

M I N U T E S  
Meeting of the Mayor and Council  
Tuesday, January 18, 2011  
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 Bartelloni 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 24, 2010 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 - Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon, Councilman Cordts and Mayor Watkins were present.

APPROVAL OF MINUTES - By Consent

Motion by Councilman Bartelloni, seconded by Councilman Cannon to approve the minutes of the Mayor and Council Reorganization Meeting of January 2, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

PROCLAMATION & AWARDS -

Mayor Watkins read the Proclamation Declaring January 30 - February 5, 2011 as Catholic Schools Week into the record as follows:

*P R O C L A M A T I O N*

*WHEREAS, St. Peter Academy plays an important role in our community by furnishing our leaders of tomorrow with basic human, moral and spiritual foundations; and*

*WHEREAS, St. Peter Academy strengthens the community and nation by keeping viable the right to freedom of religion, under law; and*

*WHEREAS, St. Peter Academy is intended to fulfill the threefold purpose of message, community and service; and*

*WHEREAS, the NCEA (National Catholic Educational Association) has declared the week of January 30, 2011 through February 5, 2011 as Catholic Schools Week in the United States of America, with their theme being "Catholic Schools : A+ for America."*

*NOW, THEREFORE, BE IT RESOLVED that I, Margaret Falahee Watkins, Mayor of the Borough of River Edge, in recognition thereof, do hereby proclaim January 30th through February 5, 2011 as:*

*CATHOLIC SCHOOLS WEEK  
IN  
RIVER EDGE, NEW JERSEY*

*IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the Borough of River Edge to be affixed this January 18, 2011.*

Mayor Margaret Falahee Watkins

January 18, 2011

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Mayor Watkins read the Proclamation Recognizing the Veteran's of Foreign Wars for Seventy Five Years of Service into the record as follows:

*PROCLAMATION*

*WHEREAS, the Caldroney-Klaiber-Frost Post 876 and its Auxiliary were formed in 1936; and*

*WHEREAS, the objects of the Veterans of Foreign Wars and its Auxiliary are fraternal, patriotic, historical and educational: to preserve and strengthen comradeship among its members; to assist worthy comrades; perpetuate the memory of deceased veterans; to assist their widows and orphans; to maintain true allegiance to the government of the United State of America and fidelity to its constitution and laws; to foster true patriotism; to maintain and extend the institutions of American freedom and to preserve and defend the United States from all her enemies; and*

*WHEREAS, they are community service organizations working for the safety, health and recreation of River Edge; and*

*WHEREAS, the Auxiliary sponsors "Voice of Democracy" contests, and presents special citations, medals plaques and other awards to many individuals and organizations praising their patriotic, heroic or community betterment achievements.*

*NOW, THEREFORE, BE IT RESOLVED that I, Margaret Falahee Watkins, Mayor of the Borough of River Edge, in recognition thereof, congratulate the:*

*VETERANS OF FOREIGN WARS  
For Seventy-Five Years of Service*

*IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the Borough of River Edge to be affixed this January 16, 2011.*

*Mayor Margaret Falahee Watkins*

*Dated: January 16, 2011*

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APPOINTMENTS & PERSONNEL CHANGES

Motion by Councilman Cordts, seconded by Councilman Cannon to approve the retirement of Mary Sheehy, Crossing Guard, effective January 1, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

Motion by Councilman Bartelloni, seconded by Councilman Cannon to approve the appointment of Gina Calogero, Esq., 466 Kinderkamack Road, Oradell, New Jersey as Prosecutor for the Municipal Court, effective January 19, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

Mayor Watkins recognized George Riley for his many years of service to the Borough. The Mayor stated that George is the ultimate volunteer because he has been involved for thirty five years in many capacities in the community. He was on the Planning Board, Shade Tree Commission, Recreation Commission, 9/11 Committee and Library Board and the Mayor thanked him from the bottom of her heart for being the epitome of what a true volunteer is.

CORRESPONDENCE -

Letter - State of New Jersey - 1/4/11  
Re: Potable Well Water Analyses  
Letter - Cablevision - 12/31/10  
Re: Launch of OWN  
Letter - Tariffs - 12/31/10

MONTHLY REPORTS -

Beautification Committee - November 18, 2010  
Fire Prevention - October-November, 2010  
Building Department - December 2010

PUBLIC HEARING OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND ALLOCATION OF MONIES

Open Public Hearing

Motion by Councilman Cordts, seconded by Councilman Cannon to open public hearing on Open Space, Recreation, Farmland and Historic Preservation Trust Fund Allocation of Monies.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

9/11 Committee-requested \$6,450.00.

