

M I N U T E S  
Regular Meeting of the Mayor and Council  
Monday, May 5, 2014  
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

Mayor Moscaritolo called for a moment of silent prayer and reflection and asked Councilwoman Busted to lead the salute to the flag.

MISSION STATEMENT & OPEN PUBLIC MEETINGS -

Mayor Moscaritolo read the Mission Statement into the record as follows:

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

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

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

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

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone approve the minutes of the Mayor and Council work session and regular meeting of April 21, 2014.

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

PROCLAMATIONS & AWARDS -

Mayor Moscaritolo read the Proclamation Declaring May 4 - May 10, 2014 as Municipal Clerks Week as follows:

PROCLAMATION

*Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and*

*Whereas, The Office of the Municipal Clerk is the oldest among public servants; and*

*Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and*

*Whereas, Municipal Clerks have pledged to be ever mindful of the neutrality and impartiality, rendering equal service to all; and*

*Whereas, The Municipal Clerk serves as the information center on functions of local government and community; and*

*Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, country and international professional organizations; and*

*Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.*

*Now, Therefore I, Sandy Moscaritolo, Mayor of River Edge do hereby recognize the week of May 4 - May 10, 2014, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Stephanie Evans and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.*

*Mayor Sandy Moscaritolo*

*Dated: May 5, 2014*

Mayor Moscaritolo presented the proclamation for Municipal Clerks week to Stephanie Evans.

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Mayor Moscaritolo read the Proclamation Declaring the Month of May 2014 as Mental Health Month as follows:

PROCLAMATION

*WHEREAS, mental health is essential to everyone's overall health and well-being; and*

*WHEREAS, all Americans experience times of difficulty and stress in their lives; and*

*WHEREAS, promotion and prevention are effective ways to reduce the burden of mental health conditions; and*

*WHEREAS, there is a strong body of research that support user-friendly tools that all Americans can access to better handle challenges, and protect their health and well-being; and*

*WHEREAS, mental health conditions are real and prevalent in our nation; and*

*WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and*

*WHEREAS, each business, school, government agency, faith-based organization, health care provider and citizen has a responsibility to promote mental wellness and support prevention efforts.*

*THEREFORE, I, Mayor Sandy Moscaritolo, do hereby proclaim May 2014 as Mental Health Month in the Borough of River Edge. As the Mayor of River Edge, I also call upon the citizens, government agencies, public and private institutions, businesses and schools in River Edge to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.*

*Mayor Sandy Moscaritolo*

*Dated: May 5, 2014*

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Mayor Moscaritolo read the Proclamation Declaring May 18 - May 24, 2014 as National Public Works Week as follows:

PROCLAMATION

*WHEREAS, Public Works services provided in our municipality are an integral part of our citizens' everyday lives; and*

*WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public Works systems and programs such as sewers, streets, drainage, public buildings, recycling, leaf collection and snow plowing; and*

*WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and*

*WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design and construction is vitally dependent upon the efforts and skill of Public Works officials; and*

*WHEREAS, the efficiency of the qualified and dedicated personnel who staff Public Works Departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.*

*NOW, THEREFORE, BE IT RESOLVED, I, Sandy Moscaritolo, Mayor of the Borough of River Edge do hereby proclaim the week of May 18 through May 24, 2014 as:*

*"NATIONAL PUBLIC WORKS WEEK"*

*in The Borough of River Edge and I call upon all citizens and civic organizations to acquaint themselves with the issue involved in providing our Public Works and to recognize the contributions which Public works officials make every day to our health, safety, comfort and quality of life.*

*Mayor Sandy Moscaritolo*

*Dated: May 5, 2014*

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Mayor Moscaritolo read the Proclamation Declaring May 19 - May 23, 2014 as Walk and Bike to School Week in River Edge as follows:

PROCLAMATION

*WHEREAS, state and local governments and school districts encourage and promote healthy and active lifestyles for students and residents of the State of New Jersey; and*

*WHEREAS, a lack of physical activity plays a leading role in rising rates of obesity, diabetes and other health problems and being able to walk or bike to school offers an opportunity to build activity into daily routine; and*

*WHEREAS, private auto transportation to nearby schools contributes to traffic congestion and air pollution; and*

*WHEREAS, the River Edge Mayor's Wellness Program strives to inform, assist, inspire, foster and encourage children and their parents to walk and bicycle safely to and from school in an effort to boost physical activity and exercise; and*

*WHEREAS, this commemoration shall provide an opportunity for students and parents in River Edge to walk and bicycle safely to and from school with a strong effort to promote and encourage healthy and active lifestyles and create safe environmental conditions for students and residents to walk and bike to school and around town;*

*NOW, THEREFORE, I Sandy Moscaritolo, Mayor of the Borough of River Edge do hereby proclaim the week of May 19<sup>th</sup> through May 23, 2014 as:*

*WALK AND BIKE TO SCHOOL WEEK*

*in RIVER EDGE*

*Mayor Sandy Moscaritolo*

*Dated: May 5, 2014*

Councilwoman Murphy-accepted the Walk and Bike to School Week on behalf of the Green Team.

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OPEN MEETING TO THE PUBLIC ON ANY ISSUE ON THE AGENDA -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to open meeting to the public on any issue.

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

Peg White-741 Center Avenue-asked for clarification on resolution #14-212 and voiced her concerns regarding the Yeshiva expansion and the large amount of soil that would be moved.

Mayor Moscaritolo-stated that last year the Yeshiva submitted an application to the Planning Board for a soil movement permit in connection with an application to expand the front of the building. The expansion will bring the finished building closer the Kinderkamack Road and includes new classroom

space and an enlarged gymnasium. They presented evidence to the Board that they complied with all of the zoning ordinances, setbacks, parking requirements and had a traffic study done. There were members of the public who did attend the meeting. Some spoke for and some voted against this application. After hearing the application, which included an engineer, architect, planner, traffic engineer, our Borough Engineer and Municipal Planner, there was a vote taken and the application was approved. A resolution was drafted by the Planning Board Attorney to grant approval for the Yeshiva's application and was passed. The Planning Board resolution called for a Developer's Agreement and resolution #14-212 is authorizing the Mayor to sign the Developer's Agreement.

Peggy White-stated that in the past, the residents have been promised that the gate on Center Avenue would not be open for school traffic. Mrs. White stated that there are constant traffic issues on Center Avenue and Tenney Avenue because the gate is open all of the time. She asked the Mayor and Council if they could make it a requirement that the traffic exits onto Kinderkamack Road.

Mayor Moscaritolo-stated that he will ask Chief Cariddi to step up enforcement.

Peggy White-stated that she calls the Police all of the time but feels that the Yeshiva needs to hear from someone else such as the Mayor and Council.

#### CLOSE MEETING TO THE PUBLIC ON ANY ISSUE ON THE AGENDA -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to close meeting to the public on any issue.

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

#### APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilman Papaleo, seconded by Councilman Mignone to approve the hire of Edward Blue, as a Patrol Officer in the Police Department at an annual salary of \$29,183.00, with a two-year probationary period, effective May 5, 2014.

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

Mayor Moscaritolo administered the Oath of Office to Edward Blue.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve the hire of Paul Tina, 503 Reis Avenue, Oradell, New Jersey as a School Crossing Guard, at an hourly rate of \$16.81, with a six-month probationary period, effective date contingent upon training and medical examination.

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

#### CORRESPONDENCE -

Notice - River Edge Board of Education - 4/21/14  
Re: Meeting on 4/23/14  
Notice - Connell Foley, LLP - 4/21/14

Re: Planning Board App - Total Wine

MONTHLY REPORTS -

Tax Collector - March 2014  
Beautification Committee - April 2014

ORDINANCES - 1<sup>ST</sup> READING -

Stephanie Evans, Borough Clerk read the title of Ordinance #1808 as follows:

Ordinance #1808 - AN ORDINANCE TO AMEND ORDINANCE #1797 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 2014

Motion by Councilman Papaleo, seconded by Councilwoman Murphy to approve the first reading of Ordinance #1808 as follows:

ORDINANCE #1808

AN ORDINANCE TO AMEND ORDINANCE #1797 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 2014

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 2014 is hereby supplemented and amended as follows:

	<u>2014</u>	
	<u>Hourly</u>	<u>Annually</u>
<u>BOROUGH HALL</u>		
Deputy Emergency Management Coordinator		\$300.00

Section 2: the salary, wages or compensation for the above position shall be paid quarterly 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.

Sandy Moscaritolo, Mayor

ATTEST:

Stephanie Evans, Borough Clerk

DATED:

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

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ORDINANCE - 2<sup>ND</sup> READING - NONE

RESOLUTIONS - By Consent

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolution #14-202, #14-204 through #14-209, #14-211 through #14-219.

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

#14-202 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Design of the Transportation Alternative Program (TAP)

WHEREAS, there exists a need for expert professional engineering services related to the Transportation Alternative Program (TAP); and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-167 of the Current Fund not to exceed \$2,500.00; and

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

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

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

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute the

attached agreement with Robert Costa, Costa Engineering Corp., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$2,500; and

2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

May 5, 2014

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Councilwoman Busteed-stated that it is her understanding that the scope has changed to include making this a multi-school application and suggested that the schools be added to this resolution.

Alan Negreann-stated that there would be no harm in naming Midland Avenue, Kinderkamack Road, Cherry Hill School, New Bridge Center and Roosevelt School in this resolution.

Motion by Councilwoman Busteed, seconded by Councilwoman Murphy to approve resolution #14-203 as amended.

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

#14-203 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to Updating Engineering Information for Safe Streets Application - Midland Avenue, Kinderkamack Road, Cherry Hill School, Roosevelt School and New Bridge Center

WHEREAS, there exists a need for expert professional engineering services related to Updating Engineering Information for Safe Streets Application - Midland Avenue, Kinderkamack Road, Cherry Hill School, Roosevelt School and New Bridge Center; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-167 of the Current Fund not to exceed \$1,000.00; and

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

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

WHEREAS, the rate of pay shall not exceed \$65.00 per hour as Borough

Engineer and per hour rates as follows:

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$1,000.00; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

May 5, 2014

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#14-204 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the 2014 Road Resurfacing Program

WHEREAS, there exists a need for expert professional engineering services related to the 2014 Road Resurfacing Program; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1806-500 of the Capital Fund not to exceed \$5,000.00; and

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

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

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

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

Computer Drafting.....\$ 75.00

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$5,000.00; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

May 5, 2014

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#14-205 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Installation of Barrier Free Curbs at Various Crosswalk Locations in the Borough on Kinderkamack Road

WHEREAS, there exists a need for expert professional engineering services related to the Installation of Barrier Free Curbs at Various Crosswalk Locations in the Borough on Kinderkamack Road; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1806-550 of the Capital Fund not to exceed \$15,000.00; and

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

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

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

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$15,000.00; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

May 5, 2014

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#14-206 Amend 2014 Budget

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

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

WHEREAS, the Borough has received a payment for the County of Bergen Interlocal - Snow Removal in the amount of \$6,640.00.

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

Increase an item of revenue entitled:

3. Miscellaneous Revenue - Section D

County of Bergen Interlocal - Snow Removal.....\$6,640.00

BE IT FURTHER RESOLVED that the like sum of \$6,640.00 and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from the "CAPS"  
Shared Service Agreement

County of Bergen Snow Removal - Salaries & Wages.....\$6,640.00

BE IT FURTHER RESOLVED that the Borough forward two (2) copies of this resolution to the Director of Local Government Services.

May 5, 2014

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#14-207 Proposed Bus Stop Changes

BE IT RESOLVED, by the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey.

That pursuant to N.J.S.A. 39-4-8(e) the following described location is designated as a bus stop:

County Road

1. Along Kinderkamack Road, northbound on the easterly side thereof at:
  - a. Wayne Avenue - (far side)  
Beginning at the northerly curblineline of Wayne Avenue and extending 100 feet northerly therefrom.

That pursuant to N.J.S.A. 39-4-8(e) is deleted as a bus stop:

2. Along Kinderkamack Road, northbound on the easterly side thereof at:
  - b. Wayne Avenue - (near side)  
Beginning at the southerly curblineline of Wayne Avenue and extending 105 feet southerly 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

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County Clerk, Bergen County

May 5, 2014

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#14-208 Approval of Renewal of the Interlocal Agreement between the Borough of River Edge and the Northwest Bergen Central Dispatch for the Provision of Fire Dispatch Services

WHEREAS, pursuant to N.J.S.A. 52:17c-1 et seq., all municipalities of the State of New Jersey are required to provide telephonic access to an appropriate "PUBLIC SAFETY ANSWERING POINT" serving the municipalities; and

WHEREAS, regionalized provision of such services is a concept specifically endorsed by the aforementioned statutory scheme; and

WHEREAS, the Borough of River Edge is a municipality located in Bergen County and a body politic of the State of New Jersey authorized by law to enter into an agreement with another municipality to provide jointly for any lawful

service to and for the residents of the respective municipalities pursuant to the provisions of the "INTERLOCAL SERVICE ACT" (N.J.S.A. 40:8A-1 et seq.); and

WHEREAS, Northwest Bergen Central Dispatch has offered the Borough of River Edge a service entitled "FIRE DISPATCH SERVICES"; and

WHEREAS, the Mayor and Council have discussed this at their work session of May 5, 2014; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-25-2552-193 of the Current Fund in the amount not to exceed \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the Interlocal Services Agreement on file with the Borough Clerk for two (2) years.

BE IT FURTHER RESOLVED that a copy of this resolution and the Agreement as executed by the Mayor and Borough Clerk, be forwarded to the Northwest Bergen Central Dispatch, 30 Garber Square, Ridgewood, New Jersey 07450, Attn: Jack Tancos.

May 5, 2014

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#14-209 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 May 19, 2014 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.

May 5, 2014

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Councilwoman Murphy-asked for clarification on resolution #14-210.

Alan Negreann-stated that it was his understanding that we had to enter into this agreement, but had the right to terminate it after giving 90 days notice and then we would make an award to another contractor.

Mayor Moscaritolo-stated that his recollection is that at the last meeting, the Council voted to award the contract to another entity.

Tom Sarlo, Esq.-explained that the way he read the contract was that it was an automatic renewal, so therefore it was automatically in effect until we give them 90 days notice. He doesn't feel that we need to ratify an agreement that is already in effect.

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to **Table** resolution #14-210.

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

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#14-210 Authorize Renewal of Agreement for Animal Control and Services with Bergen County

WHEREAS, an agreement for the provision of animal shelter and animal control officer services has been offered by the County of Bergen; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01//2010/27/3402/100 of the Current Fund in an amount not to exceed \$10,300.00 and from the Animal Welfare Account in the amount not to exceed \$4,101.80; and

WHEREAS, the Borough of River Edge has participated in a similar agreement in the past; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor be authorized to enter into agreement for animal shelter and services with Bergen County for the year 2014 at an annual fee of \$14,401.80.

May 5, 2014

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#14-211 Resolution Authorizing the Borough of River Edge to Apply to the New Jersey Department of Transportation for Safe Routes to School Program Funding

WHEREAS, the Borough of River Edge, County of Bergen, State of New Jersey desires to apply to the New Jersey Department of Transportation (NJDOT) for grant funding under the Safe Routes to School Program; and

WHEREAS, the funds are provided under the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21); and

WHEREAS, the River Dell Middle School Safety Improvements meet all the

criteria necessary to receive funding under the Safe Routes to School Program; and

WHEREAS, the River Dell Middle School Safety Improvements will promote safe walking and biking along the routes to and from school and improve the quality of life for the residents of Borough of River Edge; and

WHEREAS, the Borough of River Edge agrees to assume a commitment for maintenance of the project after construction is completed; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey authorizes the Mayor to submit a grant application to the NJDOT for funding under the Safe Routes to School Program for the River Edge School Safety Improvements at River Dell Middle School, Cherry Hill Elementary School, and Roosevelt Elementary School, SRS-I-2014-River Edge School Safety Improvements-00025.

May 5, 2014

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#14-212 Resolution Authorizing the Mayor to Execute a Developer's Agreement with the Rosenbaum Yeshiva of North Jersey, 666 Kinderkamack Road, River Edge, New Jersey 07661 for Site Plan Approval and Major Soil Movement

WHEREAS, by resolution dated November 21, 2013, the River Edge Planning Board granted site plan approval and major soil movement to The Rosenbaum Yeshiva of North Jersey for the property located on Block 616, Lot 9 of the Borough tax map and more commonly known as 666 Kinderkamack Road; and

WHEREAS, among the conditions of said approval was a requirement that the Developer enter into a Developer's Agreement with the Borough of River Edge to provide for among other things, a schedule of improvements, a time for completion of the development, performance guarantees and indemnification of the Borough; and

WHEREAS, the Planning Board has received two (2) checks; #66417 in the amount of \$17,880.00 which represents the cash portion - 10% performance bond and #66418 in the amount of \$8,950.00 which represents the escrow deposit for engineering and professional fees; and

WHEREAS, a Developer's Agreement has been prepared and reviewed by the Borough and the Planning Board Attorney, both of whom has expressed satisfaction and approve of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the Mayor be and hereby authorized to execute the Developer's Agreement on behalf of the Borough.

May 5, 2014

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#14-213 Refund of Performance Escrow to Nagy Garas for the Property Located at 395 Bogert Road

WHEREAS, Nagy Garas, 368 Hillview Terrace, Franklin Lakes, New Jersey, deposited \$500.00 in escrow to complete grading and seeding within 90 days of

the project completion at the property located at 395 Bogert Road, Block 1002, Lot 38.01 ; and

WHEREAS, the Borough Engineer has performed all final inspections; and

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund:

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Amount</u>
1002/38.01	Nagy Garas 368 Hillview Terrace Franklin Lakes, NJ 07417	\$500.00

May 5, 2014

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#14-214 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Monroe Court

WHEREAS, on or about May 5, 2014, the Borough of River Edge granted permission to Liz Serechnicky, 291 Monroe Avenue, River Edge, New Jersey, to hold a block party on Monroe Court between Monroe Avenue and Fifth Avenue on May 17, 2014 with a rain date of May 18th in accordance with Borough Ordinance #1678; and

WHEREAS, Mrs. Serechnicky has requested that the possession and consumption of alcoholic beverages be permitted in connection with said block party;

WHEREAS, Borough Code Section 114-15 allows the Governing Body to permit the possession and consumption of alcoholic beverages in or on a public street or sidewalk in connection with an authorized block party.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of River Edge that persons age 21 and over be and hereby are permitted to possess and consume alcoholic beverages at the block party described above, on the date and time specified herein.

May 5, 2014

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#14-215 Amend 2014 Budget

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

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

WHEREAS, revenues are on hand in the Grant Fund: and

State and Federal Grant Funds - Unappropriated

Drunk Driving Enforcement Fund.....\$4,207.32

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

Increase an item of revenue entitled:

Drunk Driving Enforcement Fund.....\$4,207.32

BE IT FURTHER RESOLVED that the like sum of \$4,207.32 and the same is hereby appropriated under the caption of:

General Appropriations

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

Drunk Driving Enforcement Fund.....\$4,207.32

BE IT FURTHER RESOLVED that the Borough forward two (2) copies of this resolution to the Director of Local Government Services.

May 5, 2014

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#14-216 Cancel Unexpended and Dedicated Balances

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

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

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

<u>ORDINANCE</u>	<u>UNFUNDED</u>	<u>CAPITAL</u>	
<u>FUND</u>	<u>DEFERRED CHARGES</u>	<u>FUND BALANCE</u>	<u>CAPITAL IMPROVEMENT</u>
1567			\$1,640.32

May 5, 2014

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#14-217 Authorize Alan P. Spiniello, Esq. to Enter Into a Stipulation of Settlement with Nicholas & Joyce Ignazzi, 501 Manning Court, Block 701.01, Lot 19.15

WHEREAS, Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey will handle the litigation of Nicholas & Joyce Ignazzi for the premises located at 501 Manning Court, Block 701.01, Lot 19.15; 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 May 5, 2014; and

WHEREAS, the Borough of River Edge hereby authorizes Alan Spiniello, Esq. to enter into a Stipulation of Settlement with no change to the current assessed value for 2012 of \$745,000 and \$725,000.00 for the calendar year 2013.

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.

May 5, 2014

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#14-218 Approve Appointment of Municipal Clerk

WHEREAS, the Borough of River Edge is a municipality created under the laws of the State of New Jersey; and

WHEREAS, the provisions of (N.J.S.A. 40A:9-133(a) mandate that every municipality shall have a Municipal Clerk who shall be appointed for a three year term; and

WHEREAS, the Borough of River Edge appointed Stephanie Evans, RMC at their public meeting of April 21, 2014, effective April 22, 2014 as Municipal Clerk by vote; and

WHEREAS, a resolution for this appointment should have been placed on the agenda at the same time.

NOW, THEREFORE, BE IT RESOLVED that

1. Stephanie Evans, RMC of 50 Chestnut Street, North Arlington, New Jersey is hereby appointed as the Municipal Clerk of the Borough of River Edge for a term of three years commencing upon the taking of the Oath of Office retroactive to April 22, 2014.
2. That the salary of said position shall be a starting salary of \$56,660.00 per year, together with all other benefits, entitlements, pension health coverage and emoluments as provided by law, title, position and afforded all the other employees of the Borough of River Edge. The Borough Clerk's salary shall be reviewed annually by the Mayor and Council.
3. That the Borough Administrator and other officials are empowered to do all acts necessary to effectuate this appointment and undertakings as may now or in the future be required.

May 5, 2014

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#14-219 Authorize Refund from Recreation Dedicated Account

WHEREAS, a resident signed up for a Casino Bus Trip scheduled for March 9, 2014; and

WHEREAS, the resident was unable to attend due to illness; and

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

WHEREAS, a refund will be made to the following:

Bettina Direst	\$30.00
252 Cory Lane	
Elmwood Park, NJ 07407	

NOW, THEREFORE, BE IT RESOLVED that a total of \$30.00 be refunded from the Recreation Dedicated Account to the above listed residents.

May 5, 2014

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Councilwoman Murphy asked for clarification on a few vouchers that are included on the bill list.

Councilman Mignone read resolution #14-220 into the record.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #14-220.

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

#14-220 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	\$6,916,653.01
CAPITAL ACCOUNT	\$ 21,587.79
RECREATION ACCOUNT	\$ 4,688.17
TRUST OTHER ACCOUNT	\$ 25,760.92
OPEN SPACE ACCOUNT	\$ 6,693.00
TRUST OTHERS DEVELOPERS ACCOUNT	\$ 2,006.25

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

May 5, 2014

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OPEN HEARING OF THE PUBLIC -

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

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

Jim Claffey-445 Kinderkamack Road - stated that he's lived on Kinderkamack Road for many years and finds himself cleaning up cigarettes and refuse that's been thrown out of vehicles. He feels frustrated that the building that will house Dante's is still under construction and the property at 584 continues to be a disgrace. He's tired of looking at dumpsters and trucks and asked the Mayor and Council if they know what's going on.

Mayor Moscaritolo-agreed with his sentiments and stated that he has stopped by Dante's to try to light a fire under the owner. The Mayor stated that he shares Mr. Claffey's frustration because even though it looks like they're making progress they're still not close to being opened. The Mayor stated that Councilwoman Murphy has some information on the gas station property. The Mayor explained that over a year ago, the Planning Board approved a plan for a 711 at that location but later learned that the owner was not able to come up with the financing.

Councilwoman Murphy-stated that she did speak to the owner regarding the financing situation and apparently 711 backed out on him and since then has found another person who has operated 711's and he believes within two weeks things will be moving forward.

Mayor Moscaritolo-informed Mr. Claffey that this week he will be doing three ribbon cuttings for grand openings for new businesses, which is good news.

Councilman Papaleo-stated that he understands what Mr. Claffey is saying because he himself has been looking at the soon to be Dante's sign since 2003 or 2004. He too is extremely frustrated and stated that if there were more steps the Council or Borough could take, they would have.

Mr. Claffey-asked if there was a limit on how long you can have a dumpster in the driveway? Is it allowed to be there for three years?

Mayor Moscaritolo-stated that because of the natural disasters that we've been having recently, the Governor has imposed a moratorium or extension for building permits for an extra 4 four years.

Tom Sarlo, Esq.-explained that because of the Extension Permit Act, once you get a permit and start work, there is no definitive time frame that you have to complete the project. He further explained that you can't force someone to complete a project if they've run out of financing or because a building is considered to be aesthetically not pleasing.

Councilwoman Murphy-asked if there is anything pending in legislation that will address that?

Tom Sarlo, Esq.-replied, not that he is aware of.

Councilwoman Murphy-stated that there is another property on Spring Valley Road that has been an eyesore for the past few years.

Tom Sarlo, Esq.-stated that if there is a developer's agreement on that project, it may contain a completion date. He continued to say that usually there is a developer's agreement for larger projects and is not sure it would apply for this property.

Mayor Moscaritolo-explained that on larger projects the town requires that the developer put up a performance bond so that if they lose financing or walk away from the project, we can call in the bond and the insurance company will hire a contractor to finish the job. He continued to say that on a smaller project such as Dante's, there is no performance bond.

Mr. Claffey-wanted to acknowledge the River Edge Diner for always being open during natural disasters and thanked them for enabling people to get their meals during power outages. Mr. Claffey stated that many residents from other towns came to the diner and everyone felt very fortunate that they had some place to go. He again thanked them for doing a superior job in taking care of everyone. He asked if the Mayor and Council would do something to recognize them.

Mayor Moscaritolo-stated that they do occasionally give Certificates of Commendation for citizens or businesses around town and suggested that Mr. Claffey put his recommendation in the form of a letter and send it to the Mayor and Council.

Jamie Lynch-161 Adams Avenue-stated that her neighbor has put up a fence that is encroaching on town property. She stated that as part of another matter, she and her neighbor had agreed to a land survey which shows this encroachment.

Mayor Moscaritolo-asked if this is a new fence?

Jamie Lynch-replied that she doesn't know how long it's been there but knows that a structure between neighbors has been there for more than seven years. She continued to say that the Borough ordinance states that nothing can be erected on town property. She also said that the neighbor has planted shrubs and bushes and make shift drainage system which extends further out. She asked why the town would permit them to do this?

Tom Sarlo, Esq. - explained that if someone wanted to put up a fence on Borough property they would have to make a request to the Borough. Once a request is received and approved, the Borough Attorney would draft a license agreement.

Mayor Moscaritolo-stated that now that it has been brought to their attention, they will investigate it and the Borough Attorney will make a determination.

Jamie Lynch-presented a copy of the survey and the plan to the Borough Attorney.

#### CLOSE HEARING OF THE PUBLIC -

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

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

#### COUNCIL COMMENTS -

Councilwoman Murphy-commended the Community Development Block Representatives for receiving funds for curb cut-outs, the senior van and dispatcher. Councilwoman Murphy asked who authorized the stop at Marginal Road and Grand Avenue?

Councilman Mignone-asked if she was talking about the striping?

Councilwoman Murphy-replied, yes.

Councilman Mignone-explained that it was part of the site plan approval for the project at the old Huffman Koos site.

Mayor Moscaritolo-stated that he received a comment that the striping appears to show that there is only one-way traffic going right at the foot of Bogert Road.

Councilman Mignone-explained that they're supposed to put another island in which will align it better when they move the curbs out. He stated that there was no change in restrictions of any traffic movement.

Mayor Moscaritolo-stated that it is his understanding that the traffic pattern will remain the same.

Councilwoman Murphy-announced that this week is Teacher Appreciation Week and thanked our local teachers for their dedication. She informed everyone that the

River Edge Education Foundation will be holding the Harlem Wizards game on May 17<sup>th</sup> at the high school and she, along with other people will be participating in the game. She stated that it's for a good cause and proceeds support Cherry Hill, Roosevelt, New Bridge Center and Building Bridges in River Edge. Councilwoman Busteded-acknowledged Eagle Scout candidate Tim O'Neill who came before the Mayor and Council for his pedestrian safety project and informed everyone that he completed the portion where he handed out 2,000 reflective armbands over the course of seven business days. Councilwoman Busteded wanted to update the Council on his efforts.

ADJOURNMENT - 9:00 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to adjourn the meeting at 9:00 p.m.

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

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated: