

# EYE ON THE CLIFFS

A publication of EC for Responsible Government

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*"Let us not seek the Republican answer or the Democratic answer, but the right answer. Let us not seek to fix the blame for the past. Let us accept our own responsibility for the future." John F. Kennedy*

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EC for Responsible Government is a not-for-profit corporation established and managed by and for residents of Englewood Cliffs. Our organization is non-partisan and does not endorse or support candidates in local elections. Our organization was created to alert the community about important actions and decisions taking place at meetings of the Mayor and Council, the Planning Board, and the Board of Education. It is our intent that our newsletters will provide you with information and commentary about governmental matters that could affect you.

We encourage you to visit the borough website [www.EnglewoodCliffsNJ.org](http://www.EnglewoodCliffsNJ.org), and we urge you to attend Mayor and Council meetings. If you are interested in joining our organization, please contact us for more information at [ecfrg2017@gmail.com](mailto:ecfrg2017@gmail.com). We welcome community input. We welcome contributions to fund our outreach and communication activities. If you want to support our efforts, please make your check payable to EC for Responsible Government and mail it to: PO Box 1812 Englewood Cliffs NJ 07632.

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## Mayor and Council Approve New Public Safety Director Position

Despite strong objections voiced by the entire Englewood Cliffs Police Department (the "ECPD"), Chief of Police Mike Cioffi, and a majority of the residents who attended the meeting, the Mayor and Council approved the creation of a new Public Safety Director position at its meeting on September 13. The approval came after the Council split 3 to 3 along partisan lines, with Mayor Mario Kranjac breaking the tie and voting with his Republican colleagues.

The current 2017 budget does not include funding for this new administrative position, and Kranjac again refused to discuss the salary and benefits. This is the third taxpayer funded administrative position that has been created since Kranjac took office last year.

Kranjac said he had no confidence in the leadership of the ECPD, and argued that the new Public Safety Director would reduce ECPD litigation. Since Kranjac and McMorrow took office last year, several lawsuits have been initiated by the ECPD, the Chief of Police, and individual police officers. These lawsuits name Kranjac and Carrol McMorrow personally as defendants, and allege a variety of offenses by Kranjac and McMorrow, including violation of civil rights

Long-time Englewood Cliffs resident Arthur O'Keefe, who has served as Police Chief of the City of Englewood and head of the City of Englewood Police PBA, and who served under a Public Safety Director, spoke out against the creation of the new position. O'Keefe said:

*"Having a public safety director inserts a level of political interference in the police department that's not necessary...By placing a public safety director into office over the police chief, all that this does is create further conflict and it's going to foster litigation. It's not going to prevent it."*

The majority of the residents present did **not** support the creation of this new administrative position. Residents expressed serious concerns about potential interference by a Public Safety Director in the operation of the ECPD, the need for oversight of the ECPD, the cost, and questioned Kranjac and Councilwoman Carrol McMorrow's motivation in pushing to set up the new post.

At the September 13 meeting, Kranjac continued to disparage and demean the serious charges in pending lawsuits brought by members of the ECPD and blamed them on a lack of proper department leadership. Yet, last December, Kranjac and the Republican Council members dismissed all of the disciplinary charges that had been brought by the Chief of Police, and sustained by former Superior Court Judge Guida, against ECPD Lt. Scott Mura. Ignoring Guida's recommendation for a 130 day suspension without pay, the Mayor and Council granted Mura a retroactive promotion to Captain and an award of \$110,000, provided Mura never again work in Englewood Cliffs.

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In a further attempt to justify the need for a Public Safety Director, Kranjac disclosed that he had a “secret” conversation with two ECPD Officers in early July. Kranjac said they had requested a meeting with him and he described the meeting as a cry for help. The two ECPD Officers, Jae Lee and Douglas Rommes, who were alerted to the comments Kranjac was making, rushed into the Council chamber and stated that Kranjac mischaracterized what they said to him. They confirmed that they had asked for the meeting because as the new leaders of the PBA, they wanted to introduce themselves and to open a dialogue with the Mayor. Officers Lee and Rommes stated, “*we met with you in good faith and you completely turned it around.*” They also said that they do not support the creation of a Public Safety Director.

**Commentary:** Instead of working with Police Chief Cioffi and the PBA, the Mayor continues to battle them. A Public Safety Director will be Kranjac's political appointee, and will “assume full management responsibility for the ECPD”, and “oversee the hiring, supervision, training and discipline” of its members. There are currently three (3) vacant positions on the ECPD force, and our community could benefit from more police on patrol. Our tax dollars should be spent for that purpose, rather than to fund another administrative position. A Public Safety Director is unlikely to have any positive impact on the day to day operation of the ECPD, but could antagonize the force, resulting in more lawsuits. Kranjac's description of the meeting he had with Officers Lee and Rommes suggests that he is incapable of establishing a good working relationship with the ECPD. Such a relationship involves mutual trust and respect. The Mayor and Council should have listened to Arthur O'Keefe, quoted above, an experienced law enforcement official and borough resident. But when O'Keefe finished speaking, Kranjac told him “*you are not going to change my mind...no one in this room will change my mind.*”

## **Decision Postponed on Rehabilitation Zone Designation**

A Special Meeting of the Mayor and Council took place on September 7 to review the Mayor's proposal to designate the south end of Sylvan Avenue in Englewood Cliffs as a zone in need of rehabilitation. Such designation would allow new construction that would not comply with current building height and other zoning restrictions. At the meeting, an attorney with the law firm of Price, Meese, Schulman & D'Arminio, told the Mayor and Council that she represented the Natural Resources Defense Council and Scenic Hudson, two major conservation groups that were instrumental in working out the Settlement Agreement with LG. The LG Settlement Agreement limited the height of LG'S new Englewood Cliffs headquarters to the approximately 65 foot height of the Palisades tree level, rather than the 143 foot height originally proposed. Price, Meese has been directed to monitor the borough's rehabilitation proposal to make sure that nothing would be approved that could adversely affect the Palisades. Although the Mayor and his fellow Republicans were unwilling on August 9 to commit to any building height restrictions, they stated at the September 7 meeting that they would honor the borough's 35 foot building height

limitation in connection with any new construction in the rehabilitation zone

Residents who attended the Special Meeting did not support the proposed designation. Residents questioned why borough taxpayers should foot the bill for the costs of a professional engineering firm to draw up development plans for the entire rehabilitation area when the primary beneficiary is one resident family. Many expressed concern because the designation of the area does not compel any property owner to make improvements. Residents wanted stricter property maintenance codes and enforcement. Residents also questioned the legal basis for the designation, and asked who would pay to replace water and sewer lines that Maser Engineering consultants claimed were in substantial need of repair.

In the aftermath of the September 7 meeting, the Mayor and Council voted on September 13 to send the proposed designation to the Borough Planning Board for further review.

**Commentary:** Residents who express their views at public meetings can and do make a difference. When we speak up and work together, we can succeed in protecting our community. In the face of so much opposition, it would have been preferable for the Mayor and Council to vote against the rehabilitation area designation. Instead, they referred it to the Planning Board for further investigation. Perhaps this is simply a way to defuse public dissent and delay a decision. What additional information could the Mayor and Council require to persuade them that this designation is not right for our community and not supported by residents? Since this proposal is still pending, we must continue to be vigilant and make our voices heard.

The next Mayor and Council meeting is Wednesday, October 11 at 8 P.M. If you cannot attend a meeting but want to know what happened, you can watch the entire meeting on-line. Go to [www.EnglewoodCliffsNJ.org](http://www.EnglewoodCliffsNJ.org) Click on it. The borough website appears. On the left side of the screen you will see “Agendas/Min/Recordings”. Click on it. You will then see “for video recordings please click here.” Click on the word “here.” When the image appears, click on the arrow to start the video. For past meetings, click on the three white bars at the top left side of the video, and a list of prior meetings will appear. Click on the meeting that you would like to view.

## **Kranjac criticizes Police Chief for “ticket fixing”. What is he talking about?**

In Englewood Cliffs, as elsewhere, a procedure has long been in place for legally dismissing traffic tickets upon the recommendation by the issuing police officer, and the dismissal of such ticket by a Judge.

Englewood Cliffs does not allow non-resident vehicles to park overnight on our streets. Overnight non-resident parking is prohibited after 10 P.M. to protect residents and safeguard our neighborhoods. If a resident has visitors who will be parking their cars on the street after 10 P.M., the resident should notify the Englewood Cliffs Police Department by calling 201 569-8300. Such guest vehicles will then be registered, and not ticketed. But mistakes happen, and sometimes residents forget to call. Tickets may be issued, carrying a nominal fine of \$25.

Mayor Kranjac accused Police Chief Cioffi of ticket fixing in relation to the dismissal of 8 non-resident late night parking tickets in August 2013 (on Irving Avenue) and in December 2014 (on the north end of Floyd Street). In each case, the resident had guests who had been invited to a party at their home and the celebrations extended past midnight. In each case, the resident failed to notify the ECPD that they had guests who might remain parked on the street past 10 P.M. In each of these cases, the patrolman who had issued the tickets recommended that they be dismissed when he learned the circumstances; the Police Chief agreed. Our Municipal Court Judge made the final decision, and court records confirm that the Judge dismissed these tickets in both instances. Proper procedure was followed. No one on the ECPD violated any laws.

The allegation of ticket fixing on Floyd Street was the basis of the April 2016 vote by the Republican majority of the Council to suspend the Police Chief for thirty days and to refer the charge to the Bergen County Prosecutor's Office (BCPO) for review and investigation. The BCPO found no evidence of criminal wrongdoing.

### ***Shah & Calderon Refuse to Participate in League of Women Voters Candidates Forum***

Pursuant to guidelines established by the League of Women Voters, a nationally recognized 100 year old non-partisan organization dedicated to educating voters about candidates and issues, EC for Responsible Government invited the Englewood Cliffs Council Candidates to participate in a Meet the Candidates Forum next month at the Upper School. To ensure impartiality, a League member who does not live in Englewood Cliffs serves as the event moderator. The League format allows each candidate to present an opening statement, followed by a question and answer period from the public.

EC for Responsible Government decided to sponsor this event for our community because we believe Englewood Cliffs residents should have an opportunity to meet the candidates for Council and hear the candidates' views on issues of concern. Our organization voted to pay all the League of Women Voters fees as well as all additional expenses related to holding the event at the Upper School.

The League requires that all candidates seeking office must agree to participate and abide by the League guidelines. All four borough council candidates were invited. Unfortunately, two borough council candidates, Shah and Calderon, have refused to participate. It is troubling that candidates who are seeking your vote would decline an opportunity to appear at a non-partisan public forum to discuss their credentials and viewpoints, and to answer your questions. We hope they will reconsider.

## **Planning Board continues review of 800 Sylvan Avenue Project**

The Planning Board is continuing to review an application for 800 Sylvan Avenue, a new project located on Sylvan Avenue between the Unilever and CNBC buildings. The project developer has asked for several variances in connection with a corporate office building proposed for this site. The developer is working with the Planning Board to address concerns raised by the Board and residents. The developer has agreed to add more trees to the buffer zones to shield nearby homes, and to modify the type of window glass to be installed in the new structure in order to minimize the visual night time impact of interior lighting on neighboring residences. The development team said they would work to make sure that there is no impact on the Palisades, and have also agreed to save many mature trees by relocating a proposed parking structure. The major open issues for discussion at the next meeting include the location of the primary parking garage and whether a side yard buffer can be eliminated if the site is to be bifurcated into two separate properties. The next Planning Board meeting is October 12 at 7:30 P.M. at the Mayor and Council Chamber.

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## **Important news for Englewood Cliffs residents**

**\*\*\*\*ECRWSSEDDM\*\*\*\***

**Residential Customer  
Englewood Cliffs, N.J. 07632**

### **A CLOSER LOOK AT THE 2016 BUDGET.**

Englewood Cliffs residents have long benefitted from property taxes which are lower than most neighboring towns. No one wants to pay any more than is necessary for the services that we need. Our property taxes support the county, our public schools, and our borough government. The taxes for the county and public schools are determined by the County and our local Board of Education. The borough taxes are determined by the Mayor and Council. The annual property tax levy is the amount needed to pay borough expenses after subtracting all other forms of borough revenue, such as state aid, construction fees and permits, commercial sewer fees, cell tower leases and court imposed fines.

In February 2016, while the 2016 borough budget was in development, the borough's fiscal officer alerted the Mayor and Council that the borough had received bills totaling \$362,000 to pay court ordered prior year tax refunds. On March 3, 2016, these bills were paid. On March 28, 2016, Mayor Kranjac introduced the 2016 Englewood Cliffs budget and boasted that his budget contained a property tax reduction for the first time. He said that he had discovered that the budget "*started \$362,000 in the hole*" due to the prior year tax refunds, but announced that "*we dealt with it.*" However, the 2016 budget provided only \$100,000, not the full amount of the refunds.

Borough checks dated March 3, 2016, indicate that a large portion of the \$362,000 refunds was paid from restricted borough funds that were earmarked for capital purposes. State law prohibits the use of capital funds to pay for current expenses. In order to pay back the restricted account before the end of the year, on December 14, 2016 the Mayor and Council approved a \$295,000 emergency appropriation. On December 28, 2016, the borough actually borrowed \$295,000 from a local bank, promising to repay it in September 2017 from 2017 budgeted funds. In effect, a 2016 expense was charged to the 2017 budget.

**Commentary:** The correct way to provide for a 2016 expense which was known and actually paid while the 2016 budget was in development would have been to include that expense in the 2016 budget. Governments cannot ignore bills that must be paid. Emergency appropriations for a borough are generally available only when needed to meet unforeseen and unexpected expenses, such as costs to clean up after a hurricane.

In 2015, the year before the Republicans took control of the Council, there was a \$1 million borough property tax increase. The 2015 tax increase did not arise because of additional hiring or new programs. It was due mainly to the loss of revenue; state law prohibited the continued use of "Red Light Cameras" to identify driving violations and to issue summonses. Therefore, between 2014 and 2015, borough traffic court revenues dropped by about \$750,000. In order to avoid cuts in basic services, the borough had to raise taxes. Residents may forget that the 2015 tax increase set a new higher base for our property taxes in 2016 and thereafter.

In 2016, despite a significantly higher tax base, the Mayor and Council found it difficult to lower taxes. An unrealistic reduction in the police overtime budget, transferring our public library contract from Englewood to Fort Lee, and taking more funds from surplus, were not sufficient to generate a property tax cut. So, even though the outstanding \$362,000 tax refunds had already been paid in March 2016, the money to fund those payments was deliberately left out of the 2016 budget. If the money to pay those refunds had been properly budgeted in the 2016 budget, *we would have had a tax increase in 2016*, not the nominal \$25 average homeowner's tax reduction that resulted.