets all of the requirements called for under the ordinance to be the Chief Fire Inspector.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Palisades Park that Michael Valente shall be the Chief Fire Inspector; and

BE IT FURTHER RESOLVED that the initial salary for the Chief Fire Inspector shall be \$60,000.00 annually, prorated from the actual date of appointment.

BE IT FURTHER RESOLVED that the duties and hours of employment shall be as set forth in the Ordinance creating such position; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Borough Administrator, the CFO, and Michael Valente.

CA-7: Resolution Authorizing Settlement Agreement (Donna Bell):

WHEREAS, Donna Bell filed a grievance with Teamsters Local 97, bearing Docket No. AR 2012-620; and

WHEREAS, the parties have reached an agreement to settle this matter; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the

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Borough of Palisades Park that the Settlement Agreement entered into between Local 97 and the Borough of Palisades Park is hereby affirmed and ratified; and

IBE IT FURTHER RESOLVED that any claims by either parties arising out of this grievance or its underlying facts are waived and each party is released from the other as to any such claims; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Donna Bell, Jill Pitman, IBT Local 97, and the Chief Financial Officer.

CA-8: Resolution Authorizing Acceptance of New Firefighter (James Barcia):

BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park, that the following application(s) submitted to be a Firefighter for the Borough of Palisades Park, in Hook & Ladder Company #1, is hereby approved effective immediately:

James Barcia 120 Abbott Avenue Palisades Park, NJ 07650

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

1. Fire Chief
2. Payroll Department
3. James Barcia

CA-9: Resolution Authorizing Hiring of Full Time TEO (Hanna Kang):

WHEREAS, the Mayor and Council of the Borough of Palisades Park, upon recommendation from the Police Department, have deemed it necessary to hire a Full Time Traffic Enforcement Officer; and

NOW THEREFORE BE IT RESOLVED, that the position of Traffic Enforcement Officer will be filled by Hanna Kang, with the hourly rate of \$12.00 per hour, with no benefit package.

BE IT FURTHER RESOLVED, that said individual is hereby appointed as a Full Time Traffic Enforcement Officer, effective immediately; and

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

1. Chief of Police
2. Chief Financial Officer
3. Payroll Department
4. Hanna Kang

CA-10: Resolution Mandating Minimum Employee Benefit Requirements:

WHEREAS, in accordance with NJSA 40:10-23.4 the Borough of Palisades Park has assumed the entire cost of health insurance benefits for all those employees and retirees employed by the Borough and their qualifying dependents as outlined in the current Health Benefits guidelines in effect for such former employees and their dependents; and

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WHEREAS, the Borough of Palisades Park has been diligent in maintaining the ever rising costs of Medical Benefits which it is obligated to provide to its employees and retirees; and

WHEREAS, the Borough of Palisades Park shall remain committed to continuing its effort to further maintain this diligence on the cost of Health and Medical

Benefits to the employees and retirees of the Borough of Palisades Park and the taxpayers in the future,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park, in order for any employee, elected or appointed and not covered by or employed under a collective bargaining unit currently in existence in the borough, to continue to receive benefits in upon termination of employment or retirement, must have been enrolled for a minimum of 15 years in the PERS Pension system and must have been employed and/or elected for a minimum of 15 years primarily and continuously by the Borough of Palisades Park; and

BE IT FURTHER RESOLVED, that only those employees who meet the criteria as outlined above will be entitled to, upon completion of 15 years of service, to receive such medical and prescription benefits as the Borough provides for current employees and their eligible dependants upon termination or retirement.

BE IT FURTHER RESOLVED, if any Federal or State program is the primary insurer at the time of retirement or termination such individuals covered as part of this resolution shall take advantage of said program and the Borough shall pay the supplemental coverage and maintain all other Health Benefits not covered by the Federal and/or State program.

CA-11: Resolution Prohibiting Parking on Opposite Numbers 126 & 128 Temple Terrace:

WHEREAS, Temple Terrace is a narrow, two-way, dead end street with parking occurring along the west side; and

WHEREAS, the road way is approximately 15-17 feet wide in front of 126-128 Temple Terrace; and

WHEREAS, the Police Department has received many complaints about blocked driveways due to parked cars along the west side of Temple Terrace in front of 126-128 Temple Terrace; and

WHEREAS, a Parking Assessment was conducted by Judd Rocciola of Rocciola Engineering, LLC and whose assistant of the situation has found that prohibiting parking on the street opposite the properties of 126 and 128 Temple Terrace to be the only viable solution in keeping the street clear in front of the affected residences; and

WHEREAS, the Mayor and Council wish to correct his problem

NOW THEREFORE BE IT RESOLVED that parking be prohibited opposite numbers 126 and 128 of Temple Terrace; and

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BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the DPW Superintendent, Chief of Police and Court Administrator.

CA-12: Resolution Authorizing Award of Contract for Senior Bus Trips:
WHEREAS, the Borough Clerk's Office has solicited quotes to furnish transportation for six (6) trips for the 2013 Senior Citizen Trips; and

WHEREAS, the Clerk's Office has secured the following quotations:

- | | |
|-----------------------|-------------|
| 1. Saddle River Tours | \$ 5,040.00 |
| 2. Coach USA | \$ 5,845.00 |
| 3. Academy Bus | \$ 6,008.00 |

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park that, Saddle River Tours is the lowest responsible quote; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to prepare a purchase order to Saddle River Tours, 480 Main Avenue, Wallington, NJ 07057, in an amount not to exceed \$5,040.00; and

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

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

1. Chief Financial Officer
2. Saddle River Tours
3. Coach USA
4. Academy Bus
5. Senior Citizen Coordinator

CA-13: Resolution Authorizing Refund for Duplicate Tax Payment (342 E. Homestead Ave.):

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 \$2,138.00, payable to "Paradigm Title Group LLC" for a duplicate tax payment made on the 4th quarter 2012, on property known as Block 715, Lot 7, 342 E. Homestead Avenue.

BE IT FURTHER RESOLVED, Mr. Oh refinanced his home in November of 2012. As a result of the refinance, their closing agent, "Paradigm Title Group LLC" and "Wells Fargo Tax Service" paid the 4th quarter taxes for 2012 due November 1st, 2012.

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

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CA-14: Resolution Authorizing Disabled Persons Deduction (327 Roff Ave.):

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 \$250.00, payable to "Gianfranco Anderotti" for a Disabled Persons Deduction for the Year of 2012, on property known as Block 312, Lot 17, 327 Roff Avenue. The Bergen County Board of Taxation never recorded the deduction and left it off of the 2012-2013 update. Mr. Anderotti suffered injuries while responding to the terrorist attack of September 11, 2001 functioning as an Emergency Responder for the City of New York.

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: Tax Court Judgment (61 E. Edsall Blvd.):

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 \$2,579.56, payable to "Nathan P. Wolf, Esq." as a result of a Tax Court Judgment, covering year 2012 dated December 28th, 2012, on property known as Block 310, Lot 23, 61 E. Edsall 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-16: Tax Court Judgment (39 E. Ruby Ave.):

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 \$2,128.39, payable to "Nathan P. Wolf, Esq." as a result of a Tax Court Judgment, covering year 2012 dated December 14th, 2012, on property known as Block 614, Lot 15, 39 E. Ruby Avenue.

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: County Board Judgment (218 9th 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 \$20,319.60, payable to "Homestead Park LLC" as a result of a County Board Judgment, covering year 2012 dated January 4, 2013, on property known as Block 7.05, Lots 3.07 to 3.14, 218 9th Street.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to

furnish copies of this Resolution to the following:

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1. Chief Financial Officer
2. Collector

CA-18: Municipal Tax Sale Assignment (201 12th St.):

WHEREAS, the Borough on December 15, 2011 acquired a Tax Sale Certificate No. 3138 for unpaid municipal liens on Block 707, Lot 9, Qualifier COP31 known as 201 12th Street, assessed to Jin Hwan Choi in the total amount of \$47.69 and a Certificate of Sale No. 3138 in the amount of \$258.44 on Block 707, Lot 9, Qualifier COP31 assessed to Jin Hwan Choi.

WHEREAS, the Borough is desirous of assigning said Tax Sale Certificates for the full amounts owed to a municipality pursuant to N.J.S.A. 54:S-112 and N.J.S.A. 54:5-113,

NOW THEREFORE BE IT RESOLVED that Tax Sale Certificate No. 3138 shall be assigned for full payment to Anbar Holdings I, LLC, 1135 Clifton Avenue, Ste. #101, Clifton, NJ 07013 and Certificate No. 3138 in the amount of \$258.44 be assigned to Anbar Holdings I, LLC, 1135 Clifton Avenue, Ste. #101, Clifton, NJ 07013; and

BE IT FURTHER RESOLVED that the assignment is contingent upon and subject to the notice provisions of N.J.S.A. 54:5.114 which notice shall be given by the Tax Collector and said notice shall be mailed to the owner at the address appearing on the Tax Book of the Municipality five (5) days prior to the effective date of this Resolution and shall further publish in the Star Ledger notice of such intended private sale within five (5) days prior to the effective date of this action; and

BE IT FURTHER RESOLVED that the Tax Collector shall place a notice of this assignment in the Municipal Library, the Municipal Building and the Post Office at least five (5) days prior to the effective date of this Resolution; and

BE IT FURTHER RESOLVED that the assignment shall not be effective until payment in good funds are made to the municipality by the person receiving the assignment; and

BE IF FURTHER RESOLVED that the assignment shall be recorded by the Tax Collector in the Office of the County Clerk.

CA-19: Resolution Extinguishing Liquor License (#0245-44-020-003):

WHEREAS, Byun & Lim Corporation (Liquor License #0245-44-020-003) went into inactive status on 10/29/09; and

WHEREAS, this license has not been renewed since July 2010;

NOW THEREFORE BE IT RESOVLED, by the Mayor & Council of the Borough of Palisades Park that this license ceased to exist.

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby directed to furnish a certified copy of this Resolution to the Director of the New Jersey

Division of Alcohol Beverage Control and the following:

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1. Chief of Police
2. Byun & Lim Corp.

CA-20: Resolution Authorizing Acceptance of New Firefighter (Lindsey Spohn):

BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park, that the following application(s) submitted to be a Firefighter for the Borough of Palisades Park, in Hose Company #1, is hereby approved effective immediately:

Lindsey Spohn 44 West Edsall Blvd. Palisades Park, NJ 07650

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

1. Fire Chief
2. Payroll Department
3. Lindsey Spohn

CA-21: Resolution Authorizing Hiring of Assistant to the Pool Manager (Jerry Lange):

WHEREAS, the Mayor and Council of the Borough of Palisades Park has determined that the Pool Manager is in need of an Assistant for thorough and efficient operation of the Municipal Pool, and

WHEREAS, Gerald Lange is an individual who has extensive knowledge and experience in the successful management and operation of swimming pools both public and private.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park that Gerald Lange be and he is hereby appointed as the Assistant to the Pool Manager effective March 1, 2013 for a period of two (2) years, and

BE IT FURTHER RESOLVED, that his compensation shall be the sum of \$2400. per annum.

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

1. Chief Financial Officer
2. Payroll Department
3. Pool Manager
4. Gerald Lange

CA-22: Resolution Authorizing Hiring of Part Time TEO (Steve Kim):

WHEREAS, the Mayor and Council of the Borough of Palisades Park, upon recommendation from the Police Department, have deemed it necessary to hire a Part Time Traffic Enforcement Officer; and

NOW THEREFORE BE IT RESOLVED, that the position of Traffic Enforcement Officer will be filled by Stephen Kim, with the hourly rate of \$12.00 per hour, with no benefit package.

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BE IT FURTHER RESOLVED, that said individual is hereby appointed as a Part Time Traffic Enforcement Officer, effective immediately; and

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

1. Chief of Police
2. Chief Financial Officer
3. Payroll Department
4. Stephen Kim

CA-23: Resolution Authorizing Liquor License Transfer (#0245-33-010-008):

WHEREAS, an application has been filed for a Person-to-Person and Place to Place transfer of inactive license #0245-33-010-008 issued to Three Brothers Restaurant Corp. to Family Restaurant KR, Inc. located at 118 Broad Avenue, N6 and N12, Palisades Park, NJ 07650

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

NOW THEREFORE BE IT RESOLVED, that the Borough of Palisades Park Governing Body does hereby approve, effective February 20, 2013, the transfer of the aforesaid Plenary Retail Consumption License to Family Restaurant KR, Inc., and does hereby direct the Borough 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 Family Restaurant KR, Inc. effective February 20, 2013”; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to furnish copies of this Resolution to the Division of ABC, Police ABC Officer, Family Restaurant KR, Inc.

CA-24: Resolution Authorizing Deed of Easement (541 & 537 Hillside Ave.):

BE IT RESOLVED by the Mayor and Council of the Borough of Palisades Park that the deed of easement for Block 208, Lots 1,2,3,4 and 5 (541 Hillside Avenue & 537 Hillside Avenue) is hereby authorized to be executed by the Mayor and Borough Clerk; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Borough Administrator and the Borough Attorney.

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CA-25: Resolution Authorizing Use of Pool for Reunion (Sept. 14, 2013):

WHEREAS, Peter Yakalis, has requested permission from the Mayor and Council of the Borough of Palisades Park, to utilize all the facilities of the Palisades Park Swim Club for PPHS “The 1st Fifteen” Reunion on Saturday, September 14, 2013; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that permission is hereby granted to Peter Yakalis to use the Swim Pool Complex and that the applicant shall comply with all insurance as required by the Borough Risk Manager.

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

1. Swim Club Manager
2. Risk Manager
3. Peter Yakalis

CA-26: Resolution Authorizing Addition to Official Towing List (ABC Towing Express):

WHEREAS, ABC Towing Express, located at 222 West Palisades Blvd., Palisades Park, NJ 07650 has filed an application for a Towing/Wreckers License in the Borough of Palisades Park; and

WHEREAS, the Mayor and Council have discussed and reviewed said application, along with recommendations from the Building Inspector and Police Department, and they have determined that ABC Towing Express, has met all the requirements for said license.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council, that ABC Towing Express is hereby approved and shall be added to the official towing list of the Borough of Palisades Park.

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

1. Police Department
2. ABC Towing Express

Motion Made By Councilperson: Testa
Seconded By Councilperson: Kim
To Approve Consent Agenda CA-1 thru CA-26

ROLL CALL:

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

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OFF CONSENT:

OC-1: Resolution Requesting Permission for the Dedication by Rider for Tree Preservation Trust Fund:

A RESOLUTION BY REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR TREE PRESERVATION TRUST FUND REQUIRED BY THE BOROUGH OF PALISADES PARK

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 reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of Tree Preservation Trust Fund by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:5-29 provides the dedicated revenues anticipated from the Tree Preservation Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Tree Preservation Trust Fund N.J.S.A. 40A:5-29.
2. The Clerk of the Borough of Palisades Park, County of Bergen, is hereby directed to forward two certified copies of this Resolution to the Director of Local Government Services

Motion Made By Councilperson: Testa
Seconded By Councilperson: Donohue
To Approve Off Consent OC-1

ROLL CALL:

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

**OC-2: Resolution Cancelling the Dedication by Rider for Ambulance Trust Fund:
A RESOLUTION CANCELLING THE DEDICATION BY RIDER FOR
AMBULANCE TRUST FUND BY THE BOROUGH OF PALISADES PARK**

WHEREAS, the Borough of Palisades Park no longer is in need of a dedication by

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rider for the ambulance trust fund and;

WHEREAS, said funds were required prior to 2011 for the collection of funds for third party ambulance fees and;

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

1. The Governing Body does hereby cancel the dedication by rider ambulance trust fund as a result of the program being abolished.
2. The Clerk of the Borough of Palisades Park, County of Bergen, is hereby directed to forward two certified copies of this Resolution to the Director of Local Government Services.

Motion Made By Councilperson: Ruh
Seconded By Councilperson: Testa
To Approve Off Consent OC-2

ROLL CALL:

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

INTRODUCTION OF NEW ORDINANCE:

#1595 AN ORDINANCE OF THE BOROUGH OF PALISADES PARK PROHIBITING SMOKING ON BOROUGH OWNED PROPERTY, PARKS AND RECREATION AREAS

AN ORDINANCE PROHIBITING SMOKING ON BOROUGH-OWNED PROPERTY, PARKS AND RECREATION AREAS

ORDINANCE #1595

BE IT ORDAINED by the Mayor and Council of the Borough of Palisades Park, County of Bergen, State of New Jersey, as follows:

SECTION 1. Smoking be and hereby is prohibited within or on all property owned by the Borough and including Parks and Recreation areas, except as otherwise provided herein.

SECTION 2. The following words and terms shall be defined as set forth below. All other terms, words and phrases not defined herein shall be given their customary meaning.

Borough Property - is that indoor and outdoor property including but not limited to buildings, structures, playing or athletic fields, parks, and open spaces.

Person - any individual.

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Property - any building, structure, public works facility, parking lot, open space, parks, recreation areas, and any other real property owned by the Borough of Palisades Park.

Smoking - the inhaling, exhaling, burning or carrying of any lighted cigar, cigarette, pipe or other combustible tobacco product in any manner or in any form.

SECTION 3. Smoking areas may be designated in vehicle parking areas outside of the public property and buildings covered by this act. Said areas shall bear signs specifically designating that they are smoking areas. Except for those specified areas, no smoking shall be permitted in any area of Borough-owned property or any areas immediately outside and adjacent to the public building, structure, public works facility, parking lot, open space, park, or recreation area.

SECTION 4. "No Smoking" signs shall be clearly and conspicuously posted by the Borough at all public properties and shall reference the applicable Code provision herein. The color of such signs, when not of the international type, shall have letters that are distinct, contrasting to the background and easily read. Letters shall have a minimum height of three quarters of an inch and should be posted in English and such other languages as the Borough Council shall decide.

SECTION 5. The provisions of this act shall be enforceable by a police officer, health officer or his designate or building department employee.

SECTION 6. Any person violating the provisions of this act shall be subject to a fine of not less than \$50.00 nor more than \$500.00 for each violation. A person found guilty of a second or subsequent offense shall be subject to a fine of not less than \$100.00 nor more than \$500.00. Any person found guilty defacing or removing "No Smoking" signs which are required by this ordinance shall be subject to a fine not less than \$200.00 nor more than \$500.00, plus the costs of replacing the sign. Any juvenile adjudicated to have violated the provisions of this ordinance shall be subject to such penalties, fines or other discipline as may be imposed upon an adult pursuant to this article.

SECTION 7. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 8. Pursuant to the provisions of N.J.S.A. 40:69A-181(b), this ordinance shall take effect twenty (20) days after its final passage by the Borough Council and approval by the Mayor where such approval is required by law.

Motion Made By Councilperson: Donohue
Seconded By Councilperson: Kim
To Introduce Ordinance #1595

ROLL CALL:

Councilperson	Donohue	Yes
"	Kim	Yes
"	Lee	Yes
"	Pirrera	Yes

Borough of Palisades Park
Regular Meeting of the Mayor and Council
February 19, 2013

“ Ruh Yes
“ Testa Abstained

NOTICE IS HEREBY GIVEN that, **Ordinance #1595** was introduced and passed on first reading at a meeting of the Mayor and Council of the Borough of Palisades Park, held on the 19th Day of February 2013 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting held on the 19th Day of March 2013 at 7:00 PM, or soon thereafter as the matter can be reached in the Council Chambers, 275 Broad Avenue, Palisades Park, NJ at which time all persons interested may appear for or against the passage of said Ordinance. 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.

Before meeting continued, Mayor Rotundo introduced new TEO Stephen Kim and Borough Clerk swore him in. Borough Clerk also announced that Stephen was in the US Marine Corps for four (4) year. Councilperson Kim also stated that Stephen was Vice Commander in the Ridgfield Veterans Association.

COUNCIL REPORTS:

Councilperson Donohue: Acknowledged that the basketball program was a success.

“ Kim: None

“ Lee: None

“ Pirrera: None

“ Ruh: None

“ Testa: Acknowledged that he was working on Memorial Day and that letter has gone out requesting a speaker and also acknowledged that we will have an honor guard.

Motion Made By Councilperson: Testa
Seconded By Councilperson: Pirrera
To Open Meeting to the Public

PUBLIC PARTICIPATION:

Susan Brauer: Wanted to know the reason we changed papers. Borough Clerk answered question. Also asked about the street sweeper and Mayor answered question. Also wanted to know about the prohibited parking on Temple Terrace. Borough Administrator answered question and Mayor Rotundo also stated that they had a parking study done and it was recommended to prohibit parking in that area.

Marsha Schorer: Wanted to know if anything can be done about jay walkers. Mayor Rotundo answered question and said he would look into it.

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

All present in favor by Voice Vote:

Attest

Martin A. Gobbo, RMC – Borough Clerk