Alphonse Bartelloni- asked if any discussion has taken place with Let It Grow to see if they would be willing to donate any of their time or services in exchange for a plaque or something.

Ann McCarthy-stated that they don't in any way want to commercialize the garden and Let It Grow has indicated to her that they are willing to work with the committee to help grow the garden.

Councilman Porco-asked how much money is left in the trust account.

9/11 Member-replied, approximately \$6,000.00.

Recreation Commission- requested \$35,773.00 to maintain the parks and fields.

Bobbi Conway handed out the 2010 Recreation year end report.

Councilman Cordts-asked Bobbi Conway what Carl Etter does that she doesn't do.

Bobbi Conway-replied that Carl unplugs toilets, repairs fences, cleans the park before and after picnics, helps with drainage on the fields, etc.

Councilman Cordts-asked if he hands in a time sheet?

Bobbi Conway-replied, yes. She explained an instance where there were two toilets clogged the day before July 4<sup>th</sup> and the DPW was closed for a furlough day so Carl came and cleared them.

Councilman Porco-asked what the total of the trust account is.

Bobbi Conway-stated that she thought they were only discussing open space tonight but reported that the field maintenance trust has a little over \$17,000.00. This amount represents money collected from baseball, men's softball, women's softball, REGAL, soccer, little league, junior football, Blackhawks, lacrosse and U.S. sports camps that use our facilities.

Councilman Porco-asked about the other account.

Bobbi Conway-stated that she doesn't have that information with her.

Councilman Porco-stated that he thinks its \$114,240.94.

Bobbi Conway-explained that those funds are used to run their programs and all of the money that comes in goes out for that purpose. She continued by stating that they utilize those funds so that they don't have to ask the Council for capital funds.

Beautification Committee-Ann Cannon outlined the goals of the committee and stated that they are not requesting any money this year.

DPW-Alan Negreann spoke on behalf of the DPW and requested \$132,000.00 for salaries and \$18,000.00 for operating expenses for work on the parks.

Councilman Porco-asked about the line items.

Alan Negreann-stated that he did provide those line items in writing and explained that the line items enumerated in the other expense budget are \$6,300.00 for mowers, trimmers, blowers; \$6,000.00 for ball field clay; \$3,000.00 for chemical lawn care and \$3,000.00 for grass seed.

Councilman Porco-had a question regarding the clay and asked if anyone else would use it besides Recreation. He stated that Bobbi Conway told him that

Recreation only needs two truck loads which would come to approximately \$3,456.00.

Alan Negreann-stated that if there is additional information that would modify those numbers, he would suggest that Councilman Porco make a recommendation to change these requests.

Motion by Councilman Porco, seconded by Councilman Cannon to make a recommendation that the amount for ball field clay be lowered to \$3,456.00 unless John Lynch has other reasons to use clay.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

Shade Tree Commission-requested \$12,795.00.

Alan Negreann-explained that the Council had passed resolution #10-344 on September 20<sup>th</sup> which was an application for Open Space for Cherry Blossom Park. At that time the Mayor and Council authorized the making of that application for improvements to the park and indicated that they would consider matching that application for \$46,000.00. He explained that he put it on the list for Open Space as it would be an appropriate way to match the application money. He continued by saying that most of the improvements were for irrigation, electric service, fencing, guard rail, stone dust trail, etc. Councilman Porco-asked when that would go through because when they set up the committee, that will be one of the things that they will be looking at.

Alan Negreann-explained that generally the Open Space money is allocated within the next 30-45 days so that the groups before you can use the money for what it is meant for. This money is usually committed by resolution of the Council at a future meeting.

Councilman Cannon-asked what the timetable is for getting the match from Bergen County.

Alan Negreann-stated that he will reach out to the County and get some specifics and report back to the Council.

#### Close Public Hearing

Motion by Councilman Cannon, seconded by Councilman Porco to close public hearing on Open Space, Recreation, Farmland and Historic Preservation Trust Fund Allocation of Monies.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

#### ORDINANCES - 1<sup>st</sup> Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1720 as follows:

Ordinance #1720 - BOND ORDINANCE TO AMEND SECTION 4.C OF BOND ORDINANCE #1534 ENTITLED "ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$459,000 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".

Motion by Councilman Cordts, seconded by Councilman Cannon to approve the first reading of Ordinance #1720 as follows:

#### BOROUGH OF RIVER EDGE ORDINANCE #1720

BOND ORDINANCE TO AMEND SECTION 4.C OF BOND ORDINANCE #1534 ENTITLED "ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$459,000 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 River Edge, in the County of Bergen, State of New Jersey as follows:

Section 1. Section 4.C of Ordinance #1534 entitled: "ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$459,000 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" adopted by the Borough Council of the Borough of River Edge, in the County of Bergen, State of New Jersey on March 20, 2006 is hereby amended to add acquisition and installation of a permanent generator [Section 4.] C. for the Public Safety Building and appurtenances and shall hereafter read as follows:

Appropriation and Estimated Cost	\$206,000
Down payment Appropriated	\$ 10,000
Bonds and Notes Authorized	\$196,000
Period of Usefulness	15 years

Section 2. The capital budget is hereby amended to conform with the provisions of this amendatory bond 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 3. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Margaret Falahee Watkins

Denise A. Dondiego, Borough Clerk

Dated:

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

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Denise Dondiego, Borough Clerk read the title of Ordinance #1721 as follows:

Ordinance #1721 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR THE CALENDAR YEAR 2011

Motion by Councilman Cannon, seconded by Councilman Cordts to approve the first reading of Ordinance #1721 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1721

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR THE CALENDAR YEAR 2011

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

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

WHEREAS, the Governing Body of the Borough of River Edge in the County of Bergen finds it advisable and necessary to increase its CY 2011 budget by

up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Governing Body hereby determines that a 3.5% increase in the budget for said year, amounting to \$336,843.11 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW, THEREFORE, BE IT ORDAINED, by Governing Body of the Borough of River Edge, in the County of Bergen, a majority of the full authorized membership of this Governing Body affirmatively concurring that, in the CY 2011 budget year, the final appropriations of the Borough of River Edge shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$336,843.11, and that the CY 2011 municipal budget for the Borough of River Edge be approved and adopted in accordance with this ordinance.

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

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced by filed with the Director of the Division of Local Government Services within 5 days of introduction.

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

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk  
Dated:

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

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Denise Dondiego, Borough Clerk read the title of Ordinance #1722 as follows:

Ordinance #1722 - AN ORDINANCE AMENDING CHAPTER 79 "RECREATION COMMISSIONERS, BOARD OF" - OF THE CODE OF THE BOROUGH OF RIVER EDGE

Motion by Councilman Cordts, seconded by Councilman Porco to approve the first reading of Ordinance #1722 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1722

AN ORDINANCE AMENDING CHAPTER 79 "RECREATION COMMISSIONERS, BOARD OF" - 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 79 of the Code of the Borough of River Edge be and hereby is amended as follows:

Section I: Section 79-1 to read as follows: § 79-1. Establishment. There is hereby established a Board of Recreation Commissioners to consist of nine residents of the borough. Seven residents shall be designated as regular members and two residents shall be designated as alternate members.

Section II: Section 79-2 change "an alternate member" to "two alternate members"

- Section III: Section 79-3(A) change "including the alternate member" to "including alternate members"
- Section IV: Section 179-3(D) change "the alternate member" to "alternate members" in both locations.
- Section V: All ordinances inconsistent with the provision of this ordinance are hereby repealed as to such inconsistencies only
- Section VI: If any provision of this ordinance 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 ordinance, which shall be severable therefrom.
- Section VII: This ordinance shall take effect immediately upon final passage and publication as required by law.

Margaret Falahee Watkins, Mayor

Attest:

Denise Dondiégo, Borough Clerk

Dated:

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

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Denise Dondiego, Borough Clerk read the title of Ordinance #1723 as follows:

Ordinance #1723 - AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.A. 40:4-53

Motion by Councilman Cordts, seconded by Councilman Porco to approve the first reading of Ordinance #1723 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1723

AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.A. 40:4-53

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, County of Bergen and State of New Jersey, that pursuant to N.J.S.A. 40A:4-53 (Chapter 48, P.L. 1956 as amended by Chapter 144, P.L. 1965 and Chapter 38, P.L. 1969) the sum of \$3,100.00 is hereby appropriated for the

A. Preparation of a revision and codification of ordinances.

And shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A-4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one fifth of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55).

This ordinance shall take effect when passed and published as required by law.

Mayor Margaret Falahee Watkins

ATTEST:

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Denise A. Dondiego, Borough Clerk

Dated:

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

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Denise Dondiego, Borough Clerk read the title of Ordinance #1724 as follows:

Ordinance #1724 - AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2011

Motion by Councilman Cordts, seconded by Councilman Cannon to approve the first reading of Ordinance #1724 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1724

AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2011

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge:

Section 1: The compensation for the full-time employees of the Department of Public Works shall be:

2011

<u>Department of Public Works</u>	<u>Hourly</u>	<u>Annually</u>
Mechanic I		\$70,287 - \$73,252
General Repairer		\$68,110 - \$70,974
Equipment Operator I		\$63,772 - \$66,450
Tree Trimmer I		\$63,156 - \$65,810
Mechanic II		\$59,259 - \$61,494
General Repairer II		\$57,270 - \$59,618
Equipment Operator II		\$55,946 - \$59,829
Tree Trimmer II		\$51,424 - \$53,768
Laborer I		\$47,624 - \$51,126
Laborer II		\$40,283 - \$44,462

In addition to the salaries set forth above, all full time employees holding these positions listed herein shall have added to base pay the following percentage computed on the basis of the prevailing salary:

	<u>Date of Employment</u> <u>Pre 7/1/93</u>	<u>Date of Employment</u> <u>Post 7/1/93</u>
During:		
5 - 8 years of service -	2%	\$ 480.00
9 -12 years of service -	4%	\$ 960.00
13-16 years of service -	6%	\$ 1,440.00
17-20 years of service -	8%	\$ 1,920.00
21 Plus years of service-	10%	\$ 2,400.00

Any difference in terms between the above Agreement and Ordinance, the Agreement will be deemed dispositive.

Section 2. Compensation for the following part-time positions and officers of the Borough of River Edge for the year 2011 is hereby supplemented and amended as follows:

	<u>Hourly</u>
Bus/Van Driver	\$7.00 - \$16.35
Recycling Caretaker/Litter Enf.	\$7.00 - \$17.98

Section 3: The salaries, wages or compensation of all officers and employees shall be paid in twenty-four (24) installments, or upon presentation of duly executed vouchers as required by law.

Section 4: This ordinance shall take effect as of January 1, 2011 when passed and published as required by law.

Margaret F. Watkins, Mayor

ATTEST:

Denise A. Dondiego, Borough Clerk

Dated:

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

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Denise Dondiego, Borough Clerk read the title of Ordinance #1725 as follows:

Ordinance #1725 - AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2011

Motion by Councilman Bartelloni, seconded by Councilman Cordts to approve the first reading of Ordinance #1725 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1725

AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2011

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge:

Section 1: The compensation for the full-time positions and officers of the Borough of River Edge hire before October 1, 2007 for the year 2011 shall be as follows:

	<u>Hourly</u>	<u>2011</u>	<u>Annually</u>
<u>POLICE</u>			
Lieutenant			\$112,421 - \$117,199
Sergeant			\$104,094 - \$108,518
Captain			\$113,691 - \$118,524
Patrolman 1			\$ 96,383 - \$100,479
Patrolman 2			\$ 86,665 - \$ 90,348
Patrolman 3			\$ 77,516 - \$ 80,810
Patrolman 4			\$ 71,796 - \$ 74,847
Patrolman 5			\$ 61,115 - \$ 63,712
Patrolman Probationary (second 6 months)			\$ 45,103 - \$ 47,020
Patrolman Probationary (first 6 months)			\$ 36,234 - \$ 37,774

The compensation for the full-time positions and officers of the Borough of River Edge hired on or after October 1, 2007 for the year 2011 shall be as follows:

Patrolman 1	\$ 96,383 - \$100,479
Patrolman 2	\$ 87,484 - \$ 91,202
Patrolman 3	\$ 78,589 - \$ 81,929
Patrolman 4	\$ 69,693 - \$ 72,655
Patrolman 5	\$ 60,798 - \$ 63,382
Patrolman 6	\$ 51,902 - \$ 54,108
Patrolman Probationary (second 6 months)	\$ 43,006 - \$ 44,834
Patrolman Probationary (first 6 months)	\$ 34,111 - \$ 35,561

In addition to the salaries set forth above, all full time employees holding these positions listed herein shall have added to base pay the following percentage computed on the basis of the prevailing salary:

During: 5 - 8 years of service - 2%  
9 -12 years of service - 4%  
13-16 years of service - 6%  
17-20 years of service - 8%  
21 Plus years of service-10%

Any difference in terms between the above Agreement and Ordinance, the Agreement will be deemed dispositive.

Section 2. The salaries, wages or compensation of all officers and employees shall be paid in twenty-four (24) installments, or upon presentation of duly executed vouchers as required by law.

Section 3. This ordinance shall take effect as of January 1, 2011 when passed and published as required by law.

\_\_\_\_\_  
Margaret F. Watkins, Mayor

ATTEST:

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Denise A. Dondiego, Borough Clerk

Dated:

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

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ORDINANCES - 2<sup>nd</sup> Reading - NONE

RESOLUTIONS - By Consent

Motion by Councilman Cordts, seconded by Council Cannon to approve resolution #11-54 through #11-65.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

#11-54 Report Investments Pursuant to the Cash Management Plan

BE IT RESOLVED that the following investments and deposits made pursuant to the Cash Management Plan of the Borough of River Edge are hereby confirmed and accepted by the Governing Body.

Months of November and December, 2010

<u>Name of Institution</u>	<u>Amount</u>	<u>Type</u>	<u>Book Value</u>	<u>Earned Income</u>	<u>Market Value</u>	<u>Int. Rate</u>
N.J. Cash Management Fund	\$2,050,000.00	CMF	\$2,050,000.00	\$1,767.65	\$2,051,767.65	.23

January 18, 2011

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#11-55 Authorize Alan P. Spiniello, Esq. to Enter Into a Stipulation of Settlement with Ricardo Figueroa v. Borough of River Edge, Block 404, Lot 9, 38 River Edge Road

WHEREAS, Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey will handle the litigation of Ricardo Figueroa. v. Borough of River Edge, Block 404, Lot 9, 38 River Edge Road, River Edge; and

WHEREAS, Alan Spiniello, Esq. has recommended stipulation in the above stated matters; and

WHEREAS, the Mayor and Council have considered these recommendations at their work session of January 18, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby authorize Alan Spiniello, Esq. to enter into a Stipulation of Settlement with a total assessment of \$716,500.00 for calendar year 2006 and applying the freeze act for calendar years 2007 and 2008 for Block 404, Lot 9.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to forward a copy of this resolution to James Anzevino, the Borough's Tax Assessor and Alan Spiniello, Esq.

January 18, 2011

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#11-56 Rescind Resolution #11-24 to Authorize the Filing of the 2010 NJDEP Recycling Grant

WHEREAS, resolution #11-24 designated an individual to ensure the NJDEP Recycling Grant application is properly completed and timely filed; and

WHEREAS, the individual named in resolution #11-56 was incorrect.

NOW, THEREFORE, BE IT RESOLVED that resolution #11-24 is hereby rescinded.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to change her records accordingly.

January 18, 2011

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#11-57 Resolution to Authorize the Filing of the 2010 NJDEP Recycling Grant

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

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

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

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

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize and commitment of this municipality to recycling and to indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge hereby endorses the submission of the Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection and designates Lisa Hessman, Recycling Coordinator to ensure that the application is properly filed.

BE IT FURTHER RESOLVED that the monies received from the Recycling Tonnage Grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

January 18, 2011

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#11-58 Emergency Temporary Budget

WHEREAS, an emergency condition has arisen with respect to the items below and no adequate provision has been made in the 2011 temporary budget for

the aforesaid purposes, and N.J.S. 40A:4-2 provides for the creation of an emergency temporary appropriation for the purposes mentioned above; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2011 equals \$0.00.

WHEREAS, the line items and appropriation amounts listed below have been included in the budget as approved on introduction and will be included in the budget as finally adopted.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S. 40:4-2:

1. An emergency temporary appropriation be and the same is hereby made for:

TEMPORARY APPROPRIATION - 2011

<u>General Appropriation</u>	<u>Operations Within CAPS</u>	<u>Operations Excluded CAPS</u>
Maintenance of Free Public Library Other Expenses 29-3902		\$36,000.00
Total Temporary General Appropriations		\$36,000.00

January 18, 2011

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#11-59 Resolution Authorizing a Section 125 Plan for a Premium  
Only Plan to Allow Employees to Contribute Pre-Tax Dollars for Medical Care

WHEREAS, Chapter 2, Public Laws of 2010 changes various provisions of the State Health Benefits Program which the Borough of River Edge participates in; and

WHEREAS, Chapter 2, Public Laws of 2010 requires that all employees must contribute a minimum of 1.5% of current base salary towards their health benefits cost; and

WHEREAS, Article 15 of the contract with RWDSU, Local 108, Public Employee Division, AFL-CIO indicates that employees hired after June 2007 will be required to pay 8% for dependent health care coverage; and

WHEREAS, Section III, Subject 4 of the Personnel Policy & Procedure Manual of the Borough of River Edge indicates that employees hired after July 2, 2007 will pay 8% of health care coverage for their dependents; and

WHEREAS, Chapter 62, Public Laws of 2007 permits the Borough of River Edge to establish as an employer, a plan for its employees pursuant to Section 125 of the Federal Internal Revenue Code, 26U.S.C.s.125; and

WHEREAS, the plan may provide for a reduction in the employee salary, through payroll deductions or otherwise, in exchange for payment by the employer of medical expenses and such other benefits as are consistent with Section 125; and

WHEREAS, Chapter 62, Public Laws of 2007 provides that the amount of any reduction in an employees salary for the purpose of contributing to the plan shall continue to be treated as regular compensation for all other purposes, including the calculation of pension contributions and the amount of any retirement allowance, but to the extent permitted by the Federal Internal Revenue Code, shall not be included in the computation of federal taxes withheld from the employees salary; and

WHEREAS, the company of automatic data processing which is a third party provider of payroll services for the Borough of River Edge, provides for a 125 Plan authorization to allow employees to contribute pre-tax dollars for medical care; and

WHEREAS, the State of New Jersey Division of Local Government Services in their Local Finance Notice #2010-12 has indicated that if the employer offers a Section 125 Plan, then the employer could deduct the contribution from the employees salary on a pre-tax basis; and

WHEREAS, a plan has been placed on file with the Borough Clerk of the Borough of River Edge and this matter has been reviewed by the Mayor and Council at a work session on June 7, 2010.

NOW, THEREFORE, BE IT RESOLVED that the above referenced employees

hired after 2007 and paying 8% for dependent health care coverage are hereby included in the plan for its employees pursuant to Section 125 of the Federal Internal Revenue Code, 26U.S.C.s.125.

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of River Edge authorizes the proper municipal officials to:

1. Take all steps necessary to implement the plan and set up adequate accounting and administrative procedures to provide for the plan.
2. This resolution shall be retroactive to January 1, 2011.

January 18, 2011

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#11-60 Enter Into Agreement with Gina Calogero, Esq., 466 Kinderkamack Road, Oradell, New Jersey 07649 for Professional Services as Prosecutor for the Borough of River Edge

WHEREAS, there exists a need for a Prosecutor for the Borough of River Edge Municipal Court; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01/2010/25/2751/011 of the Current Fund not to exceed \$5,500.00.

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;

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Gina Calogero, Esq.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law to Gina Calogero, Esq., 466 Kinderkamack Road, Oradell, New Jersey 07649.
3. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

January 18, 2011

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#11-61 Change Order Approval and Amendatory Contract for Reggio Construction, 1575 West Street, Fort Lee, New Jersey 07024 for the 2010 Howland Avenue Road Improvement Project, Phase 2

WHEREAS, N.J.A.C. 5:34-4.2 lists the requirements for all Change Orders; and

WHEREAS, the Borough of River Edge awarded a contract on November 1, 2010 via resolution #11-399 to Reggio Construction, 1575 West Street, Fort Lee, New Jersey 07024 in the amount of \$192,758.33; and

WHEREAS Change Order #1 reflects deletions to contract for breakaway barricade, saw cutting, drum, soil aggregate base course, gravel, tree replacement, granite curb, granite curb, remove and reset, DGA base court various thicknesses, R.R. tie curb, concrete sidewalk, superpave, reset water valves, straw mulching, etc. in the decreased amount of (\$23,862.66); decrease in quantity for tree removal, superpave, reset gas valve boxes, top soiling, fertilizing, fuel price adjustment in a decreased amount of (\$3,102.26); addition to the contract for sealer, barricade WB244 in the amount of \$3,000.00; an increase in quantity for milling, superpave, concrete sidewalk, DGA base course, concrete vertical curb, bicycle safe grate, detectable warning surface, etc. in the amount of \$31,116.24 the for a total increase amount not to exceed \$7,151.32; and

WHEREAS, the Mayor and Council have reviewed this matter at their work session of January 18, 2011; and

WHEREAS, the Borough Administrator and Consulting Engineer have recommended the above change.

WHEREAS, The Chief Financial Office has certified that funds are available from Account #04-2150-55-1687-200 of the Capital Fund in the amount not to exceed \$7,151.32.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with Reggio Construction for Change Order #1 in the amount not to exceed \$7,151.32.

BE IT FURTHER RESOLVED that the exact form of this amendatory contract shall be at the discretion of the Borough Attorney and the Mayor and the Borough Clerk is hereby authorized to execute said contract, and Change Order #1.

January 18, 2011

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#11-62 Resolution to Approve the Proposed Monitoring Wells Installation at 1025-1077 Main Street

WHEREAS, Route 4 Main Street LLC, the property owner of the Former Huffman Koos, is completing an environmental investigation under the direct supervision of the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, in order to complete the groundwater investigation at this property, additional monitoring wells and temporary well points are required; and

WHEREAS, a New Jersey-licensed well driller will be overseen by Excel Environmental Resources, Inc., 111 North Center Drive, North Brunswick, N.J. 08902, to do this work.

WHEREAS, Excel Environmental Resources submitted a description of the installation of the monitoring wells with color maps pinpointing the locations, photographs showing well drilling and typical flush mounted monitoring wells as well as Well Completion Diagrams from NJDEP's Sampling Procedures Manual.

WHEREAS, this was discussed at the work session of January 18, 2011; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council approve the installation of the proposed mentoring wells.

BE IT FURTHER RESOLVED that Excel Environmental Resources, Inc. will secure proper Road Opening Permits from the Borough Clerk.

BE IT FURTHER RESOLVED that approval will be subject to the Borough Attorney's review and approval of a Right-of-Way Agreement with Excel Environmental Resources, Inc.

BE IT RESOLVED by the Borough Council of the Borough of River Edge as follows:

1. The Mayor is hereby authorized and directed to execute the Right of Way Agreement with Excel Environmental Resources, Inc.

January 18, 2011

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#11-63 Authorize Refund of Performance Bond to R.C. Jennee Construction, Inc. for Block 1002, Lot 4.02, 437 Lafayette Avenue

WHEREAS, the Borough of River Edge entered into a developer's agreement dated June 25, 2008 for the property located at 437 Lafayette Avenue; and

WHEREAS, the Developers Agreement paragraph 32 states that the developer agrees to provide the Borough with a performance bond; and

WHEREAS, the Borough currently has in its possession a cash bond in the amount of \$2,640.00 for the above subject property; and

WHEREAS, this matter was discussed at work session of the Mayor and Council on January 18, 2011; and

WHEREAS, the Planning Board Attorney has recommended that the bond be released in the amount of \$2,640.00.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized to refund the cash performance bond to R.C. Jennee Construction, Inc., 150 John Street, Ridgewood, New Jersey 07450 in the amount not to exceed \$2,640.00.

January 18, 2011

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#11-64 Amend Agreement with Environmental Resolutions, Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, New Jersey, 08054-3415 as Clerk of the Works for the Reconstruction of the Tennis Courts at Veteran's Memorial Park

WHEREAS, an amendatory contract was approved via resolution #10-427 dated December 20, 2010 with Environmental Resolutions, Inc. for the Reconstruction of the Tennis Courts at Veteran's Memorial Park; and

WHEREAS, the not to exceed amount of \$981.75 was incorrect and should have been \$2,281.75.

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2030-20-1652-100 of the Current Fund not to exceed \$2,281.75.

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 amendatory agreement with Environmental Resolutions, Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, New Jersey 08054-3415.
2. The Accounts Supervisor is hereby authorized to adjust her records accordingly.
3. This resolution shall be retroactive to December 20, 2010.

January 18, 2011

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Councilman Moscaritolo-asked for additional information on LOSAP qualifications because he would like to compare the Ambulance Service versus the Fire Department.

#11-65 Resolution Approving the Certification List of Volunteer Members of the River Edge Volunteer Ambulance Service, Inc. Qualifying for Credit Under the Length of Service Awards Program (LOSAP) for 2011

WHEREAS, the Borough of River Edge adopted Ordinance #1289 on May 7, 2000 which created the Length of Service Awards Program (LOSAP); and

WHEREAS, N.J.S.A. 40A:14-191 requires that the River Edge Ambulance Service, Inc. furnish the Mayor and Council with an annual certification list of all members who have qualified for credit under the award program for the previous year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the Mayor and Council hereby approves the list of the members of the River Edge Ambulance Service, Inc. certified by the Captain for the year 2011, a copy of which list is attached here as Exhibit A; and

BE IT FURTHER RESOLVED that a copy of this resolution be posted by the Captain of the Ambulance Service.

January 18, 2011

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Councilman Porco read resolution #11-66 into the record.

Motion by Councilman Porco, seconded by Councilman Mignone to approve resolution #11-66.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

#11-66 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	\$6,509,382.14
CAPITAL ACCOUNT	\$ 91,678.10
RECREATION ACCOUNT	\$ 27.50
ANIMAL WELFARE	\$ 507.53
TRUST OTHER - DEVELOPERS ACCOUNT	\$ 3,856.50
TRUST OTHER ACCOUNT	\$ 38,240.00
SELF INSURANCE ACCOUNT	\$ 7,538.13

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.

January 18, 2011

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OPEN HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

Tom Smith-288 Manning Avenue-stated that when the committee is formed to review information on the Cultural Center and Fire Company #2, he asked that they open it up to include a representative from the Fire Department to provide technical information.

Liz Stewart-178 Wales Avenue-made reference to a letter that she received from PSE&G pertaining to repair, replacement and maintenance of gas lines in public right of ways. She would like PSE&G to continue to be required to obtain a permit from the Shade Tree Commission prior to doing any tree work. Liz also requested that a letter be sent to NJDEP stating that if there are any tree removals in the Borough right of way due to PSE&G maintenance work, that they must compensate the town.

Alan Negreann-replied that he thinks this is a statewide wetlands permit to allow them to remove vegetation on or around gas lines. He's not sure if this has any effect on our shade trees. He stated that they can certainly issue a response but he's not sure what effect it will have.

CLOSE HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

COUNCIL COMMENTS -

Councilman Cordts-had no comment.

Councilman Cannon-thanked all of the committees and commissions for coming up this evening for Open Space and agrees that it is an important topic and one that many people feels passionate about. He continued to state that Open Space encompasses a large number of volunteers and with difficult budget decisions ahead, he hopes that they will have constructive discussions on these issues.

Councilman Mignone-offered his condolences to Matt Pellettere's family and to the Ambulance Corp. Councilman Mignone knew Matt personally and his thoughts and prayers go out to his family. He commented that he was asked to look into why several residents were not receiving reverse 911 calls and stated that he did speak with the Chief. He explained that the way the third party service

operates, no one should assume that they are on the call list. He further explained that they are working on putting a link on the web-site so people can register directly or they can call in to register.

Councilman Porco-thanked everyone for coming up and congratulated the VFW for seventy-five years of service to the community. He further stated that even though it will be a tough year again, they will do their best to give everyone what they want.

Councilman Moscaritolo-stated that he was surprised that there was a full house this evening and how nice it is to see that the spirit of volunteerism is alive and well in River Edge. He looks forward to attending the Historic Commission meeting as their liaison. He further stated that it was eye opening to see all of the budget requests for Open Space because he thinks of Open Space as acquisition of property and not for routine maintenance.

Councilman Bartelloni-also thanked everyone for coming out this evening and especially thanked the members of the VFW. Councilman Bartelloni informed everyone that he did meet with the Fire Department once and learned that many of their calls are for activated smoke alarms. He reminded everyone of the importance of changing the batteries in the detectors in their homes. He also is working on having the Building Department notify the Fire Department when a house is to be taken down so that they might have an opportunity to train.

Mayor Watkins-thanked everyone for coming up this evening and making it a productive meeting. The Mayor also asked that everyone keep the Pelletiere and Cirino families in their prayers.

ADJOURNMENT - 9:10 P.M.

Motion by Councilman Cordts, seconded by Councilman Cannon to adjourn the meeting at 9:10 p.m.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated: