

M I N U T E S  
Meeting of the Mayor and Council  
Monday, June 21, 2010  
8:00 P.M.

CALL THE MEETING TO ORDER -

Mayor Watkins called the meeting to order at 8:00 p.m. in the Council Chambers of the Borough Hall.

SILENT PRAYER - FLAG SALUTE

Mayor Watkins called for a moment of silent prayer and asked Councilman Cannon to lead the salute to the flag.

STATEMENT -

Mayor Watkins read the statement under the Sunshine Law and asked the Clerk to put it into the minutes. "Adequate Notice of this meeting has been made by sending notice on December 18, 2009 to THE RECORD and THE RIDGEWOOD NEWSPAPER, by positioning on the bulletin board in the lobby of the Borough Hall, and filing a Notice of the same with the Municipal Clerk".

ROLL CALL - Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon, Councilman Cordts and Mayor Watkins were present.

APPROVAL OF MINUTES - By Consent

Approve the minutes of the Mayor and Council work session and regular meeting of June 7, 2010.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

PROCLAMATION & AWARDS -

Mayor Watkins recognized and congratulated River Edge resident Chiara Lombardo for competing in the Boston Marathon and then in the River Edge Run the next day.

APPOINTMENTS & PERSONNEL CHANGES

Motion by Councilman Smith, seconded by Councilwoman Walker to approve the salary increase of Francis Gallagher, Laborer I, Department of Public Works from an annual salary of \$46,810.00 to \$47,290.00 due to a longevity increase of \$480.00, effective July 5, 2010.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

CORRESPONDENCE -

Letter	-	Board of Chosen Freeholders - 6/9/10 Re: Approved Resolutions & Ordinances
Letter	-	State of New Jersey - 6/9/10 Re: Hazardous Discharge Notification
Letter	-	New Milford Planning Board - 6/10/10 Re: June 22, 2010 Meeting-Review Master Plan
Notice	-	River Edge Board of Education - 6/14/10 Re: Meeting - Wednesday, June 16, 2010
Letter	-	Board of Chosen Freeholders - 6/15/10 Re: Approved Ordinances

MONTHLY REPORTS -

Property Maintenance/Code Enforcement	-	May 2010
Zoning Board of Adjustment	-	May 12, 2010

ORDINANCES - 1<sup>st</sup> Reading - NONE

ORDINANCES - 2<sup>nd</sup> Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1709 as follows.

Ordinance #1709 - AN ORDINANCE AMENDING CHAPTER 206 "FEES" OF THE CODE OF THE

BOROUGH OF RIVER EDGE

Ordinance #1709 was introduced by Councilwoman Rush, seconded by Councilwoman Walker at the June 7, 2010 meeting as follows:

BOROUGH OF RIVER EDGE  
Ordinance #1709

AN ORDINANCE AMENDING CHAPTER 206 "FEES" OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey, that Chapter 206 "Fees" of the Code of the Borough of River Edge be and hereby is amended as follows:

Section I \$206-2EE (Miscellaneous Fees) amended as follows:

Garage sale, each           \$10.00

Section II If any provisions of this chapter are found to be invalid, for any reason, by the final judgment of a court of competent jurisdiction, the invalidity of such portions shall not effect the remaining provisions of this chapter, which shall be severable therefrom.

Section III All ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies only.

Section IV This ordinance shall take effect immediately upon passage and publication according to law.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1709

Motion by Councilwoman Walker, seconded by Councilman Cannon to open hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

CLOSE HEARING OF THE PUBLIC - Ordinance #1709

There being no comments by the public, motion by Councilwoman Walker, seconded by Councilman Porco to close hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

ADOPTION - Ordinance #1709

Motion by Councilwoman Walker, seconded by Councilman Porco to adopt Ordinance #1709.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

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Denise Dondiego, Borough Clerk read the title of Ordinance #1710 as follows:

Ordinance #1710 - AN ORDINANCE AMENDING CHAPTER 314 "PEDDLING AND SOLICITING" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Ordinance #1710 was introduced by Councilman Cordts, seconded by

Councilwoman Walker at the June 7, 2010 meeting as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1710

AN ORDINANCE AMENDING CHAPTER 314 "Peddling and Soliciting" OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge that Chapter 314 "Peddling and Soliciting" be and hereby is amended as follows:

Section I: Section 314-4 "Exemptions" add the following:  
"Individuals representing such organizations may solicit between the hours of 9:00 a.m. 9:00 p.m. Solicitors are encouraged to wear reflective clothing and/or carry flashlights if soliciting after dark."

Section II: Section 314-8 "Time limits on solicitation" Paragraph (B) amended to change "9:00p.m." to "6:00 p.m."

Section III: All ordinances inconsistent with the provision of this ordinance are hereby repealed as to such inconsistencies only.

Section IV: If any provision of this ordinance is found to be invalid, for any reason, by the final judgment of a Court of competent jurisdiction, the invalidity of such portions shall not effect the remaining provisions of this ordinance, which shall be severable therefrom.

Section V: This ordinance shall take effect immediately upon final passage and publication as required by law.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk  
Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1710

Motion by Councilman Porco, seconded by Councilman Cannon to open hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

CLOSE HEARING OF THE PUBLIC - Ordinance #1710

There being no comments by the public, motion by Councilwoman Walker, seconded by Councilman Cannon to close hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

ADOPTION - Ordinance #1710

Motion by Councilman Smith, seconded by Councilman Porco to adopt Ordinance #1710.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

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RESOLUTIONS - By Consent

Motion by Councilman Cannon, seconded by Councilman Smith to approve resolution #10-246 through #10-265.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

#10-246 Award of Contract to Owl Contracting, 36 Berkshire Valley Road, Kenvil, New Jersey, 07847 for the 2010 Riverside Cooperative Road Improvement Program

WHEREAS, on June 3, 2010 sealed bids were received for the 2010 Riverside Cooperative Road Improvement Program by the Riverside Cooperative (35-RC); and

WHEREAS, four (4) bids were received, the lowest from Owl Contracting, 36 Berkshire Valley Road, Kenvil, New Jersey, 07847; and

WHEREAS, the Borough of Haworth, the Lead Agency for the Riverside Cooperative, awarded the bid at their meeting of June 8, 2010; and

WHEREAS, the bids have been reviewed by the Borough Administrator, Borough Engineer, Superintendent of Public Works and Borough Attorney; and

WHEREAS, the Mayor and Council have reviewed this matter at a work session on June 21, 2010; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1693-450 of the Capital Fund not to exceed \$122,753.07 for the base bid and \$13,254.00 for the Alternate for a total amount not to exceed \$136,007.07.

WHEREAS, this contract is awarded on a unit price basis and may be considered an "Open Ended Contract" under N.J.A.C. 5:34-5.3, in which case certification of funds is not required until such time as the services are ordered and prior to incurring the liability by placing the order, certification of availability of funds will be made by the Chief Financial Officer, and it shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds from the Chief Financial Officer as appropriate.

NOW, THEREFORE, BE IT RESOLVED that the bid is hereby awarded to Owl Contracting, 36 Berkshire Valley Road, Kenvil, New Jersey, 07847 in the amount of \$136,007.07 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

June 21, 2010

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#10-247 Amend Agreement with Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey for Professional Services for Expert Legal Services

WHEREAS, there exists a need for Expert Legal Services for tax appeal representation; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Alan P. Spiniello, Esq. via resolution #10-48 dated January 4, 2010 in the amount of \$10,000.00; and

WHEREAS, additional funding is required for Expert Legal Services for tax appeal representation; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the annual aggregate value of the service may exceed \$17,500; and

WHEREAS, Alan P. Spiniello, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Alan P. Spiniello, Esq. has not made any reportable contributions to a political or candidate committee in the Borough of River Edge Governing Body in the previous one year, and that the contract will prohibit Alan P. Spiniello, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Mayor and Council have reviewed this matter at a work session on June 21, 2010; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-174 of the Current Fund an amount not to exceed \$15,000.00.

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

WHEREAS, the rate of pay shall not exceed \$85.00 per hour:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey, 07601.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

June 21, 2010

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#10-248 Resolution to Confirm Construction of an Approved Plan or Design -  
Kinderkamack Road Regional Revitalization Project Phase 1B

WHEREAS, N.J.S.A. 59:4-6 provides in pertinent part that neither the public entity nor a public employee is liable for an injury caused by the plan or design of public property or any improvement thereto where the plan or design was approved in advance of construction by the Governing Body of the Borough of River Edge or a public employee exercising discretionary authority on its behalf of where such plan or design was prepared in conformity with standards previously approved by the Governing Body of the Borough of River Edge; and

WHEREAS, the Kinderkamack Road Regional Revitalization Project Phase 1B improvement to public property has been designed by Costa Engineering Corporation, 325 South River Street, Hackensack, New Jersey 07601; and

WHEREAS, Costa Engineering has certified that the construction of the Kinderkamack Road Regional Revitalization Project Phase 1B improvement has been done in accordance with the plans and specifications of the project; and

WHEREAS, the Governing Body of the Borough of River Edge wishes to record its confirmation of the construction of said design.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge as follows:

1. Plans and specifications entitled "Kinderkamack Road Regional Revitalization Project Phase 1B" prepared by Costa Engineering Corporation dated March 20, 2009 and revised through May 3, 2010 be, and hereby are, approved as constructed.
2. The improvements described herein above have been completed and have been inspected by Costa Engineering Corporation and they have certified to the Governing Body of the Borough of River Edge that said improvement has been constructed in accordance with the above referenced design.
3. The Borough Clerk shall archive this resolution in a manner consistent with the purpose of perpetually documenting governmental immunity in the event of any claim based upon the plan, design or construction of the improvement.

June 21, 2010

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#10-249 Approve the Appointment of a Representative to the Open Space Trust  
Regional Committee

WHEREAS, the Borough of River Edge has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Trust Fund; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Open Space Trust Regional Committee for the term of one year coinciding with the fiscal year July 1, 2010 through June 30, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Governing body of the Borough of River Edge hereby appoints Councilman Smith as its representative to participate on the Open State Trust Regional Committee and Edward Lane as the alternative.

June 21, 2010

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#10-250 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to Public Safety Building Generator

WHEREAS, there exists a need for expert professional engineering services related to the Public Safety Building Generator; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the annual aggregate value of the service may exceed \$17,500; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1703-100 of the Capital Fund not to exceed \$1,000.00 and Account #01-2010-20-1652-100 in the amount of \$9,000.00 for a total amount not to exceed \$10,000.00; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

WHEREAS, Robert Costa has completed and submitted a Business Entity Disclosure Certification which certifies that Robert Costa has not made any reportable contributions to a political or candidate committee in the Borough of River Edge Governing Body in the previous one year, and that the contract will prohibit Robert Costa from making any reportable contributions through the term of the contract; and

WHEREAS, the rate of pay shall not exceed \$65.00 per hour as Borough Engineer and per hour rates as follows:

Principal Land Surveyor.....	\$ 75.00
Survey Field Crew.....	\$150.00
Senior Designer.....	\$ 65.00
Senior Drafter.....	\$ 55.00
Computer Drafting.....	\$ 75.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 327 South River Street, Suite 302, Hackensack, New Jersey 07601; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

June 21, 2010

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#10-251 Authorize Accounts Supervisor to Issue Refund Check - Street Opening for Paul & Christine Garbarino, 11 Tenney Avenue

WHEREAS, the Borough of River Edge received a street opening permit from the following who surrendered \$550.00 which represents a \$250.00 application fee and a \$300.00 inspection fee; and

WHEREAS, the resident requested a waiver for these fees due to the fact the sewer line that needed to be corrected was installed prior to their ownership; and

WHEREAS, the Mayor and Council approved this waiver at their meeting of June 7, 2010; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Current Account #01-1920-55-0000 in the amount not to exceed \$550.00.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to issue a check in the amount of \$550.00 to the following:

Paul & Christine Garbarino  
187 Barlow Mountain Road  
Ridgefield, CT 06877

June 21, 2010

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#10-252 Resolution in Support of Public Health Priority Funding (PHPF)

WHEREAS, Public Health Priority Funds are used by the River Edge local health department to provide a variety of direct public health services, such as childhood immunizations, infant and preschool child programs, childhood lead poisoning screening and remediation, tuberculosis control, older adult immunizations, environmental sanitation/safety and reportable disease surveillance/control for River Edge residents; and

WHEREAS, Governor Christie's fiscal year 2011 budget proposes the elimination of Public Health Priority Funds; and

WHEREAS, current economic and employment conditions are creating an increased demand for public health services; and

WHEREAS, in 1966, the new Jersey Legislature enacted legislation (N.J.S.A. 26:2F-1 et seq.) that provides for state funding to support priority health services conducted by local health departments.

WHEREAS, PHPF is the only direct state appropriation to local health departments to help pay for necessary local public health activities. With no funding, local health departments will be forced to rely on local property taxes to maintain current services, or cut many services provided for in part by PHPF.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that New Jersey Legislature and Governor Christie are hereby urged to restore Public Health Priority Funds to the New Jersey fiscal year 2011 budget.

BE IT FURTHER RESOLVED, that the Borough Clerk is directed to forward a copy of this resolution to Governor Christie and the River Edge State Legislative Representatives.

June 21, 2010

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#10-253 Authorize Chief Financial Officer to Cancel Grant Fund Appropriation for the Bergen County Open Space Trust Grant - Acquisition of Real Property for the Site of Bogert Road Pocket Park

WHEREAS, the Borough of River Edge received approval for a grant through the Bergen County Open Space Trust Grant Program Contract dated May 13, 2009; and

WHEREAS, the Borough of River Edge has on its books and records a Capital Authorization (Ordinance #1654) amount of \$82,500.00 and an Account Receivable of \$82,500.00; and

WHEREAS, the Chief Financial Officer has investigated the Capital Authorization Balance and the Accounts Receivable balance and has recommended that they be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is authorized to cancel the Capital Authorization Balance for the Bergen County Open Space Trust Grant Contract dated May 13, 2009 in the amount of \$82,500.00 and the Accounts Receivable balance of \$82,500.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby instructed to adjust the records accordingly.

June 21, 2010

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#10-254 Enter Into Agreement with Valley Health Medical Group, 15 Essex Road, 5<sup>th</sup> Floor, Paramus, New Jersey, 07652 for Drug and Alcohol Testing & Administrative Services

WHEREAS, there exists a need for expert services related to Drugs and Alcohol Testing & Administrative Service; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1002-182 of the Current Fund not to exceed \$1,250.00 from July 1, 2010 to December 31, 2010 and from Account #01-2010-20-1002-182 of the Current Fund in the amount of \$1,250.00 from January 1, 2011 to June 30, 2011 not to exceed a total of \$2,500.00 contingent upon the Governing Body passing and including an appropriation in the current fund

budget and subject to all of the requirements of N.J.A.C. 5:34-5.3 with respect to multi-year contracts; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40a:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the rate of pay shall not exceed as follows:

\$ 65.00 per DOT Drug Test  
\$ 65.00 per Non-DOT Drug Test  
\$ 55.00 per DOT Alcohol Test  
\$ 70.00 per DOT Physical  
\$ 40.00 per DOT Follow-up Physical  
\$160.00 per Split Sample Test  
\$180.00 per Post Accident On-Site Service  
\$600.00 Annual Administrative Fee

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the Attached agreement with Valley Health Medical Group, 15 Essex Road, 5<sup>th</sup> Floor, Paramus, New Jersey; and
2. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
3. That a copy of this resolution be forwarded to THE RIDGEWOOD NEWS for publication.

June 21, 1010

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#10-255 Award Bid for the 2011 International Model #7500 SFA Chasis With Hook Lift, Spreader & Debris Collector to Deluxe International

WHEREAS, on June 10, 2010 one (1) sealed bid was received for the 2011 International Model #7500 SFA Chasis With Hook Lift, Spreader & Debris Collector in the amount of \$207,985.00; and

WHEREAS, the bid has been reviewed by the Borough Administrator, Superintendent of Public Works and the Borough Attorney; and

WHEREAS, the Mayor and Council have discussed this matter at a work session on June 21, 2010; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1693-300 of the Capital Fund in an amount not to exceed \$207,985.00; and

NOW, THEREFORE, BE IT RESOLVED that the bid is hereby awarded to Deluxe International, 600 South River Street, Hackensack, New Jersey 07601 in the amount not to exceed \$207,985.00 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

June 21, 2010

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#10-256 Cancel Unexpended and Dedicated Balances

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Fund Balance and unused debt authorized may be canceled.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that the following unexpended and dedicated balances of General Capital Appropriation be canceled:

<u>ORDINANCE</u>	<u>UNFUNDED DEFERRED CHARGES</u>	<u>CAPITAL FUND BALANCE</u>	<u>CAPITAL IMPROVEMENT</u>
1576 June 21, 2010		\$272.50	

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#10-257 Resolution Authorizing Chief Financial Officer to Cancel Grant Fund  
Receivable for Municipal Alliance Against Drug and Alcohol Abuse

