M I N U T E S
Meeting of the Mayor and Council
Tuesday, February 19, 2013
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

Council President Papaleo called for a moment of silence and asked Councilman Mignone to lead the salute to the flag.

MISSION STATEMENT & OPEN PUBLIC MEETINGS -

Council President Papaleo read the Mission Statement into the record as follows:

The New Jersey Open Public Meetings Law was enacted to ensure the right of the public to have advance notice of and attend any meetings of public bodies at which any business affecting their interest is discussed or acted upon.

In accordance with this act the Mayor and Council of the Borough of River Edge have caused notice of this meeting to be published by having the date, time and place thereof posted in the Borough Hall and notices have been sent to the Record and the Ridgewood News.

The mission of this governing body is to provide essential services through the establishment and implementation of public policy that will safeguard our infrastructure provide honest, courteous and professional services; and establish a sense of trust and accomplishment with our residents. Through research and prudent planning we seek to minimize risks while improving our services. We are sensitive to the needs of our taxpayers while realizing that this governing body cannot be all things to all people within the revenue constraints imposed by state mandates, economic conditions and prevailing attitudes about taxation.

ROLL CALL - Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Council President Papaleo were present; Mayor Moscaritolo was absent.

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the minutes of the Mayor and Council work session and regular meeting of February 4, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

PROCLAMATIONS & AWARDS - NONE

APPOINTMENTS & PERSONNEL CHANGES -

Councilwoman Murphy-thanked Rich Curran for his many years of service to the Fire Department.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the resignation of Richard Curran from the River Edge Volunteer Fire Department, effective February 1, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilman Mignone, seconded by Councilman Bartelloni to approve the appointment of Michele S. Austin, Esq., 27 Warren Street, Hackensack, New Jersey as the Attorney for the Zoning Board of Adjustment, effective January 1, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo

voted yes.

Motion by Councilman Mignone, seconded by Councilman Bartelloni to approve the resignation of Richard Pribula, Alternate Senior Bus Driver, effective February 28, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

CORRESPONDENCE -

Notice	-	River Edge Board of Education - 2/4/13 Re: Meeting Notice - February 6th
Letter	-	State of N.J.-Board of Public Utilities-2/4/13 Re: Clean Energy Program
Letter	-	Richard Curran - 2/3/13 Re: Resignation from Fire Department
E-Mail	-	Standard & Poors - 2/11/13 Re: Published Rating Report
Letter	-	Richard Pribula - 2/13/13 Re: Letter of Resignation
Certificates	-	Alan P. Negreann, CFO - 2/13/13

DETERMINATION AND AWARD CERTIFICATE

($104,000 Special Emergency Note)

BOROUGH OF RIVER EDGE, COUNTY OF BERGEN, NEW JERSEY

I, ALAN P. NEGREANN, Chief Financial Officer of the Borough of River Edge, in the County of Bergen, New Jersey (herein called "Issuer"), HEREBY CERTIFY as follows:

1. By virtue of the authority conferred upon me by an ordinance adopted by the Borough Council of the Issuer on September 6, 2011 (Ord. No. 1737, as amended by Ord. No. 1740 adopted on October 17, 2011) and a resolution adopted by the Borough Council of the Issuer on October 17, 2011 (Res. No. 11-376) to finance the undertaking of a property reassessment program in, by and for the Issuer, I have determined to issue a Special Emergency Note (herein called the "Note") of the Issuer in accordance with the following description:

TOTAL PRINCIPAL AMOUNT: $104,000

DATED: February 15, 2013

MATURITY: February 14, 2014 (non-callable)

NUMBER	DENOMINATION
13-1RSEN	$104,000

INTEREST RATE PER ANNUM (payable at maturity): 1.72%

PLACE OF PAYMENT: PNC Bank, N.A.
2 Tower Center Boulevard East
Brunswick,
New Jersey

2. Pursuant to said authority, I have awarded and will sell the Note to PNC Bank, N.A., at the price of $104,000 plus an amount equal to the interest on the Note accrued to the date of payment of the purchase price thereof.

3. No obligations of the Issuer other than the Note have been issued pursuant to the ordinance and resolution referenced above and are now outstanding.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of February, 2013.

ALAN P. NEGREANN
Chief Financial Officer
Borough of River Edge
County of Bergen
New Jersey

DETERMINATION AND AWARD CERTIFICATE

($500,000 Bond Anticipation Note)

BOROUGH OF RIVER EDGE, COUNTY OF BERGEN, NEW JERSEY

I, ALAN P. NEGREANN, Chief Financial Officer of the Borough of River Edge, in the County of Bergen, New Jersey (herein called "Issuer"), HEREBY CERTIFY as follows:

1. By virtue of the authority conferred upon me by three bond ordinances adopted by the Borough Council of the Issuer on April 18, 2011 (Ord. No. 1729, as amended by Ord. No. 1744 adopted on December 5, 2011), May 16, 2011 (Ord. No. 1731) and April 16, 2012 (Ord. No. 1763), I have determined to issue a Bond Anticipation Note (herein called the "Note") of the Issuer in accordance with the following description:

TOTAL PRINCIPAL AMOUNT: $500,000

DATED: February 15, 2013

MATURITY: November 15, 2013 (non-callable)

NUMBER	DENOMINATION
13-1R	$500,000

INTEREST RATE PER ANNUM (payable at maturity): 1.35%

PLACE OF PAYMENT: Township of South Brunswick, New Jersey
Municipal Building
540 Ridge Road
Monmouth Junction, NJ 08852

2. Pursuant to said authority, I have awarded and will sell the Note to the Township of South Brunswick, at the price of $500,000 plus an amount equal to the interest on the Note accrued to the date of payment of the purchase price thereof.

3. No obligations of the Issuer other than the Note have been issued pursuant to the ordinances referenced above and are now outstanding.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of February, 2013.

ALAN P. NEGREANN
Chief Financial Officer
Borough of River Edge
County of Bergen
New Jersey

MONTHLY REPORTS -

Police Department	-	December 2012
Building Department	-	January 2013
Recreation Commission	-	December 2012
2013 Annual Financial Statement	-	2013
Board of Health	-	January 2013
Library Board	-	January 2013

Councilwoman Murphy - Liaison to DPW, Shade Tree Commission, Library, Senior Citizens co-liaison, New Milford/River Edge Shared Services Committee, Oradell/River Edge Shared Services Committee - extended her condolences to the family of Ruth Smith who was the Events Coordinator and active member of SCORE who passed away. Councilwoman Murphy thanked the DPW for their quick response to the snow removal during the recent storm and she also reported that the Shade Tree Commission will be meeting tomorrow.

Councilman Acquafredda - Liaison to Beautification Committee, Ad Hoc Zoning Sub-committee, River Edge and River Dell Schools - reported that the River Dell Board of Education is currently working on their budget and will be inviting the Council's from River Edge and Oradell to a joint session sometime in March. He

stated that the River Dell Board of Education has adopted a format of teacher evaluation in compliance with State mandates and are also in the process on implementing that system. He also reported that the River Edge School Board will be fine tuning their budget and will have a final presentation during the month of March. Councilman Acquafredda explained some of the items that were discussed at the Beautification Committee meeting as well as fundraising ideas.

Councilman Cappola- Liaison to Construction Code Official, Property Maintenance, Senior Citizens co-liaison, Historic Commission - reminded everyone that SCORE will be having an "Afternoon at the Movies" next week and also expressed his condolences to the family of Ruth Smith. He reported that the Historic Commission met in January and continued ongoing discussions on further transcribing the oral history of River Edge and explained what a massive project that it is. Other topics that were discussed was how much authority the Commission actually has over designated buildings and the Master Plan as it pertains to historic buildings and who is in charge of amending or making changes to the plan.

Councilman Mignone - Liaison to Police Dept., Environmental Protection Commission, Green Team, Planning Board, New Milford/River Edge Shared Services Committee - reported that the Environmental Protection Commission was cancelled for February and the Green Team will be meeting next Tuesday and they are still in the process of obtaining recertification. He informed everyone that the Planning Board will be meeting this Thursday to hear an application for a single family home construction on Elm Avenue.

Councilman Bartelloni - Liaison to Recreation Commission, Traffic & Safety, Special Events Committee, Technology Committee, Oradell Shared Services Committee - Councilman Bartelloni announced dates for upcoming events as follows: March 23rd the Recreation Commission will host the Easter Egg Hunt in Memorial Park, rain date will be on Sunday; March 24th, the Commission will be hosting a Spring Break Multi-Sports Camp for children ages 5 - 12; April 15th is opening day for men's softball; the River Edge Run will be held on April 20th; REGAL opening day will be on April 21st and Little League opening day will be on April 22nd. Councilman Bartelloni encouraged everyone to check the website to confirm the date and time for these events. Councilman Bartelloni stated that Councilman Acquafredda has been added to the Technology Committee and basically, as part of the budget process, they are looking at the computers that the Borough currently has as well as the infrastructure such as the servers, WiFi, etc.

Councilman Papaleo - Liaison to Fire/Fire Prevention, Social Services, River Edge Alliance Against Alcohol & Drugs - reported that the Alliance has been awarded $9,876.00 for 2013 and they are in the process of meeting with organizations who are requesting funding for the coming year. He also reported that most of the funding will go to help students at the Junior and Senior High School. Councilman Papaleo reported that the Governor is requiring that all Alliances throughout the State must attend at least two meetings this year in order to receive funding next year and thanked Alan Negreann for attending the first meeting which will be in Parsippany. Councilman Papaleo reported on the fire calls and the type of incidents that the Fire Department responded to which totaled 44. Councilman Papaleo also reported on several mutual aid calls that they responded to as well as a motor vehicle accident that Engine #2 was involved in. He reported that the members of the Fire Department would like to thank the Mayor for showing up at both firehouses at a recent weather alert. He stated that the two members who were involved in the accident thanked him for reaching out to make sure that they were alright.

ORDINANCES - 1ST READING -

Denise Dondiego, Borough Clerk read the title of Ordinance #1781 as follows:

Ordinance #1781 - AN ORDINANCE AMENDING CHAPTER 416, ZONING, ARTICLES IV AND VIII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

Motion by Councilwoman Murphy, seconded by Councilman Acquafredda to approve the first reading of Ordinance #1781 as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1781

AN ORDINANCE AMENDING CHAPTER 416, ZONING, ARTICLES IV AND VIII OF THE REVISED GENERAL ORDINANCES 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:

Section I:

§ 416-4. titled "Definitions and Word Usage," paragraph B, is amended to add the following definition:

DWELLING - DUPLEX

A building designed for or intended to contain not more than two (2) dwelling units arranged side by side with a common party wall, with no dwelling units being above or below each other, and each dwelling unit having separate front and rear or side access to the outside.

Section II:

Schedule I of the Zoning Ordinance titled "Schedule of Zoning District Use Regulations" is amended to add "Duplex Residential Buildings" as a permitted conditional use only in Block 213, Lots 1 through 21.

Section III:

There shall be added a new § 416-36.2 as follows:

§ 416-36.2 Duplex Housing District.

A. Duplex residential development shall be a permitted conditional use in Block 213, Lots 1 through 21, provided that the proposed use complies with the conditions and standards contained herein and upon issuance of an authorization therefor from the appropriate approving authority.

B. Procedure. Pursuant to N.J.S.A. 40:55D-1 et seq., the Planning Board may grant conditional uses as herein permitted. Application for a conditional use site plan shall be made in accordance with procedures set forth in Chapter 350, and the Planning Board shall act on the application in accordance with said procedures. In reviewing an application for any conditional use as herein provided, the Board may impose such conditions and safeguards as it deems appropriate with respect to, among other matters, the minimizing of traffic congestion by appropriate arrangements of entrances and exits to assure public safety. Requirements for conditional uses shall take precedence over any regulations for the zone in which said use is located. Said conditional use requirements shall be as follows:

(1) Use. Any duplex residence proposed under this Section shall contain not more than two (2) dwelling units arranged side by side with a common party wall, with no dwelling units being above or below each other, and each dwelling unit having separate front and rear or side access to the outside.

(2) Bulk Requirements.

(a) Minimum lot area shall be: 7,500 square feet.

(b) Minimum lot width shall be: 70 feet.

(c) Minimum lot depth shall be: 100 feet.

(d) Minimum front yard shall be: 30 feet.

(e) Minimum side yard shall be: 10 feet each.

(f) Minimum rear yard shall be: 20 feet.

(g) Maximum lot coverage shall be: 30% of total site area.

(h) Maximum improved lot coverage shall be: 50% of total site area.

(3) Building Requirements.

(a) Maximum height shall be: 2 ½ stories and 30 feet inclusive of garage elevation which shall be treated as one story.

(4) The number of parking spaces shall be two (2) for each dwelling unit, including the garage.

(5) Driveways Requirements

(a) The curb cut or driveway depression shall not be greater than 32 feet in width.

(b) No more than one curb cut shall be permitted for servicing both duplex units.

(c) The paved driveway servicing each duplex unit shall not exceed 18 feet in width and shall terminate 8 feet or more from the side lot lines.

(d) The paved driveways shall be divided by a landscape median not less than 3.0 ft. in width and shall run the length of the driveways terminating at the front property line.

(6) Development subject to applicable Borough ordinances. Any development in the **Zone District** shall be subject to all applicable ordinances of the Borough of River Edge. Where there is any conflict between the provisions of this section and the provisions of the Site Plan Ordinance and/or the Land Subdivision Ordinance, the provisions of this section shall prevail.

Section IV:

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

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 portion 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.

Sandy Moscaritolo, Mayor

ATTEST:
Denise Dondiego, RMC
Borough Clerk
Dated:

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola and Councilman Papaleo voted yes; Councilman Mignone and Councilman Bartelloni voted no.

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ORDINANCE - 2ND READING -

Denise Dondiego, Borough Clerk read the title of Ordinance #1779 as follows:

Ordinance #1779 - AN ORDINANCE AMENDING CHAPTER 384, TREES, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

Ordinance #1779 was introduced by Councilwoman Murphy, seconded by Councilman Papaleo at the February 4, 2013 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1779

AN ORDINANCE AMENDING CHAPTER 384, TREES, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

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

SECTION I. Section II, Section III and Section V of is hereby amended to add the following:

Section II

385-2 - Definitions

ADD:

Shade Tree Replacement Fund - means "Trust Other Fund - Dedicated Shade Tree Commission Escrow Account" and is the dedicated depository account

of the Shade Tree Commission for tree permit fees, tree replacement fees, expert fees and cash landscape bonds.

Section III

385-3 - Tree Protection Permit Required

ADD:

c. All deposits from this section shall be deposited into the Shade Tree Replacement Fund.

Section V

385-5 - Fees

ADD:

C. All deposits from this section shall be deposited into the Shade Tree Replacement Fund.

SECTION II. All ordinances inconsistent with the provision of this ordinance are hereby repealed as to such inconsistencies only.

SECTION III: 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 affect the remaining provisions of this ordinance, which shall be severable therefrom.

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

Mayor Sandy Moscaritolo

Attest:

Denise A. Dondiego
Borough Clerk
Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1779

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to open hearing of the public.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

CLOSE HEARING OF THE PUBLIC - Ordinance #1779

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

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

ADOPTION - Ordinance #1779

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to adopt Ordinance #1779.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

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Denise Dondiego, Borough Clerk read the title of Ordinance #1780 into the record.

Ordinance #1780 - AN ORDINANCE APPROPRIATING $2,000.00 FROM THE GENERAL CAPITAL FUND BALANCE

Ordinance #1780 was introduced by Councilman Mignone, seconded by Councilwoman Murphy at the February 4, 2013 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1780

AN ORDINANCE APPROPRIATING $2,000.00 FROM THE GENERAL CAPITAL FUND BALANCE

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

SECTION I. The improvements desired in Section 2 of this ordinance are hereby authorized as improvements to be made by the Borough of River Edge, New Jersey for the purpose of the making of said improvements, there are hereby appropriated the sum of $2,000.00 of which $2,000.00 is from the General Capital Fund Balance.

SECTION II. The improvements are authorized as follows:

a. The making of improvements to Borough grounds, for: the undertaking of (a) resurfacing of Howland Avenue from approximately 285 feet west of Kinderkamack Road to Bogert Road and (b) the construction and reconstruction of sidewalks, including, where necessary, curb and driveway apron construction and reconstruction, along and in front of the properties on such section of Howland Avenue as shown on the Tax Assessment Map of the Borough.

b. Other Expenses, including but not limited to architect's fees, accounting, engineering and inspection costs, legal expense and other expenses to the extent permitted by Section 20 of the Local Bond Law.

SECTION III: The appropriation shall be made from the General Capital Fund and no debt is authorized.

SECTION IV: This ordinance shall take effect immediately after the first publication after final passage as provided by law.

Mayor Sandy Moscaritolo

ATTEST:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1780

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to open hearing of the public.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

CLOSE HEARING OF THE PUBLIC - Ordinance #1780

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

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

ADOPTION - Ordinance #1780

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to adopt Ordinance #1780.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo

voted yes.

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RESOLUTIONS - By Consent

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve resolution #13-95 through #13-99.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

#13-95 Change Order Approval and Amendatory Contract for the Howland Avenue (Section 6) Phase IV Roadway Improvement Project (from Colonial Court to Bogert Road) to Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey 07024

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 5, 2012 via resolution #12-375 in the amount of $145,551.08 to Reggio Construction, Inc.; and

WHEREAS Change Order #1 reflects the removal of a portion of the roadway back to the edge of the sidewalk in order to allow for free passage of snow plows and easier access on that road in the amount not to exceed $1,950.00; and

WHEREAS, the Borough Engineer has recommended the above change.

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2155-55-1780-200 of the Capital Fund in the amount not to exceed $1,950.00.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with Reggio Construction, Inc., for Change Order #1 in the amount not to exceed $1,950.00.

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.

February 19, 2013

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#13-96 Enter Into Agreement with Mason-Helmstetter Associates LLC, 336 Boulevard, Box 336, Hasbrouck Heights, New Jersey 07604, for Professional Services for Expert Appraisal for the Hackensack Avenue Reconstruction Project, Block 1303, Lots 3, 4 & 5, Block 1306, Lot 4 and Block 1412, Lot 3

WHEREAS, there exists a need for an expert appraisal to provide an appraisal report on the Hackensack Avenue Reconstruction Project, Block 1303, Lots 3, 4 & 5, Block 1306, Lot 4 and Block 1412, Lot 3; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1656-100 the Capital Fund in the amount not to exceed $6,000.00.

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 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, Mason-Helmstetter Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Mason-Helmstetter Associates, LLC 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 Mason-Helmstetter Associates, LLC from making any reportable contributions through

the term of the contract; and.

WHEREAS, the rate of pay shall not exceed $125.00 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 Mason-Helmstetter Associates, LLC, 336 Boulevard, Box 336, Hasbrouck Heights, New Jersey, 07604 in the amount not to exceed $6,000.00.
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.
4. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

February 19, 2013

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#13-97 Resolution to Go Into Closed Session and Exclude Public

WHEREAS, the Open Public Meetings Act, N.J.S.A.10:4-12, permits the exclusion of the public from a meeting in certain enumerated circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey, as follows:

1. That the public shall be excluded from the February 19, 2013 meeting and discussion of the hereinafter specified subject matter:

Closed Session Docket #	Item Title or Description	Statutory Reference
13-2/19-1	Personnel - Social Service Director Position - Gene Getter	N.J.S.A. 10:4-12(8)

2. It is anticipated at this time that the above stated subject matter will be made public within a reasonable time, the substance of which will be released after the Mayor and Council or the specific authorized public body has reviewed and specifically accepted the data.

3. This resolution shall take effect immediately.

February 19, 2013

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#13-98 Change in Personnel Policy & Procedure Manual- Employment, Part-Time Professionals

WHEREAS, the Borough of River Edge adopted a Personnel Policy and Procedure Manual on March 7, 1983 via resolution #83-58; and

WHEREAS, the Mayor and Council of the Borough of River Edge desire to change Section II, Subject 20, with regard to Employment, Part-time Professionals; and

WHEREAS, the Mayor and Council considered at their work session of February 19, 2013 making those changes to the Personnel Policy and Procedure Manual.

NOW, THEREFORE, BE IT RESOLVED that the Personnel Policy and Procedure Manual of the Borough of River Edge shall be changed in the following manner:

1. Add the following paragraph to Section II, Employment, Subject 20, Part-Time Professionals:

Part-Time professionals are responsible for making sure that the Borough can communicate assignments/appointments and other information to them.

They shall assume all costs associated with any telephone, computer or any other electronic communication device or transmission.

February 19, 2013

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#13-99 Resolution Authorizing Chief Financial Officer to Cancel Grant Fund Receivable and Appropriated Reserve for the Municipal Alliance on Alcohol and Drug Abuse Grant

WHEREAS, the Borough of River Edge received approval for a grant through the State of New Jersey Governor's Council on Alcoholism and Drug Abuse for a grant entitled "Municipal Alliance on Alcoholism and Drug Abuse"; and

WHEREAS, the Borough of River Edge has on its books and records an account receivable of $650.33 and an appropriated reserve of $650.33; 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 grant entitled "Municipal Alliance on Alcoholism and Drug Abuse" both in the amount of $650.33.

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

February 19, 2013

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Motion by Councilwoman Murphy, seconded by Councilman Mignone to **TABLE** resolution #13-100.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

#13-100 Amend Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Specifications for the Replacement of the Emergency Generator at Fire Company #2

WHEREAS, there exists a need for expert professional engineering services for specifications for the Replacement of the Emergency Generator at Fire Company #2; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #12-437 dated December 17, 2012 in the amount of $5,000.00 and

WHEREAS, additional funding is required for professional services for the Replacement of the Emergency Generator at Fire Company #2; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1762-100 of the Capital Fund in the amount not to exceed $6,500.00; 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 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, 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., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed $6,500.00; 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.

February 19, 2013

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Motion by Councilman Bartelloni, seconded by Councilman Mignone to approve resolution #13-101 through #13-110.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

#13-101 Authorize Refund from Recreation Dedicated Account

WHEREAS, residents had signed up for the Colucci's Luncheon & Entertainment Trip scheduled for February 14, 2013; and

WHEREAS, the trip was cancelled due to lack of participation; and

WHEREAS, the residents had paid in full for this trip; and

WHEREAS, a refund will be made to the following:

Frank Bayersforder 149 Voorhis Avenue River Edge, NJ 07661	$98.00
Norma Gottlieb 150 Valley Road River Edge, NJ 07661	$98.00
Mary Blouin 281 Webb Avenue River Edge, NJ 07661	$98.00

NOW, THEREFORE, BE IT RESOLVED that a total of $294.00 be refunded from the Recreation Dedicated Account to the above listed residents.

February 19, 2013

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#13-102 Resolution Of The Borough Council Of The Borough Of River Edge, In The County Of Bergen, New Jersey, Covenanting To Comply With The Provisions Of The Internal Revenue Code Of 1986, As Amended, Applicable To The Exclusion From Gross Income For Federal Income Tax Purposes Of Interest On Obligations Issued By The Borough Of River Edge And Authorizing The Mayor, Borough Clerk, Chief Financial Officer And Other Borough Officials To Take Such Action As They May

Deem Necessary Or Advisable To Effect Such Compliance And Designating A $500,000 Bond Anticipation Note, Dated February 15, 2013 And Payable November 15, 2013 And A $104,000 Special Emergency Note, Dated February 15, 2013 And Payable February 14, 2014, As "Qualified Tax-Exempt Obligations" Pursuant To Section 265(B)(3) Of The Internal Revenue Code Of 1986, As Amended.

WHEREAS, the Borough of River Edge, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations the interest on which is excluded from gross income for Federal income tax purposes and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough desires to designate a $500,000 Bond Anticipation Note, dated February 15, 2013 and payable November 15, 2013 and a $104,000 Special Emergency Note, dated February 15, 2013 and payable February 14, 2014 (collectively, the "Notes"), as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of River Edge, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Notes be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The above-referenced Notes of the Borough are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of $10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2013.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2013.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough be and they hereby are authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2013 dated as of the date of delivery of the Notes.

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

February 19, 2013

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#13-103 Authorize Refund of 2010 and 2011 Taxes Due to a NJ Tax Court Judgment

WHEREAS, a Tax Court Judgment was entered 1/11/13 for the year 2009 "Freeze Act" purposes reducing the Assessed Value on the property known as Block: 614 Lot: 8.02, 625-651 Kinderkamack Road, River Edge; for the year 2010 and 2011 using 2009 as the base year for said "freeze act"; and

WHEREAS, the 2010 and 2011 taxes are paid in full.

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

Tax Year	Old Value	New Value	Refund
2010	3,026,400	2,800,000	5,807.16
2011	3,026,400	2,800,000	6,047.14
		Total Refund:	11,854.30

Make check payable to:

Kamack Associates LLC/Bruce J. Stavitsky,Esq.
350 Passaic Avenue
Fairfield, NJ 07004

February 19, 2013

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#13-104 Rescind Resolution #13-58 - Enter Into Agreement With Arthur M. Neiss, Esq., Beattie Padovano, LLC, 50 Chestnut Ridge Road, Suite 208, P.O. Box 244, Montvale, New Jersey 07645-0244 For Professional Services as Planning Board Attorney for the Borough of River Edge

WHEREAS, resolution #13-58 to enter into agreement with Arthur M. Neiss, Esq. for Professional Services as Planning Board Attorney was approved at the Reorganization Meeting on January 1, 2013; and

NOW, THEREFORE, BE IT RESOLVED that resolution #13-58, dated January 1, 2013, is hereby rescinded in order to reflect the new fees.

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

February 19, 2013

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#13-105 Enter Into Agreement With Arthur M. Neiss, Esq., Beattie Padovano, LLC, 50 Chestnut Ridge Road, Suite 208, P.O. Box 244, Montvale, New Jersey 07645-0244 For Professional Services as Planning Board Attorney for the Borough of River Edge

WHEREAS, there exists a need for a Planning Board Attorney for legal services such as attendance at meetings of the Board, doing legal research and issuing oral and written legal opinions; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-166 of the Current Fund not to exceed $4,000; 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, Arthur M. Neiss, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Arthur M. Neiss, 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 Arthur M. Neiss, Esq. from making any reportable contributions through the term of the contract; and
125.00 per hour as Borough Planning Board Attorney; 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, this contract will be retroactive to January 1, 2013.

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 Arthur M. Neiss, Esq., Beattie Padovano, LLC, 50 Chestnut Ridge Road, Suite 208, P.O. Box 244, Montvale, New Jersey 07645-0244 in the amount not to exceed $4,000.00.
2. The Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and
3. 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 Arthur M. Neiss, Esq., Beattie Padovano, LLC, 50 Chestnut Ridge Road, suite 208, P.O. Box 244, Montvale, New Jersey 07645-0244.
4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

February 19, 2013

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#13-106 Rescind Resolution to Establish Escrow Rates for Professionals

WHEREAS, resolution #13-59 to establish escrow rates for professionals was approved at the Reorganization Meeting on January 1, 2013; and

NOW, THEREFORE, BE IT RESOLVED that resolution #13-58, dated January 1, 2013, is hereby rescinded in order to reflect the new fees.

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

February 19, 2013

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#13-107 Establish Escrow Rates for Professionals

WHEREAS, the Chief Financial Officer of a municipality shall make all of the payments to professionals for services rendered to the municipality or approving authority for review of applications for development, review and preparation of documents, inspection of improvements or other purposes under the provisions of P.L. 1975, c291 (C.40:55D-1 et seq.); and

WHEREAS, fees or charges shall be based upon a schedule established by resolution (N.J.S.A. 40:55D-53.2a); and

WHEREAS, various professionals, such as the engineer, planner and attorneys for the Planning and Zoning Boards from time-to-time require payment from escrow accounts.

BE IT RESOLVED that any fees charged by these professionals will be paid accordingly to the following schedule:

Attorneys (Other Than Planning Board)	$ 85.00 per hour
Planning Board Attorney	$125.00 per hour
Engineers	$ 65.00 per hour
Planners	$ 65.00 per hour

February 19, 2013

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#13-108 Resolution to Refund Planning Board Escrow Money-Dominic & Maureen Branca, 95 Surrey Lane

WHEREAS, the following application has been made to the Planning Board for Site Plan approvals and has since received such approval; and

WHEREAS, all professionals have been paid.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized to refund the escrow money to the following to:

Block/Lot	Name/Address	Amount
112/7	Dominic & Maureen Branca 95 Surrey Lane River Edge, NJ 07661 Application #2011-03	$1,807.50

February 19, 2013

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#13-109 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services for the Sketch of the Proposed Parking Lot at Grove Street

WHEREAS, there exists a need for expert professional engineering services for the sketch of the proposed parking lot at Grove Street; 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 #01-2010-20-1652-170 of the Current Fund not to exceed $1,200.00; 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., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed $1,200.00; 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.

February 19, 2013

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#13-110 Enter Into Agreement with Michele S. Austin Esq., Austin & Stein, Land Mark Building, 27 Warren Street, Suite 302, Hackensack, NJ 07601 for Professional Services as Zoning Board of Adjustment Attorney for the Borough of River Edge

WHEREAS, there exists a need for a Zoning Board of Adjustment Attorney for legal services such as attendance at meetings of the Board, doing legal research and issuing oral and written legal opinions; 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, Michele S. Austin, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Michele S. Austin, 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 Michele S. Austin, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-167 of the Current Fund not to exceed $4,500.00.

WHEREAS, the rate of pay shall not exceed $85.00 per hour as zoning Board of Adjustment Attorney; 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, this contract will be retroactive to January 1, 2013.

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 Michele S. Austin, Esq., Austin & Stein, Land Mark Building, 27 Warren Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed $4,500.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. 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 Michele S. Austin, Esq., Austin & Stein, Land Mark building, 27 Warren Street, Suite 302, Hackensack, NJ 07601.
4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

February 19, 2013

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Councilman Mignone read resolution #13-111 into the record.

Motion by Councilman Mignone, seconded by Councilman Bartelloni to approve resolution #13-111.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

#13-111 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	$147,950.08
CAPITAL ACCOUNT	$ 2,058.40
RECREATION ACCOUNT	$ 1,527.50
OPEN SPACE ACCOUNT	$ 75.60
SELF INSURANCE ACCOUNT	$ 3,054.48
TRUST OTHER DEVELOPERS ACCOUNT	$ 7,812.50

TRUST OTHER ACCOUNT $ 7,720.45

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.

February 19, 2013

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OPEN HEARING OF THE PUBLIC -

Motion by Councilman Acquafredda, seconded by Councilwoman Murphy to open hearing of the public.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Liz Davis-291 Monroe Avenue-stated that she has worked with Joe Caleca for the past few years and feels that he's a man of utmost integrity and the homes that he has renovated and rebuilt in the area have been high quality and are an enhancement to the neighborhoods. She commended the Council for taking this ordinance very seriously and feels that there weren't any favors extended to Mr. Caleca as was stated in letters that have been circulated by residents. Ms. Davis stated that Mr. Caleca has gone through the complete process, which has taken months and feels that the Council, as well as the Planning Board has done their due diligence. She gave several explanations regarding many misconceptions that have been circulated by residents. She feels that this ordinance will attract investors who are willing to invest in the revitalization of Park Avenue. She explained that the rejection of this ordinance will not preserve the views of the river and will not result in homes that match the existing the housing stock. She continued to say that in the near term, it could actually bring more children to schools, congestion to the area and result in larger structures on lots with less aesthetic appeal. She is confident that the Mayor and Council will do what's in the best interest of Park Avenue and River Edge.
Amory Hartman-821 Park Avenue-stated that Ms. Davis' statements reflect her own opinion and she doesn't agree with her statements at all. She feels that these duplex structures will be a detriment to the area and also feels that the residents who signed the petition have been ignored.
Jim Anastos, 818 Park Avenue-stated that Ms. Davis has a financial interest vested in this project and totally agrees with Mrs. Hartman's comments. He asked if anyone has done a financial comparison as to how this would benefit the town? He thinks that this would be good information to have. He is not in favor of the duplexes being built.
Councilman Mignone-explained that when Mr. Caleco's planner first came in, he did provide a financial analysis but doesn't remember the details at this time. He remembers being told that the two duplexes would be a more reasonable tax burden to the owner relative to the value of the property.

Mayor Moscaritolo arrived at 8:45 p.m.

Patricia Bradley-52 Washington Avenue-spoke out against the proposal of re-zoning Park Avenue because there has been an inability in town to sell new housing stock and she doesn't want to see high density housing. As a commuter who uses the train, she explained that traffic congestion already exists on Park Avenue and the side streets and would hate to see it get worse. She doesn't feel that re-zoning will make the homes in the neighborhood more valuable and urges the Mayor and Council to seriously consider not passing this ordinance. Mrs. Bradley stated that she thinks the Mayor and Council should focus on revitalizing the commercial properties on Kinderkamack Road which in turn will help with the tax problem.
Karl Hartman-821 Park Avenue-stated that Mr. Caleca came and spoke with them to make his case but he and his wife still strongly oppose it because they don't feel that it would be an improvement to the neighborhood. He doesn't think that anyone will want to buy new construction and be willing to pay over $14,000 in property taxes.
Victor Vitale-42 Washington Avenue-is also opposed to multi-family homes being built in the neighborhood. He's put quite a bit on money in his single family home which he considers to be an investment to the community. He's concerned that while Mr. Caleca's homes are very nice, down the road there may be another builder who puts something up that's not so appealing. He stated that there is no guarantee from the Council that the quality will remain the same down the road.

Geraldine Garcia-839 Park Avenue-lives directly across from the property that Mr. Caleca owns and feels that this ordinance will directly affect the entire street, not just one lot. She doesn't feel that there is any benefit to the town and to the surrounding residents because she feels it will impact the schools and cause traffic congestion. Mrs. Garcia asked the Mayor and Council to reconsider this for the neighborhood.
Jim Miller-885 Park Avenue-felt that the petition that they presented should have been listed on the agenda and feels that it's the Council's responsibility to take into consideration the people who will be most affected by this project. He feels that there's no guarantee that construction of new homes won't affect the school system and traffic congestion and is also concerned that if the homes don't sell, they will become rentals. Mr. Miller also brought up the proposed parking lot on Grove Street which could also increase traffic congestion to that area. He also feels that the Mayor and Council should focus on bringing in and revitalizing commercial properties instead of worrying about Park Avenue.
Michael Krey-879 Park Avenue-asked for clarification regarding the 70 foot frontage that is stated in the ordinance and also asked how many properties meet that requirement.
Councilman Mignone-replied twelve.
Michael Krey-stated that it's hard to imagine that their property values would go up as a result of potentially 24 duplex units going in on Park Avenue. He feels that many of the residents here tonight live in homes that are not in need of revitalization and is concerned that they will be paying the freight for the zoning change. He hopes that the Mayor and Council will take the concerns of the residents into consideration before making this decision.
David Rabinowitz-44 Gates Avenue-stated that the Zoning Board has given him a hard time when he wanted to put a deck on and finds it unsettling that the Mayor and Council would even consider re-zoning the area which already has traffic issues and would negatively impact the residents who have been living there for many years.

Mayor Moscaritolo-informed everyone that the procedure will be that the proposed ordinance will go back to the Planning Board for their approval, disapproval or suggested changes and once that is done it will come back to the Mayor and Council for a public hearing and final adoption. He expects that at the Planning Board hearing, there may be testimony from our Planner, Borough Engineer, someone from Police Department to address traffic and noise issues and the Tax Assessor to explain impact on property values. After the Council receives that information, they will be able to make an informed final decision.

CLOSE HEARING OF THE PUBLIC -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to close hearing of the public.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

COUNCIL COMMENTS -

Councilman Papaleo-stated that after listening to the pros and cons of this ordinance from the public, he feels that this is how good government works and he thanked everyone for being respectful of different opinions.
Councilman Bartelloni-thanked everyone for coming and also feels that the meeting tonight is a lesson in democracy and how it works. Councilman Bartelloni stated that regardless of how everyone voted, they have the best interest of the Borough at heart because we all live here and want the best for our community. What he found disturbing was that the Mayor and Council have been accused of trying to hide something or schedule this topic for a meeting that would have a small turnout which simply was not true. He wanted to make clear that the Governing Body as a whole, has nothing but the best interest of the community at heart. He again thanked everyone for coming and being part of the discussion.
Councilman Mignone-agreed with Councilman Bartelloni's statement and understands that this type of issue brings out a lot of emotion on both sides. He stated that before making an important decision such as this, he takes everything into consideration. He doesn't feel that this is spot zoning and would cause a traffic nightmare. He continued to say that at the end of the day, if he feels that the benefit the town overall is greater than the concern of the neighborhood, he's not sure if he would support this in the end. Councilman Mignone also feels that Mr. Caleca has every right to come before the Council to petition this zoning change the same as the residents who are petitioning to not have it.
Councilman Cappola-also thanked everyone for coming and speaking out and also assured the residents that he has done research on this topic and will not take the decision lightly. He echoed Councilman Bartelloni's comments that they all live in town and want what's best for the community.
Councilman Acquafredda-also thanked the residents in the affected area for coming

up and speaking this evening. He hopes in the upcoming vetting process of this ordinance, they can find a way that they're not infringing our first amendment rights and somehow safeguard future developments.
Councilwoman Murphy-also thanked everyone for coming and sharing their opinions. She addressed the topic of overcrowded schools that has been brought up several times and shared several facts explaining that there is still adequate space. Councilwoman Murphy also brought up an article in the Record reporting that families are choosing cities over suburbs and that in Bergen County, there are 6,000 fewer children that it had in the year 2000.
Mayor Moscaritolo-thanked everyone for coming and understands that this is an emotionally charged issue regarding neighborhoods and the desire to protect quality of life. The Mayor assured everyone that they are looking at this issue closely and will have a hearing where professionals are in attendance to give facts and expertise instead of speculation.

ADJOURNMENT - 9:25 P.M

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to adjourn the meeting at 9:25 p.m.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Mayor Sandy Moscaritolo

Attest:

Denise A. Dondiego, Borough Clerk

Dated: