

M I N U T E S
Meeting of the Mayor and Council
Monday, June 4, 2012
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

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

MISSION STATEMENT & OPEN PUBLIC MEETINGS -

Mayor Moscaritolo 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 effecting 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 Cordts, Councilman Porco, Councilman Mignone, Councilman Bartelloni, Councilman Papaleo and Mayor Moscaritolo were present.

APPROVAL OF MINUTES -

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve the minutes of the Mayor and Council work session and regular meeting of May 7, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes; Councilman Porco abstained.

Motion by Councilman Bartelloni, seconded by Councilman Mignone to approve the minutes of the Mayor and Council work session and regular meeting of May 21, 2012.

ROLL CALL VOTE: Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes; Councilman Porco, Councilman Cordts and Councilwoman Murphy abstained.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the minutes of the Mayor and Council work session of May 29, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Porco and Councilman Papaleo abstained.

PROCLAMATIONS & AWARDS - NONE

APPOINTMENTS & PERSONNEL CHANGES -

Mayor Moscaritolo confirmed the appointment of Stuart Heinzinger, 236 Madison Avenue, as the Volunteer Deputy Emergency Management Coordinator, for a three year term through April 1, 2015, effective June 5, 2012.

Mayor Moscaritolo administered the Oath of Office to Stuart Heinzinger.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve the appointments and personnel changes as follows:

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Porco, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Approve the salary change of Roger Tarpey, General Repairer II, Department of Public Works from an annual salary of \$59,022.00 to \$59,618.00 due to a step increase from General Repair II, Step IV to Step V, effective April 28, 2012.

Approve the salary change of Scott Ader, Tree Trimmer II, Department of Public Works from an annual salary of \$63,752.00 to \$64,346.00 due to a step increase from Tree Trimmer I, Step III to Step IV, effective March 26, 2012.

Approve the salary change of Jason Milito, Equipment Operator II, Department of Public Works from an annual salary of \$57,198.00 to \$58,241.00 due to an increase in longevity from \$480.00 to \$960.00, effective April 5, 2012.

Approve the salary change of Jason Milito, Equipment Operator II, Department of Public Works from an annual salary of \$56,238.00 to \$57,281.00 due to step increase from Operator II, Step II to Step III, effective April 5, 2012.

Approve the separation of Meaghan Velten, part-time Library Page, effective June 5, 2012.

Approve the hire of Danielle George, 291 Van Saun Drive, as a part-time Library Page, nine (9) hours per week at an hourly rate of \$7.25, effective June 5, 2012.

Approve the appointment of Anthe Siaflas, 418 Mercer Avenue, as Deputy Registrar of Vital Statistics in the Health Department, at an hourly Step I rate of \$19.49, with a ninety day probationary period, effective June 5, 2012.

Approve the salary change of John Mauthe, School Crossing Guard, from an hourly Step I rate of \$16.67 to Step II - \$17.60 per hour, effective June 5, 2012.

Approve the salary change of William Sanders, School Crossing Guard, from an hourly Step I rate of \$16.67 to Step II - \$17.60 per hour, effective June 5, 2012.

Approve the salary change of Lisa Hessman, Recycling Coordinator, from a Step I hourly rate of \$22.43 to a Step II hourly rate of \$23.68, effective June 5, 2012.

Approve the salary change of Coleen Goddel, Department of Public Works from and hourly Step II rate of \$19.34 to Step III hourly rate of \$20.36, effective June 5, 2012.

Approve the salary change of Lisa Hessman, Administrative Assistant, Department of Public Works from an annual Step III salary of \$45,359.00 to an annual Step IV salary of \$47,746.00, effective June 5, 2012.

Approve the salary change of Michael Gonnerman, Part-time Police Dispatcher, from an hourly Step II rate of \$19.14 to an hourly Step III rate of \$20.15, effective June 5, 2012.

Approve the salary change of Marijane Brandau, Zoning/Planning Board Recording Secretary, from an hourly Step II rate of \$19.34 to an hourly Step III rate of \$20.36, effective June 5, 2012.

Approve the salary change of Leonard Herman, Plumbing Inspector, from an annual Step I salary of \$9,434.00 to an annual Step II salary of \$9,958.00, effective June 5, 2012.

Approve the salary change of Anthe Siaflas, Senior Bus Dispatcher, from a Step I hourly rate of \$12.55 to a Step II hourly rate of \$13.25, effective June 5, 2012.

Approve the salary change of Anita Gatto, Planning/Zoning/Tax Assessor Clerk from a Step II hourly rate of \$19.34 to a Step III hourly rate of \$20.36, effective June 5, 2012.

Approve the salary change of Christopher Leishman, Foreperson, Department of Public Works from an annual Step III salary of \$74,599.00 to an annual Step IV salary of \$78,526.00, effective June 5, 2012.

Approve the hire of Nicole Shnaper, 136 Lincoln Avenue, Saddle Brook, New Jersey as the Technical Assistant to the Construction Code Official, at an

annual salary of \$44,080.00 with a six-month probationary period, effective July 1, 2012.

Approve the salary change of Adrienne Capasso, Health Department Secretary/Registrar of Vital Statistics from an hourly rate of \$15.00 to a Step I hourly rate of \$18.82, due to the completion of probationary period and obtaining Registrar certification, effective June 5, 2012.

CORRESPONDENCE -

Letter - State of New Jersey - DEP - 5/21/12
Re: Underground Storage Tank-318 Van Saun Ct.
Notice - N.J. Transit - 5/23/12
Re: Bus Service Changes
Notice - William & Pam Loblely - 5/23/12
Re: Zoning Board Application - 112 Adams Ave.
E-mail - Cindy Randazzo - DEP - 5/25/12
Re: Events & Natural resources in State Parks
& Wildlife Areas
Notice - River Edge Board of Education - 5/29/12
Re: Meetings - 5/31/12
Notice - River Edge Board of Education - 6/1/12
Re: Meeting Notice - June 6, 2012

MONTHLY REPORTS -

Tax Collector - April 2012
Shade Tree Commission - April 2012
Historic Commission - April 2012

ORDINANCES - 1ST READING -

Denise Dondiego, Borough Clerk read the title of Ordinance #1766 as follows:

Ordinance #1766 - AN ORDINANCE TO AMEND SECTION 2 OF ORDINANCE #1761 ENTITLED "AN ORDINANCE APPROPRIATING \$6,000 FROM THE GENERAL CAPITAL FUND - CAPITAL IMPROVEMENT FUND FOR PURCHASE OF EQUIPMENT".

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve the first reading of Ordinance #1766 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1766

AN ORDINANCE TO AMEND SECTION 2 OF ORDINANCE #1761 ENTITLED "AN ORDINANCE APPROPRIATING \$6,000 FROM THE GENERAL CAPITAL FUND - CAPITAL IMPROVEMENT FUND FOR PURCHASE OF EQUIPMENT".

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 1. Section 2 of Ordinance #1761 is hereby amended to increase the scope of the ordinance as authorized below:

Add:

f. Purchase of traffic cones for use by the Police Department.

SECTION 2. 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:

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Porco, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

ORDINANCE - 2ND READING -

Denise Dondiego, Borough Clerk read the title of Ordinance #1765 as follows:

Ordinance #1765 - AN ORDINANCE AMENDING CHAPTER 384, TREES, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

Ordinance #1765 was introduced by Councilman Papaleo, seconded by Councilman Cordts at the May 21, 2012 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1765

AN ORDINANCE AMENDING CHAPTER 384, 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

§ 385-1 Purpose.

The Mayor and Council of the Borough of River Edge finds that the preservation, protection, and planting of trees and other plants conserves and enhances the borough's physical and aesthetic appearance, and generally protects the public health and safety and general welfare;

The intent of this Ordinance is to limit the adverse impact of tree damage and removal associated with construction. This ordinance preserves and perpetuates the Borough's tree stock located on public property and within a commercial or residential development, through the establishment of regulatory control over removal of trees that have attained a specific minimum size, and the requirement that property owners or their agents provide orderly tree replacement plans.

Section II

§ 385-2 Definitions.

For the purposes of this ordinance, the below terms have the following defined meaning.

B&B (balled & burlapped) - means a method of excavation in which the subject Tree is removed along with the surrounding its roots and such soil and roots are wrapped and laced.

Borough Tree - any tree, which is situated upon any public property, park, field, public right of way or easement under the ownership or control of the Borough of River Edge.

Diameter Breast Height (DBH) - means the diameter of a Tree measured at a point on the trees four (4') from ground level.

ISA - means the International Society of Arboriculture.

Project - means any undertaking whatsoever which would involve potential damage to or which may result in the planned or unplanned removal of regulated trees. Such projects shall include, but not be limited to, new construction, modifications of existing structures, grade modification and drainage improvement works, except for those exempted in Section nine (9) of this ordinance.

Regulated Tree - Any living woody, deciduous or coniferous species which has a DBH of four inches (4") or greater measured four (4) feet above ground level. Any species not qualifying as a "tree" under this definition shall be considered a stem and shall not fall within the purview of this ordinance.

Removal - means any activity which results in cutting down completely or substantially eliminates a living regulated tree for the Borough's tree stock.

Removal Plan - means a Protection and Removal Plan.

Replacement Plan - means a plan developed in accordance with and conforming to the provisions of this ordinance which has been approved by the Shade Tree Commission.

Right of Way - Any road, easement, passage way or area under the jurisdiction and control of the Borough of River Edge.

Site Plan - means a plan as defined by the Borough's Municipal Land Use Ordinance.

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.

Tree Removal and Protection Permit - A Permit issued by the Shade Tree Commission for the removal and/or protection of a Regulated Tree within the Borough.

Section III

§ 385-3 Cutting or Removal Restricted.

With the exception of the exemptions set forth in Section 9 of this ordinance, including, but not limited to dead, dying or diseased trees, no person shall cut or remove, or cause to be cut or removed, a regulated tree upon any lands within the Borough of River Edge unless cutting or removal is performed in strict accordance with the provisions of this ordinance.

Section IV

§ 385-4 Permit Required.

A Project Permit is required for the removal of regulated tree(s).

Section V

§ 385-5 Project Permit Application Process.

A. Project Permit Application Submission.

Upon filing an application for development with the Borough or a building permit for construction of dwelling(s), a Tree Removal and Protection Project Permit shall be required for the removal and/or protection of public trees and those trees located within a residential or commercial development. A permit application for the removal and/or protection of said trees shall be submitted to the Shade Tree Commission for review.

B. Application Contents.

An application for a Tree Removal and Protection Project Permit shall consist of the following:

1. The name and address of the owner of the land;
2. The description of the lands in question, including the lot and block numbers of the land as shown on the current Tax Map of the Borough of River Edge; a survey or plot plan locating public and private trees;
3. The purpose or reason for removing the tree(s);
4. The quantity, caliper size, location and species of tree(s) to be removed;
5. The proposed dates for commencement and completion of the project;
6. Name and address of the person having express charge, supervision, and/or control of the proposed removal of tree(s);
7. A statement granting permission to Borough officials or their employees to enter the premises and make surveys and inspections as the work progresses; and
8. A Tree Replacement Plan that includes quantity, caliper size, location and species of tree(s) to be replanted.

C. Jurisdiction

1. The Shade Tree Commission shall have jurisdiction concerning the removal and protection of trees on private and public property unless otherwise exempted herein. The protection and removal assessment of regulated trees may be determined based upon the appraisal of a trained forester or licensed tree expert or a member of the Shade Tree Commission.

The Borough shall modify the value of the tree based upon its species, variety, location and its condition at the time of removal or destruction.

2. The enforcement of this Ordinance shall be under the jurisdiction of the Shade Tree Commission or as delegated to the Borough's Code Enforcement Officer.

D. The Shade Tree Commission shall review the Project Permit application to determine whether such Project complies with this ordinance. The Shade Tree Commission shall then provide written notice to the applicant indicating one of the following determinations:

1. The Project Permit is granted; or
2. The Project Permit is granted subject to prescribed conditions attached to such notice; or

3. The Project Permit is denied, in which case the written notice shall state the reasons for such denial.

The determination and decision of the Shade Tree Commission shall be reviewable on written appeal to the Mayor and Council. Said appeal shall be filed within twenty-one (21) days of written notice of the decision of the Shade Tree Commission. The appeal before the Mayor and Council shall be a de novo hearing in which the Shade Tree Commission shall produce testimony concerning the denial of the Project Permit.

E. The Shade Tree Commission shall render a decision on a Project Permit Application and furnish the required notices within thirty (30) calendar days following submission of a completed application.

F. Failure of the Shade Tree Commission to render a decision within the thirty (30) day period, or within any extension of time granted by the applicant, shall constitute and have the same effect as an approval of the application.

G. Any proposed change in the approved Project shall be submitted to the Shade Tree Commission. The Shade Tree Commission's determination concerning the approval of the amended project shall be determined in the same manner as an original application for a Project Permit.

H. The applicant shall maintain a copy of the approved Project at the Project location. A copy of the Project Permit shall be available for inspection by a representative of the Shade Tree Commission.

Section VI

§ 385-6 Tree Replacement Fee and Bond Schedule (Private Trees)

A. Trees to be Removed		Replacement Trees		
Number of Trees	DBH (inches)	Number of Trees to be replaced	Caliper (inches)	or Dollar Amount per tree
1	4" to 11"	One (1)	2 to 2 ½	\$400
1	12" to 17"	Two (2)	2 to 2 ½	\$400
1	18" to 23"	Three (3)	2 to 2 ½	\$400
1	Greater than 24"	Four (4)	2 to 2 ½	\$400

B. The applicant shall post a performance or cash landscape bond to cover the cost of the replacement trees. Upon completion of the replacement tree mitigation, 80% of the bond shall be returned. The remaining 20% shall be held for twelve (12) months to assure survival of the trees. The entire bond shall be forfeited if the applicant fails to mitigate in a time period established in this ordinance. The tree replacement shall be completed within an eighteen (18) month period from issuance of the permit.

C. Weather permitting, the mitigation shall be completed upon issuance of a Certificate of Approval for the project or eighteen (18) months from issuance of the Project Permit, whichever sooner occurs.

Section VII

§ 385-7 Shade Tree Replacement Fund.

The Shade Tree Commission may authorize a contribution to the Borough's Shade Tree Replacement Fund in lieu of planting replacement trees on a site where it determines that the purposes of this ordinance would be furthered thereby. Such contribution shall bear a reasonable relationship to the cost of planting trees that would otherwise be required under Section 6 of this ordinance, but in no case shall it be less than \$400.00 per required replacement exclusive of permit fees.

In addition, all fines, penalties and fees collected for any enforcement action under this Ordinance shall be allocated to the Shade Tree Replacement Fund.

Section VIII

§ 385-8 Bonding Requirement (Street Trees)

(a) Any person developing property, re-developing property or demolishing structures on property with Borough trees, will provide the Borough of River Edge with a Cash Landscape Maintenance Bond or equivalent in an amount not to exceed \$5,000 for each Borough of River Edge street tree on said property for up to three (3) years. After the first year, and the second year, if it is necessary, the tree/trees will be evaluated by the Shade Tree Commission. Based upon the evaluation, the Commission will determine whether the Cash Landscape Maintenance Bond or equivalent will be returned, extended, or moved to the Shade Tree Replacement Fund utilized to remove and replace any of the Borough of River Edge trees on said property.

Section IX

§ 385-9 Exemptions.

The following shall be exempt from the requirements of this ordinance:

- A. Trees that are deemed to be removed by the Borough, which are on or over a public right-of-way.
- B. Trees that are deemed to be removed as part of a municipal project.
- C. Emergency removals.
- D. Trees removed on private property as part of the owner's property maintenance and care.

Section X

§ 385-10 Notice to Adjoining Property Owner.

In the event that the Shade Tree Commission determines that any tree to be removed is located within the buffer area or in close proximity to the property line between the two (2) properties, the applicant is required to notify the owner of the adjacent property by letter or personal contact and the applicant shall be required to submit written evidence of such notification at the time of application for a tree removal permit. In addition, in the case of any tree shown on a survey plan located on a property line, the applicant shall be required to obtain written consent from the adjacent property owner to remove the tree and written consent shall be submitted by the applicant at the time of application for a tree removal permit. The owner of adjacent property who received such notification may submit a written objection to the removal of any such tree to the Shade Tree Commission within five (5) days of such notification. The Shade Tree Commission will investigate the conditions of any such written objection prior to the issuance of a tree removal permit.

Section XI

§ 385-11 Protection of Existing Trees.

- a. In connection with any development and prior to the issuance of any building permit, snow fencing or other protective barrier acceptable to the Shade Tree Commission shall be placed around trees that are not to be removed.
- b. In connection with any development, prior to the issuance of any tree removal permit, portable chain link fencing or other protective barrier acceptable to the Shade Tree Commission charged with the enforcement and administration of this section shall be placed around trees that are not to be removed.
- c. The portable chain link fencing or other protective barriers referred to in paragraph a. and b. of this subsection shall be placed at a distance of at least ten (10) feet from the trunk of any tree and shall remain in place until all construction activity on the property has terminated. No equipment, chemicals, soil deposits or construction materials shall be placed within any area so protected by barriers. Any landscaping activities subsequent to the removal of the barriers shall be accomplished with light machinery or hand labor.

Section XII

§ 385-12 Fees

An application for a Tree Removal and Protection Permit shall be accompanied by the required fees as set forth below:

- A. Administration or Application Fee for the processing of each tree removal permit is \$25.00. Any subsequent application or request shall be subject to the same fee requirement.
- B. Escrow deposit where Shade Tree Commission determines that a tree expert is needed for tree evaluation. Expert fees incurred by the Commission shall be the responsibility of the applicant.

Section XIII

§ 385-13 Penalty.

Any person who violates any provisions of this ordinance shall be liable for a fine as permitted by N.J.S.A. 40:49-5. In addition, the Court may require restitution for any destroyed and/or damaged tree, including the cost of removal.

Section XIV

§ 385-14 Severability.

If any sentence, section, clause or other portion of this ordinance, or the application thereof to any person or circumstances, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

Section XV

§ 385-15 Inconsistency.