WHEREAS, the Borough of River Edge received approval for a grant through the County of Bergen Municipal Alliance Against Alcohol and Drug Abuse for January 2009 to December 31, 2009; and

WHEREAS, the Borough of River Edge has on its books and records an account receivable of \$400.54 and an appropriate reserve of \$40.54; and

WHEREAS, the Chief Financial Officer has investigated the account receivable and appropriated reserve balance and has recommended that they be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is authorized to cancel the grant fund account receivable and appropriated reserve for the Municipal Alliance Against Drug and Alcohol Abuse in the amount of \$400.54 and \$40.54.

BE IT FURTHER RESOLVED, that the Chief Financial is hereby instructed to adjust the records accordingly.

June 21, 2010

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#10-258 Authorize Tax Collector to Refund Duplicate 2nd Quarter 2010 Tax  
Payments

WHEREAS, the tax office has received duplicate tax payments for the 2nd quarter 2010 taxes on the following properties; and

WHEREAS, a written request was received from their mortgage company to refund the overpaid amounts directly to the mortgage company.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is hereby authorized to issue refund checks in the following amounts and the Tax Collector to adjust her records accordingly.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Refund Amount</u>
409/35/C0027	REYDMAN, DIANA 27 Jordan Drive	\$2,421.85
409/50/C0102	OKUN, ANTON 784 Kinderkamack Road	\$ 77.53
703/5	SCHWARTZ, DAVID 243 Monroe Avenue	\$ 385.83
705/22	MUCCIA, MICHAEL J. 248 Manning Avenue	\$ 187.42
801/14	SIESS, DIANA A. 180 Voorhis Avenue	\$2,300.97
814/32	SCORZA, JASON 112 Wayne Avenue	\$2,817.46
901/18	PATENAUDE, ROBERT E. 206 Manchester Road	\$ 45.79
901/20	O'REILLY, VINCENT P. 216 Manchester Road	\$ 9.16
1002/4.02 (1002/4.0201)	RANLEY, JUSTIN 437 Lafayette Avenue	\$ 92.18
	TOTAL:	\$8,338.19

Make check payable to:

FIRST AMERICAN REAL ESTATE TAX SERVICE  
Refund Unit - DFW 1-3  
One First American Way  
Westlake, TX 76262

June 21, 2010

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#10-259 Authorize Tax Collector to Refund Duplicate 2nd Quarter 2010 Tax Payments

WHEREAS, the tax office has received a duplicate tax payment for the 2nd quarter 2010 taxes on the following property; and

WHEREAS, a written request was received from the homeowner to refund the overpaid amount directly to the homeowner.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is hereby authorized to issue a refund check in the following amount and the Tax Collector to adjust her records accordingly.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Refund Amount</u>
911/5	SUNGARIAN, SONIA 135 Adams Drive Portsmouth, RI 02871-5401	\$27.00

June 21, 2010

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#10-260 Authorize Mayor and Administrator to Sign "Over the Limit Under Arrest 2010 Statewide Crackdown" Grant

BE IT RESOLVED that the Mayor and Administrator are hereby authorized to sign the New Jersey division of Highway Traffic Safety's "Over the Limit Under Arrest 2010 Statewide Crackdown" Grant.

June 21, 2010

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#10-261 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Wayne Avenue Pump Station Generator

WHEREAS, there exists a need for expert professional engineering services related to the Wayne Avenue Pump Station Generator; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the annual aggregate value of the service may exceed \$17,500; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-100 of the Current Fund in the amount of \$2,000; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

WHEREAS, Robert Costa has completed and submitted a Business Entity Disclosure Certification which certifies that Robert Costa has not made any reportable contributions to a political or candidate committee in the Borough of River Edge Governing Body in the previous one year, and that the contract will prohibit Robert Costa from making any reportable contributions through the term of the contract; and

WHEREAS, the rate of pay shall not exceed \$65.00 per hour as Borough Engineer and per hour rates as follows:

Principal Land Surveyor.....	\$ 75.00
Survey Field Crew.....	\$150.00
Senior Designer.....	\$ 65.00
Senior Drafter.....	\$ 55.00
Computer Drafting.....	\$ 75.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 327 South River Street, Suite 302, Hackensack, New Jersey 07601; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

June 21, 2010

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#10-262 Authorize Tax Collector to Refund Duplicate 2<sup>nd</sup> Quarter 2010 Tax Payments

WHEREAS, the tax office has received duplicate tax payments for the 2nd quarter 2010 taxes on the following properties; and

WHEREAS, a written request was received from their mortgage company to refund the overpaid amounts directly to the mortgage company.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is hereby authorized to issue refund checks in the following amounts and the Tax Collector to adjust her records accordingly.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Refund Amount</u>
207/17	GOLDBERG, JONATHAN & CARLA 68 Gates Avenue	\$2,159.34
905/16	PARK, KYUNG L. 325 5 <sup>th</sup> Avenue	\$ 14.26
1105/19	CHIRIG, P. & RAJESHREE C. PANDYA 216 Princeton Drive	\$ 59.33
1107/24	CAMPBELL, HOWARD 272 Van Saun Drive	\$ 14.00
	TOTAL:	\$2,246.93

Make check payable to:

BAC TAX SERVICES CORPORATION  
CA6-913-LB-01  
PO BOX 10211  
VAN NUYS, CA 91499-6089  
Attn: Tax Refund Department

June 21, 2010

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#10-263 Enter Into Agreement with Environmental Resolutions, Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, New Jersey 08054-3415 for Conceptual Design and Engineer's Estimate of Development for the Bogert Road Park Project

WHEREAS, there exists a need for expert professional engineering services related to the conceptual design and engineer's estimate of development for the Bogert Road Park Project; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the annual aggregate value of the service may exceed \$17,500; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1654 of the Capital Account not to exceed \$3,500.00; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

WHEREAS, Environmental Resolutions has completed and submitted a

Business Entity Disclosure Certification which certifies that Environmental Resolutions has not made any reportable contributions to a political or candidate committee in the Borough of River Edge Governing Body in the previous one year, and that the contract will prohibit Environmental Resolutions from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Environmental Resolutions; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

June 21, 2010

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#10-264 Acknowledge Receipt of certification of Request for Emergency Purchases for Valley Road

WHEREAS, the Department of Public Works Superintendent has certified that an emergency condition exists on Valley Road; and

WHEREAS, this condition constitutes an emergency affecting the public health, safety and welfare of the public because of a sewer break causing a depression in the street.

NOW, THEREFORE, BE IT RESOLVED that that the Mayor and Council hereby confirm and acknowledge the receipt of Certification of Request for Emergency Purchases for this emergency.

June 21, 2010

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#10-265 Amend 2010 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services approved the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item of appropriation for an equal amount; and

WHEREAS, the Borough has received a deposit in its Unappropriated Reserve for Alcohol Education and Rehabilitation fund in the amount of \$603.28; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

3. Miscellaneous Revenue - Section F

Unappropriated Reserve for  
Alcohol Education & Rehabilitation.....\$603.28

BE IT FURTHER RESOLVED that the like sum of \$603.28 and the same is hereby appropriated under the caption of:

General Appropriations  
(A) Operations excluded from the "CAPS"  
Public & Private Programs Offset by Revenues

Alcohol Education & Rehabilitation.....\$603.28

BE IT FURTHER RESOLVED that the Borough forward two (2) copies of this

resolution to the Director of Local Government Services.

June 21, 2010

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Councilwoman Rush read resolution #10-266 into the record.

Motion by Councilwoman Rush, seconded by Councilwoman Walker to approve resolution #10-266.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

#10-266 Payment of Bills

WHEREAS, vouchers for the payment of goods and services rendered to the Borough of River Edge have been received; and

WHEREAS, each bill has been checked by the receiving department, approved by the Chief Financial Officer and Borough Clerk and reviewed by the three members of the Finance Committee.

NOW, THEREFORE, BE IT RESOLVED that bills as listed now be confirmed for payment from the appropriate funds as follows:

CURRENT ACCOUNT TOTAL	\$1,883,049.62
RECREATION ACCOUNT	\$ 2,448.16
TRUST OTHER - DEVELOPERS ACCOUNT	\$ 4,300.00
TRUST OTHER ACCOUNT	\$ 1,778.64
OPEN SPACE ACCOUNT	\$ 1,035.00

BE IT FURTHER RESOLVED, that claims read and approved by the Governing Body at a Council meeting will be dated the day after the reading of those claims and will appear on the following bill list at the next public meeting of the Mayor and Council at which time claims would be paid.

June 21, 2010

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OPEN HEARING OF THE PUBLIC -

Motion by Councilman Smith, seconded by Councilwoman Walker to open hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Seth Queler-243 Valley Road-asked if the current ordinance for fencing which now allows a four foot height could be changed to six feet.

Bill Lindsley-asked if he was referring to the front building line to the rear building line? He explained that currently from the rear building line back, a fence can be six feet. He further stated that the Zoning committee had discussed that issue and sent a request to the Zoning Board of Adjustment to review and respond with a recommendation. As of this date, they haven't received a recommendation from the Zoning Board but when they do, the committee will then make their recommendation to the Mayor and Council.

Alphonse Bartelloni-268 Webb Avenue-asked if it is prudent to be spending over \$200,000.00 on new equipment when at the same time the Council is discussing shared services with Oradell. He feels that the Council should wait for the study to be completed before spending money on equipment that may not be needed.

Mayor Watkins-explained that during the budget meetings, they reviewed very carefully the pros and cons of purchasing this piece of equipment and felt that the cost savings with less manpower would be worth it.

Councilman Smith-explained that currently the Borough rents quite a few dumpsters and every time the company picks it up, we get charged for the dumpster, the weight, the delivery and pick-up. This truck is a multifaceted vehicle that will replace a truck that can only do one thing and the Mayor and Council feel that by purchasing this vehicle, the Borough will, over time, see a significant cost savings.

Alphonse Bartelloni-suggested that they delay the purchase until the study is complete.

CLOSE HEARING OF THE PUBLIC -

Motion by Councilman Smith, seconded by Councilman Cannon to close hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Mayor Watkins-informed the Council that she received an e-mail from a resident about the possibility of the Borough passing an ordinance giving a tax freeze on historical or older homes to homeowners who want to do their own restorations. Bill Lindsley-stated that it would be unconstitutional because the Constitution requires that all properties be taxed at the same rate.

COUNCIL COMMENTS -

Councilman Smith-reminded everyone to be wary of people that come to your door asking for donations or things of that nature and recommended that they ask if they have a permit. He stated that all vendors who come into town have to be approved by the Police Department and if approved, are issued a permit to solicit. He mentioned that there was a group going around town over the weekend that did not have a permit and several residents had called the Police Department. He thanked Officer Naprstek for responding very quickly and taking care of the situation.

Mayor Watkins-attended the Girl Scouts ceremony last Friday evening and reminded everyone that the high school graduation ceremony will be held on this Thursday at 5:00 p.m. for anyone that would like to attend.

Councilman Cannon-addressed Mr. Bartelloni's concerns regarding the purchase of equipment and stated that the Mayor and Council spent many hours debating and discussing in detail every purchase and every penny spent in the budget. He stated that every purchase that was made received bi-partisan unanimous support after lengthy discussions. He feels that it would be beneficial for residents to be part of the discussion process so they have a better understanding as to why certain decisions were made.

Bill Lindsley-stated that there is a "Do Not Solicit" provision in the Borough's solicitation ordinance. He further explained that a resident can have their address listed with the Police Department on a "Do Not Solicit" list which will be handed out to any vendor who has been issued a permit to solicit.

Mayor Watkins-asked if this pertains to the Girl Scouts or Boy Scouts if they go door to door.

Bill Lindsley-replied, no it does not apply to exempt organizations such as the scouts, religious or charitable organizations.

Councilwoman Walker-thanked the Police Department for getting the Nixle program up and running and feels that it is a great way to keep our residents informed. Councilwoman Walker addressed the complaints made by Mr. Claffey regarding businesses on Kinderkamack Road who put their garbage out two days early and agrees that it is a quality of life issue. Councilwoman Walker stated that because the Code Enforcer's hours have been reduced, it does make it difficult to get things taken care of on a timely basis. She thanked Mr. Claffey for his comments and assured him that she takes his concerns seriously and they are doing their best to keep on top of things.

Mayor Watkins-thanked everyone for coming this evening and invited them back for the work session meeting next Monday night. The Mayor invited everyone to come out and enjoy the festivities that will take place over the July 4<sup>th</sup> weekend.

ADJOURNMENT - 8:20 P.M.

Motion by Councilman Smith seconded by Councilwoman Walker to adjourn the meeting at 8:20 p.m.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk  
Dated: