

M I N U T E S  
Meeting of the Mayor and Council  
Monday, November 21, 2011  
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

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

STATEMENT -

Mayor Watkins read the statement under the Sunshine Law and asked the Clerk to put it into the minutes. "Adequate Notice of this meeting has been made by sending notice on December 24, 2010 to THE RECORD and THE RIDGEWOOD NEWSPAPER, by positioning on the bulletin board in the lobby of the Borough Hall, and filing a Notice of the same with the Municipal Clerk".

ROLL CALL - Councilman Bartelloni, Councilman Porco, Councilman Mignone, Councilman Cannon, Councilman Cordts and Mayor Watkins were present, Councilman Moscaritolo was absent.

APPROVAL OF MINUTES - By Consent

Motion by Councilman Cordts, seconded by Councilman Porco to approve the minutes of the Mayor and Council regular meeting of November 7, 2011.

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

PROCLAMATION & AWARDS -

Mayor Watkins announced that Alan Negreann the Borough Administrator was given the "Distinguished Service Award" by the New Jersey Municipal Management Association at the League of Municipalities Convention. The Mayor stated that this is the first time that this award has been given out and his standing in the entire state is very high and feels fortunate that we have him as our Borough Administrator.

APPOINTMENTS & PERSONNEL CHANGES

Motion by Councilman Porco, seconded by Councilman Cordts to approve the appointment of Matthew Clement, Anthony Barbary, Michael Gonnerman, Albert Ruhlmann, and Kenneth Krautheim to the 2012 Citizens Budget Committee, effective November 22, 2011.

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

Motion by Councilman Cordts, seconded by Councilman Cannon to approve the retirement of Mel Streeter, Building Inspector, effective December 31, 2011.

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

CORRESPONDENCE -

Notice	-	Borough of Paramus - 11/8/11 Re: Board of Adjustment Application
Notice	-	Thomas Barrett, Esq. - 11/7/11 Re: Site Plan Application
Letter	-	Birdsall Services Group - 11/10/11 2011 EJIF Audit
Notice	-	River Edge Board of Education - 11/14/11 Re: Meeting on November 16, 2011
Letter	-	Mel Streeter - 11/18/11 Re: Retirement
Notice	-	NJDEP - 11/18/11 Re: Hearing - NJ Water Infrastructure on 11/30/11

MONTHLY REPORTS - NONE

**Open Public Hearing - River Edge Public Library Carpet Bid**

Councilman Cannon recused himself from the hearing.

Motion by Councilman Cordts, seconded by Councilman Bartelloni to open public hearing on the River Edge Public Library Carpet Bid.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes; Councilman Moscaritolo was absent.

Maurice Gaynor-Account Manager-Commercial Interiors Direct, Inc. and Robert Pizzuto - Sales Associate - Rug & Floor Store, Inc.- were in attendance.

Mayor Watkins gave a background of the nature of the hearing as follows:

The Borough received bids on October 12, 2011 based on its specifications. We received five bids at that time. The low bid from Commercial Interiors Direct, Riverdale, New Jersey and the second low bid from Rug & Floor Store, Inc., Little Ferry, New Jersey. The Governing Body has before it the proposal bid sheet for each vendor. The description of the interior carpeting for the Library stated "Lees/Mohawk 24" x 24" tile or equivalent. See attached finished schedule for color and pattern detail". The Borough Clerk received a letter from the second low bidder, Rug & Floor Store, Inc., on October 14, 2011 stating that they did not believe that the substitute carpet as proposed by the low bidder, Commercial Interiors Direct, was equal to the Lees product that was specified in the bid document. The hearing will be conducted in the following manner. The Governing Body has a copy of the letter in front of them as well. The interested parties will be given the opportunity to respond and thereafter we will allow for an exchange of viewpoints and facts. Questions will then be allowed from the Governing Body. If there are any documents to be supplied to the Governing Body, they will be duplicated at this time by the Borough Clerk for all of those in attendance or part of this meeting. I would also ask if any of the interested parties are aware of any additional rules, regulations, federal or state laws that might have a bearing on this matter, that they be brought to our attention during this hearing. Following the provision of this information, the Governing Body will have a deliberation which will be open to the public and will make a decision as to how to proceed.

Maurice Gaynor-handed out information to the Governing Body and showed them the carpet tile that they are proposing. He also explained in detail why he feels that the Interface Flor 1968 collection is compatible with Lees/Mohawk carpet.

Sam Cereste, Esq.-asked several questions regarding the rating of the carpeting, warranty and durability.

Councilman Porco-asked why he didn't bid out the Lees carpet that was in the specifications.

Maurice Gaynor-explained that they're company is a competitor of Lees/Mohawk and feels that his product compared to the Lees/Mohawk is comparable and less expensive.

Robert Pizzuto-stated that his company has submitted a bid based on exactly what was requested in the specifications. James Cabana spoke in detail about the Lees/Mohawk carpet such as thickness, wear and tear and warranty. He introduced Victoria Churchill, a yarn expert, who also spoke in great detail on the product.

Globus Design Associates, the company who designed the specifications, will be present to answer questions by the Mayor and Council at the December 5, 2011 meeting.

For more detailed information, the tape of this hearing is on file at the Borough Clerk's office.

**Close Public Hearing - River Edge Public Library Carpet Bid**

Motion by Councilman Cordts, seconded by Councilman Porco to close public hearing on the River Edge Public Library Carpet Bid.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes; Councilman Moscaritolo was absent.

Motion by Councilman Cordts, seconded by Councilman Porco to carry the Library Carpet Bid until December 5, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes; Councilman Moscaritolo was absent.

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

Denise Dondiego, Borough Clerk read the title of Ordinance #1744 as follows:

Ordinance #1744 - BOND ORDINANCE TO AMEND THE FOLLOWING BOND ORDINANCES PREVIOUSLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY: BOND ORDINANCE NOS. 1728 AND 1729, BOTH ADOPTED ON APRIL 18, 2011.

Motion by Councilman Porco, seconded by Councilman Cordts to approve the first reading of Ordinance #1744 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1744

BOND ORDINANCE TO AMEND THE FOLLOWING BOND ORDINANCES PREVIOUSLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY: BOND ORDINANCE NOS. 1728 AND 1729, BOTH ADOPTED ON APRIL 18, 2011.

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

Section 1. Section 3 of Ordinance No. 1728 entitled: "BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF INTERSECTION IMPROVEMENTS AND INSTALLATION OF A TRAFFIC LIGHT AT KINDERKAMACK ROAD AND HOWLAND AVENUE (PHASE I) IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$889,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS" adopted by the Borough Council of the Borough of River Edge, in the County of Bergen, New Jersey (the "Borough") on April 18, 2011 is hereby amended to increase the amount of statutorily permitted expenses included in the cost of the purposes authorized from \$75,000 to \$97,000 (an increase of \$22,000), and shall hereafter read as follows:

"Section 3. 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 (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$889,000, and (4) \$44,450 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$844,550, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$97,000 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 2. Section 5 of Ordinance No. 1729 entitled: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$448,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS" adopted by the Borough Council of the Borough on April 18, 2011 is hereby amended to increase the amount of statutorily permitted expenses included in the cost of the purposes authorized from \$35,000 to \$48,000 (an increase of \$13,000), and shall hereafter read as follows:

"Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$48,000 which is estimated to be necessary to finance the cost of such purposes, 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 3. The capital budget is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency

therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 4. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk  
Dated:

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

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ORDINANCES - 2<sup>nd</sup> Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1742 as follows:

Ordinance #1742 - AN ORDINANCE AMENDING CHAPTER 49, LAND USE PROCEDURES, ARTICLE IV APPEALS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

Ordinance #1742 was introduced by Cordts, seconded by Councilman Bartelloni at the November 7, 2011 meeting as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1742

AN ORDINANCE AMENDING CHAPTER 49, LAND USE PROCEDURES, ARTICLE IV APPEALS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

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

Section I:

§ 49-38 is hereby amended as follows:

§ 49-38 Appeals from Zoning Board of Adjustment to the Governing Body.

*An appeal pursuant to the provisions of N.J.S.A. 40:55D-17d from any decision of the Zoning Board of Adjustment granting a "d" variance in accordance with N.J.S.A. 40:55D-70.d may be taken to the governing body, provided that such appeal shall be made within 10 days of the date of publication of such final decision of the Zoning Board of Adjustment.*

Section II:

§49-39 is hereby repealed.

Section III: All ordinances inconsistent with the provision of this ordinance are hereby repealed as to any such inconsistencies only.

If any provision of this ordinance are found to be invalid, for any reason, by the final judgment of a court of competent jurisdiction, the invalidity of such portions shall not effect the remaining provisions of this ordinance, which shall be severable therefrom.

Section IV:

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

Margaret Falahee Watkins, Mayor

ATTEST:

Denise A. Dondiego, RMC  
Borough Clerk  
Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1742

Motion by Councilman Cordts, seconded by Councilman Porco to open hearing of the public.

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

Roseanne Brummer-34 Lincoln Avenue-asked for an explanation of this ordinance. Mayor Watkins-read Ordinance #1742. The Mayor explained that if the Zoning Board denies an appeal for a "D" variance you may appeal to the Governing Body. Sam Cereste, Esq.- explained what a "D" variance is and gave several examples. Roseanne Brummer-asked if the current Borough ordinance, which does not allow for more than one driveway would be considered under a "D" variance. Sam Cereste-replied, no it would not.

CLOSE HEARING OF THE PUBLIC - Ordinance #1742

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

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

ADOPTION - Ordinance #1742

Motion by Councilman Cordts, seconded by Councilman Porco to adopt Ordinance #1742.

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

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Denise Dondiego, Borough Clerk read the title of Ordinance #1743 as follows:

Ordinance #1743 - AN ORDINANCE AMENDING CHAPTER 416, ZONING, ARTICLE XIII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

Ordinance #1743 was introduced by Councilman Cordts, seconded by Councilman Cannon at the November 7, 2011 meeting as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1743

AN ORDINANCE AMENDING CHAPTER 416, ZONING, ARTICLE XIII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

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

Section I:

§ 416-64D is hereby amended as follows:

*D. Any existing single-family residential structure which violates any yard requirements may have vertical additions to the principal structure without an appeal for a variance, provided that the additions do not encroach beyond the existing setbacks of the existing principal structure, and maximum building height is not exceeded.*

(1) *Subject to Section D, the required side yards for any existing single-family dwelling on a lot existing prior to the effective date of this chapter and having a nonconforming lot width shall be as follows:*  
[Amended 7-7-2008 by Ord. No. 16241

(a) For lots with a width of 60 feet to but not including 75 feet,

the combined side yards shall not be less than 15 feet and the smaller side yard shall not be less than six feet.

(b) For lots with a width of less than 60 feet, the combined side yards shall be not less than 12 feet and the smaller side yard shall not be less than five feet.

(c) In no case shall the open space between the building and a building on an adjoining property be less than 12 feet.

- (2) For such lots, the required lot depth at any point may be decreased by 25% if the average lot depth conforms with the minimum requirement.

Section II:

§ 416-64F is deleted in its entirety and is superseded and amended by Section D.

Section III: All ordinances inconsistent with the provision of this ordinance are hereby repealed as to any such inconsistencies only.

If any provision of this ordinance are found to be invalid, for any reason, by the final judgment of a court of competent jurisdiction, the invalidity of such portions shall not effect the remaining provisions of this ordinance, which shall be severable therefrom.

Section IV:

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

Margaret Falahee Watkins, Mayor

ATTEST:

Denise A.  
Dondiego, RMC  
Borough Clerk  
Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1743

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

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

CLOSE HEARING OF THE PUBLIC - Ordinance #1743

There being no comments by the public, motion by Councilman Cordts, seconded by Councilman Cannon to close hearing of the public.

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

ADOPTION - Ordinance #1743

Motion by Councilman Cordts, seconded by Councilman Cannon to adopt Ordinance #1743.

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

RESOLUTIONS - By Consent

Motion by Councilman Porco, seconded by Councilman Bartelloni to approve resolution #11-407 through #11-413 and #11-415 and #11-416.

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

Moscaritolo was absent.

#11-407 Rejection of Bids for the 2011 Howland Avenue Road Improvements Project, Phase 3

WHEREAS, the Mayor and Council of the Borough of River Edge received sealed bids on November 10, 2011 for the 2011 Howland Avenue Road Improvements Project, Phase 3; and

WHEREAS, the Clerk was authorized to go out for bid for the 2011 Howland Avenue Road Improvements Project, Phase 3 via resolution #11-369 dated October 17, 2011 and two (2) bids were received the lowest being from Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey in the amount of \$185,085.78; and

WHEREAS, the Governing body is rejecting the bids on the basis that the lowest bid exceeds the funding available.

NOW, THEREFORE, BE IT RESOLVED that the bid is hereby rejected by the Governing body of the Borough of River Edge and the Borough Clerk is hereby instructed to return all appropriate bid materials to the bidders.

BE IT FURTHER RESOLVED that per N.J.S.A. 40A:11-5(3) of the Local Public Contracts law, Alan P. Negreann, Borough Administrator and Robert Costa, Borough Engineer are hereby authorized to negotiate with the bidders on this project.

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#11-408 Authorize the Release of a Performance Bond for D & L Paving, P.O. Box 507, Nutley, New Jersey 07110 for the 2011 Riverside Cooperative Road Improvement Program in River Edge

WHEREAS, the Borough of River Edge received a Performance Bond from D & L Paving, P.O. Box 507, Nutley, New Jersey 07110 for the 2011 Riverside Cooperative Road Improvement Program in River Edge; and

WHEREAS, the 2011 Riverside Cooperative Road Improvement Program includes the municipalities of Alpine, Demarest, Englewood Cliffs, Harrington Park, Haworth, New Milford, Tenafly and River Edge; and

WHEREAS, the amount of the Performance Bond was \$2,242,310.30; and

WHEREAS, the Borough Engineer has certified that the final inspection has been made and approval is given with regard to the 2011 Riverside Cooperative Road Improvement Program; and

WHEREAS, a Maintenance Bond in the amount of \$18,997.84 has been received by the Borough Clerk; and

WHEREAS, a work session was held before the Mayor and Council of the Borough of River Edge on November 21, 2011 at which time a review of the project took place.

NOW, THEREFORE, BE IT RESOLVED that the Performance Bond for D & L Paving be released in the amount of \$2,242,310.30.

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#11-409 Amend Certification of Chief Financial Officer with Regard to the Contract for TSUJ Corp, P.O. Box Wayne, New Jersey, 07474 for the 2011 Wayne Avenue Generator Project

WHEREAS, on August 22, 2011 via resolution #11-289, the Borough of River Edge awarded a contract to TSUJ Corp. for the provision of services related to the 2011 Wayne Avenue Generator Project; and

WHEREAS, the amount of the contract was for \$65,900.00; and

WHEREAS, the Chief Financial Officer had certified that funds were available from Account #04-2150-55-1568-550 of the Capital Fund in a not to exceed amount of \$65,900.00; and

WHEREAS, an error was made in the certification of funds.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that it does hereby accept the revised certification of funds provided by the Chief Financial Officer which indicates that \$26,900.00 is available from Account #04-2150-55-1568-550 of the Capital Fund and \$39,000.00 is available from Account #04-2150-55-1703-200 of the Capital Fund.

BE IT FURTHER RESOLVED that the Chief Financial Officer and the Borough Clerk are hereby instructed to adjust their records accordingly.

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#11-410 Authorize the Release of a Maintenance Bond for CJK Property, LLC, 954 Kinderkamack Road, Block 207, Lot 23

WHEREAS, the Borough of River Edge entered into a developer's agreement with CJK Property, LLC, 954 Kinderkamack Road, Block 207, Lot 23; and

WHEREAS, the Developers Agreement paragraph 21 states that the developer agrees to provide the Borough with a maintenance bond to run for a period of two years from the date of acceptance, for all public improvements and facilities abutting the project; and

WHEREAS, the Borough currently has in its possession a cash Maintenance Bond in the amount of \$8,676.00 for the above subject property; and

WHEREAS, a work session was held before the Mayor and Council of the Borough of River Edge on November 21, 2011 at which time a review of the project took place; and

WHEREAS, the Borough Engineer and the Borough Planner have recommended that the bond be released.

NOW, THEREFORE, BE IT RESOLVED that the Maintenance Bond in the amount of \$8,676.00 be released to CJK Property, LLC, 954 Kinderkamack Road, River Edge, New Jersey 07661.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to CJK Property, LLC, 954 Kinderkamack Road, River Edge, New Jersey 07661.

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#11-411 Transfer of Funds

WHEREAS, N.J.S.A. 49:4-59 permits the transfer of appropriations during the last two months of the fiscal year from accounts showing unexpended balances to accounts in which commitments may exceed the original budgeted appropriations.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be authorized:

FROM: Legal Services O/E	20-1552-028	\$1,000.00
TO: General Administration O/E	20-1002-036	\$1,000.00
FROM: Bd. Of Ed - Fields O/E	31-4482-141	\$1,000.00
FROM: 10 River Edge Rd O/E	31-4482-142	\$1,000.00
FROM: Roosevelt Bathroom O/E	31-4482-144	\$ 400.00
FROM: Pistol Range O/E	31-4482-137	\$1,000.00
FROM: Memorial Park-Elec. O/E	31-4482-129	\$1,000.00
FROM: Memorial Pk- Little League O/E	31-4462-173	\$1,000.00
FROM: Park Kenneth B. George O/E	31-4462-175	\$1,000.00
TO: Mech. Wk.-DPW O/E	26-3152-173	\$6,400.00

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#11-412 Resolution to Refund Planning Board Escrow Money to Dr. Jeannette Honig, 301 Howland Avenue, River Edge, New Jersey, Block 1108, Lot 12

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

WHEREAS, all professionals have been paid.

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

<u>Block/Lot</u>	<u>Name/Address</u>	<u>Amount</u>
1108/12	Dr. Jeannette Honig 301 Howland Avenue River Edge, NJ 07661	\$1,645.75

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#11-413 Under 3% Emergency Resolution (N.J.S.A. 40A:4-48)

WHEREAS, an emergency has arisen with respect to severe weather incident, October 29<sup>th</sup> - 30<sup>th</sup> and the subsequent declarations of emergency by the Borough of River Edge and Governor Christie and no adequate provision was made in the 2011 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of emergency appropriation(s) created including this appropriation to be created by this resolution is \$174,000.00 and three percent (3%) of the total operations in the budget for the year 2011 is \$325,363.62.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge in the County of Bergen (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48 that:

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

Emergency Severe Weather Incident Related Costs	
Public Works Repair & Maintenance, Salaries & Wages	\$17,000.00

2. That said emergency appropriation shall be provided in full in the 2012 budget.
3. That the Chief Financial Office has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of Local Government Services.

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Councilman Porco read resolution #11-414 into the record.

Motion by Councilman Porco, seconded by Councilman Mignone to approve resolution #11-414.

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

#11-414 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	\$771,444.99
CAPITAL ACCOUNT	\$ 36,436.57
RECREATION ACCOUNT	\$ 1,973.88
ANIMAL WELFARE	\$ 3,109.81
TRUST OTHER ACCOUNT	\$ 11,463.91
OPEN SPACE ACCOUNT	\$126,100.88
TRUST OTHER DEVELOPERS ACCOUNT	\$ 4,919.00

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

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#11-415 Authorize Tax Collector to Cancel 2010 Taxes Due to Duplicate Billing

WHEREAS, an exempt property became taxable as of 7/26/10 per resolution #10-405; and

WHEREAS, resolution #10-405 passed in 2010 authorizing the Tax Collector to bill taxes on the following property as of the deed date of 7/26/10; and

WHEREAS, the Tax Assessor put on an Omitted Assessment for that purpose again in 2011 creating a duplicate billing.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector cancel the 2010 duplicate billing on this property and adjust her records accordingly.

<u>Block/Lot</u>	<u>Property</u>	<u>Tax Year</u>	<u>To Cancel</u>
911/18	296 Howland Avenue	2010	\$4,871.37

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#11-416 Authorize Tax Collector to Cancel 2011 Taxes Due to Duplicate Billing

WHEREAS, Resolution #11-382 authorized the Tax Collector to bill the property for 2011 taxes in the amount of \$12,174.42; and

WHEREAS, the Tax Assessor put on an Added Assessment for that purpose again in 2011 creating a duplicate billing.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector cancel the 2011 duplicate billing on this property and adjust her records accordingly.

<u>Block/Lot</u>	<u>Property</u>	<u>Tax Year</u>	<u>To Cancel</u>
911/18	296 Howland Avenue	2011	\$12,174.42

November 21, 2011

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OPEN HEARING OF THE PUBLIC -

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

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

Roseanne Brummer-34 Lincoln Avenue-stated that she lives near the train station where there are parking restrictions from 9 a.m. to 11 a.m. which causes a

problem for her and her family because they have 4 vehicles that they can't fit in their driveway. She asked if there is any type of special permit that residents could have. She complained that at 5 minutes after 11, people park there all day long.

Mayor Watkins-stated that this is an older ordinance and at that time trains were only running in the morning but now they are running in both directions almost every hour on the hour. The Mayor also explained that over the years, there have been several residents requesting parking permits for their blocks but since they are public streets it is illegal to limit parking to residents only.

Roseanne Brummer-stated that other towns do it.

Mayor Watkins-again stated that over the years several attorneys have looked into the matter and they all said it was illegal to do that.

Councilman Cordts-stated that he agrees that residents should be given special passes to allow them to park during restricted hours.

Councilman Cannon-suggested that the Borough Attorney look into this again.

Councilman Porco-is concerned that if they do change the restrictions, they will have commuters coming from all areas of River Edge to park there and feels that it may be challenge to come up with a sticker to accommodate the block.

Peggy White-741 Center Avenue-explained that there was a terrible accident many years ago and that is why the ordinance was passed limiting the parking.

Neal Carroll-321 Wales Avenue-stated that a few months ago he had asked if the Borough had gone over board on the installation of the traffic light at Howland Avenue and now he's noticed that we are bonding money. He asked if we have indeed gone over budget.

Alan Negreann-explained that the amendments are to address additional engineering fees beyond the \$75,000 reimbursement from the County.

Neal Carroll-noticed that they are rejecting the bids for the Howland Avenue Improvement project and asked if the Borough will have to add money to that project also once we negotiate with the contractors. He understood that we have received a grant and is wondering if we'll have to give the grant back if we can't negotiate.

Alan Negreann-explained that we have \$150,000 grant and we hope to negotiate the construction price within that amount. There is no intent to add additional funds.

Neal Carroll-asked if the new architect who is designing the new generator had been informed about the additional work that is to be done in Borough Hall such as air conditioning, etc.

Alan Negreann-stated that he sent a memorandum to the firm who is doing the study with those very facts. There was a study team in a few weeks ago and today they have requested plans for Borough Hall that he will have duplicated for him.

Mike Miello - 79 Wayne Avenue-is coming before the Council because of a tree problem that's been going on since 1998. He explained that there are two curbside trees that have totally uprooted the sidewalks which cost over \$2,000 to replace and lately large branches have been falling from both of them. He's concerned about the safety factor and he has appealed to the Shade Tree Commission many times to take the trees down. He's also offered to pay the cost to replace them. He's also concerned about the safety of children and parents who are constantly walking past these trees because he lives close to the school. He is frustrated because the Shade Tree Commission keeps telling him that because the trees aren't diseased they won't recommend removal.

Mayor Watkins-told Mr. Miello that she did speak to the Shade Tree Commission regarding his concerns and proposal.

Councilman Porco-stated that DPW is addressing some of the town trees that need to be taken down but also feels that at some point the Council will be addressing residents concerns of regarding trees that may be healthy that could cause damage.

Kara O'Donnell-150 Voorhis Avenue-stated that they haven't received any updates with regard to the drainage problems and asked what the status is.

Alan Negreann-stated that he has asked the Borough Engineer for the parameters of the study and has not heard back so we can't engage with a camera company until we know what he wants us to look at. He continued by saying that there is another Sewer Sub-Committee meeting next week and he will reach out to him before that to see if we can get the parameters of the study and then engage the company.

Roseanne Brummer-stated that she had gone to the Building Department to apply for a permit to have a second driveway and was told that there is an ordinance prohibiting that. She stated that she would like to get a variance to have this second driveway put in.

Sam Cereste-explained that she would have to go before the Zoning Board for a variance and emphasized that it might be a very difficult thing to obtain.

Roseanne Brummer-stated that she's noticed homes on Summit Avenue that have three driveways and asked if at one point could they have been multi-residential?

Sam Cereste-stated that it could be but she would have to check with the town. He suggested expanding the existing driveway if possible.

CLOSE HEARING OF THE PUBLIC -

Motion by Councilman Cannon, seconded by Councilman Cordts to close hearing

of the public.

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

COUNCIL COMMENTS -

Councilman Cannon-congratulated Kathleen Murphy and Tom Papaleo and welcomed them to the Council.

Mayor Watkins-informed everyone that she attended an enjoyable interfaith service at Temple Avodat Shalom on Sunday and encouraged everyone to attend next year. The Mayor also reminded everyone that there will be a tree lighting ceremony on Saturday, December 3<sup>rd</sup> at 4:00 p.m. in Memorial Park. Mayor Watkins thanked everyone for coming out this evening.

ADJOURNMENT - 9:35 P.M.

Motion by Councilman Cordts, seconded by Councilman Cannon to adjourn the meeting at 9:35 P.M.

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

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk  
Dated: