

M I N U T E S  
Meeting of the Mayor and Council  
Monday, October 15, 2012  
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

Mayor Moscaritolo called for a moment of silent prayer and asked Marc Ramundo, Esq. to lead the salute to the flag.

MISSION STATEMENT & OPEN PUBLIC MEETINGS -

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

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

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

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

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

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilman Cordts to approve the minutes of the Mayor and Council work session and regular meeting of October 1, 2012.

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

PROCLAMATIONS & AWARDS - NONE

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the appointment of Patrick McShane, 120 Adams Avenue as a temporary Crossing Guard for Temple Avodat Shalom at \$16.16 per hour, effective September 1, 2012.

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

CORRESPONDENCE -

Letter	-	Community Hospice of Bergen County - 10/1/12
		Re: Upcoming Events
Letter	-	River Edge Board of Education - 10/1/12
		Re: Meeting 10/3/12
Letter	-	Groundwater & Environmental Services - 10/5/12
		Re: License Agreement-584 Kinderkamack Road

LIAISON REPORTS -

Councilwoman Murphy - Liaison to Shade Tree Commission, Library, Senior Citizens co-liaison, Technology Committee, Special Events Committee, New Milford/River Edge Shared Services Committee- - reported that SCORE has not met over the past few weeks due to the Jewish holidays and also announced that they are celebrating their 40<sup>th</sup> Anniversary and will be having a buffet celebration on October 29<sup>th</sup> at

noon. Councilwoman Murphy stated that the Shade Tree Commission has a \$5,000 budget and they expect to grind approximately 70 stumps with those funds. Their budget previously was \$12,000 which completely covered this expense so they are 2 to 3 years behind the stump grinding schedule. Councilwoman Murphy stated that Liz Stewart will be attending the 87<sup>th</sup> Shade Tree Conference in Cherry Hill on October 26<sup>th</sup> & 27<sup>th</sup> and also reported that they will be supporting the referendum for Open Space. She hopes that the new holiday tree will be planted outside Borough Hall by the end of October, beginning of November and informed everyone that their next meeting will be on October 18<sup>th</sup> at 7 p.m. Councilwoman Murphy reported that the Library has held two anti-bullying workshops which were sponsored by DARE and unfortunately the turnout was disappointing. The next meeting of the Library Board will be on October 16<sup>th</sup> at 7 p.m. and they will be sending out a survey monkey explaining the programs that are offered at the Library. The historic tile mural project is ongoing and they have received a few substantial orders for these tiles. Daragh O'Connor will be coming before the Mayor and Council on the 22<sup>nd</sup> to make a presentation and answer questions regarding that project. Councilwoman Murphy announced that the Library will be closed on October 17<sup>th</sup> from 10:00 a.m. to 1:00 p.m. for training and also announced that they will sponsor a hot jazz concert on October 28<sup>th</sup>.

Councilman Cordts - Liaison to DPW, Beautification Committee, New Milford/River Edge Shared Services Committee, Oradell/River Edge Shared Services Committee, Traffic & Safety Committee - had no report on DPW and informed everyone that he will be attending the Beautification meeting next month. He re-sent the letter from Alan Negreann to the Borough of Oradell explaining the Borough's decision with regard to leaf composting because he was told that apparently the letter never made it to their Mayor and Council. He reported that there haven't been any new discussions with New Milford regarding shared services.

Councilman Cappola - Liaison to Historic Commission - had no report at this time because the meeting at the end of September was pushed up. The next meeting will be October 24<sup>th</sup>.

Councilman Mignone - Liaison to Police Dept., Environmental Protection Commission, Green Team, Planning Board - had no report on the Police Department. He informed everyone that no new applications have come before the Planning Board but they have been considering codifying some new rules, practices and procedures. He reported that the Green Team is still pursuing recertification and spoke with Bonnie Stewart who informed him that Liz Stewart and many others have put in a lot of time to make sure all of the components are complete in order to obtain points for recertification. He feels that they are still on target to get all of the data in by the end of the year and thanked everyone for their hard work and commitment. He thanked Bonnie Stewart for setting up a booth at River Edge Day and also thanked Greg Ogden, Ellen Busteed, Valerie Duran and Wendy Rosenhoff for helping to man the booth also. He was pleased to see that many residents utilized the shredding truck and thanked Denise and Lisa Hessman for pulling that together. Councilman Mignone is pleased that the Green Team is becoming more active.

Councilman Bartelloni - Liaison to Recreation Commission, River Edge and River Dell Schools, Special Events Committee, Senior Citizen co-liaison - reported that River Edge Day was well received in the park and noted that it was a combined effort with the Recreation Commission and Special Events Committee to make it possible. He stated that the Special Events Committee is still in the beginning stages and they don't have a full compliment of membership and asked for volunteers. He also informed everyone of some of the upcoming event ideas that they've been discussing. He reported that the Recreation Commission will be meeting this week and two topics that they are focusing on is the lightning detection system and Open Space. They will focus on getting the word out about Open Space to try and get it passed again.

Councilman Papaleo - Liaison to Fire/Fire Prevention, Construction Code Official, Property Maintenance, River Edge Alliance Against Alcohol & Drugs - reported that the Fire Department had 24 fire calls, 6 of which were mutual aid, they conducted 3 training sessions along with equipment and apparatus checks on Sunday mornings. Several members of the Fire Department set up hose lines at River Edge Day which gave children a feel for what it is like to work a fire hose. The Fire Official gave a report on the Huffman Koos property and his recommendation was that there was no fire code violations but there are property maintenance and building code violations that should be addressed. Councilman Papaleo reported that READ sponsored two elementary school presentation programs during the Positive Power Week and had over 600 attendees. The Municipal Alliance had a booth at River Edge Day and handed out very informative items and the head pharmacist from CVS was there to do blood pressure screenings as well. Councilman Papaleo corrected Councilwoman Murphy's statement regarding the anti-bullying program that was held at the Library and explained that it was sponsored by READ not DARE. He continued to say that READ will be funding needed supplies for a high school and middle school program which encourages students to get involved and volunteer by recruiting students who are less inclined to turn to drugs and bullying. This will take place at River Dell High School on October 25<sup>th</sup>.

MONTHLY REPORTS -

Building Department	-	September 2012
Fire Prevention	-	7/1 through 9/30/12
Zoning Board of Adjustment	-	September 2012
Tax Collector	-	September 2012

ORDINANCES - 1<sup>ST</sup> READING - NONE

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

OPEN HEARING OF THE PUBLIC -

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

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

CLOSE HEARING OF THE PUBLIC -

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

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

RESOLUTIONS - By Consent

Motion by Councilman Cordts, seconded by Councilwoman Murphy to approve resolution #12-358 through #12-369 and #12-371.

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

#12-358 Amend 2012 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 of appropriation for an equal amount; and

WHEREAS, the Borough has received notice of a grant award for the 2012 Sustainable Jersey Small Grant Program in the amount of \$2,000.00.

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 F

Sustainable Jersey Small Grant .....	\$2,000.00
--------------------------------------	------------

BE IT FURTHER RESOLVED that the like sum of \$2,000.00 and the same is hereby appropriated under the caption of:

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

Sustainable Jersey Small Grant.....	\$2,000.00
-------------------------------------	------------

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

October 15, 2012

\*\*\*\*\*

#12-359 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 DEFERRED CHARGES</u>	<u>CAPITAL FUND BALANCE</u>	<u>CAPITAL IMPROVEMENT</u>
1494		\$527.22	
1591		\$633.48	
1716		\$ 56.53	

October 15, 2012

\*\*\*\*\*

#12-360 Resolution to Go Into Closed Session and Exclude Public on October 22, 2012 at 7:00 P.M.

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

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

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

1. That the public shall be excluded from the October 22, 2012 meeting at 7:00 p.m. and discussion of the hereinafter specified subject matter:

<u>Closed Session Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
12-10/22-1	Potential Litigation - Huffman Koos Property, Block 1404, Lot 3.01, 1025-1077 Main Street Paul Phillips - Redevelopment Planner J. Sheldon Cohen, Esq. - Redevelopment Attorney	N.J.S.A. 10:4-12(7)

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.

October 15, 2012

\*\*\*\*\*

#12-361 Resolution to Go Into Closed Session and Exclude Public

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

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

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

1. That the public shall be excluded from the October 15, 2012 meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
12-10/15-1	Personnel - Hiring of Part-Time Planning/Zoning/Assessor Secty.	N.J.S.A. 10:4-12(8)
12-10-15-2	Review of Closed Session Minutes Of June 4, 2012, June 18, 2012, July 2, 2012, August 6, 2012, September 4, 2012, September 7, 2012, October 1, 2012	

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.

October 15, 2012

\*\*\*\*\*

#12-362 Amend 2012 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 grant for Drive Sober or Get Pulled Over in the amount of \$4,400.00.

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 F

Drive Sober or Get Pulled Over Grant.....\$4,400.00

BE IT FURTHER RESOLVED that the like sum of \$4,400.00 and the same is hereby appropriated under the caption of:

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

Drive Sober or Get Pulled Over Grant.....\$4,400.00

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

October 15, 2012

\*\*\*\*\*

#12-363 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Lexington Drive

WHEREAS, on or about October 15, 2012, the Borough of River Edge granted permission to Bill Crowley, 256 Lexington Drive, River Edge, New Jersey, to hold a block party on Lexington Drive on October 21, 2012 accordance with Borough Ordinance #1678; and

WHEREAS, Mr. Crowley have requested that the possession and consumption of alcoholic beverages be permitted in connection with said block party; and

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.

October 15, 2012

\*\*\*\*\*

#12-364 Authorize Richard D. Kraus, Esq. to Enter Into a Stipulation of Settlement with Theodore Falk, 63 Grand Avenue, River Edge, New Jersey

WHEREAS, Richard D. Kraus, Esq., Suite 14, One University Plaza, Hackensack, New Jersey, 07601 has handled the litigation of the Borough of River Edge v. Theodore Falk, 63 Grand Avenue; and

WHEREAS, Richard D. Kraus, Esq. has recommended stipulation in the above stated matter; and

WHEREAS, the Mayor and Council have considered these recommendations at their work session of October 15, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby authorize Richard D. Kraus, Esq. to enter into a Stipulation of Settlement with an assessed value for calendar year 2011 of \$525,000.00.

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 Richard D. Kraus, Esq.

October 15, 2012

\*\*\*\*\*

#12-365 Establish a 25 MPH Speed Limit Along Kinderkamack Road

WHEREAS, the Governing Body of the Borough of River Edge finds it is in the interest of public safety to establish a 25 mph speed limit along Kinderkamack Road pursuant to N.J.S.A. 39:4-8(b); and

WHEREAS, this matter has been discussed at a meeting of the Mayor and Council on October 1, 2012; and

WHEREAS, this matter was also discussed at a meeting on October 15, 2012 at which time the Chief of Police and Borough Engineer were part of the discussion; and

WHEREAS, the Governing Body is of the opinion that a lower speed limit will improve pedestrian and vehicle safety and assist in the improvement of economic conditions; and

WHEREAS, the County of Bergen may enact resolutions or ordinances for roadways under their jurisdiction in accordance with N.J.S.A. 39:4-201; and

WHEREAS, pursuant to Chapter 69, Laws of 1957 N.J.S.A. 39:4-197.2 municipalities having a paid police force may, with the consent of the Board of Chosen Freeholders of the County of Bergen, by ordinance enact regulations affecting county roads.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge is requesting that the County of Bergen provide its assistance and consent so that the speed limit on Kinderkamack Road from the Hackensack border to the Oradell border is lowered from 35 mph to 25 mph.

October 15, 2012

\*\*\*\*\*

Councilman Mignone-asked that two additional crosswalk locations be added to resolution #12-366.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #12-366 as amended.

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

#12-366 Establish Crosswalk Pedestrian Stanchions for Traffic Along Kinderkamack Road

WHEREAS, the Governing Body of the Borough of River Edge finds it is in the interest of public safety to establish crosswalk pedestrian stanchions for traffic along Kinderkamack Road pursuant to N.J.S.A. 39:4-8(b); and

WHEREAS, this matter has been discussed at a meeting of the Mayor and Council on October 1, 2012; and

WHEREAS, this matter was also discussed at a meeting on October 15, 2012 at which time the Chief of Police and Borough Engineer were part of the discussion; and

WHEREAS, the County of Bergen may enact resolutions or ordinances for roadways under their jurisdiction in accordance with N.J.S.A. 39:4-201; and

WHEREAS, pursuant to Chapter 69, Laws of 1957 N.J.S.A. 39:4-197.2 municipalities having a paid police force may, with the consent of the Board of Chosen Freeholders of the County of Bergen, by ordinance enact regulations affecting county roads.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge is requesting that the County of Bergen provide its assistance and consent so that the installation of pedestrian stanchions may be accomplished at the below listed locations.

- Crosswalk at Kinderkamack Road and Midland Avenue
- Crosswalk at Kinderkamack Road and Lincoln Avenue
- Crosswalk at Kinderkamack Road and Continental Avenue
- Crosswalk at Kinderkamack Road and Madison Avenue
- Crosswalk at Kinderkamack Road and Voorhis Avenue
- Crosswalk at Kinderkamack Road and Howland Avenue
- Crosswalk at Kinderkamack Road and Reservoir Avenue
- Crosswalk at Kinderkamack Road and Main Street
- Crosswalk at Kinderkamack Road and Grand Avenue
- Crosswalk at Midland Avenue and Bogert Road
- Crosswalk at Midland Avenue and Myrtle Avenue

October 15, 2012

\*\*\*\*\*

#12-367 Authorize Tax Collector to Cancel and Refund 2012 Preliminary Taxes on a Tax Exempt Property

WHEREAS, Community Option Enterprise, Inc., of 200 Zabriskie Place, Block 1208, Lot 7, has qualified for a 100% Tax Exemption after providing the necessary documents to prove an exempt status and the Tax Assessor has approved his status, Statute 54:4-3.06, as of 10/28/11; and

WHEREAS, the 1<sup>st</sup> and 2<sup>nd</sup> quarter 2012 property taxes have been paid in full.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is to refund the following amount to the homeowner and the Tax Collector to cancel the 2012 preliminary taxes in the amount of \$6,110.45 and adjust her records accordingly.

Block/Lot	Name & Address	Cancel Taxes	Quarter	Refund
1208/7	Community Option Enterprise, Inc. 16 Farber Road Princeton, NJ 08540	\$3,055.23 \$3,055.22	1 <sup>st</sup> 2 <sup>nd</sup>	\$6,110.45

October 15, 2012

\*\*\*\*\*

#12-368 Authorize Tax Collector to Refund Over Billed Taxes from 3<sup>rd</sup> Quarter

2012

WHEREAS, the tax office is showing an over billing in the 3<sup>rd</sup> quarter 2012 due to the 2012 Reassessment on the following properties; and

WHEREAS, property taxes for 2012 are paid.

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>Property Owner/Address</u>	<u>Refund Amount</u>
620/3.02	Joseph & Carol Pignatelli 540 Kinderkamack Road River Edge, NJ 07661	\$ 8.32
1006/2	286 Kinderkamack Road Corp. 286A Kinderkamack Road River Edge, NJ 07661	\$2,043.56
1417/2	Calvin C. Weedo 175 Alpine Drive Paramus, NJ 07652	\$ 324.81

October 15, 2012

\*\*\*\*\*

#12-369 Authorize Refund from Recreation Dedicated Account

WHEREAS, a resident had signed up for the Casino Bus Trip on October 21, 2012 which was postponed until a later date; and

WHEREAS, the resident is unable to participate and has asked for a refund; and

WHEREAS, the resident paid for four (4) tickets at \$30.00 per ticket; and

WHEREAS, a refund will be made to the following:

Mary Sheehy	\$120.00
870 Park Avenue	
River Edge, NJ 07661	

October 15, 2012

\*\*\*\*\*

Councilman Mignone read resolution #12-370 into the record.

Motion by Councilman Mignone, seconded by Councilman Papaleo to approve resolution #12-370.

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

#12-370 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	\$431,047.03
ANIMAL WELFARE ACCOUNT	\$ 233.40

TRUST OTHER ACCOUNT	\$ 15,557.50
TRUST OTHER DEVELOPERS ACCOUNT	\$ 1,590.60

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.

October 15, 2012

\*\*\*\*\*

#12-371 Amend Agreement with Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey for Professional Services for Expert Legal Services

WHEREAS, there exists a need for Expert Legal Services for tax appeal representation; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Alan P. Spiniello, Esq. via resolution #10-48 dated January 4, 2010 in the amount of \$10,000.00, amended via resolution #10-247 dated June 21, 2010 in the amount of \$15,000.00, amended via resolution #10-402 dated November 15, 2010 in the amount of \$7,000.00, amended via resolution #11-88 dated February 22, 2011 in the amount of \$5,000.00; amended via resolution #11-433 dated December 19, 2011 in the amount of \$8,000.00 and amended via resolution #12-226 dated June 18, 2012 in the amount of \$5,000.00; and

WHEREAS, additional funding is required for Expert Legal Services for tax appeal representation; 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, Alan P. Spiniello, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Alan P. Spiniello, Esq. has not made any reportable contributions to a political or candidate committee in the Borough of River Edge Governing Body in the previous one year, and that the contract will prohibit Alan P. Spiniello, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Mayor and Council have reviewed this matter at a work session on October 15, 2012; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-174 of the Current Fund an amount not to exceed \$10,000.00.

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, the rate of pay shall not exceed \$85.00 per hour:

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey, 07601 in the amount not to exceed \$10,000.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

October 15, 2012

\*\*\*\*\*

COUNCIL COMMENTS -

Councilman Papaleo-thanked Bobbi Conway and all of the volunteers for making River Edge Day a success. He took part in the pie tasting contest and commented on the chili cook-off which was sponsored by REEF. He feels that it was a great community builder and was glad to see so many clubs and organizations participate in this event.

Councilman Bartelloni-also thanked Bobbi Conway for doing a tremendous job in organizing and working the event and feels that she is a great asset to the Borough. Councilman Bartelloni was pleased that the weather held out and commented on the delicious foods that was offered and feels that an event like this is what brings a community together.

Councilman Mignone-stated that Chief Cariddi received a letter from Father Sheehan thanking Lieutenant Curran for helping to coordinate the Police activity during the recent carnival. Councilman Mignone thanked them for doing a great job.

Councilman Cappola-stated that he's not sure that reducing the speed limit on Kinderkamack Road to 25 mph will help the businesses and feels that the businesses themselves need to take responsibility for their success. He feels that new signage might improve the look of the strip mall. Councilman Cappola commented on the pie tasting at River Edge Day and praised Bobbi Conway for a job well done.

Councilman Cordts-commended Councilman Cappola for doing a great job at River Edge Day as the DJ. He was pleased that the candidates did a great job representing themselves at both the Republican and Democratic booths as they all were very positive in looking to the future and working as a team. He also thanked Bobbi Conway and the many volunteers who participated in River Edge Day.

Councilwoman Murphy-attended the art exhibit at the Cultural Center which featured photographs from River Edge resident Harry DeYoung and encouraged everyone to stop by and take a look. Councilwoman Murphy thanked Bobbi Conway for once again organizing a great River Edge Day and also thanked St. Peter's Religious Director Eileen Hanrahan and the group catechists who helped set up and clean up the park. She congratulated the River Edge Education Foundation for their successful Chili Cook-off and announced the winners. Councilwoman Murphy asked if anyone is interested in joining this organization to go to reefnj.org. She announced that the Bergen County Historical Society held a demonstration at Historic New Bridge Landing on Sunday.

Councilman Papaleo-reported that the Fire Department hosted their annual Old Timer's Night on Saturday evening. He explained that they invite members who have moved away, retired or left the department for one reason or another to come together for one evening and reminisce and talk about old times.

Mayor Moscaritolo-stated that it was with deep regret that he was not able to attend River Edge Day because there was death in his family. He thanked everyone for attending and said that he's received positive feedback from many people who had a great time. The Mayor looks forward to having the pedestrian stanchions put up at the eleven crosswalks and also hopes that eventually they will be able to have the speed limit reduced to 25 mph for pedestrian safety.

ADJOURNMENT - 8:32 P.M.

Motion by Councilman Cordts, seconded by Councilwoman Murphy to adjourn the meeting at 8:32 p.m.

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

RE-OPEN - 8:43 P.M.

Motion by Councilman Cordts, seconded by Councilwoman Murphy to re-open the meeting at 8:43 p.m.

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

Approve the hire of Anthe Siaflas as part-time Planning/Zoning/Assessor Secretary at an hourly rate of \$15.74 for 15 hours per week with a six month probationary period, effective October 16, 2012.

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

Councilman Cordts - stated that he would like to relinquish his appointment as Liaison to the Traffic & Safety Committee and asked Councilman Cappola to be his replacement.

Mayor Moscaritolo - appointed Councilman Cappola as Liaison to the Traffic & Safety Committee.

ADJOURNMENT - 8:46 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to adjourn the meeting at 8:46 p.m.

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

Mayor Sandy Moscaritolo

Attest:

Denise A. Dondiego, Borough Clerk

Dated: