

M I N U T E S
Regular Meeting of the Mayor and Council
Monday, June 6, 2016
8:00 P.M.

CALL THE MEETING TO ORDER -

Mayor Mignone called the meeting to order at 8:35 p.m. in the Council Chambers of the Borough Hall.

SILENT PRAYER - FLAG SALUTE

Mayor Mignone called for a moment of silent prayer and salute to the flag.

SUNSHINE STATEMENT -

Mayor Mignone read the statement under the Sunshine Law as follows: "Adequate Notice of this meeting has been made by sending notice on December 18, 2015 to THE RECORD NEWSPAPER, by positioning on the bulletin board in the lobby of the Borough Hall and filing a Notice of the same with the Municipal Clerk".

ROLL CALL - Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilwoman Davis, Councilwoman Murphy, Councilman Papaleo and Mayor Mignone were present.

APPROVAL OF MINUTES -

Motion by Councilman Bartelloni, seconded by Councilwoman Busted to approve the Mayor and Council work session and regular meeting minutes of May 16, 2016.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilwoman Davis and Councilman Papaleo voted yes; Councilwoman Murphy abstained.

PROCLAMATIONS & AWARDS - NONE

OPEN PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA -

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to open public comments on any issue on the agenda.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

CLOSE PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA -

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to close public comments on any issue on the agenda.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to approve the salary increase of Nick Tarabocchia, Laborer II in the Department of Public Works from an annual Step II salary of \$42,148.00 to Step III - \$42,636.00, effective June 17, 2016.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to approve the salary increase of Anthony Preziuso, Laborer II in the Department of Public Works from an annual Step I salary of \$29,737.00 to Step II - \$42,148.00, effective June 17, 2016.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Motion by Councilman Papaleo, seconded by Councilwoman Davis to approve the salary increase of Daniel Dekker, Laborer II in the Department of Public Works from an annual Step II salary of \$42,148.00 to Step III - \$42,636.00, effective June 23, 2016.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve the hire of Ronald Starace, Emergency Management Coordinator, at an annual B Scale Step III salary of \$8,500.00 retroactive to May 16, 2016.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to approve the satisfactory completion of the six-month probationary period of Kerry Heiser, Accounts Payable Clerk and salary increase from the probationary rate of \$16.00 to Step I - \$19.13, effective June 8, 2016.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to approve the salary increase of Francis Quara, part-time Seasonal Park Attendant from a Step I hourly rate of \$19.06 to Step II - \$20.12, effective June 2, 2016.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve the salary increase of Ralph Leonardi, Fire Inspector from a Step I salary of \$23.67 to Step II - \$23.74, effective June 16, 2016.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve compensation for Stuart Heinzinger, Deputy Emergency Management Coordinator for services rendered for the period May 1, 2016 through May 15, 2016 based on the current annual rate of \$7,198.00.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve the hire of Camp Staff from June 27, 2016 through July 29, 2016 as per the list on file with the Borough Clerk's office.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve the hire of John Francin, Zabriskie Street, Hackensack as a part-time Police Dispatcher, at an hourly rate of \$16.00 with a six-month probationary period, effective June 7, 2016.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Motion by Councilman Papaleo, seconded by Councilwoman Busted to approve the hire of Christopher Tabor, 38-38 Northern Drive, Fair Lawn as a Laborer in the Department of Public Works at an annual salary of \$29,737.00, with a six-month probationary period, effective June 7, 2016.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

CORRESPONDENCE -

Report - Alan P. Negreann, Admin/CFO - 5/14/16
Re: Revenue Report - 5/14/16
Letter - State of New Jersey - 5/16/16
Re: Suspected Hazardous Substance
Notice - 2 Rt. 4 West
Letter - County of Bergen - 5/16/16
Re: Public Hearing on Transportation
Funding for Seniors and Persons with
Disabilities
Letter - Bergen County Community Transportation-
Re: Annual Public Hearing 6/15/16
Letter - New Jersey DEP - 5/23/16
Re: Underground Storage Tank, 753 Summit - No
Further Action Needed
Report - Bergen County JIF - 5/23/16
Re: Loss Control Report
Notice - River Edge Board of Education-5/27/16
Re: Meeting Notice - June 1, 2016

MONTHLY REPORTS -

Farmer's Market Committee - May 8, 2016
Historic Commission - April 2016
Beautification Committee - May 2016
Tax Collector - April 2016

OPEN PUBLIC HEARING - Local Assessments for Curbs, Sidewalk and Driveway Aprons for the Fifth Avenue Reconstruction Project, Section 3 from Approximately 20 Feet North of Wayne Avenue to Approximately 30 Feet South of North Drive

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to open public hearing on Local Assessments for Curbs, Sidewalk and Driveway Aprons for the Fifth Avenue Reconstruction Project, Section 3 from Approximately 20 Feet North of Wayne Avenue to Approximately 30 Feet South of North Drive.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

CLOSE PUBLIC HEARING - Local Assessments for Curbs, Sidewalk and Driveway Aprons for the Fifth Avenue Reconstruction Project, Section 3 from Approximately 20 Feet North of Wayne Avenue to Approximately 30 Feet South of North Drive

There being no comments by the public, motion by Councilwoman Murphy, seconded by Councilman Bartelloni to close public hearing on Local Assessments for Curbs, Sidewalk and Driveway Aprons for the Fifth Avenue Reconstruction Project, Section 3 from Approximately 20 Feet North of Wayne Avenue to Approximately 30 Feet South of North Drive.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

OPEN PUBLIC HEARING - Local Assessments for Curbs and Sidewalks for the Community Development Block Grant Oxford Terrace Project

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to open public hearing on Local Assessments for Curbs and Sidewalks for the Community Development Block Grant Oxford Terrace Project.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

CLOSE PUBLIC HEARING - Local Assessments for Curbs and Sidewalks for the Community Development Block Grant Oxford Terrace Project

There being no comments by the public, motion by Councilwoman Murphy, seconded by Councilwoman Davis to close public hearing on Local Assessments for Curbs and Sidewalks for the Community Development Block Grant Oxford Terrace Project.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

ORDINANCES - 1ST READING - NONE

ORDINANCE - 2ND READING -

Stephanie Evans, Borough Clerk read the title of Ordinance #1862 as follows:

Ordinance #1862 - AN ORDINANCE CREATING A UNIFIED ELECTRONIC REPORTING SYSTEM FOR DEALERS IN PRECIOUS METALS AND OTHER SECONDHAND GOODS

Description: Assist the Police Department and crime victims in recovering stolen precious metals and other secondhand goods by requiring minimum identification, reporting and distribution criteria for licensed dealers. All secondhand goods dealers must comply with all of the requirements.

Ordinance #1862 was introduced by Councilman Bartelloni, seconded by Councilman Papaleo at the May 16, 2016 meeting as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1862

AN ORDINANCE CREATING A UNIFIED ELECTRONIC REPORTING SYSTEM FOR DEALERS IN PRECIOUS METALS AND OTHER SECONDHAND GOODS

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

§ 1 Purpose and Intent

The purpose and intent of this chapter is to assist law enforcement officials and victims of crime in recovering stolen precious metals and other secondhand goods by requiring minimum identification, reporting,

maintenance and distribution criteria for licensed dealers in these goods.

No person shall use, exercise, or carry on the business, trade, or occupation of the buying, selling, or pawning of precious metals or other secondhand goods without complying with the requirements of this chapter in the exact manner described herein.

§ 2 Definitions

"ACCEPTABLE IDENTIFICATION" means a current valid New Jersey Driver's License or Identification Card, a current valid photo driver's license issued by another US state, a valid United States Passport, or other verifiable US Government issued identification, which will be recorded on the receipt retained by the dealer and subsequently forwarded to the local police department on request.

"DEALER" means any person, partnership, limited liability company, corporation, or other entity who, either wholly or in part, engages in or operates any of the following trades or businesses: the buying for purposes of resale of precious metals, jewelry, or other secondhand goods as defined herein; pawnbrokers as defined herein; itinerant businesses as defined herein. For the purposes of this ordinance, transient buyers, as defined herein, are subject to the same licensing and reporting requirements as any other dealers.

"ITINERANT BUSINESS" means a dealer who conducts business intermittently within the municipality or at varying locations.

"MUNICIPAL CLERK" means the statutory officer whose duties are defined in N.J.S.A. 40A:9-133 and may refer to the duly appointed clerk of the "city," "town," "township," "village," or "borough."

"PAWNBROKER" means any person, partnership, association or corporation: lending money on deposit or pledge of personal property, other than choses in action, securities, or printed evidences of indebtedness; purchasing personal property on condition of selling it back at a stipulated price; or doing business as furniture storage warehousemen and lending money on goods, wares or merchandise pledged or deposited as collateral security.

"PRECIOUS METALS" means gold, silver, platinum, palladium, and their alloys as defined in N.J.S.A. 51:5-1 et seq. and N.J.S.A. 51:6-1 et seq.

"PUBLIC" means individuals and retail sellers, not to include wholesale transactions or transactions between other merchants.

"REPORTABLE TRANSACTION" means every transaction conducted between a dealer and a member of the public in which precious metals, jewelry, or any other secondhand goods as defined herein are purchased or pawned.

"SECONDHAND GOODS" means used goods such as antiques, gold, silver, platinum, or other precious metals, jewelry, coins, gemstones, gift cards, any tools, telephones, typewriters, word processors, GPS devices, computers, computer hardware and software, television sets, radios, record or stereo sets, electronic devices, musical instruments, sporting goods, automotive equipment, collectibles, game cartridges, DVDs, CDs, and other electronically recorded material, firearms, cameras and camera equipment, video equipment, furniture, clothing, and other valuable articles. For the purposes of this ordinance, secondhand goods shall not include goods transacted in the following manner: i) judicial sales or sales by executors or administrators; ii) occasional or auction sales of household goods sold from private homes; iii) auctions of real estate; iv) the occasional sale, purchase, or exchange of coins or stamps by a person at his permanent residence or in any municipally owned building who is engaged in the hobby of collecting coins or stamps and who does not solicit the sale, purchase, or exchange of such coins or stamps to or from the general public by billboard, sign, handbill, newspaper, magazine, radio, television, or other form of printed or electronic advertising.

"SELLER" means a member of the public who sells or pawns used goods such as precious metal, jewelry, or other secondhand goods to a dealer.

"TRANSIENT BUYER" means a dealer, as defined herein, who has not been in a registered retail business continuously for at least six (6) months at any address in the municipality where the Dealer is required to register or who intends to close out or discontinue all retail business within six (6) months.

§ 3 License Requirement for dealers

No person, partnership, limited liability company, corporation, or other entity shall engage in the business of buying, selling, or pawning of precious metals or other secondhand goods, as defined above, within the jurisdiction of the municipality, without having first obtained a license therefore from the Municipal Clerk, which license shall bear a number issued by the Municipal Clerk. The application for a license to the Municipal Clerk shall set forth the name, date of birth, and address of the dealer, whether or not he or she is a citizen of the United States, and whether or not he or she has ever been convicted of any crime(s), disorderly persons offense(s), or municipal ordinance violation(s), and the date(s) thereof. Advertising in any print or electronic media or by sign that any of those articles or secondhand goods referred to in § 2 above are being bought in any location within the municipality shall constitute engaging in business as a dealer of secondhand goods for purposes of this chapter. No person, partnership, limited liability company, corporation or other entity shall place or cause to be placed any advertisement for purchase of such articles or goods without stating in the advertising the license number issued to a person or entity by the municipality. In any print advertisement, the license number shall appear in type no smaller than eight point in the lower-right-hand corner of the advertisement. In any advertisement in electronic media, the license number shall be visually or audibly stated. Failure to state or indicate the license number shall be a violation of this chapter and shall be subject to the penalties established in § 9.