All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section XVI

§ 385-16 Effective Date.

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

Sandy Moscaritolo, Mayor

ATTEST:

Denise A. Dondiego, RMC
Borough Clerk
Dated:

OPEN HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Porco, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Liz Stewart and Jennifer Dougherty-Shade Tree Commission- Liz Stewart explained that they sent a memorandum to the Mayor and Council on Friday in support of the amended ordinance and asked if there were any further questions.

Mayor Moscaritolo-asked Sam Cereste, Esq. if he sent a final revised version of this ordinance out on June 1st?

Sam Cereste, Esq.- replied yes.

Mayor Moscaritolo-stated that the copy that he received contains marginal notes and feels that its hard to tell what has been taken out and was put back in. He asked Sam for clarification on specific language whether it was included or not.

Sam Cereste, Esq.-gave explanations on the items that the Mayor questioned such as buffer areas.

Mayor Moscaritolo-asked Liz if the Commission has strong feelings about the language with regard to notification to an adjoining property owner?

Liz Stewart-stated that the Construction Code Official suggested that this language be put in not the Shade Tree Commission. Liz made reference to the pictures that were attached to the memo and explained that they are not looking to make things difficult for residents who are planning small additions. She continued by saying that this ordinance mainly focuses on large construction projects and is feeling frustrated because of the lengthy process this has turned into to get an ordinance passed. She stated that the Commission is looking to the future and keeping our tree lined streets the way they are and not allow big construction projects to take them away. Liz stated that basically they are non-paid employees of the town who run a department and they are giving the Mayor and Council their opinion as what they should do as a town from what they see as experts. Liz stated that she is not just a volunteer but a licensed tree expert in New Jersey and assured the Mayor and Council that they are willing to work with contractors and residents.

Sam Cereste, Esq.-explained that there are two sentiments here; regulating private trees and whether private property owners should have the right to remove trees. He feels that in this particular ordinance they tried to strike a balance and explained the several instances of exemptions and the appeal process of the ordinance. He hopes that the Council will show confidence in the Commission by passing the ordinance and see how things develop after it's been implemented. He commended Liz and Jennifer for the countless hours they have spent on this ordinance and feels that this is one of the better tree ordinances not only in the County but in the State. He also feels that it addresses both private sector as well as streets that are in the public right of way.

Councilman Cordts-expressed concerns about our residents property rights and how the language in this ordinance could possibly be interpreted differently by Commission members in the future. Although he agrees that it's not good for the town when trees are cleared out during major construction projects, he still has concerns about regulating trees on private property.

Jennifer Dougherty-feels that the Council is not looking at the big picture and asked them to put their trust in the Commission. She continued by saying that they have many dedicated members who have been involved for more than a

decade and doesn't foresee anyone leaving in the near future.

CLOSE HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Porco, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Councilman Cordts-continued to state his concerns regarding the regulation of trees on private property.

Councilman Mignone-feels that there is a consensus regarding the street trees and feels that they're getting hung up on private trees. He doesn't understand why they can't go with a clean ordinance limiting it to town trees because he feels that private trees are already covered under site plans for the Planning and Zoning Boards. Councilman Mignone is willing to give the Commission jurisdiction and trust their judgment regarding town trees and he agrees with Councilman Cordts' statement regarding homeowners property rights. He again suggested they start over with a clean ordinance limiting it to town trees as well as changes to the wording from "building permit" to "demo permit". He's suggesting this change in language because during large projects, heavy machinery is brought onto the property which is probably when most of the tree damage is done.

Mayor Moscaritolo-asked Councilman Mignone what sections of the ordinance does he have a problem with?

Councilman Mignone-replied, that he would take out anything with regard to private trees. He continued to say that he would change "private permit application" and would say something like "upon filing application for demolition or building permit" and end it by saying "removal and/or protection of public trees". He stated that he would remove the wording in Section VI about private trees and private bonding, take out Section X and take out paragraph C of Section XI. Councilman Mignone had a question regarding the bonding requirements in Section VIII, and asked if maintenance bonds can be extended past the maximum of the three years?

Liz Stewart-replied no, it would be the first or second year.

Councilman Mignone-wanted to clarify that you cannot extend it past the third year.

Liz Stewart-replied, that is correct.

Councilman Mignone-stated his concerns regarding issues that may come up years down the road such as if a tree dies, and the contractor doesn't feel that it was caused by anything that they did, who makes the decision about the bond. He understands that an appeal can come before the Council, but doesn't feel that they will be able to make an educated determination.

Liz Stewart-explained that they would do an evaluation in the beginning and explained the process of how they would make a determination after the first year of major construction. She explained that if a tree is showing significant stress after the first year, it's safe to assume that it's probably due to construction. If after the first year, a tree is in good condition, they will most likely return the money after the first year. She stated that most towns have an ordinance protecting town trees and feels that it is reasonable.

Councilman Bartelloni-agrees with Councilman Mignone's comments and feels that they would have unanimous support if the ordinance was protecting Borough trees and Borough property only. Councilman Bartelloni feels that this ordinance does not reflect the opinion of this Council and doesn't understand how it got to this point. He explained his concerns with some of the loop holes in the ordinance as it reads now.

Jennifer Dougherty-stated that they had come before the Council last August with a draft ordinance and at that time the private property language was not in the ordinance. She continued to say that at that time, the Council felt that if they were going to do an ordinance, they should include private property so they changed it to include that language. She understands their concerns, but explained that they have spent so much time doing extensive research to try and come up with an ordinance that everyone is happy with.

Councilman Porco-stated that he was always against the regulation of trees on private property and some of the pricing that was included in one of the revisions. He asked if there would be a need to put up a bond if there was a sidewalk replacement being done.

Liz & Jennifer-replied no.

Mayor Moscaritolo-stated that we're really not breaking any new ground here and this is about the trust that we have in our Shade Tree Commission. He continued by saying that developers already have to the Commission when they submit a site plan and the same procedure would apply to someone going for a variance. The Mayor stated that when this ordinance was first proposed, it included private trees but didn't have public trees and they asked Sam to amend it to include public trees. He continued by saying that at that point, there was discussion about limiting private trees so Sam put in a clear exemption for the property owner. The Mayor explained what the requirements mean and the reason behind them.

Councilman Porco-again voiced his concerns regarding the exemptions listed in the ordinance.

Councilman Papaleo-stated that they have heard from two attorneys that have

stated over and over again that this ordinance doesn't really raise the issues and concerns that others feel it will. He continued by saying that he doesn't understand why anyone would vote against it when two professionals have given their opinion that it's a good ordinance.

ADOPTION -

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

*ORDINANCE DID NOT PASS

Councilman Bartelloni-again stated his concerns about government having jurisdiction over private property and feels that if a new ordinance is introduced without the language in question, it will pass.
Sam Cereste, Esq.-stated that basically every town in Bergen County regulates private trees, so the fact that River Edge is strongly against it, is not consistent with what the majority people of Bergen County feel. He explained the proposed regulations that are stated in the ordinance and feels that it deserves the consideration of the Council.

Motion by Councilwoman Murphy to re-introduce this ordinance upon removal of the private property language, seconded by Councilman Mignone.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Porco, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

RESOLUTIONS - By Consent

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve resolution #12-197 through #12-216.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Porco, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

#12-197 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 June 4, 2012 meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session</u> <u>Docket #</u>	<u>Item Title or Description</u>	<u>Statutory</u> <u>Reference</u>
12-6/4-1	Contract Negotiation - Borough Reassessment 2012	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.

June 4, 2012

#12-198 Resolution Authorizing the Municipal Tax Collector to Prepare a Mail Estimated Tax Bills in Accordance with P.L. 1994, c.72

WHEREAS, the Borough of River Edge has adopted its budget on May 21, 2012 and the County Board of Taxation is unable to certify the tax rate at this time and the municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the municipal Tax Collector in consultation with the municipal Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54-4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Governing Body requests the Director of the Division of Local Government Services to approve the estimated tax levy exceeding 105% listed below. Approval will enable the municipality to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey on this 4th day of June, 2012, as follows:

1. The municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the municipality for the third installment of 2012 taxes. The Tax Collector shall proceed upon approval from the director and take such actions as permitted and required by P.L. 1994, c.72(N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2012 is hereby set at \$44,420,788.32.
3. In accordance with law the third installment of 2012 taxes shall not be subject to interest until the later of; the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

June 4, 2012

#12-199 Rescind Resolution #12-139 - Municipal Open Space, Recreation and Historic Preservation Trust

WHEREAS, resolution #12-139 for Municipal Open Space, Recreation and Historic Preservation Trust was approved on April 2, 2012; and

NOW, THEREFORE, BE IT RESOLVED that resolution #12-139, dated April 2, 2012, is hereby rescinded in order to reflect new typical home values due to the reassessment.

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

June 4, 2012

#12-200 Municipal Open Space, Recreation and Historic Preservation Trust

WHEREAS, N.J.S.A. 40:12-15.1 et seq. authorizes the governing Body of any municipality to submit to the voters a proposition authorizing imposition of an annual tax levy for the following purposes:

- a. development of lands acquired for recreational and conservation purposes;
- b. maintenance of lands acquired for recreation and conservation purposes;
- c. historic preservation of historic properties, structures, facilities, sites, areas, or objects and the acquisition of such properties, structures, facilities, sites, areas or objects of historic preservation purposes; or
- d. payment of debt service on indebtedness issued or incurred by a municipality for any of the purposes set forth in subparagraph (a), (b), (d) or (e) of this paragraph.

WHEREAS, the amounts raised by such tax levy shall be deposited into a Municipal Open Space, Recreation and Historic Preservation Trust Fund to be used for designated purposes within the municipality, and may be disbursed for specific projects only after a public hearing is conducted.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of River Edge that the following question be submitted to the voters of the Borough at the general election to be held on November 5, 2012.

Shall the Borough of River Edge effective for the fiscal year 2013 establish a dedicated tax program and impose an annual tax levy at the rate of \$0.01 per \$100.00 of assessed value for a period not to exceed five(5) years unless at the time a proposition extending the same is approved by the voters and for any or all of the following purposes or any combination thereof, as determined by the Governing Body: development and maintenance of lands for recreation and conservation purposes; historic preservation; and debt service for any of these purposes?

INTERPRETATIVE STATEMENT

This proposition would authorize the Borough of River Edge effective for the fiscal year 2013 to establish a Municipal Trust Fund for the development, maintenance and preservation of lands for recreation and conservation purposes as well as historic preservation and for the payment of debt service for any of these purposes. Real property owners in the Borough would be taxed annually at the rate of \$0.01 per \$100.00 of assessed value not to exceed five (5) years to fund this program (which is equal to \$38.15 for a property assessed at \$381,473.93). Interested parties who have submitted funding requests in the past for use of the funds have included but not limited to the following: Recreation Commission, River Edge 9/11 Memorial Fund, Beautification Committee, Department of Public Works, Shade Tree Commission, Historic Commission and Environmental Commission.

"The Open Space Trust Fund" shall be funded for a period not to exceed five (5) years unless at that time a proposition extending the same is approved by the voters.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward this binding referendum question to the County Clerk for the submission to the Borough voters at the November 6, 2012 election.

June 4, 2012

#12-201 Authorize Mayor to Sign Municipal Snow Plowing Agreement with Bergen County

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign the agreement with the County of Bergen for the 2012-2014 Snow Plowing season, payment to be in accordance with the attached schedule.

June 4, 2012

#12-202 Authorize Alan P. Spiniello, Esq. to Enter Into a Stipulation of Settlement with Brigid Ruvolo-Sammon, 731 Eighth Avenue, Block 307, Lot 2 and 745 Eighth Avenue, Block 307, Lot 1

WHEREAS, Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey will handle the litigation of Brigid Ruvolo-Sammon v. Borough of River Edge, Block 307, Lot 2 and Block 307, Lot 1; and

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

WHEREAS, the Mayor and Council have considered this recommendation at their work session of June 4, 2012.

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 an assessed value for calendar years 2010 and 2011 for Lot 1 and Lot 2 of \$579,000; for the calendar year 2012 an assessed value of \$564,000.

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.

June 4, 2012

#12-203 Approve Renewal of Liquor Licenses

WHEREAS, application for renewal of liquor licenses have been filed with the Clerk of the Borough of River Edge by the following licenses; and

WHEREAS, reports have been received from the Police Department, Fire Prevention Official and the Department of Health that the following premises

holding liquor licenses in the Borough have been found in order in accordance with the rules and regulations of this Borough and the required fees have been received.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Borough of River Edge that the following licenses be issued for the premises described for a period of one (1) year commencing July 1, 2012; and

BE IT FURTHER RESOLVED that Denise A. Dondiego, Borough Clerk, be directed to sign and deliver said licenses on behalf of the Borough of River Edge.

PLENARY CONSUMPTION LICENSES

0252-33-004-001	Sayat Nova Restaurant, Inc. T/A Feathers, 77 Kinderkamack Road. River Edge, New Jersey 07661	\$2,500.00
0252-33-001-005	259 Johnson Ave. Inc., T/A Dinallo's, 259 Johnson Avenue. River Edge, New Jersey 07661	\$2,500.00

PLENARY RETAIL DISTRIBUTION LICENSES

0252-44-005-003	E.G. Holding Corporation, T/A Total Wine & More, 135 Kinderkamack Road River Edge, New Jersey 07661	\$2,500.00
0252-44-003-003	River Edge Liquor and Convenience Store, Inc., T/A River Edge Wine and Liquors, 504 Kinderkamack Road River Edge, New Jersey 07661	\$2,500.00
0252-44-002-011	Shah and Sheth Liquors Inc., T/A Classic Wine & Spirits, 842 Kinderkamack Road River Edge, New Jersey 07661	\$2,500.00

PLENARY RETAIL CONSUMPTION LICENSE W/BROAD PACKAGE PRIVILEGE

0252-32-006-008	River Edge Inc, T/A River Edge Diner & Restaurant 516 Kinderkamack Road	\$2,500.00
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CLUB LICENSES

0252-31-008-001	Kights of Columbus The Columbian Club, T/A River Edge Columbian Club, 770 Kinderkamack Road River Edge, New Jersey 07661	\$ 50.00
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June 4, 2012

#12-204 Resolution to Establish a Change Fund for the Municipal Court

WHEREAS, the Municipal Court is responsible for the collection of parking and traffic fines; and

WHEREAS, it is in the best interest of the Borough to create a change fund to facilitate the payment of these fines.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby instructed to establish a change fund for the Municipal Court by disbursing a check to Noreen Patoray as custodian of the change fund not to exceed \$150.00.

BE IT FURTHER RESOLVED, that Noreen Patoray as custodian of this change fund will re-deposit the exact amount to close the change fund no later than December 31, 2012.

BE IT FURTHER RESOLVED that the authority will expire at the close of business of December 31, 2012.

June 4, 2012

#12-205 Enter Into Agreement with Valley Health Medical Group, 15 Essex Road, 5th Floor, Paramus, New Jersey, 07652 for Drug and Alcohol Testing & Administrative Services

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1002-182 of the Current Fund not to exceed \$1,250.00 from July 1, 2012 to December 31, 2012 and from Account #01-2010-20-1002-182 of the Current Fund in the amount of \$1,250.00 from January 1, 2013 to June 30, 2013 not to exceed a total of \$2,500.00 contingent upon the Governing Body passing and including an appropriation in the current fund budget and subject to all of the requirements of N.J.A.C. 5:34-5.3 with respect to multi-year contracts; and

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

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

\$ 67.00 per DOT Drug Test
\$ 65.00 per Non-DOT Drug Test
\$ 55.00 per DOT Alcohol Test
\$ 70.00 per DOT Physical
\$ 40.00 per DOT Follow-up Physical
\$160.00 per Split Sample Test
\$180.00 per Post Accident On-Site Service
\$600.00 Annual Administrative Fee

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

1. The Mayor and Clerk are hereby authorized and directed to execute the Attached agreement with Valley Health Medical Group, 15 Essex Road, 5th Floor, Paramus, New Jersey in the amount not to exceed \$2,500.00; and
2. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
3. That a copy of this resolution be forwarded to THE RIDGEWOOD NEWS for publication.

June 4, 2012

#12-206 Enter Into Agreement with Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736 for Professional Services Related to Phase I Environmental Assessment of the American Legion

WHEREAS, there exists a need to retain environmental services related to Phase I Environmental Assessment of the American Legion, 215 Continental Avenue; and

WHEREAS, Brinkerhoff Environmental Services, Inc. meets the criteria for a professional service contract under N.J.S.A. 40A:11-1; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-167 of the Current Fund in the amount not to exceed \$2,400.00; 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; and

WHEREAS, the per hour rates are as follows:

Partner	\$150.00/hour
Manager	\$130.00/hour
Senior	\$110.00/hour
Staff	\$ 95.00/hour
Administrative	\$ 50.00/hour
Other - CADD	\$ 75.00/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 Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736 in the amount not to exceed \$2,400.00.

2. 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.

3. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

June 4, 2012

#12-207 Enter Into Agreement with the River Edge Cultural Center, 201 Continental Avenue, River Edge for Right-of-Way on Borough Property

WHEREAS, the River Edge Cultural Center sponsors a Classic Car Show on Continental Avenue in July and has requested a Right-of-Way to park vehicles in the Veterans Memorial Park; and

WHEREAS, the Borough Attorney has drawn up a license agreement for ingress and egress over the portion of Veterans Memorial Park for the purpose of gaining access to park vehicles on the macadam pathway; and

WHEREAS, the required \$2,000.00 escrow will be accepted in the form of a maintenance bond provided by an insurance company once the agreement has been signed; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are authorized to execute the License Agreement with Judi Sussman, President River Edge Cultural Center.

June 4, 2012

#12-208 Enter Into Agreement with Phillips Preiss Grygiel, LLC, 33-41 Newark Street, Third Floor, Suite D, Hoboken, NJ 07030 for Professional Planning Services Related to Redevelopment

WHEREAS, there exists a need to retain professional planning services related to redevelopment; and

WHEREAS, Phillips Preiss Grygiel, LLC meets the criteria for a professional service contract under N.J.S.A. 40A:11-1; 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 #01-2010-20-1652-173 of the Current Fund in the amount not to exceed \$5,000.00; and

WHEREAS, Phillips Preiss Grygiel, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Phillips Preiss Grygiel, 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 Phillips Preiss Grygiel, LLC from making any reportable contributions through the term of the contract; and

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

WHEREAS, the per hour rates are as follows:

Principal	\$120.00/150.00/hour
Senior Associate	\$125.00/hour
Senior Urban Designer	\$125.00/hour
Planner	\$ 90.00/hour
Director of Graphics	\$ 85.00/hour
Computer Specialist/Interns	\$ 40.00/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 Phillips Preiss Grygiel, LLC in the amount not to exceed \$5,000.00.
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.

June 4, 2012

#12-209 Authorize Tax Collector to Refund 2012 Tax Overpayments

WHEREAS, the tax office has received duplicate tax payments and tax overpayments due to homestead rebate credits for 2012 taxes on the following properties; and

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

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

Block/Lot	Name & Address	Tax Qtr. 2012	Refund Amount
105/12	Jerald Romano 254 Midland Avenue River Edge, NJ 07661	2 nd	11.96
114/3	Ethel F. Carroll 885 Bogert Road River Edge, NJ 07661	2 nd	1,248.84
301/3	Louis Intorre 201 Webb Avenue River Edge, NJ 07661	2 nd	90.00
312/8	James J. Burke 729 Oak Avenue River Edge, NJ 07661	1 st	395.74
312/17	Clara H. Stoll 192 Continental Avenue River Edge, NJ 07661	2 nd	98.20
1104/34	David Kurland 216 Valley Road River Edge, NJ 07661	1 st	929.42
1205/36	Norman & Lillian Guilder 204 Mohawk Drive River Edge, NJ 07661	1 st	1,000.00
1207/18	Yong Soon & Myung Suk Lee Moon 86 Lakeview Street River Edge, NJ 07661	2 nd	2,285.71

June 4, 2012

#12-210 Authorize Tax Collector to Refund a Duplicate 2nd Quarter 2012 Tax Payment

WHEREAS, the tax office has received a duplicate tax payment for the 2nd Quarter 2012 taxes on the following property; and

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

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

BLOCK LOT	HOMEOWNER/ADDRESS	AMOUNT
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304 15 BARTELLONI, ALPHONSE 2,894.70
268 Webb Avenue

TOTAL: 2,894.70

Make check payable to:

Wells Fargo Home Mortgage
MAC X2302-04D
1 Home Campus
Des Moines, IA 50328

#12-211 Authorize Tax Collector to Refund Duplicate 2nd Quarter 2012 Tax Payments

WHEREAS, the tax office has received duplicate tax payments for the 2nd Quarter 2012 taxes on the following properties; and

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

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

BLOCK	LOT	HOMEOWNER/ADDRESS	AMOUNT
403	2	BEZRUD, JIRI 815 Kinderkamack Road	2,935.43
409/35	C0004	YOU, UNOK 4 Jordan Drive	2,878.00
509	10	SMOLYN, CHRISTOPHER 292 Monroe Avenue	2,741.78
809	14.01	LOMBARDO, JONATHAN 20 Wayne Avenue	4,206.82
907	5	KRAUTHEIM, KENNETH 217 Beech Drive North	25.37
1106	1	BRILLHART, JOSEPH 246 Valley Road	4,185.46
TOTAL:			\$16,972.86

Make check payable to:

CORE LOGIC TAX SERVICES
Mail Code: DFW 1-3
One Corelogic Drive
Westlake, TX 76262
Attn: Tax Refunds

June 4, 2012

#12-212 Resolution to Adjust 4th Quarter Tax Bill 2012 for Senior Citizen Deductions Disallowed

WHEREAS, the following homeowners were disallowed the \$250.00 Senior Deduction because they exceeded the \$10,000.00 income requirement to qualify for the Senior Citizen Tax Deduction for the year 2012.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to disallow the 2012 Senior Deductions and adjust the 4th quarter taxes for the following amounts.

Block/Lot	Name & Address	Adjusted Amount
104/5	Sushella S. Chitnis 921 Willow Avenue	\$250.00
116/9	Riley & Helen Golden 272 Wales Avenue	\$250.00

June 4, 2012

#12-213 Resolution to Bill \$250.00 for Senior Citizen Deductions Disallowed for 2011

WHEREAS, the following homeowners received a \$250.00 Senior Citizen Tax Deduction for the year 2011; and

WHEREAS, the following properties were either sold or the homeowners exceeded the income requirements to qualify for the Senior Citizen Tax Deduction for the year 2011.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to disallow the 2011 Senior Deductions and bill the homeowners for the following amounts.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Adjusted Amount</u>
104/5	Sushella S. Chitnis 921 Willow Avneue	250.00
213/12	Joseph Celeca 834 Park Avenue	26.71
306/15	Magne & Ingeborg Johnson 184 Webb Avenue	250.00
909/35	Hyuk & Suyeon Park 240 Howland Avenue	126.71
1103/47	Justin Falco 26 Eastbrook Drive	8.22

June 4, 2012

#12-214 Resolution to Allow a 2012 Veteran Deduction and to Adjust 4th Quarter 2012 for Same Amount

WHEREAS, the following homeowner filed a Veteran Application for a deduction in the amount of \$250.00 and was approved by the Tax Assessor for the year 2012; and

WHEREAS, the deduction was not listed in the 2012 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4th Quarter Final Bill for the \$250.00 deduction.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Deduction</u>	<u>Credit Amount</u>
1103/58	Lanzone, Vito 70 Eastbrook Drive	Veteran	\$250.00

June 4, 2012

#12-215 Resolution to Create a Special Events Committee

WHEREAS, the Borough of River Edge has had a July 4th Committee which has assisted greatly in the celebration of this important event; and

WHEREAS, the Governing Body of the Borough of River Edge recognizes that a volunteer committee is of value in order to assist new special events and enhance those that already exists; and

WHEREAS, the Governing Body of the Borough of River Edge feels that it is in the best interest of the Borough to convert and expand the July 4th Committee to an all encompassing Special Events Committee; and

WHEREAS, this matter has been discussed at a work session of the Mayor and Council on May 21, 2012.

NOW, THEREFORE, BE IT RESOLVED that a Special Events Committee is hereby created with the following requirements, powers, duties and responsibilities:

The purpose of the Special Events Committee is to organize various local

celebrations, including but not limited to, parades, festivals and feasts. The Committee will sponsor and/or assist with events in order to bring together local citizens, businesses and civic groups with the goal of fostering a social and community-building atmosphere.

Appointment; Membership

- A. The Special Events Committee shall consist of at least 12, but not to exceed 15 members, who shall be residents of the Borough of River Edge. Two members of the Special Events Committee shall also be members of the Borough Council who shall be appointed by the Council. The Director of the River Edge Recreation Department shall be a standing member of the Special Events Committee in an advisory capacity. The remaining members of the Special Events Committee shall be appointed by the Mayor with the approval of the Borough Council for terms of two years, to serve without salary.
- B. Any vacancy occurring for any reason shall be filled for the unexpired term by appointment of the Mayor with the approval of the Borough Council.
- C. The Special Events Committee shall organize annually. The Council members sitting on the Special Events Committee shall serve as co-chairpersons of the Committee.

Powers and Duties

The duties of the Special Events Committee shall be as follows:

- A. Organize various local celebrations, sponsored by the Borough of River Edge including, but not limited to, 4th of July Celebrations, River Edge Day, Volunteer Appreciation Day, Welcome Back in September, River Edge Turkey Trot and Spring Swing Night.
- B. Raising funds through various events in order to help plan, finance and coordinate the Borough's celebrations, parades and other community events. All funds will be deposited into and expended from in accordance with N.J.S.A. 40A:4-39 and dedicated by rider to the municipal budget with the approval of the Division of Local Government Services, State of New Jersey.
- C. To assist, when requested, local civic groups in their dealings with the Borough of River Edge with regards to their events that require the use of various municipal resources, including but not limited to; a police presents, the Department of Public Works, road closures, electrical supply, etc.

Records; Annual Report

The Special Events Committee shall keep complete and accurate records of its meetings and activities and shall make an annual report to the Mayor and Council.

June 4, 2012

#12-216 A Resolution Requesting Permission for the Dedication by Rider for Donations/Fund Raising to the Borough of River Edge Special Events Committee

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, the purpose of the Special Events Committee is to organize various local celebrations, including but not limited to, parades, festivals and feasts. The Committee will sponsor and/or assist with events in order to bring together local citizens, businesses and civic groups with the goal of fostering a social and community-building atmosphere; and

WHEREAS, the Special Events Committee was created by the Governing Body of the Borough of River Edge in June of 2012 with its purpose to work with the Mayor and Council, other Borough Committees and citizens to promote a vital and beneficial community; and

WHEREAS, donations and fund raising from interested parties would be solicited to promote the work of the Special Events Committee; and

WHEREAS, these revenues are not subject to an accurate estimate in advance; and

WHEREAS, the Borough of River Edge desires to include in its budget a

Dedicated by Rider item entitled Special Events Committee; and

WHEREAS, the work of the Special Events Committee will benefit the entire River Edge Community; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider.

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

1. The Borough Council does hereby request permission from the Director of the Division of Local Government Services to pay expenditures of the Special Events Committee received from donations and fund raising.
2. That such income received by the Borough is to be placed in a Specific Trust Fund and such Trust Fund shall be considered a "Dedication by Rider" to be the budget of the Local Unit per N.J.S.A. 40A:4-39 for the sole purpose stated above.
3. The Borough Clerk of the Borough of River Edge is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

June 4, 2012

Councilwoman Murphy-asked for an explanation regarding protested checks.
Alan Negreann-stated that they are checks that bounced on the Borough's account.

Councilman Porco read resolution #12-217 into the record.

Motion by Councilman Porco, seconded by Councilman Papaleo to approve resolution #12-217.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Porco, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

#12-217 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	\$332,760.71
CAPITAL ACCOUNT	\$ 2,672.65
RECREATION ACCOUNT	\$ 3,064.60
TRUST OTHER ACCOUNT	\$ 666.01
OPEN SPACE ACCOUNT	\$ 1,156.60
TRUST OTHER DEVELOPERS ACCOUNT	\$ 5,320.00

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

June 4, 2012

OPEN HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Porco,

Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

CLOSE HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Porco, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

COUNCIL COMMENTS -

Councilman Papaleo-had no comment.

Councilman Bartelloni-is confident that when things are all flushed out they will have an ordinance that protects Borough trees. He knows the importance of protecting our trees and looks forward to accomplishing the goals that they had originally sought to achieve with an ordinance. Councilman Bartelloni was pleased to see the resolution approving a Special Events Committee and feels that it will be a great asset to the Borough. He asked if anyone is interested in being on the committee to let them know.

Councilman Porco- had no comment.

Councilman Cordts- had no comment.

Councilwoman Murphy-informed everyone that she attended the DARE graduation at the Middle School and thanked the Police Department and congratulated the students who participated in that project. Councilwoman Murphy referred to letters that were received commending Police Officers Daniel Lee, Dennis Griffith, Anthony Roman and Sergeant Naprstek for different situations that they responded to and thanked them.

Mayor Moscaritolo-is also pleased that they have a newly formed Special Events Committee and also thinks it will be an asset to the Borough in helping to organize town events. The Mayor reported that as part of the estimated tax bills that are going to be sent out, there will be a section for residents to fill out and send back to get registered for Reverse 911 and Nixle. This will help those who do not have internet access or are home bound. Mayor Moscaritolo gave everyone an update on the proposed Dog Park in Van Saun Park. The Mayor attended the Mayor's kayak race at the Oradell Reservoir on Saturday and reported that there were ten Mayor's that raced and he came in fifth. The Mayor was pleased that the Memorial Day Ceremony was well attended and stated that he and Alan had attended the Eagle Scout Ceremony last Sunday.

ADJOURNMENT - 9:15 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to adjourn the meeting at 9:15 p.m.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Porco, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Mayor Sandy Moscaritolo

Attest:

Denise A. Dondiego, Borough Clerk

Dated: