

Borough of Palisades Park
 Regular Meeting of the Mayor and Council
 July 19, 2011

CONSENT AGENDA:

CA1: Authorize Payroll:

RESOLVED, by the Mayor and Council of the Borough of Palisades Park that warrants drawn in the amount of \$542,333.80, payable to the Borough of Palisades Park – Payroll Account be approved and charged to the following appropriations:

Current Account	
06/24/11	\$256,057.71
07/8/11	<u>\$258,847.76</u>
	\$514,905.47
Swim Pool Operation	
06/24//11	\$ 8,962.91
07/8//11	<u>\$ 18,465.42</u>
	\$ 27,428.33
Grand Total	\$537,285.05

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 CFO and Collector.

CA2: Authorize Payment of Claim(s): Complete Voucher List attached to Minutes
 RESOLVED, by the Mayor and Council of the Borough of Palisades Park that the following claims aggregating \$1,109,626.49, as approved and so ordered by the Finance Committee; and

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

BE IT FURHTER RESOLVED, that the Mayor, Borough Clerk, and Collector are hereby authorized to draw warrants in payment of said claims:

Current Account	\$ 1,024,640.86
Capital Account	\$ 42,990.99
Swim Pool Account	\$ 37,888.56
Swim Pool Trust Account	\$.00
Recycling Trust	\$ 2,440.12
Food Handlers Trust	\$ 1,172.96
Municipal Alliance Trust	<u>\$ 493.00</u>
 Total	 \$ 1,109,626.49
 Developers Escrow	 \$ 1,650.00
Round III COAH	\$.00
Library Trust	\$ 1,091.45
Tree Preservation	\$ 6,125.00
UFC Fines & Penalties	\$.00

BE IT 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

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\$1,664,435.50 for the month of July 2011, payable to the Palisades Park Board of Education, in accordance with the following schedule, same to be charged to the School Acct:

July 2011	\$ 1,664,435.50
August 2011	\$ 1,664,435.50
September 2011	\$ 1,664,435.50
October 2011	\$ 1,664,435.50
November 2011	\$ 1,664,435.50
December 2011	<u>\$ 1,664,435.50</u>
 Grand Total	 \$ 9,986,613.00

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 CFO and 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
6/24/11	\$12,681.34
7/8/11	\$13,922.11
Total	\$26,603.45

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 CFO and Collector.

CA-5: Acceptance of 2010 Audit:

WHEREAS, the Certified Public Accounting Firm of Ferraioli, Wielkocz, Cerullo & Cuva, PA, 401 Wanaque Avenue, Pompton lakes, NJ 07442, has conducted an annual audit for the period ending December 31, 2010; and

WHEREAS, the audit also contains a Corrective Action Statement.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park, that the audit is hereby accepted along with the Corrective Action Statement.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to publish a Synopsis of Audit, which was prepared by the Certified Public Accounting Firm.

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CA-6: Resolution Authorizing Change Order #1 Contract for Irrigation for Lindbergh Fields:

WHEREAS, the Borough wishes to receive bids for irrigation system of Lindbergh field; and

WHEREAS, two quotes were received for said irrigation as follows:
Quench Irrigation in the amount of \$1,800.00
SCS Contracting in the amount of \$3,400.00 and

WHEREAS, said quotes are on file with the Office of the Borough Clerk; and

WHEREAS, Quench irrigation was designated as the lowest quote in the amount of \$1,800.00; and

WHEREAS, Chief Financial Officer of the Borough of Palisades Park has certified to the Mayor and Council that sufficient funds are available in order to execute an agreement with Quench Irrigation.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Palisades Park as follows:

1. Quench Irrigation is hereby awarded the contract for the irrigation system, Lindbergh Field, Palisades Park, new Jersey in accordance with the specifications quoted in the sum of \$1,800.00 and
2. The Mayor and Borough Clerk are hereby authorized to execute a Contract, in a form prepared and approved by the Borough Attorney; and

BE IT FURTHER RESOLVED that the Borough Clerk shall immediately forward to Quench Irrigation and the Chief Financial Officer a copy of this Resolution ; and

BE IT FURTHER RESOLVED that the Borough Clerk shall immediately forward to the Borough Attorney the written quotes and specifications so that the contract may be prepared.

CA-7: Granting Permission to Fire Dept. use of pool:

WHEREAS, the Palisades Park Fire Department, 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 their annual picnic on Saturday, August 6, 2011 from 7:00 PM to Midnight; and

WHEREAS, the Fire Department is requesting that the Pool Complex be closed 5:30 PM to the public to allow time for setting up; and

WHEREAS, the Fire Department is also requesting that lifeguards remain on duty from 7:00 PM – 9:00 PM.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that permission is hereby granted to the Palisades Park Fire Department to use the Swim Pool Complex.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to furnish a copy of this Resolution to the Swim Club Manager and Fire Department.

CA-8: Clarification of Purchasing Procedure:

WHEREAS, the Borough of Palisades Park does not presently utilize the services of a Purchasing Agent for the purchase of necessary goods and services; and

WHEREAS, as a result of the lack of a central and unified Purchasing Agent, various

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Department Heads and other employees have traditionally done the purchasing of goods and services for their respective departments; and

WHEREAS, the Borough seeks to establish clear and concise guidelines to assist in the purchase of necessary goods and services; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Palisades Park that the Governing Body does hereby delegate the power to negotiate and/or award the purchase, contract or agreement for the furnishing or hiring of materials or supplies to the various municipal department heads in accordance with the following guidelines:

1. The cumulative cost or price of any purchase or sum of purchases together with any other sums expended for the performance of any work or services in connection with the same immediate program during the SAME FISCAL YEAR shall not exceed the total sum of \$17,500.00.
2. Every department head is hereby delegated the power to make, negotiate or award purchases, contracts and/or agreements in an amount not to exceed \$500.00.
3. Every department head seeking to make, negotiate or award purchases, contract and/or agreements in amounts exceeding \$500.00 and up to and including the sum of \$2,625.00, shall first secure the approving signature of the chairman of the Borough Council committee in charge of the department in which the expenditures are to be made, or the Mayor and/or the Borough Clerk and Borough Administrator.
4. Every department head seeking to make, negotiate or award purchases, contracts and/or agreements in excess of \$2,625.00 and less than \$17,500.00, shall first secure not less than THREE written quotations on any purchase, contract and/or agreement and shall forward such quotations to the Borough Clerk and Borough Administrator.
5. The Borough Clerk, after ascertaining from the Chief Financial Officer that funds are available for such purchase, contractor and/or agreement, shall prepare a written Resolution listing all written quotations as secured by the department head for inclusion in the agenda of the next immediate formal meeting of the Borough Council in such manner as the Borough Council may determine appropriate.
6. Any contract or agreement for the performance of any work or the furnishing or hiring of any materials or supplies the cost or price thereof is in excess of \$17,500.00, shall be made or awarded solely by the Governing Body after public advertising for bids as provided in the Local Public Contracts Law.

BE IT FURTHER RESOLVED, that Resolution #R-7 dated January 7, 2011 and Resolution #CA-7 dated April 19, 2011 be and they are hereby terminated, withdrawn and are no longer of any force or effect and are to be replaced in their entirety by this Resolution which shall take effect immediately upon execution by the Mayor and Borough Clerk.

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

1. Post one copy on the public bulletin board
2. Furnish a copy to all department heads
3. Furnish one copy to the Chief Financial Officer
4. Maintain the original in the Borough Clerk's office
5. Furnish one copy to the Borough Attorney
6. Furnish one copy to the Borough Administrator.

CA-9: Resolution in support of 2011 Municipal Alliance Grant Application:

WHEREAS, the Mayor and Council of the borough of Palisades Park, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

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WHEREAS, the Mayor and Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mayor and Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen.

NOW THEREFORE BE IT RESOLVED, that the Borough of Palisades Park, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Mayor and Council does hereby authorized submission of an application for the Municipal Alliance Grant for the year 2012 in the amount of \$12,157.00.
2. The Mayor and Council acknowledges, the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

CERTIFICATION

I, Martin A. Gobbo, Borough Clerk of the Borough of Palisades Park, County of Bergen, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution authorized by the Mayor and Council on this 19th day of July 2011.

CA-10: Authorizing B.Y.O.B. permit 131 W. Central Blvd.:

WHEREAS, pursuant to Ordinance #1539 B.Y.O.B. Permits are to be renewed on an annual basis beginning July 1st through June 30th, and

WHEREAS, the following B.Y.O.B. renewal application has been submitted and is in compliance with said Ordinance and is hereby approved for renewal:

<u>PERMIT #</u>	<u>NAME</u>	<u>ADDRESS</u>
012-12	Keum San Restaurant	131 W. Central Blvd.

NOW THEREFORE BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to issue a B.Y.O.B. Permit to the applicant upon receipt of the renewal payment of \$1000.00 payable to the Borough of Palisades Park by certified check or money order; and

BE IT FURTHER RESOLVED, that said permit shall expire on June 20, 2012; and

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized to furnish copies of this Resolution to the Police Director, ABC Officer, Building Department, Health Department and each applicant.

CA-11: Authorizing B.Y.O.B. Permit 520 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

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:

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<u>PERMIT #</u>	<u>NAME</u>	<u>ADDRESS</u>
018-12	Oriental Buffet	520 Bergen Blvd. - #2,3,4

NOW THEREFORE BE IT RRESOLVED, that the Borough Clerk is hereby authorized and directed to issue B.Y.O.B. Permit(s) to each applicant upon receipt of the initial payment of \$2000.00 payable to the Borough of Palisades Park by certified check or money order; and

BE IT FURTHER RESOLVED, that said permit(s) shall take effect as of July 19, 2011 and expire on June 30, 2012; and

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized to furnish copies of this Resolution to the Chief of Police, Building Department, Health Department and each applicant.

CA-12: Tax Court Judgment 39 Broad 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 \$5,083.81, payable to "Marcus, Brody, Ford & Kessler, LLC" as a result of a Tax Court Judgment, for the year 2010, dated 6/30/2011, on property know as Block 671, Lot 19, 39 Broad Avenue.

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

CA-13: Tax Court Judgment 340 Grand 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 \$3,588.85, payable to "Robert M. Jacobs" as a result of a Tax Court Judgment, for the years 2009 & 2010, dated 4/15/2011, on property known as Block 203, Lot 11, 340 Grand Avenue.

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

CA-14: Authorizing Engineer to prepare plans for 10th St. project:

RESOLVED, by the Mayor and Council of the Borough of Palisades Park, that the Borough Engineer is hereby authorized and directed to prepare Plans and Specifications for the Receipt of Bids for the following project:

PORTION OF 10TH STREET PROJECT

BE IT FURTHER RESOLVED , that once the Plans and Specifications are made available the Borough Clerk is hereby authorized to advertise for the Receipt of Bids for the above stated project.

NOW THEREFORE BE IT RESOLVED, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the Chief Financial Officer, Borough Attorney and Borough Engineer.

CA-15: Authorizing Administrator to prepare specs for Pruning Project Broad & E. Columbia & Glen and Palisades to Edsall Blvd.:

RESOLVED, by the Mayor and Council of the Borough of Palisades Park, that the

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Borough Administrator is hereby authorized and directed to prepare Plans and Specifications for the Receipt of Bids for the following project:

**PRUNING PROJECT: BROAD & E. COLUMBIA & GLEN AND
PALISADES TO EDSALL BLVD.**

BE IT FURTHER RESOLVED, that once the Plans and Specifications are made available the Borough Clerk is hereby authorized to advertise for the Receipt of Bids for the above stated project.

NOW THEREFORE BE IT RESOLVED, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the Chief Financial Officer, Borough Attorney and Borough Administrator.

CA-16: Amending CA 29 RE: Phone Contract:

WHEREAS, the following resolution amends Resolution No. CA 29 which was passed on June 21, 2011; and

WHEREAS, the Communication Officer for the Borough undertook a review of the current telephone system of the Borough with regard to its use, function and cost; and

WHEREAS, it was determined by the Communication Officer that function and cost of the current system are not sufficient; and

WHEREAS, currently there is no "PBX" (private branch exchange) within the municipal complex and because of this the Borough is reliant on Verizon to provide Centrex features within the complex, which has now become a very large expense to the Borough; and

WHEREAS, Marlin Leasing provides the financing for such purchase; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the borough of Palisades Park, that the Mayor and Borough Clerk are hereby authorized to enter into contracts with Extel Communications, Inc. for system equipment and MetTel for service and that same be financed through Marlin Leasing at a cost of \$1,360.00 per month for 60 months; and

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

CA-17: Authorizing Liquor Licenses to 215 Broad Ave., 270 Broad Ave. & 254 Broad Ave.:

WHEREAS, the Police and Borough Clerk of the Borough of Palisades Park having investigated the applications of the following for license to conduct business for retail consumption of alcoholic beverages; and

BE IT RESOLVED, that the Borough Clerk be and is hereby empowered to issue plenary retail consumption licenses to the following persons for the year commencing on:

July 1, 2011 through June 30, 2012

0245-32-018-005	Pete's Pub II, Inc.	215 Broad Avenue
0245-33-030-004	Te Min Quan, Inc.	270 Broad Avenue
0245-33-029-007	C K I Enterprise, Inc.	254 Broad Avenue

BE IT FURTHER RESOLVED, that the Police and Borough Clerk of the Borough of
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Palisades Park having investigated the applications of the following persons for license to conduct business for retail distribution of alcoholic beverages; and

BE IT FURTHER RESOLVED, that all of said licenses have been issued pursuant to an Act of the Legislature of the State of New Jersey, entitled "An Act Concerning Alcoholic Beverages, Its Supplements and Amendments Thereto" and the Borough of Palisades Park.

CA-18: Authorizing B.Y.O.B. Permit 225 Broad Ave.:

WHEREAS, pursuant to Ordinance #1539 B.Y.O.B. Permits are to be renewed on an annual basis beginning July 1st through June 30th; and

WHEREAS, the following B.Y.O.B. renewal application has been submitted and is in compliance with said ordinance and is hereby approved for renewal:

<u>PERMIT</u>	<u>NAME</u>	<u>ADDRESS</u>
008-12	Rodeo Garden, LLC	225 Broad Ave. – Suite 101

NOW THEREFORE BE IT RESOLVED, that the Borough Clerk is hereby authorized and directed to issue a B.Y.O.B. Permit to the applicant upon receipt of the renewal payment of \$1000.00 payable to the Borough of Palisades Park by certified check or money order; and

BE IT FURTHER RESOLVED, that said permit shall expire on June 30, 2012; and

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized to furnish copies of this Resolution to the Police Director, ABC Officer, Building Department, Health Department and each applicant.

Motion Made By Councilperson: Donohue
Seconded By Councilperson: Pirrera
To Approve Consent Agenda CA-1 thru CA-18

ROLL CALL:

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

OFF CONSENT:

OC-1: Tax Anticipation Note:

Member Councilperson Testa introduced and moved the adoption of the following resolution and Member Councilperson Pirrera seconded the motion.

RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,000,000 TAX ANTICIPATION NOTES OF 2011 OF THE BOROUGH OF PALISADES PARK, IN THE COUNTY OF BERGEN, NEW JERSEY AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED by the Borough Council of the Borough of Palisades Park, in the County of Bergen (the "Borough"), as follows:

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Section 1. The Borough Council of the Borough has ascertained and hereby determines and declares that the Chief Financial Officer has, by direction of the Borough Council, made and filed in the office of the Borough Clerk a certificate reading as follows:

"CERTIFICATE OF THE CHIEF FINANCIAL OFFICER SHOWING GROSS BORROWING POWER OF THE BOROUGH WITH RESPECT TO TAX ANTICIPATION NOTES OF 2011 OF THE BOROUGH OF PALISADES PARK, IN THE COUNTY OF BERGEN, NEW JERSEY.

The undersigned Chief Financial Officer of the Borough of Palisades Park, in the County of Bergen, hereby certifies pursuant to the provisions of Section 66 of the Local Budget Law as follows:

- (a) The gross borrowing power of the Borough in respect to tax anticipation notes of the fiscal year beginning January 1, 2011, being 30% of the tax levy of the next preceding fiscal year, which ended December 31, 2010, for all purposes, plus 30% of the amount of miscellaneous revenues realized by the Borough in cash during such next preceding fiscal year, is \$12,196,399.
- (b) The amount of notes of the Borough outstanding in anticipation of the collection of taxes of such fiscal year beginning January 1, 2011, except such notes as will be renewed by or paid from the proceeds of the notes to be issued, is \$-0-.
- (c) The net borrowing power of the Borough, being the excess of the first over the second of the two above amounts, is \$12,196,399.

IN WITNESS WHEREOF, I have hereunto set my hand as Chief Financial Officer of the Borough, this 19th day of July, 2011.

Chief Financial Officer
Borough of Palisades Park
County of Bergen
State of New Jersey"

Section 2. Pursuant to the Local Budget Law, the Borough shall borrow the sum of \$5,000,000 in anticipation of the collection of taxes levied or to be levied in and for the fiscal year beginning January 1, 2011 and in anticipation of other revenues for such fiscal year and, for the purpose of borrowing said sum there shall be issued Tax Anticipation Notes of 2011 of said Borough, and any renewals thereof, of the aggregate principal amount of \$5,000,000.

Section 3. The notes issued pursuant to this resolution shall be negotiable notes payable to bearer and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and such interest shall be payable at the maturity of such notes. The notes shall be dated on or about the date of their issuance and any renewals of said notes, if any, shall mature and be payable within 120 days after the beginning of the succeeding fiscal year. The issuing officers are authorized to provide that the notes may be redeemable at the option of the Borough.

Section 4. The Mayor and the Chief Financial Officer are hereby authorized to execute said notes and the Borough Clerk is hereby authorized to affix the seal of the Borough to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes and that said notes are within every debt and other limit prescribed by the Constitution or statutes

of New Jersey.

Section 5. The Chief Financial Officer is hereby authorized to sell said notes from time to time, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, maturity date and denomination of said notes and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefor.

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Section 6. All sums borrowed by the issuance of said notes shall be applied only to the purposes provided for in the budget adopted by the Borough for the fiscal year beginning January 1, 2011, or to purposes for which taxes are levied or are to be levied for such fiscal year.

Section 7. The Borough Council hereby designates the Tax Anticipation Notes of 2011 as “qualified tax-exempt obligations” for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”). It is hereby determined and stated that (1) the Tax Anticipation Notes of 2011 are not “private activity bonds” 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 tax-exempt obligations (other than private activity bonds) during the calendar year 2011. 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, the Borough does not covenant to do so and expressly states that a covenant is not made hereby.

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

The foregoing resolution was adopted by the following roll call vote:

Ayes: Council Persons Donohue, Lee, Pirrera, Ruh, Testa

Nays: None

ROLL CALL:

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

2nd READING & PUBLIC HEARING:

#1571 BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF ROFF AVENUE (FROM EAST EDSALL BOULEVARD TO THE DEAD END AT OAKDENE AVENUE) AND 12TH STREET (FROM BERGEN BOULEVARD SOUTHERLY TO DEAD END) IN, BY AND FOR THE BOROUGH OF PALISADES PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$115,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

SECTION I: The Borough of Palisades Park, in the County of Bergen, State of New Jersey (the

"Borough") is hereby authorized to resurface (i) Roff Avenue (from East Edsall Boulevard to the dead end at Oakdene Avenue) and (ii) 12th Street (from Bergen Boulevard southerly to deadend), including drainage improvements, where necessary, in, by and for said Borough. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor and shall be undertaken in accordance with plans and specifications prepared by the Borough Engineer and hereby approved and incorporated herein by this reference thereto. Such plans and specifications are on file or shall be placed on file with the Borough Clerk and made available for public inspection during regular business hours. It is hereby determined and stated

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that such roads to be improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law."

2. The sum of \$115,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. It is anticipated that a grant in the amount of \$72,000 from the Bergen County Community Development program, pursuant to the Federal Housing and Community Development Act, shall be received by the Borough to finance the cost of the improvements described in Section 1 hereof. Said grant funds shall be applied as set forth in Section 10 hereof. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

SECTION 3: It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$115,000, and (4) \$5,500 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$109,500, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$15,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

SECTION 4: It is hereby determined and stated that moneys exceeding \$5,500, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$5,500 is hereby appropriated from such moneys to the payment of the cost of said purpose.

SECTION 5: To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$109,500 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

SECTION 6: To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$109,500 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

SECTION 7: Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations

prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

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SECTION 8: It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

SECTION 9: It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$109,500 and that the

issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

SECTION 10: Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

SECTION 11: The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

SECTION 12: The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

SECTION 13: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

SECTION 14: This ordinance shall take effect twenty days after the first publication thereof after final passage.

Motion Made By Councilperson: Pirrera
Seconded By Councilperson: Ruh
To Open Bond Ordinance #1571 to the Public:

PUBLIC PARTICIPATION: None

ROLL CALL:

Councilperson	Donohue	Yes
“	Kim	Excused Absence
“	Lee	Yes

“	Pirrera	Yes
“	Ruh	Yes
“	Testa	Yes

Bond Ordinance 1571 has been finally adopted by the Borough Council of the Borough of Palisades Park, County of Bergen, State of NJ, on July 19, 2011 and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such Ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk’s Office for members of the general public who request the same.

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#1572 BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF OAKDENE AVENUE(FROM BROAD AVENUE TO GRAND AVENUE) AND 10TH STREET (FROM PALISADES BOULEVARD NORTH TO BERGEN BOULEVARD) IN, BY AND FOR THE BOROUGH OF PALISADES PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$200,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

SECTION 1: The Borough of Palisades Park, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to resurface (i) Oakdene Avenue (from Broad Avenue to Grand Avenue) and (ii) 10th Street (from Palisades Boulevard north to Bergen Boulevard), including drainage improvements, where necessary, in, by and for said Borough. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor and shall be undertaken in accordance with plans and specifications prepared by the Borough Engineer and hereby approved and incorporated herein by this reference thereto. Such plans and specifications are on file or shall be placed on file with the Borough Clerk and made available for public inspection during regular business hours. It is hereby determined and stated that such roads to be improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

SECTION 2: The sum of \$200,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

SECTION 3: It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$200,000, and (4) \$9,600 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$190,400, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$30,000 which is estimated to be necessary to finance the cost of such purpose, including architect’s fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

SECTION 4: It is hereby determined and stated that moneys exceeding \$9,600, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$9,600 is hereby appropriated from such moneys to the payment of the cost of said purpose.

SECTION 5: To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$190,400 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

SECTION 6: To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$190,400 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued

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pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

SECTION 7: Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

SECTION 8: It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

SECTION 9: It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$190,400 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

SECTION 10: Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

SECTION 11: The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

SECTION 12: The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs

prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

SECTION 13: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

SECTION 14: This ordinance shall take effect twenty days after the first publication thereof after final passage.

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Motion Made By Councilperson: Ruh
Seconded By Councilperson: Testa
To Open Bond Ordinance #1572 to the Public:

ROLL CALL:

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

Bond Ordinance **1572** has been finally adopted by the Borough Council of the Borough of Palisades Park, County of Bergen, State of NJ, on July 19, 2011 and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such Ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full Ordinance are available at no cost and during regular business hours, at the Clerk’s Office for members of the general public who request the same.

COUNCIL REPORTS:

Councilperson Kim: NONE AT THIS TIME
Councilperson Pirrera: NONE AT THIS TIME
Councilperson Lee: NONE AT THIS TIME
Councilperson Donohue: NONE AT THIS TIME
Councilperson Ruh: Advised everyone about National Night Out sponsored by the Police Department on August 2, 2011 from 6-9 PM.
Councilperson Testa: Advised on the two summer concerts that were a success and reminded everyone that there were two more in August.

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

PUBLIC PARTICIPATION:

Susan Brauer: Questioned age of Karaoke club & B.Y.O.B. – All questions answered. Asked

about dedication money (grant) fees for Food Handlers, Tree Preservation, Ambulance Corps and COAH. Borough Clerk answered all questions regarding this. Wanted to know about the grant for Broad Ave. pedestrian safety. Borough Administrator answered that question. Questioned grant for recycling Mayor Rotundo answered question. Questioned CA-22 (6/21) regarding funds for Housing Development and amount you get. Borough Clerk answered that you have to meet certain qualifications to be able to get the grant.

Marsha Schor: Concerned about construction at 55 Henry Ave and police tape closing the sidewalk. Trucks parking there and people have to walk in the street. Mayor advised he would look into the situation. Also questioned about sweeper being broken. Joe Ferguson confirmed.

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

All present in favor by Voice Vote

Attest:

Martin A. Gobbo, RMC – Borough Clerk