§ 4 Application process for dealers; approval or denial

- A) Upon receipt of an application completed pursuant to this chapter, the Municipal Clerk shall refer such application to the Chief of Police, who shall make an investigation of the prospective licensee, pursuant to this chapter for the purpose of determining the suitability of the applicant for licensing. The investigation shall include, but shall not be limited to the following:
- 1) The experience of the applicant in the business of purchase and sale of those articles or goods referred to in § 2 above, although nothing in this section shall be construed to warrant denial of a license solely on the basis of lack of experience;
 - 2) The reputation of the applicant for fair dealing in the community, which shall be made among credible sources, which sources shall be disclosed to the applicant in the event of a denial of any license;
 - 3) Any criminal record of the applicant including any past convictions for any crime(s), disorderly persons offense(s), or municipal ordinance violation(s) within this or any other jurisdiction. The Chief of Police may, as part of the application process, require a fingerprint criminal background check through the Federal Bureau of Investigation, Criminal Justice Information Services Division, which may require an additional fee from the applicant.
 - 4) The type of operation contemplated to be conducted by the applicant, particularly whether the business is to be operated from a fixed location, whether it is to be conducted from a location primarily devoted to the purchase and sale of precious metal or other secondhand goods, and other factors bearing on whether the licensed

business will be of a fixed and permanent nature. This section shall not be construed to require denial of any license solely on the grounds that the business is not from a fixed location or that the applicant is a transient buyer or itinerant business, however applicants who fall under the category of a transient buyer or itinerant business must state with specificity on the license application the business address where transaction records required by § 6(D) of this chapter will be stored as well as the location where purchased goods will be retained during the mandatory inspection period required under § 6(A).

- B) The Chief of Police shall complete any investigation pursuant to this chapter within thirty (30) days of the submission of the application to the Municipal Clerk, fully completed by the applicant. If a criminal record check has been requested within the thirty-day period and has not been received by the Chief of Police within that period, the Chief of Police may, if all other factors are satisfactory, recommend a conditional issuance of the license subject to the finding regarding criminal record.
- C) The Chief of Police shall, upon completion of the investigation, recommend "grant" or "denial" of the license to the Municipal Clerk, who shall grant or deny the license. Any recommendation of the Chief of Police shall be in writing and, in the case of a recommendation of denial, shall state fully and specifically the reasons for said recommendation. If the Municipal Clerk accepts the recommendation of the Chief of Police to deny any license, the applicant shall be notified in writing within ten (10) days of such denial and the Clerk shall forward to the applicant a statement of the reason or reasons for such denial.
- D) Grounds for recommending denial of license may include reliable information indicating that the applicant has in the past engaged in fraudulent or deceptive business practices in a business identical to or similar to a dealer in secondhand goods. A license may be denied if the investigation reveals a conviction of the applicant or any of its principal officers or employees of any crime(s), disorderly persons offense(s) in which deceit or misrepresentation is an element; or any conviction of any crime(s), disorderly persons offense involving theft or the receiving of stolen goods, regardless of whether the applicant was a principal, accessory before the fact, after the fact, or a co-conspirator; or any prior municipal ordinance violation(s) by the applicant or any of its principal officers or employees in this or any other jurisdiction. A license may be denied if the applicant fails to demonstrate an ability to satisfactorily comply with the electronic reporting requirements specified in § 5, the retention and inspection requirements of § 6, or any other portion of this chapter. Upon receipt of the recommendation of the Chief of Police, the Municipal Clerk shall issue or deny the license accordingly, contingent upon the receipt of a bond as required by § 8 of this chapter.
- E) Whenever any application for a permit is denied, the applicant shall be entitled to a hearing before a three-person panel appointed by the Chief of Police, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such denial. Any applicant exercising the right to appeal must file a written notice of appeal within ten (10) days of receiving written notice of denial of a license to act as a dealer of secondhand goods.
- F) No license shall be assignable by the dealer.

§ 5 Identification of seller; recordkeeping requirements for dealers
For every reportable transaction between a dealer and the public, the

dealer shall be required to do as follows:

- A) Require of each person selling or pawning precious metals or other secondhand goods acceptable identification as defined above in §2
- B) Require each seller to execute a "Declaration of Ownership," which shall contain the following certification: *"My signature confirms that I am the sole legal owner of and am legally authorized to sell the goods being sold. By signing below I certify that I did not obtain and do not possess the identified goods through unlawful means. I am the full age of eighteen years and the identification presented is valid and correct."*
- C) Record and issue to each person selling or pawning such goods on a sequentially numbered receipt:
 - a. The name, address, and telephone number of the purchaser, including the clerk or employee of the licensee making the purchase;
 - b. the name, address, date of birth, and telephone number of the seller or sellers;
 - c. a photographed recording of the seller in a format acceptable to the Chief of Police, along with a physical description of the seller, including height and weight (approximate), hair color, eye color, facial hair, if any, etc.;
 - d. a photographed recording of the seller's presented acceptable identification, as set forth in § 2, in a format acceptable by the Chief of Police;
 - e. a photographed recording of all items sold in a format acceptable by the Chief of Police. When photographing, all items must be positioned in a manner that makes them readily and easily identifiable. Items should not be grouped together when photographing or imaging. Each item should have its own photograph;
 - f. the receipt number;
 - g. a detailed, legible description of the item(s) and the manufacturer and model of the item(s) if known; in the case of jewelry, the descriptions must include style, length, color, design, and stones, if any; any identifying marks, including numbers, dates, sizes, shapes, initials, names, monograms, social security numbers engraved thereon, serial numbers, series numbers, or any other information, which sets apart the particular object from others of like kind;
 - h. the price paid for the purchase or pawn of the item(s);
 - i. if precious metals, the net weight in terms of pounds Troy, pennyweight (Troy) or kilograms/grams; fineness in terms of karats for gold, and sterling or coin for silver, in accordance with N.J.S.A. 51:5-1, N.J.S.A. 51:6-1 et seq.;
 - j. the time and date of the transaction.
- D) The information outlined in subsection (C) above, must additionally be electronically documented through the use of an electronic database system authorized by the Chief of Police. Installation and training in this software will be made mandatory as of the effective date of this chapter and licensing will be conditional upon compliance with proper use of the system as described herein. These records shall be subject to the inspection of any authorized police officer or any sworn law enforcement officer acting in the performance of their duty as set forth in subsection (F) below. Through the use of applicably required computer equipment, and using the electronic format approved by the Chief of Police, every dealer shall enter all reportable transactions into the electronic database by the end of the close of business on the same date as the purchase or receipt of property for pawn or consignment. The information entered must contain all pertinent information outlined in subsection (C) above.

- E) In the event of a database failure, or dealer's computer equipment malfunction, all transaction information is required to be submitted on paper forms approved by the Chief of Police within twenty-four (24) hours from the date of purchase. In the event that paper forms are used, the dealer is responsible to enter all transaction information set forth in subsection (C) above into the database as soon as possible upon the dealer's equipment being repaired or replaced, or the database coming back into service. Failure by the dealer to properly maintain computer equipment in a reasonable fashion, or failure by the dealer to replace faulty computer equipment, may result in the dealer being cited for a violation of this chapter and subsequently being subject to the penalties for doing so including revocation of the dealer's license as described in § 6.
- F) It shall be the requisite duty of every dealer, and of every person in the dealer's employ, to admit to the premises during business hours any member of the police department to examine any database, book, ledger, or any other record on the premises relating to the reportable transactions of precious metals or other secondhand goods, as well as the articles purchased or received and, where necessary, relinquish custody of those articles as provided in § 6. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the address where these records and articles will be stored.

§6 Retention; revocation; other restrictions

- A) All secondhand goods purchased, received for pawn, or received for consignment as described above, are to be made available for inspection by the Chief of Police or designee thereof at the designated business address for a period of at least seven (7) calendar days from the date the transaction information is actually reported to the Chief of Police in the approved manner described above in § 5 except for precious metals and jewelry, which must be maintained for at least ten (10) business days or for the statutory period provided in N.J.S.A. 2C:21-36(d). All precious metal or other secondhand goods subject to inspection must remain in the same condition as when purchased or received for pawn and shall not be sold, disposed of, changed, modified, or melted by the dealer until the retention period has expired. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the location where the purchased item(s) are being held.
- B) Upon probable cause that goods held by a dealer are stolen, and providing that the seller signed the mandatory statement required by § 5(B) upon the sale of those goods, a law enforcement officer with jurisdiction should charge the seller with theft by deception under N.J.S.A. 2C:20-4 on behalf of the dealer, who shall be considered the "victim" of the offense for the purposes of N.J.S.A. 2C:43-3. The officer shall seize the goods, provide the dealer with a receipt, and issue a criminal complaint against the seller for theft by deception and any other criminal charges for which the officer has probable cause that the seller has committed. If convicted of theft by deception and if so found by an order of a court of valid jurisdiction, the seller will be responsible for providing restitution to the dealer under N.J.S.A. 2C:44-2 for the amount paid by the dealer to the seller for the stolen goods.
- C) In addition to all other reporting requirements, every dealer shall maintain for at least five years, a written record of all purchases of precious metals and other secondhand goods in the form prescribed in § 5(C).
- D) No dealer shall purchase any item covered by this chapter from any person under the age of 18 or in the absence of providing prior notification of such purchase to the Chief of Police or

business designee identifying the individual from whom such purchase is to be made and the item to be purchased.

E) Suspension. The Chief of Police or a designee thereof is hereby empowered to temporarily suspend for cause any dealer's license and rights to operate there under. This penalty shall be in addition to any fines and penalties the dealer may incur pursuant to § 9 of this chapter.

- i. Grounds for suspension. The following shall constitute grounds for suspension: violation of any provisions of this chapter, including failure to comply with any training or fees associated with the electronic database software system in use by the municipality; violation of any other statute, regulation, or local ordinance; or any other illegal, improper, or fraudulent activity.
- ii. Procedure for suspension. Upon determination that appropriate grounds exist and that a suspension is warranted, the Chief of Police or a designee thereof shall issue a written notice of suspension of license to the offending dealer and to the Municipal Clerk, which shall set forth the grounds for the suspension and notify the dealer of his or her right to appeal pursuant to subsection (H). A temporary suspension shall issue immediately, pending the outcome of any appeal taken. Suspended dealers must immediately cease engaging in the business of purchasing for resale, receiving for pawn, and/or selling of precious metals and/or other secondhand goods in the municipality until reinstatement.
- iii. Reinstatement. Suspended dealers may be reinstated only when the grounds leading to the suspension have, in the determination of the Chief of Police or the Chief's designee, been cured, corrected, or appropriately rectified; or if reinstatement is deemed appropriate by the three-person panel appointed by the Chief of Police, upon the timely filing of an appeal as provided in subsection (H).

F) Revocation. A license issued under this chapter may be revoked by the Municipal Clerk upon written recommendation from the Chief of Police or the Chief's designee that the dealer is no longer qualified, capable or competent to comply with the requirements of this chapter. This penalty shall be in addition to any fines and penalties the dealer may incur under § 9.

- i. Grounds for revocation. The following shall constitute grounds for revocation: a third violation under this chapter; a second violation under this chapter less than one year after an earlier violation under this chapter; conviction for a criminal offense within this or any jurisdiction; or multiple violations of any other regulations or local ordinances within this or any jurisdiction.
- ii. Procedure for revocation. Upon a determination that appropriate grounds exist and that a revocation is warranted, the Chief of Police or the Chief's designee shall so report to the Municipal Clerk in writing. A temporary suspension will immediately and automatically issue, if one is not already in effect, pending the outcome of the charge. A three-person panel, appointed by the Chief of Police, shall review the stated grounds for revocation and the panel shall issue an appropriate disposition of either suspension, revocation, or reinstatement. If the panel determines that revocation is the appropriate disposition, it shall set forth the grounds for the same in writing in the form of a notice of revocation, which shall be provided to

the dealer. The notice shall advise the dealer of the right to appeal. If the panel determines that suspension is the appropriate disposition, it shall provide the dealer with a notice of suspension that shall advise the dealer of the right to appeal. Following revocation, the dealer must relinquish his or her license and must immediately and indefinitely cease operating as a dealer of precious metals or other secondhand goods within the municipality.

- G) Appeal. Any applicant wishing to appeal an issuance of a suspension or revocation shall be entitled to a hearing before a three-person panel, appointed by the Chief of Police, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such suspension or revocation. Any applicant exercising the right to appeal must file a written notice of appeal within ten (10) days of receiving written notice of revocation or suspension of license.
- H) A dealer shall have the right to change the location of the licensed business within the municipality, provided that he or she notifies the Municipal Clerk, in writing, of the street address of said new location.

§ 7 Bond

Each dealer covered under this chapter shall deliver a bond to the Municipal Clerk executed by the applicant as principal and executed by a surety company authorized to do business under the laws of the State of New Jersey as surety. The bond shall be subject to review and approval by the Municipal Attorney, as defined in N.J.S.A. 40A: 9-139, and shall be in the penal sum of \$10,000, conditioned for the due and proper observance of and compliance with the provisions and requirements of all ordinances of the municipality in force or which may be adopted respecting the conduct of this business and conditioned also that the bond shall be and remain for the benefit of any person or persons who shall have received judgment against the dealer licensed under this chapter, which damage shall be established by a judgment of a court of proper jurisdiction. Said bond shall contain the following language: "The obligation of this bond shall, in addition to the [party municipality], be and remain for the benefit of any person who shall obtain a judgment against obligor as a result of damage sustained in operation pursuant to any license granted under this chapter." Said bond shall be kept for a minimum of one year from the date of issuance of license and must be renewed annually along with the license.

§ 8 Fees; period of license validity

A nonrefundable fee for initial application and license for a pawnbroker or a dealer in precious metals or other secondhand goods, as covered under this chapter, is \$300. The annual renewal fee for a license is \$300. These fees are separate from and in addition to any fees the dealer must pay in relation to the mandatory electronic database system designated by the Chief of Police, as provided by § 5(D) of this chapter. Payments are to be made in the manner directed by the Municipal Clerk. A license is valid for a one-year period from the date of its issuance.

§ 9 Violations and penalties

Violation of any provision of this chapter by any dealer shall, upon conviction thereof, be punished by a fine not in excess of the limitations of N.J.S.A. 40:49-5 or by a term of imprisonment or a period of community service not exceeding ninety (90) days in addition to a suspension or revocation of operating license as provided in § 6(F) and § 6(G) above. Each and every violation shall be considered a separate violation. Each violation shall result in an additional suspension period. Any person who is found guilty of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the court to an additional fine as a repeat offender and, in addition, may be subject to revocation proceedings as provided in § 6(G). The additional fine imposed

as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter.

§ 10 Time limit for conformance; repealer; severability

- A) Any person, partnership, limited liability company, corporation, or other entity engaging in the business of a pawnbroker, or a dealer in precious metals or other secondhand goods shall conform to the provisions of this chapter within ninety (90) days following the effective date of this chapter.
- B) All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
- C) Nothing contained in this chapter is intended to replace any pre-existing statutory requirements governing pawnbrokers, as in N.J.S.A. 45:22-1 et seq., the sale of precious metals as in N.J.S.A. 51:6A-1 et seq., the sale of secondhand jewelry as in N.J.S.A. 2C:21-36 et seq., or any other statutory provision regarding any subject matter discussed herein.
- D) If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

Mayor Edward J. Mignone

Attest:

Stephanie Evans, RMC
Borough Clerk

Dated:

OPEN PUBLIC HEARING ON THE ORDINANCE - Ordinance #1862

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to open public hearing on Ordinance #1862.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

CLOSE PUBLIC HEARING ON THE ORDINANCE - Ordinance #1862

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to close public hearing on Ordinance #1862.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

ADOPTION - Ordinance #1862

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to adopt Ordinance #1862.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Stephanie Evans, Borough Clerk read the title of Ordinance #1863 as follows:

Ordinance #1863 - AN ORDINANCE CREATING A UNIFIED ELECTRONIC REPORTING SYSTEM FOR DEALERS IN SCRAP METAL

Description: Assist the Police Department and crime victims in recovering scrap metal by requiring minimum identification, reporting and distribution criteria for licensed dealers. No person shall use, exercise or carry on the business, trade, or occupation of the buying, selling or pawning scrap metal without complying with the requirements.

Ordinance #1863 was introduced by Councilwoman Davis, seconded by Councilman Bartelloni at the May 16, 2016 meeting as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1863

AN ORDINANCE CREATING A UNIFIED ELECTRONIC REPORTING SYSTEM FOR DEALERS IN SCRAP METAL

§ 1 Purpose and Intent

The purpose and intent of this chapter is to assist law enforcement officials and victims of crime in recovering scrap metal by requiring minimum identification, reporting, maintenance, and distribution criteria for licensed dealers in these goods.

No person shall use, exercise, or carry on the business, trade, or occupation of the buying, selling, or pawning of scrap metal without complying with the requirements of this chapter in the exact manner described herein.

§ 2 Definitions

"ACCEPTABLE IDENTIFICATION" means a current valid New Jersey Driver's License or Identification Card, a current valid photo driver's license issued by another US state, a valid United States Passport, or other verifiable US Government issued identification, which will be recorded on the receipt retained by the dealer and subsequently forwarded to the local police department on request.

"DEALER" means any person, partnership, limited liability company, corporation, or other entity who, either wholly or in part, engages in or operates a scrap metal business involving the buying and/or selling of scrap metal as defined herein, including itinerant businesses, and transient buyers as defined herein.

"ITINERANT BUSINESS" means any scrap metal dealer who conducts business intermittently within the municipality or at varying locations.

"MUNICIPAL CLERK" means the statutory officer whose duties are defined in N.J.S.A. 40A:9-133 and may refer to the duly appointed clerk of the "city," "town," "township," "village," or "borough."

"PUBLIC" means individuals and retail sellers, not to include wholesale transactions or transactions between other merchants.

"REPORTABLE TRANSACTION" means every transaction conducted between a dealer and a member of the public in which scrap metal is purchased or pawned

"SCRAP METAL" means used, discarded, or previously owned items that consist predominantly of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel, or alloys.

"SCRAP METAL BUSINESS" means a commercial establishment, which, as one of its principal business purposes, purchases scrap metal for purposes of resale or processing including transient buyers of scrap metal and itinerant businesses, as defined herein.

"SELLER" means a member of the public who sells scrap metal to a dealer.

"TRANSIENT BUYER" means an operator of a scrap metal business, as defined herein, who has not been in the scrap metal business continuously for at least six (6) months at any address in the municipality where the dealer is required to register or who intends to close out or discontinue the scrap metal business within six (6) months.

§ 3 License Requirement for dealers

No person, partnership, limited liability company, corporation, or other entity shall engage in a scrap metal business, as defined above, within the jurisdiction of the municipality, without having first obtained a license therefore from the Municipal Clerk, which license shall bear a number issued by the Municipal Clerk. The application for a license to the Municipal Clerk shall set forth the name, date of birth, and address of the dealer, whether or not he or she is a citizen of the United States, and whether or not he or she has ever been convicted of any crime(s), disorderly persons offense(s), or municipal ordinance violation(s), and the date(s) thereof. Advertising in any print or electronic media or by sign regarding the purchase of scrap metal at any location within the municipality shall constitute engaging in business as a dealer of scrap metal within the jurisdiction of the municipality for purposes of this chapter. No person, partnership, limited liability company, corporation or other entity shall place or cause to be placed any advertisement for purchase of such item(s) without stating in the advertising the license number issued to a person or entity by the municipality. In any print advertisement, the license number shall appear in type no smaller than eight point in the lower-right-hand corner of the advertisement. In any advertisement in electronic media, the license number shall be visually or audibly stated. Failure to state or indicate the license number shall be a violation of this chapter and shall be subject to the penalties established in § 9.

§ 4 Application process for dealers; approval or denial

- B) Upon receipt of an application completed pursuant to this chapter, the Municipal Clerk shall refer such application to the Chief of Police, who shall make an investigation of the prospective licensee, pursuant to this chapter for the purpose of determining the suitability of the applicant for licensing. The investigation shall include, but shall not be limited to the following:
- 5) The experience of the applicant in the business of purchase and sale of scrap metal, although nothing in this section shall be construed to warrant denial of a license solely on the basis of lack of experience;
 - 6) The reputation of the applicant for fair dealing in the community, which shall be made among credible sources, which sources shall be disclosed to the applicant in the event of a denial of any license;
 - 7) Any criminal record of the applicant including any past convictions for any crime(s), disorderly persons offense(s), or municipal ordinance violation(s) within this or any other jurisdiction. The Chief of Police may, as part of the application process, require a fingerprint criminal background check through the Federal Bureau of Investigation, Criminal Justice Information Services Division, which may require an additional fee from the applicant.
 - 8) The type of operation contemplated to be conducted by the applicant, particularly whether the business is to be operated from a fixed location, whether it is to be conducted from a location primarily devoted to the purchase and sale of scrap metal, and other factors bearing on whether the licensed business will be of a

fixed and permanent nature. This section shall not be construed to require denial of any license solely on the grounds that the business is not from a fixed location or that the applicant is a transient buyer or itinerant business, however applicants who fall under the category of a transient buyer or itinerant business must state with specificity on the license application the business address where transaction records required by § 6(D) of this chapter will be stored as well as the location where scrap metal goods purchased will be retained during the mandatory inspection period required under § 6(A).

- B) The Chief of Police shall complete any investigation pursuant to this chapter within thirty (30) days of the submission of the application to the Municipal Clerk, fully completed by the applicant. If a criminal record check has been requested within the thirty-day period and has not been received by the Chief of Police within that period, the Chief of Police may, if all other factors are satisfactory, recommend a conditional issuance of the license subject to the finding regarding criminal record.
- C) The Chief of Police shall, upon completion of the investigation, recommend "grant" or "denial" of the license to the Municipal Clerk, who shall grant or deny the license. Any recommendation of the Chief of Police shall be in writing and, in the case of a recommendation of denial, shall state fully and specifically the reasons for said recommendation. If the Municipal Clerk accepts the recommendation of the Chief of Police to deny any license, the applicant shall be notified in writing within ten (10) days of such denial and the Clerk shall forward to the applicant a statement of the reason or reasons for such denial.
- E) Grounds for recommending denial of license may include reliable information indicating that the applicant has in the past engaged in fraudulent or deceptive business practices in a business identical to or similar to a scrap metal business. A license may be denied if the investigation reveals a conviction of the applicant or any of its principal officers or employees of any crime(s), disorderly persons offense(s) in which deceit or misrepresentation is an element; or any conviction of any crime(s), disorderly persons offense involving theft or the receiving of stolen goods, regardless of whether the applicant was a principal, accessory before the fact, after the fact, or a co-conspirator; or any prior municipal ordinance violation(s) by the applicant or any of its principal officers or employees in this or any other jurisdiction. A license may be denied if the applicant fails to demonstrate an ability to satisfactorily comply with the electronic reporting requirements specified in § 5, the retention and inspection requirements of § 6, or any other portion of this chapter. Upon receipt of the recommendation of the Chief of Police, the Municipal Clerk shall issue or deny the license accordingly, contingent upon the receipt of a bond as required by § 8 of this chapter.
- E) Whenever any application for a permit is denied, the applicant shall be entitled to a hearing before a three-person panel appointed by the Chief of Police, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such denial. Any applicant exercising the right to appeal must file a written notice of appeal within ten (10) days of receiving written notice of denial of a license to act as a scrap metal business.
- F) No license shall be assignable by the dealer.

§ 5 Identification of seller; recordkeeping requirements for dealers .

For every reportable transaction between a dealer and the public, the dealer shall be required to do as follows:

- C) Require of each member of the public selling scrap metal acceptable identification as defined above in §2
- D) Require each seller to execute a "Declaration of Ownership," which shall contain the following certification: *"My signature confirms that I am the sole legal owner of and am legally authorized to sell the goods being sold. By signing below I certify that I did not obtain and do not possess the identified goods through unlawful means. I am the full age of eighteen years and the identification presented is valid and correct."*
- C) Record and issue to each person selling scrap metal on a sequentially numbered receipt:
- j. the name, address, and telephone number of the purchaser, including the clerk or employee of the licensee making the purchase;
 - k. the name, address, date of birth, and telephone number of the seller or sellers;
 - l. a photographed recording of the seller in a format acceptable to the Chief of Police, along with a physical description of the seller, including height and weight (approximate), hair color, eye color, facial hair, if any, etc.;
 - m. a photographed recording of the seller's presented acceptable identification, as set forth in § 2, in a format acceptable to the Chief of Police;
 - n. a photographed recording of all items sold in a format acceptable to the Chief of Police; the receipt number;
 - o. a full description of the item(s) purchased, including but not limited to the manufacturer, type, amount, form, model, any identifying marks, numbers, dates, sizes, shapes, initials, monograms, and serial numbers;
 - p. the price paid for the item(s);
 - q. the make, model and license plate of the motor vehicle delivering the scrap metal;
 - r. the time and date of the transaction,
- D) The information outlined in subsection (C) above must additionally be documented through the use of an electronic database software system authorized by the Chief of Police. Installation and training in this software will be made mandatory as of the effective date of this chapter and licensing will be conditional upon compliance with proper use of the system as described herein. These records shall be subject to the inspection of any authorized police officer or any sworn law enforcement officer acting in the performance of their duty as set forth in subsection (F) below. Through the use of applicably required computer equipment, and using the electronic format approved by the Chief of Police, every dealer shall enter all reportable transactions into the electronic database by the end of the close of business on the same date as the purchase. The information entered must contain all pertinent information outlined in subsection (C) above.
- G) In the event of a database failure, or dealer's computer equipment malfunction, all transaction information is required to be submitted on paper forms approved by the Chief of Police within twenty-four hours from the date of purchase. In the event that paper forms are used, the dealer is responsible to enter all transaction information set forth in subsection (C) above into the database as soon as possible upon the dealer's equipment being repaired or replaced, or the database coming back into service. Failure by the dealer to properly maintain computer equipment in a reasonable fashion, or failure by the dealer to replace faulty computer equipment, may result in the dealer being cited for a violation of this chapter and subsequently being subject to the penalties for doing so including revocation of the dealer's license as described in § 6.
- H)

- I) It shall be the requisite duty of every dealer, and of every person in the dealer's employ, to admit to the premises during business hours any member of the police department to examine any database, book, ledger, or any other record on the premises relating to the reportable transactions of scrap metal as well as the articles purchased and, where necessary, relinquish custody of those articles as provided in § 6. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the address where records and articles will be stored.
- J) For all reportable transactions between a dealer and a member of the public, the dealer may only accept delivery of scrap metal for purchase by motor vehicle and the license plate of the motor vehicle must be recorded as provided in subsection (C) above.
- K) No scrap metal business shall, except as provided in subsection (I) below, purchase:
- i. any metal marked with identification of a telephone, cable, electric, water, other public utility, or other government entity;
 - ii. any utility access or water meter cover;
 - iii. any street light pole or fixture;
 - iv. any road or bridge guard rail;
 - v. an highway or street sign, traffic directional or control sign, or light signal;
 - vi. any metal beer keg that is clearly marked as being the property of the beer manufacturer;
 - vii. any historical marker, grave marker, or burial vase;
 - viii. any central air conditioner evaporator coils or condensers or catalytic converters that are not attached to a vehicle; or
 - ix. any metal bleachers or benches.
- L) The provisions of subsection (H) shall not apply to purchases of scrap metal from entities who manage such metal in the ordinary course of business. These entities include manufacturing, industrial, government, contractor, individual, or other commercial vendors or scrap metal businesses that generate or purchase or process scrap metal in the ordinary course of business.

§6 Retention; Suspension and revocation; other restrictions

- C) All scrap metal purchased by a dealer in a reportable transaction are to be made available for inspection by the Chief of Police or designee thereof at the designated business address for a period of at least seven (7) calendar days from the date the transaction information is actually reported to the Chief of Police in the approved manner described above in § 5. All scrap metal subject to inspection must remain in the same condition as when purchased and shall not be sold, disposed of, changed, modified, or melted by the dealer until the seven-day retention period has expired. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the location where the purchased scrap metal is being held.
- D) Upon probable cause that goods held by a dealer are stolen, and providing that the seller signed the mandatory statement required by § 5(B) upon the sale of those goods, a law enforcement officer with jurisdiction should charge the seller with theft by deception under N.J.S.A. 2C:20-4 on behalf of the dealer, who shall be considered the "victim" of the offense for the purposes of N.J.S.A. 2C:43-3. The officer shall seize the goods, provide the dealer with a receipt, and issue a criminal complaint against the seller for theft by deception and any other criminal charges for which the officer has probable cause that the seller has committed. If convicted of theft by deception and if so found by an order of a court

of valid jurisdiction, the seller will be responsible for providing restitution to the dealer under N.J.S.A. 2C:44-2 for the amount paid by the dealer to the seller for the stolen goods.

- C) If market conditions would create a hardship on the dealer by holding scrap metal for such period, the dealer may present the property to the Chief of Police in order that it may be photographed and, if deemed necessary by the Chief of Police, an investigation may be implemented. The Chief of Police shall have the authority to grant the dealer a waiver of the requirement under this section.

Alternative Paragraph (C): It shall be an affirmative defense to any prosecution or administrative proceeding brought against a dealer for a violation of this section if retention for the time period required would have resulted in serious and substantial economic losses to the dealer, or the probability of such losses was significant due to rapid and highly fluctuating market conditions, provided that the persons so charged shall prove the existence of the market conditions giving rise to the aforesaid defense by a preponderance of the evidence. Market conditions, in order to be a defense hereunder, must be such that financial analysts would characterize trading as at or approaching a level or occurrence so as to clearly distinguish trading conditions from normal variations in market movement in response to economic news or other events.

- D) In addition to all other reporting requirements, every dealer shall maintain for at least five years, a written record of all purchases of scrap metal in the manner prescribed in § 5(C).
- E) No dealer shall purchase any item covered by this chapter from any person under the age of 18 or in the absence of providing prior notification of such purchase to the Chief of Police or business designee identifying the individual from whom such purchase is to be made and the item to be purchased.
- F) Suspension. The Chief of Police or a designee thereof is hereby empowered to temporarily suspend for cause any dealer's license and rights to operate thereunder. This penalty shall be in addition to any fines and penalties the dealer may incur pursuant to § 9 of this chapter.
- i. Grounds for suspension. The following shall constitute grounds for suspension: violation of any provisions of this chapter, including failure to comply with any training or fees associated with the electronic database software system in use by the municipality; violation of any other statute, regulation, or local ordinance; or any other illegal, improper, or fraudulent activity.
 - ii. Procedure for suspension. Upon determination that appropriate grounds exist and that a suspension is warranted, the Chief of Police or a designee thereof shall issue a written notice of suspension of license to the offending dealer and to the Municipal Clerk, which shall set forth the grounds for the suspension and notify the dealer of his or her right to appeal, pursuant to subsection (H). A temporary suspension shall issue immediately, pending the outcome of any appeal taken. Suspended dealers must immediately cease all purchasing and/or selling of scrap metal in the municipality until reinstatement.
 - iii. Reinstatement. Suspended dealers may be reinstated only when the grounds leading to the suspension have, in the determination of the Chief of Police or the Chief's designee, been cured, corrected, or appropriately rectified; or if reinstatement is deemed appropriate by the three-person panel appointed by the Chief of Police, upon the timely filing of an appeal as provided in subsection (H).

G) Revocation. A license issued under this chapter may be revoked by the Municipal Clerk upon written recommendation from the Chief of Police or the Chief's designee that the dealer is no longer qualified, capable or competent to comply with the requirements of this chapter. This penalty shall be in addition to any fines and penalties the dealer may incur under § 9.

i. Grounds for revocation. The following shall constitute grounds for revocation: a third violation under this chapter; a second violation under this chapter less than one year after an earlier violation under this chapter; conviction for a criminal offense within this or any jurisdiction; or multiple violations of any regulations or local ordinances within this or any jurisdiction.

ii. Procedure for revocation. Upon a determination that appropriate grounds exist and that a revocation is warranted, the Chief of Police or the Chief's designee shall so report to the Municipal Clerk in writing. A temporary suspension will immediately and automatically issue, if one is not already in effect, pending the outcome of the charge. A three-person panel, appointed by the Chief of Police, shall review the stated grounds for revocation and the panel shall issue an appropriate disposition of either suspension, revocation, or reinstatement. If the panel determines that revocation is the appropriate disposition, it shall set forth the grounds for the same in writing in the form of a notice of revocation, which shall be provided to the dealer. The notice shall advise the dealer of the right to appeal. If the panel determines that suspension is the appropriate disposition, it shall provide the dealer with a notice of suspension that shall advise the dealer of the right to appeal. Following revocation, the dealer must relinquish his or her license and must immediately and indefinitely cease operating a scrap metal business within the municipality.

H) Appeal. Any applicant wishing to appeal an issuance of a suspension or revocation shall be entitled to a hearing before a three-person panel, appointed by the Chief of Police, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such suspension or revocation. Any applicant exercising the right to appeal must file a written notice of appeal within ten (10) days of receiving written notice of revocation or suspension of license.

I) A dealer shall have the right to change the location of the licensed business, provided that he or she notifies the Municipal Clerk, in writing, of the street address of said new location.

§ 7 Bond

Each dealer covered under this chapter shall deliver a bond to the Municipal Clerk executed by the applicant as principal and executed by a surety company authorized to do business under the laws of the State of New Jersey as surety. The bond shall be subject to review and approval by the Municipal Attorney, as defined in N.J.S.A. 40A: 9-139, and shall be in the penal sum of \$10,000, conditioned for the due and proper observance of and compliance with the provisions and requirements of all ordinances of the municipality in force or which may be adopted respecting the conduct of this business and conditioned also that the bond shall be and remain for the benefit of any person or persons who shall have received judgment against the dealer licensed under this chapter, which damage shall be established by a judgment of a court of proper jurisdiction. Said bond shall contain the following language: "The

obligation of this bond shall, in addition to the [party municipality], be and remain for the benefit of any person who shall obtain a judgment against obligor as a result of damage sustained in operation pursuant to any license granted under this chapter." Said bond shall be kept for a minimum of one year from the date of issuance of license and must be renewed annually along with the license.

§ 8 Fees; period of license validity

A nonrefundable fee for initial application and license for an operator of a scrap metal business, as covered under this chapter, is \$300. The annual renewal fee for a license is \$250. These fees are separate from and in addition to any fees the dealer will be required to pay in relation to the mandatory electronic database system designated by the Chief of Police, as provided by § 5(D) of this chapter. Payments are to be made in the manner directed by the Municipal Clerk. A license is valid for a one-year period from the date of its issuance.

§ 9 Violations and penalties

Violation of any provision of this chapter by any dealer shall, upon conviction thereof, be punished by a fine not in excess of the limitations of N.J.S.A. 40:49-5 or by a term of imprisonment or a period of community service not exceeding ninety (90) days in addition to a suspension or revocation of operating license as provided in § 6(F) and § 6(G) above. Each and every violation shall be considered a separate violation. Each violation shall result in an additional suspension period. Any person who is found guilty of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the court to an additional fine as a repeat offender and, in addition, may be subject to revocation proceedings as provided in § 6(G). The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter.

§ 10 Time limit for conformance; repealer; severability

- A) Any person, partnership, limited liability company, corporation, or other entity engaging in the scrap metal business shall conform to the provisions of this chapter within ninety (90) days following the effective date of this chapter.
- B) All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
- C) Nothing contained in this chapter is intended to replace any pre-existing statutory requirements governing scrap metal businesses, as in N.J.S.A. 45:28-1 et seq., or any other statutory provision regarding any subject matter discussed herein.
- D) If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Attest:

Edward J. Mignone, Mayor

Stephanie Evans, Borough Clerk

Dated:

OPEN PUBLIC HEARING ON THE ORDINANCE - Ordinance #1863

Motion by Councilwoman Murphy, seconded by Councilwoman Davis

to open public hearing on Ordinance #1863.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

CLOSE PUBLIC HEARING ON THE ORDINANCE - Ordinance #1863

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to close public hearing on Ordinance #1863.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

ADOPTION - Ordinance #1863

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to adopt Ordinance #1863.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Stephanie Evans, Borough Clerk read the title of Ordinance #1864 as follows:

Ordinance #1864 - AN ORDINANCE TO AMEND ORDINANCE #1848 TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2016

Description: Add part-time Farmer's Market Manager position to 2016 Salary Ordinance

Ordinance #1864 was introduced by Councilwoman Davis, seconded by Councilman Papaleo at the May 16, 2016 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1864

AN ORDINANCE TO AMEND ORDINANCE #1848 TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2016

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

Section 1: The compensation for the following part-time positions and officers of the Borough of River Edge for the year 2016 is hereby supplemented and amended as follows:

	<u>2016</u>	
	<u>Hourly</u>	<u>Annually</u>
Farmer's Market Manager	\$8.38 -	\$23.25

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

Section 3: This ordinance shall take effect immediately after the first publication after final passage as provided by law.

Edward J. Mignone, Mayor

Attest:

Stephanie Evans, Borough Clerk

Dated:

OPEN PUBLIC HEARING ON THE ORDINANCE - Ordinance #1864

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to open public hearing on Ordinance #1864.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Councilwoman Murphy-commented on the \$18.00 hourly salary and asked if the market is cancelled, does she still get paid? She also asked what experience does she bring to the Farmer's Market?

Mayor Mignone-stated that all of these questions were discussed at a previous meeting.

CLOSE PUBLIC HEARING ON THE ORDINANCE - Ordinance #1864

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to close public hearing on Ordinance #1864.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

ADOPTION - Ordinance #1864

Motion by Councilman Bartelloni, seconded by Councilman Acquafredda to adopt Ordinance #1864.

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

Stephanie Evans, Borough Clerk read the title of Ordinance #1865 as follows:

Ordinance #1865 - BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF FIFTH AVENUE (SECTION 4 - FROM MIDLAND AVENUE TO THE ORADELL BORDER), A GENERAL IMPROVEMENT, AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF SUCH SECTION OF FIFTH AVENUE, A SIDEWALK IMPROVEMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$225,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Description: Resurfacing of Fifth Avenue, Section 4 (from Midland Avenue to Oradell Border)

Ordinance #1865 was introduced by Councilman Bartelloni, seconded by councilman Papaleo at the May 16, 2016 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1865

BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF FIFTH AVENUE (SECTION 4 - FROM MIDLAND AVENUE TO THE ORADELL BORDER), A GENERAL IMPROVEMENT, AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF SUCH SECTION OF FIFTH AVENUE, A SIDEWALK

IMPROVEMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$225,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of River Edge, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake (a) the resurfacing of Fifth Avenue (Section 4 - from Midland Avenue to the Oradell border) and (b) the construction and reconstruction of sidewalks, including, where necessary, curb and driveway apron construction and reconstruction, along and in front of the following properties on such section of Fifth Avenue as shown on the Tax Assessment Map of the Borough:

<u>Block Lots</u>	
103	1, 1.02, 2 (portion)
104	1, 10 (portion), 11, 12, 13, 14

Said improvements shall include all work, materials and appurtenances necessary and suitable therefor. Said improvements shall be undertaken in accordance with plans and specifications prepared or to be prepared by the Borough Engineer, which plans and specifications are hereby approved and directed to be placed on file in the office of the Borough Clerk and made available for public inspection during regular business hours. It is hereby determined and stated that said road being resurfaced is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$225,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. It is anticipated that a grant in the amount of \$155,500 from the New Jersey Department of Transportation shall be received by the Borough to finance the cost of said purpose. Said grant funds shall be applied as set forth in Section 12 hereof. Said road resurfacing shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted. Said sidewalk construction and reconstruction, including, where necessary, curb and driveway apron construction and reconstruction, shall be made as a sidewalk improvement as hereinafter set forth.

Section 3. The sidewalk construction and reconstruction, including, where necessary, curb and driveway apron construction and reconstruction, shall be undertaken as a sidewalk improvement and the cost thereof not borne by the Borough shall be assessed in the following manner: an accurate account of the cost of the improvement shall be kept by an officer of the Borough and such cost shall be assessed upon the several properties fronting on the improvement in proportion to their respective frontage thereon pursuant to and in accordance with the provisions of Chapter 65 of Title 40 of the Revised Statutes of New Jersey. The portion of such cost which shall not be so assessed shall be paid by the Borough as in the case of a general improvement which is to be paid for by general taxation.

Section 4. Before making said sidewalk improvement or awarding any contract for such sidewalk improvement, the Borough Clerk shall cause notice of the proposed sidewalk improvement to be given to the owner or owners of all real estate affected thereby. Such notice shall be served in accordance with the provisions of Chapter 65 of Title 40 of the Revised Statutes of New Jersey, in particular Section 40:65-2 to Section 40:65-6, and the proof of service shall be filed with the officer of the Borough in charge of the records of tax liens of the

Borough within 10 days after service thereof.

Section 5. It is hereby determined and stated that (1) the Borough will contribute \$86,000 to the cost of said sidewalk improvement, and (2) the estimated maximum amount of the special assessments for said sidewalk improvement is \$3,000, and (3) no sidewalk assessments for such improvement have been levied or confirmed, and (4) such sidewalk assessments may be paid in five annual installments.

Section 6. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$225,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$225,000, and (5) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$45,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 7. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$225,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$225,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$225,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations

prescribed by said Local Bond Law.

Section 12. Any funds received from the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Edward J. Mignone

Attest:

Stephanie Evans, RMC
Borough Clerk

Dated:

OPEN PUBLIC HEARING ON THE ORDINANCE - Ordinance #1865

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to open public hearing on Ordinance #1865.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

CLOSE PUBLIC HEARING ON THE ORDINANCE - Ordinance #1865

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to close public hearing on Ordinance #1865.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

ADOPTION - Ordinance #1865

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to adopt Ordinance #1865.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

RESOLUTIONS - By Consent

Motion by Councilwoman Busteed, seconded by Councilman Bartelloni to approve resolution #16-215 through #16-219, #16-221 through #16-249 and #16-251.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

#16-215 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 will or 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 July 11, 2016 work session meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session</u>		<u>Statutory</u>
<u>Docket #</u>	<u>Item Title or Description</u>	<u>Reference</u>

To be determined by reference to the Borough Clerk's Agenda for the above meeting.

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 6, 2016

#16-216 Authorize Accounts Supervisor to Issue a Refund Check to Quality Construction Services, LLC for a Street Opening at 275 Cleveland Place

WHEREAS, the Borough of River Edge received a street opening permit from the following who surrendered \$500.00 for a bond; and

WHEREAS, John Lynch, Superintendent of Public Works has inspected the street where the opening was made, 275 Cleveland Place, and has declared it satisfactory; and

WHEREAS, the Chief Financial Officer has certified that funds are available from the Trust Other Account in the amount not to exceed \$500.00.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to issue a check in the amount of \$500.00 to the following:

Quality Construction Services, LLC

P.O. Box 3353
Fort Lee, NJ 07024

June 6, 2016

#16-217 Confirmation of Local Assessments for Curbs, Sidewalk and Driveway Aprons for the Fifth Avenue Reconstruction Project, Section 3 from Approximately 20 Feet North of Wayne Avenue to Approximately 30 Feet South of North Drive

WHEREAS, reconstruction of curb, sidewalk and driveway aprons on Fifth Avenue from approximately 30 feet north of Wayne Avenue to approximately 30 feet south of North Drive was made in 2016; and

WHEREAS, the construction of new curbs, sidewalk and driveway aprons are local improvements, the value of which is assessable to owners of the adjacent property; and

WHEREAS, Ordinance #1835 authorized the construction of curbs, sidewalk and driveway aprons as a local assessment to adjoining properties and such work has been completed; and

WHEREAS, the Borough of River Edge has received a grant from the Department of Transportation for the construction of the curbs, sidewalk and driveway aprons; and

WHEREAS, the Mayor and Council have indicated at a work session that the residents shall only be assessed for the engineering and administrative portion of the cost of the curbs, sidewalk and driveway aprons on Fifth Avenue; and

WHEREAS, James Anzevino, Tax Assessor has been appointed as the Local Board of Assessor on this project and has certified a list of properties to be assessed on Fifth Avenue for the engineering and administrative portion of the cost of curbs, sidewalk and driveway aprons; and

WHEREAS, the Borough Clerk on April 29, 2016 has certified to the Tax Assessor that all of the residents on the list have received notice of a public hearing and report on the Fifth Avenue assessments.

WHEREAS, a hearing on these assessments was held by the Mayor and Council on June 6, 2016.

NOW, THEREFORE, BE IT RESOLVED that the following list of local assessments prepared by James Anzevino, totaling \$2,914.19 is hereby confirmed and approved and shall be forwarded to the Tax Collector for billing and collection in accordance with Ordinance #1835 and the laws of the State of New Jersey.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Amount</u>
902/29	Lynn Karash, 408 Fifth Avenue	\$273.06
904/3	Sheila Dessalines, 405 Fifth Avenue	\$357.92
904/4	Anthony & Mary Izzo, 280 North Drive	\$256.20
905/2	Kim, Bong Gyun & Yong Sim, 281 North Drive	\$274.17
905/3	Wolf, Yvonne, 379 Fifth Avenue	\$302.43
905/4	Malacrida, Michael, 375 Fifth Avenue	\$302.43
906/1	Carol Spinapolice, 400 Fifth Avenue	\$256.31
906/34	DeBaun, Joseph & Susan, 372 Fifth Avenue	\$300.31
906/38	Andrews, Marak & Milagros, 384 Fifth Avenue	\$288.93
906/39	Owens, Robert & Autumn, 390 Fifth Avenue	\$302.43

June 6, 2016

#16-218 Confirmation of Local Assessments for Curbs and Sidewalks for the Community Development Block Grant Oxford Terrace Project

WHEREAS, reconstruction of curbs and sidewalks on Oxford Terrace

was completed; and

WHEREAS, the construction of new curbs and sidewalks are local improvements, the value of which is assessable to owners of the adjacent property; and

WHEREAS, Ordinance #1854 authorized the construction of curbs and sidewalks as a local assessment to adjoining properties and such work has been completed; and

WHEREAS, the Borough of River Edge has received a grant from Community Development Block Grant for the construction of the curbs and sidewalks; and

WHEREAS, the Mayor and Council have indicated at a work session that the residents shall only be assessed for the engineering and administrative portion of the cost of the curbs and sidewalks on Oxford Terrace; and

WHEREAS, James Anzevino, Tax Assessor has been appointed as the Local Board of Assessor on this project and has certified a list of properties to be assessed on Fifth Avenue for the engineering and administrative portion of the cost of curbs and sidewalks; and

WHEREAS, the Borough Clerk on April 29, 2016 has certified to the Tax Assessor that all of the residents on the list have received notice of a public hearing and report on the Oxford Terrace assessments.

WHEREAS, a hearing on these assessments was held by the Mayor and Council on June 6, 2016.

NOW, THEREFORE, BE IT RESOLVED that the following list of local assessments prepared by James Anzevino, totaling \$5,450.00 is hereby confirmed and approved and shall be forwarded to the Tax Collector for billing and collection in accordance with Ordinance #1854 and the laws of the State of New Jersey.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Amount</u>
1301/1	River Terrace Gardens Associates, 225-235 Kinderkamack Road Mailing Address: 144 Bogert Road	\$3,625.00
1401/1	River Terrace Gardens Associates, Rutgers Place and Bogert Road Mailing Address: 144 Bogert Road	\$1,825.00

June 6, 2016

#16-219 Refund of Local Assessments for Curbs, Sidewalk and Driveway Aprons for the Fifth Avenue Reconstruction Project, Section 3 from Approximately 20 Feet North of Wayne Avenue to Approximately 30 Feet South of North Drive

WHEREAS, resolution #15-445 confirmed special assessments for the Fifth Avenue Reconstruction Project, Section 3; and

WHEREAS, this special assessment was based on the known participants at the time of the completion of the Section 2 work; and

WHEREAS, the Section 3 work is completed and (3) three new participants had work done; and

WHEREAS, this modifies the allocation of the engineering and administrative costs; and

WHEREAS, this has been discussed by the Chief Financial Officer at a meeting of the Governing Body on April 4, 2016; and

WHEREAS, the Tax Assessor has reviewed the revised allocation for Section 3 and has accepted it.

NOW, THEREFORE, BE IT RESOLVED that the following refunds be made by the Borough.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Amount</u>	<u>Interest</u>	<u>Total Refund Amount</u>
905/5	Huang, Pan & Hseuch, 371 Fifth Avenue <u>Mailing Address:</u> 61 Bay Hill Road, Lakewood, NJ 08701	\$ 97.06	\$1.64	\$ 98.70
905/6	Bravo, Allan & Virginia, 367 Fifth Avenue	\$ 90.58		\$ 90.58
906/33	Sausto, Vincent, 368 Fifth Avenue	\$108.70		\$108.70

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to adjust his records according.

June 6, 2016

Motion by Councilman Acquafredda, seconded by Councilman Bartelloni to approve resolution #16-220.

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

#16-220 Amend Resolution #16-69 2016 Salary Resolution

BE IT RESOLVED that the following officers and employees of the Borough of River Edge be compensated for the year 2016 in accordance with Ordinance #1848 effective January 1, 2016.

	<u>2016</u>	
	<u>Annual</u>	<u>Hourly</u>
Farmer's Market Manager	P/T Chape, N.	\$18.00

June 6, 2016

#16-221 Enter Into an Agreement with S. Rotondi & Sons, Inc., 3 Watchung Avenue, Chatham, New Jersey for Vegetation Disposal

WHEREAS, the Borough of River Edge had a contract with S. Rotondi & Sons, Inc. for Vegetation pickup which has expired; and

WHEREAS, the Superintendent of Public Works has received a quote from S. Rotondi & Sons, Inc. for a one (1) year contract for the disposal of vegetation with a tipping fee of \$15.00 per yard; and

WHEREAS, S. Rotondi & Sons, Inc., is a fully approved NJDEP Class C & Class B Recycling Center accepting commingled yard waste and grass; and

WHEREAS, N.J.S.A. 40A:11-5(1)(s) permits the award of a contract without a public bid because the service is with regard to the

marketing of recyclable materials recovered through a recycling program.

WHEREAS, the Mayor and Council have reviewed this matter at a work session on June 6, 2016.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk be authorized to enter into an agreement with S. Rotondi & Sons, Inc., 3 Watchung Avenue, Chatham, New Jersey for a one-year Vegetation Disposal agreement with a tipping rate of \$15.00 per yard.

June 6, 2016

#16-222 Resolution to Refund Planning Board Escrow Money to Krupa J.S.N.P., LLC (Dunkin Donuts), Block 1404, Lot 3.01

WHEREAS, the following application had been made to the Planning Board and granted plan approval; and

WHEREAS, the developer is due a refund of the balance on deposit; and

WHEREAS, all professionals have been paid.

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

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Amount</u>
1404/3.01	Krupa J.S.N.P., LLC Dunkin Donuts 101 Midland Avenue River Edge, NJ 07661	\$450.00

June 6, 2016

#16-223 Secondary Market Disclosure Compliance Policy

WHEREAS, in order to comply with Rule 15c2-12(b)(5) (the "Rule") adopted by the Securities and Exchange Commission ("SEC") under the Securities Exchange Act of 1934, the Governing Body of the Borough of River has determined to take those steps necessary to facilitate such compliance.

NOW, THEREFORE, BE IT RESOLVED, in connection with any issue of bonds, the Borough of River Edge will implement those procedures necessary to meet secondary disclosure requirements in a timely and comprehensive manner, as stipulated by the SEC Rule 15c2-12, and covenanted by the Borough of River Edge in its resolution #13-379 dated October 7, 2013, #09-363 dated September 21, 2009, #07-378 dated November 5, 2007, #05-284 dated August 22, 2005 and #02-249 dated July 1, 2002.

These will include the following:

- i. The Chief Financial Officer will provide ongoing disclosure information to the Municipal Securities Rulemaking Board's (MSRB's) Electronic Municipal Market Access (EMMA) System, the central depository designed by SEC for ongoing disclosure by municipal issuers, or such other repository designated by the SEC.
- ii. The Borough of River Edge will submit annual financial reports and notices with regard to material events, as required by the Rule in accordance with the deadlines set forth in a Certificate.
- iii. The Borough of River Edge may employ the services of a firm or firm(s) to provide services as a Continuing Disclosure and Dissemination Agent, under the supervision of the Chief Financial Officer. Those services will include, but not be

limited to the following:

- a. Identification of bond issues subject to continuing disclosure
 - b. Notification of upcoming deadlines to be met
 - c. Compilation of data necessary to meet the Borough of River Edge's obligation (coordinated with the Auditor, as appropriate)
 - d. Timely filing of financial and statistical data with the MSRB
 - e. Monitoring need for Material Event Notices
- iv. The Continuing Disclosure and Dissemination Agent will have only those duties set forth in the Certificate, and to the extent permitted by law, the Borough of River Edge agrees to indemnify the Dissemination Agent in accordance with the Certificates(s).
 - v. Such Continuing Disclosure and Dissemination Agent may be appointed by the Borough of River Edge for a term consistent with the term of the Borough of River Edge's outstanding bond issues to assure ongoing compliance, or on an annual basis and renewed thereafter, in accordance with the Local Public Contracts Law.
 - vi. Unless otherwise designated the Borough of River Edge will serve as its own continuing Disclosure and Dissemination Agent, and assign the responsibility of secondary market disclosure to the Chief Financial Officer.
 - vii. The Chief Financial Officer shall inform appropriate assistants or deputies of these compliance requirements in his or her absence and train them in this responsibility and in the event the Chief Financial Officer leaves the employment of the Borough of River Edge, will endeavor to make his or her successor aware of these undertakings and his or her responsibility to enforce them.
 - viii. This policy may be renewed and updated from time to time, as appropriate and to include additional resolutions for new debt transactions.

June 6, 2016

#16-224 Change in Custodian of Petty Cash Fund - Emergency Management

WHEREAS, Thomas Smith was custodian of the Emergency Management Cash Fund; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Borough of River Edge is changing custodians to Ronald Starace; and

WHEREAS, Ronald Starace, Emergency Management Coordinator, is bonded in the amount of \$1,000,000.00 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge, County of Bergen, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

June 6, 2016

#16-225 Amend Resolution #16-165 Proposed Bus Stop Changes

WHEREAS, resolution #16-165 was adopted by the Governing Body on April 4, 2016; and

WHEREAS, Paragraph 1. a. was adopted as:

1. Along Kinderkamack Road, northbound on the easterly side thereof at:
 - a. Wayne Avenue -
Beginning at the southerly curblin e of Wayne Avenue and

extending 100 feet northerly therefrom.

WHEREAS, Paragraph 1.a. should be corrected to:

County Road

1. Along Kinderkamack Road, northbound on the easterly side thereof at:

- a. Wayne Avenue -
Beginning at the southerly curbline of Wayne Avenue and extending 105 feet northerly therefrom.

NOW, THEREFORE, BE IT RESOLVED that resolution #16-165 is hereby amended to reflect that pursuant to N.J.S.A. 39-4-8(e) the following described location is designated as a bus stop:

County Road

2. Along Kinderkamack Road, northbound on the easterly side thereof at:

- a. Wayne Avenue -
Beginning at the southerly curbline of Wayne Avenue and extending 105 feet northerly therefrom.

That the Mayor and Council of the Borough of River Edge will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

Mayor

Municipal Clerk

Chairman, Bergen County board of Freeholders

County Clerk, Bergen County

June 6, 2016

#16-226 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, 2016 to December 31, 2016 and from Account #01-2010-20-1002-182 of the Current Fund in the amount of \$1,250.00 from January 1, 2017 to June 30, 2017 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
\$ 50.00 per Observed Drug Test
\$ 55.00 per DOT Alcohol Test
\$100.00 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 6, 2016

#16-227 Authorize Alan P. Spiniello, Esq. to Enter Into a Stipulation of Settlement with Allen & Benkel Realty, Inc., 80 Grand Avenue, Block 1410, Lot 3

WHEREAS, Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey will handle the litigation of Allen & Benkel Realty, Inc. for the premises located at 80 Grand Avenue, Block 1410, Lot 3; and

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

WHEREAS, the Mayor and Council have considered these recommendations at their work session of June 6, 2016; and

WHEREAS, the Borough of River Edge hereby authorizes Alan Spiniello, Esq. to enter into a Stipulation of Settlement reducing the assessed value from \$1,039,400 to \$957,500 for the calendar years 2014, 2015 and 2016; and

WHEREAS, the potential refund for this proposed settlement is \$2,636.64 for 2014, \$2,638.57 for the year 2015 and \$2,638.57 for 2016.

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 6, 2016

#16-228 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 2016-2018 Snow Plowing season, payment to be in accordance with the attached schedule.

June 6, 2016

#16-229 Authorize Mayor to Sign a Supplementary Agreement with RWDSU, Local 108 Public Employee Division AFL-CIO Blue Collar Unit (DPW)

WHEREAS, the Borough of River Edge has entered into an

agreement with the RWDSU, Local 108, Public Employee Division, Blue Collar Unit (DPW) for the years 2015 - 2018, via resolution #15-175, dated April 20, 2015; and

WHEREAS, the Borough of River Edge and RWDSU, Local 108, Public Employee Division, Blue Collar Unit (DPW) have reached an agreement on the carryover of vacation time; and

WHEREAS, the agreement is on file with the Borough Clerk.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign said agreement.

June 6, 2016

#16-230 2015 Salary Resolution

BE IT RESOLVED that the following officers and employees of the Borough of River Edge be compensated for the year 2015 in accordance with Ordinance #1819 effective January 1, 2015 as follows:

Police Department

2015
Annual

Lieutenant	Walker, M.	\$125,617
Acting Lieutenant	Naprstek, R.	\$125,617 from 7/13
Sergeant	Naprstek, R.	\$116,312 to 7/12
Sergeant	Cheevers, C.	\$116,312
Sergeant	Wilhelm, C.	\$116,312
Acting Sergeant	Casey, C.	\$116,312
Acting Sergeant	Starost, J.	\$116,312
Acting Sergeant	Abate, M.	\$116,312 from 6/29
Patrol Officer 1	Abate, M.	\$107,696 to 6/28
Patrol Officer 1	DeYoung, M.	\$107,696
Patrol Officer 1	Griffith, D.	\$107,696
Patrol Officer 1	McGinty, M.	\$107,696
Patrol Officer 1	Shouldis, M.	\$107,696
Patrol Officer 1	Varrecchia, M.	\$107,696
Patrol Officer 1	Zemaites, J.	\$107,696
Patrol Officer 2	Lee, D.	\$ 97,753 to 2/2
Patrol Officer 1	Lee, D.	\$107,696 from 2/3
Patrol Officer 17	Roman, A.	\$ 53,591 to 2/6
Patrol Officer 16	Roman, A.	\$ 61,629 from 2/7
Patrol Officer 17	Sanches, R.	\$ 53,591 to 2/6
Patrol Officer 16	Sanches, R.	\$ 61,629 from 2/7
Patrol Officer 17	Ariano, V.	\$ 53,591 to 12/3
Patrol Officer 16	Ariano, V.	\$ 61,629 to 12/4
Patrol Officer 18	Sanfilippo, J.	\$ 45,552 to 7/1
Patrol Officer 17	Sanfilippo, J.	\$ 53,591 from 7/2
Patrol Officer 18	Diamond, P.	\$ 45,552 to 7/22
Patrol Officer 17	Diamond, P.	\$ 53,591 from 7/23
Patrol Officer Probationary 1 st Year	Kieferle, J.	\$ 37,513 to 4/6
Patrol Officer 18	Kieferle, J.	\$ 45,552 from 4/7
Patrol Officer Probationary 1 st Year	Blue, E.	\$ 37,513 to 5/4
Patrol Officer 18	Blue, E.	\$ 45,552 from 5/5
Patrol Officer Probationary 1 st Year	Kochansky, P.	\$ 37,513 to 6/1
Patrol Officer 18	Kochansky, P.	\$ 45,552 from 6/2
Patrol Officer Probationary 1 st Year	Prisendorf, B.	\$ 37,513 to 11/2
Patrol Officer 18	Prisendorf, B.	\$ 45,552 from 11/3
Patrol Officer Probationary 1 st Year	Mulick, M.	\$ 37,513 from 12/8

BE IT FURTHER RESOLVED that the actions of the Chief Financial Officer, Accounts Supervisor and Payroll Clerk to pay these salaries and wages effective January 1, 2015 is hereby ratified.

June 6, 2016

#16-231 2016 Salary Resolution

BE IT RESOLVED that the following officers and employees of the Borough of River Edge be compensated for the year 2016 in accordance with Ordinance #1849 effective January 1, 2016 as follows:

<u>Police Department</u>		<u>2016</u> <u>Annual</u>
Lieutenant	Walker, M.	\$126,873
Lieutenant	Naprstek, R.	\$126,873
Sergeant	Abate, M.	\$117,475
Sergeant	Casey, C.	\$117,475
Sergeant	Cheevers, C.	\$117,475
Sergeant	Starost, J.	\$117,475
Sergeant	Wilhelm, C.	\$117,475
Patrol Officer 1	DeYoung, M.	\$108,773
Patrol Officer 1	Griffith, D.	\$108,773
Patrol Officer 1	Lee, D.	\$108,773
Patrol Officer 1	McGinty, M.	\$108,773
Patrol Officer 1	Shouldis, M.	\$108,773
Patrol Officer 1	Varrecchia, M.	\$108,773
Patrol Officer 1	Zemaites, J.	\$108,773
Patrol Officer 16	Roman, A.	\$ 62,245 to 2/6
Patrol Officer 16	Roman, A.	\$ 70,365 from 2/7
Patrol Officer 16	Sanches, R.	\$ 62,245 to 2/6
Patrol Officer 16	Sanches, R.	\$ 70,365 from 2/7
Patrol Officer 15	Ariano, V.	\$ 62,245 to 12/3
Patrol Officer 15	Ariano, V.	\$ 70,365 from 12/4
Patrol Officer 17	Sanfilippo, J.	\$ 54,127 to 7/1
Patrol Officer 16	Sanfilippo, J.	\$ 62,245 from 7/2
Patrol Officer 17	Diamond, P.	\$ 54,127 to 7/22
Patrol Officer 16	Diamond, P.	\$ 62,245 from 7/23
Patrol Officer 18	Blue, E.	\$ 46,008 to 5/4
Patrol Officer 17	Blue, E.	\$ 54,127 from 5/5
Patrol Officer 18	Kochansky, P.	\$ 46,008 to 6/1
Patrol Officer 17	Kochansky, P.	\$ 54,127 from 6/2
Patrol Officer 18	Prisendorf, B.	\$ 46,008 to 11/2
Patrol Officer 17	Prisendorf, B.	\$ 54,127 from 11/3
Patrol Officer Probationary 1 st Year	Mulick, M.	\$ 37,889 to 12/7
Patrol Officer 18	Mulick, M.	\$ 46,008 from 12/8

BE IT FURTHER RESOLVED that the actions of the Chief Financial Officer, Accounts Supervisor and Payroll Clerk to pay these salaries and wages effective January 1, 2016 is hereby ratified.

June 6, 2016

#16-232 Purchase of Police Cars Through State Contract

WHEREAS, the Borough of River Edge desires to replace a damaged Police Vehicle and Purchase three (3) other new cars from Winner Ford of Cherry Hill, 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034; and

WHEREAS, the vendor, Winner Ford of Cherry Hill is an approved State Contract participant bearing the State Contract #88728; and

WHEREAS, the Chief Financial Officer has certified that funds are available from the Capital and Self Insurance Fund in an amount not to exceed \$103,794.02; and

WHEREAS, N.J.A.C. 5:34-1.2 requires that any local contracting unit purchasing pursuant to N.J.S.A. 40A:11-12, must award the contract by a resolution of the Governing Body.

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk is authorized to accept the State Contract bid on three (3) police cars as per the State's specifications in an amount not to exceed \$103,794.02.

June 6, 2016

#16-233 Authorize Tax Collector to Refund 2nd Quarter 2016 Tax Overpayments due to the 2013 Homestead Benefit Credits

WHEREAS, the tax office has received duplicate and/or tax overpayments for the 2nd Quarter 2016 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.

<u>BLOCK LOT</u>	<u>HOMEOWNER/ADDRESS</u>	<u>AMOUNT</u>
115/12	Alonso 821 Fifth Avenue	593.02
208/10	Martin-Rumsby 45 Gates Avenue	632.64
302/3	Carroll 321 Wales Avenue	360.29
617/4	Aversa 33 Madison Avenue	435.91
903/12	Tang 357 Valley Road	916.67
909/41	Diamond 378 Oak Avenue	1,000.00
909/46	Sylvester 396 Oak Avenue	580.75
1208/14	Fazzio 151 Reservoir Avenue	2,921.04

Make check payable to: Lereta LLC
1123 S. Parkway Drive
Covina, CA 91724-3748
Attn: Refunds Department

June 6, 2016

#16-234 Authorize Tax Collector to Adjust 4th Quarter 2016 Taxes for a Senior Citizen Deduction Disallowed

WHEREAS, the following homeowner was 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 2016 and/or has requested in writing to remove the deduction and/or has passed away in 2015 and the property no longer qualifies for the deduction and/or the property was sold in 2016; and

WHEREAS, the deduction is listed in the 2016 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to disallow the 2016 Senior Deduction and adjust the 4th quarter taxes for the following amount.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Adjusted Amount</u>
701/38	Mitchell 283 Kensington Road	250.00
Total:		250.00

June 6, 2016

#16-235 Authorize Tax Collector to Adjust the 4th Quarter 2016 Taxes for a Senior Deduction Allowed

WHEREAS, the following homeowner filed a Senior Application for a deduction in the amount of \$250.00 and was approved by the Tax Assessor for the year 2016; and

WHEREAS, the deduction was not listed in the 2016 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4th Quarter taxes for the following amount.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Deduction</u>	<u>Adjusted Amount</u>
809/25	Movesian 429 Windsor Road	250.00	250.00

June 6, 2016

#16-236 Authorize Tax Collector to Bill \$250.00 for Senior Citizen Deductions Disallowed for 2015

WHEREAS, the following homeowners received a \$250.00 Senior Citizen Tax Deduction for the year 2015; and

WHEREAS, the following properties were either sold or the homeowners exceeded the \$10,000 income requirements to qualify for the Senior Citizen Tax Deduction for the year 2015.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to disallow the 2015 Senior Deductions and bill the homeowners for the following amounts.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Adjusted Amount</u>
105/12	Romano 254 Midland Avenue	250.00
305/12	Sundell 205 Wales Avenue	250.00
611/4	Van Miert 147 Concord Drive	250.00
612/2	Becker 125 Tenney Avenue	250.00
1209/23	Clemente 206 Lozier Terrace	250.00

Total: 1,250.00

June 6, 2016

#16-237 Authorize Tax Collector to Adjust 4th Quarter 2016 Taxes for a Veteran Deduction Allowed

WHEREAS, the following homeowner(s) filed a Veteran Application

for a deduction in the amount of \$250.00 and was approved by the Tax Assessor for the year 2016; and

WHEREAS, the deduction was not listed in the 2016 Tax Duplicate.

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

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Deduction</u>	<u>Adjusted Amount</u>
809/25	Movesian 429 Windsor Road	Veteran	250.00
901/23	Kouletsis 230 Manchester Road	Veteran	250.00
		Total:	500.00

June 6, 2016

#16-238 Authorize Tax Collector to Refund a 2016 2nd Quarter Tax Overpayment

WHEREAS, the tax office has received a tax overpayment for the 2016 taxes on the following property; and

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

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

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Tax Qtr.</u>	<u>Refund Amount</u>
1209/23	Quality Construction Services, LLC 146 Lynette Drive Fort Lee, NJ 07024	2 nd	263.87

June 6, 2016

#16-239 Approve the Appointment of a Representative to the Open Space Trust Regional Committee

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

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Open Space Trust Regional Committee for the term of one year coinciding with the fiscal year July 1, 2016 through June 30, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Governing body of the Borough of River Edge hereby appoints Mayor Edward Mignone and Ellen Busted as Alternate #1 as its representatives to participate on the Open Space Trust Regional Committee.

June 6, 2016

#16-240 Appointment of Representatives to the Community Development Regional Committee

WHEREAS, the Borough of River Edge has entered into a three year cooperative agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40a:8A-1 et seq. and Title I of the Housing and Community Development Act of 1994; and

WHEREAS, said Agreement requires that one municipal representative and alternate be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1st through June 30th.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body hereby appoints James Arakelian as the representative to participate on the Community Development Regional Committee and Mayor Edward Mignone as Alternate #2.

June 6, 2016

#16-241 Authorize the Petty Cash Reimbursement for the Recreation Camp Program

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of Petty Cash Fund for the Office of the Chief Financial Officer of the Borough of River Edge; and

WHEREAS, said the petty cash fund was established by resolution dated January 3, 1983 by the Mayor and Council of the Borough of River Edge as amended by Resolution #90-149 dated August 6, 1990; and

WHEREAS, Resolution #87-169, dated August 3, 1987, established that the maximum amount of a single draw down on the Petty Cash Fund shall not exceed \$35.00; and

WHEREAS, Resolution #99-188, dated June 7, 1999 increased the maximum amount of a single draw limit to \$50.00; and

WHEREAS, the purpose of having a Petty Cash Fund is to eliminate staff time and paper work for small purchases which could be handled more cost effectively through a Petty Cash Fund; and

WHEREAS, the Recreation Commission of the Borough of River Edge operates a camp for its residents and has a unique need to purchase supplies for programs, activities and projects for the children of the camp on a daily basis; and

WHEREAS, the Mayor and Council recognize that the unique nature of a camp operation does not always lend itself to advance planning and there is an immediate need to purchase items such as first aid supplies, food and drink, and arts and crafts materials and the Governing Body considered this at their work session of June 6, 2016.

NOW, THEREFORE, BE IT RESOLVED that Geeta Birnbaum, Custodian of the Petty Cash Fund, is hereby authorized to reimburse the Recreation Director up to a single draw down limit of \$50.00 per slip and said authorization to initiate the day the Borough of River Edge camp opens and expire on the last day of camp operation, and as long as the Recreation Director complies with all other policies and procedures in effect for the Borough of River Edge with regard to the maintenance of its Petty Cash Funds.

June 6, 2016

#16-242 Appointment of Deputy Emergency Management Coordinator

WHEREAS, the Mayor has appointed Ronald Starace as Emergency Management Coordinator via resolution #16-214 dated May 16, 2016; and

WHEREAS, Ronald Starace has indicated that he desires to appoint Robert Naprstek, Lieutenant in the Police Department as a

Deputy Emergency Management Coordinator; and

WHEREAS, he has consulted with the Police Chief and received the approval of Mayor Mignone; and

WHEREAS, Directive #102 issued by the State Office of Emergency Management, Section II, 2., c. states that more than one (1) Deputy Emergency Management Coordinator may be appointed.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, in the County of Bergen, does hereby confirm the appointment of Robert Naprstek, Lieutenant in the Police Department as Deputy Emergency Management Coordinator to serve a three (3) term effective June 6, 2016 through June 6, 2019.

June 6, 2016

#16-243 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, 2016; and

BE IT FURTHER RESOLVED that Stephanie Evans, 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	PEJA Corp. T/A Rugova, 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, 1001 Main Street, Store 303 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 Rights of Columbus The Columbian Club,
T/A River Edge Columbian Club,
770 Kinderkamack Road
River Edge, New Jersey 07661 \$ 50.00
June 6, 2016

#16-244 Authorize Tax Collector to Refund a Duplicate 2nd Quarter 2016 Tax Payment

WHEREAS, the tax office has received a duplicate and/or tax overpayment for the 2nd Quarter 2016 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
701 10	JAFFE 297 Concord Drive	3,215.39

Total: 3,215.39

Make check payable to:

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

June 6, 2016

#16-245 Authorize Tax Collector to Refund 2016 2nd Quarter Tax Overpayments

WHEREAS, the tax office has received duplicate and/or tax overpayments for the 2nd Quarter 2016 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	QUARTER	AMOUNT
803/14	KOMAR 124 Voorhis Avenue	2 nd	2,266.38
1103/13	LEE 291 Valley Road	2 nd	3,143.01
1208/29	KACZYK 71 Lakeview Street	2 nd	2,516.49

Total: 7,925.88

Make check payable to:

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

Attn: Tax Refunds

June 6, 2016

#16-246 Authorize Tax Collector to Refund a 2016 2nd Quarter Tax Overpayment Due to the 2013 Homestead Benefit Credit

WHEREAS, the Tax Office has received a duplicate and/or tax overpayment for the 2nd Quarter 2016 taxes on the following properties;

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.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Refund Amount</u>
701/30	HUGGETT 283 Voorhis Avenue	796.70
905/31	PREIS 382 Valley Road	827.59
	Total:	1,624.29

Make check payable to: Visions Federal Credit Union
24 McKinley Avenue
Endicott, NY 13760
Attn: Laura A. Iessi

June 6, 2016

#16-247 Authorize Tax Collector to Refund 2nd Quarter Tax Overpayments due to the 2013 Homestead Benefit Credit

WHEREAS, the 2013 Homestead Benefit Credits were received and revised billing for the 2nd Quarter 2016 was issued; and

WHEREAS, taxpayers paid the original 2nd Quarter Tax amount billed creating an overpayment in the 2nd Quarter; and

WHEREAS, the tax office has received written requests from the following homeowners to refund the overpaid taxes directly to the homeowner.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to refund the following tax amounts and adjust her records accordingly.

<u>Block/Lot</u>	<u>Name/Address</u>	<u>Amount</u>
102/3	Ralph Gerber 933 Magnolia Avenue River Edge, NJ 07661	476.03
108/8	Michael & Janice Morris 208 Midland Avenue River Edge, NJ 07661	384.53
206/23	Rita Ginsberg 4583 E Collinwood Dr. Gilbert, AZ 85298	1,000.00
311/10	Arthur Fialko 725 Millbrook Road River Edge, NJ 07661	836.88

502/4	Concetta Greenwood 261 Continental Avenue River Edge, NJ 07661	461.86
604/4	David & Patricia Comiso 177 Madison Avenue River Edge, NJ 07661	413.29
813/3	Mary Ellen Wyllie 145 Kensington Road River Edge, NJ 07661	980.00
815/12	Michael & Diane Machuca 461 Bogert Road River Edge, NJ 07661	845.61
901/13	Thomas Davis 215 Dorchester Road River Edge, NJ 07661	22.03
910/15	Lillian Abraham 219 Beech Drive South River Edge, NJ 07661	889.24
1002/51	Anthony Lacorazza 180 Howland Avenue River Edge, NJ 07661	906.01
1104/34	David Kurland 216 Valley Road River Edge, NJ 07661	929.42
1205/40	Robert & Gladys McNally 187 Mohawk Drive River Edge, NJ 07661	968.21

June 6, 2016

#16-248 Authorize Tax Collector to Refund 2nd Quarter 2016 Tax Overpayments

WHEREAS, the tax office has received a duplicate payment and/or tax overpayment for the 2nd Quarter 2016 taxes on the following properties; and

WHEREAS, a written request was received from the homeowner and/or their Mortgage Company/Title Company 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.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Refund Amount</u>
110/17	Eileen Bittmann 100 Kenwood Road River Edge, NJ 07661	1,515.98
118/17	Joon Y. Chung 188 Wales Avenue River Edge, NJ 07661	4,811.83
409/50/C0204	Pukhraj Rahman 782 Kinderkamack Road, #4 River Edge, NJ 07661	35.58
810/9	Craig & Kathy Bartnicki 447 Oak Avenue River Edge, NJ 07661	5.82

1203/12 Vadim & Alina Paley 38.26
179 Cherry Lane
River Edge, NJ 07661

June 6, 2016

#16-249 Authorize Tax Collector to Refund a 2016 2nd Quarter Tax Overpayment

WHEREAS, the Tax Office has received a duplicate and/or tax overpayment for the 2nd Quarter 2016 taxes on the following property;

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.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Refund Amount</u>
103/3	Ye, Wei 284 Midland Avenue	5.63
	Total:	5.63

Make check payable to: Boiling Springs Corporate Headquarters
25 Orient Way
Rutherford, NJ 07070

June 6, 2016

Councilwoman Busteed read resolution #16-250 into the record.

Motion by Councilwoman Busteed, seconded by Councilwoman Murphy to approve resolution #16-250.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

#16-250 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	\$473,235.53
CAPITAL ACCOUNT	\$ 10,587.00
RECREATION ACCOUNT	\$ 6,012.11
SELF INSURANCE ACCOUNT	\$ 5,548.55
TRUST OTHER ACCOUNT	\$ 22,012.90
OPEN SPACE ACCOUNT	\$ 4,495.02
TRUST OTHER DEVELOPERS ACCOUNT	\$ 4,030.00

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 times claims would be paid.

June 6, 2016

#16-251 Authorize Mayor to Sign Grant for the State and Local Cooperative Housing Inspection Program

BE IT RESOLVED, that the Mayor is hereby authorized to sign the Grant for the State and Local Cooperative Housing Inspection Program for \$6,200.00.

June 6, 2016

OPEN HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Lou Grasso-840 Kinderkamack Road -asked if the Shade Tree Commission would allow him, at his own expense, to trim the tree in front of his tenant's store?

Alan Negreann-said that he would send a memo to the DPW.

Carl Fazio -229 Madison Avenue- read the following statement:
Thank You Mr. Mayor, Councilwoman Davis, The River Edge Health Department, and the rest of the committee for putting together this year's Farmer Market. I hope The Farmers Market has another successful year. The residents of River Edge enjoy the Market. Tomorrow will be a great day. Mr. Mayor at the last meeting you asked very important questions of Councilwoman Murphy, these are the same questions I have asked the previous Mayor. I hope you will be able to get the answers to our questions so that the Public knows all the things that Councilwoman Murphy and Mayor Sandy Moscaritolo did wrong these past few years in how they mismanaged the Farmers Market. Councilwoman Murphy, every time I came to a meeting I asked direct questions to you and Mayor Moscaritolo, you did not answer them honestly. You have lied repeatedly about the River Edge Farmers Market. All my questions were asked at an open public meeting. Everything I have asked and or said about you have been discussed at public meetings. I did not hide behind Facebook, a social media that you have deliberately blocked me from viewing. Everything that you say publicly, you say as an elected official representing your constituents. I would like to address Councilwoman Murphy on comments she made about me on her Facebook page. Councilwoman you called me vindictive and small minded and a church going person. Webster's describes VINDICTIVE as *Having or showing a strong or unreasoning desire for revenge*. There is nothing vindictive revengeful about me.

WEBSTERS DESCRIBES SMALL MINDED AS:

Having or showing rigid opinions or a narrow outlook or petty.
There is nothing petty about asking questions of an elected official who represents River Edge when you believe there has been a gross negligence of your official duties. You say that I sit in the first pew at church. Well if you were ever in St. Peters church you would know that the first pew is for the handicap, and yes I do take my handicapped mother to church when she is able, but I sit in the 2nd pew. Other Times I sit in the middle of the church. You also accuse me of trying to destroy something good like the Farmers Market, when in fact I have been a great ambassador for the Farmers Market, and always trying to promote people into attending. Yes, Gigi Mannase the Farmers Market volunteer did in fact help to orchestrate the donations of the left over produce to the Food Pantry, and it was very much appreciated by many residents, and others who could not afford to attend the Market. Any comments I made publicly about the Market to you was always preceded by me stating that my comments are not

directed toward the market volunteer Gigi Mannase.

You say I showed up at all the town meetings to complain about the Market. Another LIE Councilwoman. I came to ask you questions about the collection of fees that were not authorized. And to see where this money sat for months before it mysteriously showed up at boro hall. I never once complained about something that I personally enjoyed and that benefitted so many people. I have the right to question where these Funds were held.

You say that you don't even know me. Another lie.....you know me by name, have been in my company at my block party, at town meetings where you asked Carl Fazio to lead us in The Pledge of Allegiance and the gym where you questioned me about my mother's disability. You say I call for your resignation. This is NOT a lie. However, you all say I must go to confession quite a bit. As a Roman Catholic *Confession refers to the act by which we tell our sins to a priest.*

Coming to a Public Meeting and asking for an honest answers is not a sin. Your comments not only mocked my deep Faith and Catholic Religion, but you offended every one of my fellow parishioners. You offended every Catholic in River Edge by your lack of knowledge of the Catholic Religion. And mocking us. And I want a public apology. And Yes, I again ask for your resignation: And if you do not resign I call for a vote of no confidence to remove you from office on the basis that you have lied and deceived the residents in the mismanagement of Funds, and your lack of support for River Edge.

CLOSE HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

COUNCIL COMMENTS -

Councilwoman Murphy-read the following statement:

The River Edge Farmers' Market was born from an idea that I had several years ago. As a novice councilperson, I wanted to contribute something to our wonderful little town. I wanted to give back to our community by helping create and nurture a place where our citizens could gather, mingle and enjoy the outdoors while shopping for fresh, healthy food for their families. I envisioned an old-time market with local farmers selling their goods in a place where friends and neighbors came together to talk and shop. The Farmers' Market was to be more than just a place to buy corn. It would be a vibrant, dynamic venue that would serve to strengthen our local food economy and serve as a community hub.

To make any idea into a reality, one needs hard work, know how and dedication. I was dedicated and hardworking and on that point there can be no reasonable debate. I was no stranger to hard work. But I did lack the know how and so I sought out and found other hardworking people to bring this idea to fruition. And from the seed of an idea sprouted the Farmers' Market.

Over the next two years, I dedicated myself to helping build and expand the market and tried to ensure that it would grow into the best local market for our residents. I, along with our volunteer manager, spent countless hours planning and preparing to present this to our residents.

It was with good and honorable intentions that we set about organizing this market. But mistakes were made and in retrospect, some procedures may have been overlooked and sloppy, and though difficult to admit, this would be a fair assessment. No wrong was intended. Having taken it upon myself to be the councilperson in charge, I take responsibility for these mistakes and am sorry that the good that the Farmers' Market brought to River Edge was overshadowed by my trial and

error. I took the accusations as a personal affront on my character, my integrity and my intentions.

I would like to apologize to those who I may have offended and now ask for your forgiveness. I lost sight of what is ultimately important and I let personal feelings get the better of me. Those who know me, will attest that I have a deep and enduring love of River Edge. I care for the residents of this town and consider you all to be friends and family, even when on opposite sides of the political spectrum. I intend to continue to fight for the residents of River Edge and it is my sincerest hope that we can move on from this and focus our energies on other projects that will benefit our townspeople. I will continue to support projects and ideas for the betterment of our town and its' residents. "

To add to my statement, our borough attorney last year determined that the Farmers' Market was not a borough sponsored event due to the fact that no borough money was used to fund it. This year however, the Farmers' Market Committee decided to pay the manager \$18 an hour. I do not know how they arrived at this amount. I am not in favor of paying someone more than our Accounts Receivable clerk, our Police Dispatchers, some of our crossing guards and other long time borough employees. As you can see by the committees own minutes, they have secured 4 vendors at \$25 a week and expect to pay the manager \$126 weekly. That's already costing the borough \$26 weekly and that is not taking into account signage, advertising and any other expenses.

Councilwoman Davis-thanked Councilwoman Murphy for her apology and asked that she put her apology on her Facebook page since that's where all of her derogatory remarks regarding the Farmer's Market were posted. Councilwoman Murphy said that she would. Councilwoman Davis reported that the Green Team did their planting in the Community Garden on May 22nd and all of the paperwork for Sustainable New Jersey has been completed. She also reported that the Green Team is making plans for River Edge Day. Councilman Acquafredda-announced that River Dell's graduation ceremony will be held this Thursday.

Councilman Papaleo-reported that although the Beautification Commission made almost \$1,000.00 on their plant sale, they are possibly looking to hold it in a different location and possibly earlier in the year. Councilman Papaleo had discussed winter street lighting with the DPW and the possibility of getting an additional shed because right they don't have adequate space to store them. Councilman Papaleo commended the Beautification Committee and DPW for doing a great job in cleaning up the grounds at 140 Kinderkamack Road.

Councilman Bartelloni-reported that the PBA will have a summer kickoff party at the Swim Club on June 10th and tickets are \$20.00. He also reported that the July 4th parade is moving along and that Matthew Fairchild will sing the National Anthem. Councilman Bartelloni looks forward to working with the Traffic & Safety Committee to possibly put a crossing guard at Kinderkamack and Midland and also looks forward to receiving a written response from Mr. Sarlo. He hopes that come budget time, they will be able to put funding aside for this purpose.

Councilwoman Busted-reported that there will be a Stigma Free event at the Library on June 13th and also reported that River Edge was the only town in Bergen County to receive the Silver Award for Safe Routes to Schools. We should receive the award in the fall. Councilwoman Busted stated that Gary Ascolese will be making a change to the infrastructure on Kinderkamack and Midland Avenue.

Mayor Mignone-was pleased to hear Councilwoman Murphy's statement but feels that going back to last July, it wasn't sloppy, it was premeditated. The Mayor feels that Councilwoman Murphy could have made her statement before, instead of posting negative comments vilifying himself and Alphonse for political purposes. The Mayor continued to say that every issue that he raised turned out to be true and her recent comments reflect what she thinks and does. He feels that it's time to move ahead and that everyone deserves a hearing. The Mayor feels that Councilwoman Murphy went out of her way to hurt people and everything she printed on Facebook was false. There are still many unanswered questions out there and many vendors were given false information about our market. The Mayor said that every day he is asked questions about the Farmer's Market. The Mayor hopes that word will spread about the Farmer's Market this year and thanked Patty Cordts for all of her help.

ADJOURNMENT - 9:30 P.M

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to adjourn the meeting at 9:30 p.m.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busteed, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Edward J. Mignone, Mayor

Attest:

Stephanie Evans, Borough Clerk

Dated: