

M I N U T E S
Regular Meeting of the Mayor and Council
Monday, April 18, 2016
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

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

SUNSHINE STATEMENT -

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

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

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to approve minutes of the Mayor and Council work session and regular meeting of April 4, 2016.

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

PROCLAMATIONS & AWARDS -

Mayor Mignone read the Proclamation Declaring April 29, 2016 as Arbor Day as follows:

PROCLAMATION

WHEREAS, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called ARBOR DAY was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, ARBOR DAY is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Edward J. Mignone, Mayor of the Borough of River Edge,

do hereby proclaim:

April 29, 2016

as

Arbor Day

in the Borough of River Edge, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and further generations.

Mayor Edward J. Mignone

Dated: April 18, 2016

Mayor Mignone presented the proclamation to Shade Tree Commission members Liz Stewart and Jennifer Dougherty.

OPEN PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA -

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

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

CLOSE PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA -

There being no comments by the public, motion by Councilman Papaleo, seconded by Councilman Bartelloni to close public comments on any issue on the agenda.

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

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilman Papaleo, seconded by Councilwoman Murphy to approve the salary change of Jason Milito, Road Foreperson in the Department of Public Works from an annual salary of \$79,997.00 to \$80,477.00 due to an increase in longevity from \$960.00 to \$1,440.00, effective April 5, 2016.

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

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to approve the resignation of Joseph Sanfilippo, Patrol Officer in the Police Department, effective May 1, 2016.

Councilman Acquafredda-asked why Patrol Officer Sanfilippo is resigning?

Mayor Mignone-responded that he's moving on to bigger and better things.

Councilman Acquafredda-feels that in the future during the interview process, the new recruits should be asked if they will leave in six months.

Mayor Mignone-said that they do ask that question and they've always been told no.

Councilman Acquafredda-feels that they should sign a contract for at least 2 years.

Councilwoman Davis-commented that at least now the starting salaries are a little higher.

Councilwoman Murphy-stated that they're using River Edge as a stepping

stone.

Councilman Acquafredda-said that it's a little frustrating that 2 or 3 of the new officers have already left because he remembers what they went through to hire them.

Tom Sarlo, Esq. - stated that he knows the Council wants to get these people right away and on the road instead of training and putting your own people through the academy and waiting the seven months. He continued to say that most of these people are position hoping.

Mayor Mignone-explained that some of the officers were Class 2 and some were already Police Officers and understands that this is a real problem. He had spoken to the Chief about putting new recruits through the academy and the Chief didn't feel it would guarantee that they would stay. The Mayor hoped that if the town went that extra step by putting them through the academy, it would weigh on them to have a little more loyalty to the Borough.

Tom Sarlo, Esq.-stated that by doing that, you're increasing your pool of recruits and hopefully bringing in more local recruits who are homegrown and may want to stay here and have an actual interest in the town.

Councilman Acquafredda-stated that they did have a local resident who they did want to hire but he ended up going to another municipality before we could hire him because the initial salary was higher. He feels that they should implement a penalty if someone leaves within a certain time.

Mayor Mignone-doesn't know if they could implement something like that.

Councilman Acquafredda-feels that the municipality shouldn't be taken for a fool all the time.

Councilwoman Murphy-remembered that Camden tried to come after us because one of their officers left and they looked to River Edge to re-coop the money? She asked how enforceable is it to have someone sign a contract for 2 years?

Tom Sarlo, Esq.-explained that you would be dealing with PBA contract and other issues.

Councilman Papaleo-stated that the starting salaries are very low and feels that they need to be in a constant hiring mode because right now they're down 4 or 5 officers. Councilman Papaleo stated that we're going to be losing at least 2 or 3 until they get to the point on the salary guide when they say that it's not worth it for them to leave.

Councilman Bartelloni-stated that if you look at the salary guide now, by year 5 or 6 they're doing pretty well. If you stick it out, the salary is very competitive especially with the new contract.

Mayor Mignone-stated that even with the old contract, we were 5% over other departments at the higher end of the scale. The Chief has said over history that we've always been in the middle as far as salaries go.

Councilwoman Davis-agrees with Mr. Sarlo in that if we pay to send recruits through the academy, we'll attract more locals who would want to stay in town.

Councilman Papaleo-asked if they have the authority to direct the Chief to start looking for recruits to send to the academy?

Tom Sarlo-stated that right now you're specifically limiting your resumes to transfers.

Councilman Bartelloni-asked about a Chief's test.

Councilwoman Murphy-stated that she spoke with the Chief the day that the officer resigned and asked if he thought things would be different if we sent him through the academy. The Chief told her that he felt that the end result would be the same and didn't feel that it would make for a better candidate.

Councilman Papaleo-feels that we're down too many officers at this point.

Tom Sarlo-said that your candidate pool is whoever is looking to transfer or whoever is in the academy looking to be hired.

Councilwoman Murphy-stated that there's no guarantee that a person who has gone through the academy is going to stay either.

Councilman Bartelloni-said that he will speak to the Chief.

Mayor Mignone-agrees with Councilman Papaleo as far as being a little more aggressive and although we have a good group of officers right now, we're not always getting the strongest candidates during the interviews.

Councilman Papaleo-said that we need to let the people of River Edge know that we're interested and until we do, we're not going to start seeing a candidate list.

Mayor Mignone-explained that at least with someone who has been through the academy or Class 2 they have at least the beginning of a work history and can gauge their skills and how they handle certain situations.

Tom Sarlo-said that that's what the academy is for. If they can't cut

it, they're gone.

Mayor Mignone-asked if there is a guarantee if we put them in that we have to hire them?

Tom Sarlo-replied yes, as soon as you hire them you start paying them. He stated that it is a 6 or 7 month investment at the lowest level of pay. He said that the Borough has a higher turnover with the newer officers.

Councilman Bartelloni-agrees and feels that they have to starting targeting and recruiting River Dell graduates who might be interested and are vested in the town.

Councilwoman Davis-stated that they are out there but they don't know about it.

Mayor Mignone-feels that they need to re-evaluate the qualification in general such as age, formal school requirements, etc. He suggested they take a look at the ordinance.

Tom Sarlo-suggested that it be made part of the interview process.

Councilman Papaleo-asked how should they proceed?

Mayor Mignone-suggested that the liaison should discuss it with the Chief and schedule him to come before the Personnel Sub Committee first to see where we actually stand. The Mayor explained that for years we had a very top heavy department and there have been quite a few retirements in the last five years but they've also experienced a heavy turnover on the lower end as well.

Councilwoman Davis-stated that there have been more steps added before they get to the top pay and feels that they're in better shape this year.

Councilman Papaleo-explained that they're not really steps, they've turned longevity into steps and it looks like a long guide but it's really not.

Councilwoman Davis-asked if they go up one a year?

Mayor Mignone-replied that it goes up \$8,000 which is a significant amount.

Councilwoman Davis-stated that they were starting at \$28,000 and now at least we're at \$38,000.

Councilman Bartelloni-said that obviously depending on someone's circumstances in life, it's not a bad way to start off your career.

Councilwoman Davis-said that in this day and age looking at what's going on in the world, that salary will not attract people to be a police officer.

Mayor Mignone-said that we need to look at the big picture and how this compounds in terms of the budget. This year, because of the double steps, was one of the biggest increases which was a big chunk of the budget. The Mayor continued to say that you have to look at where we were when we did the last contract. We were coming off 15 furlough days and talks of layoffs which was a necessary thing to do to make sure that the Borough is financially viable going forward.

Councilwoman Murphy-asked what the cost is to train each candidate?

Mayor Mignone-replied, I don't think it costs that much money. He said that we have to pay their salary and thought that the academy cost was a few thousand dollars. The Mayor said that he will speak with the Chief and invite him to the Personnel Sub Committee and then report back to the Council whether they have to change the ordinance. He said that we'll look to the Chief for ideas on other ways to recruit.

Councilman Bartelloni-ask Alan what the cost would be for a Chief's test?

Alan Negreann-explained that there are several aspects to this hiring. There's not only a Chief's test, there's a physical component and there might be psychologicals involved. He asked Tom Sarlo to put a number on it.

Tom Sarlo-stated that you can make money on it because if you charge each applicant \$100 - \$150 to take the test you may have over 100 applicants. After the test results, you're narrowing down your list to the top ten or so. He feels that you break even or you make money.

Councilwoman Murphy-asked if there is any conflict between the alternate route men and women who put themselves through the academy versus those who are sponsored or paid for by the Borough? She asked if Mr. Sarlo knows of any resentment?

Tom Sarlo-stated that in Little Ferry, they've had alternate route people apply as well as people who are currently police officers now and they went through the entire process to be interviewed by the Mayor and Council. He doesn't know if any situation involving resentment.

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

CORRESPONDENCE -

Letter - State of New Jersey DOT - 4/2/16
 Re: \$155,500 for Fifth Avenue,
 Section 4

Notice - River Edge Board of Education-4/4/16
 Re: Meeting Notice - 4/6/16

Report - Alan P. Negreann-Admin/CFO-4/11/16
 Re: Damage to Public Property-4/9/16

Report - Alan P. Negreann, Admin/CFO-4/12/16
 Re: Revenue Reports 4/2 & 4/12

Letter - Joseph Sanfilippo - 4/15/16
 Re: Letter of Resignation

MONTHLY REPORTS -

Board of Health - March 2016
 Historic Commission - February 2016
 Fire Prevention - January-March, 2016
 Tax Collector - March 2016

ORDINANCES - 1ST READING -

Stephanie Evans, Borough Clerk read the title of Ordinance #1860 as follows:

Ordinance #1860 - AN ORDINANCE OF THE BOROUGH OF RIVER EDGE AMENDING AND SUPPLEMENTING CHAPTER 442, ARTICLE III OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE REGARDING FOOD HANDLER'S CERTIFICATION

Motion by Councilman Bartelloni, seconded by Councilwoman Busted to approve the first reading of Ordinance #1860 as follows:

BOROUGH OF RIVER EDGE
 ORDINANCE #1860

AN ORDINANCE OF THE BOROUGH OF RIVER EDGE AMENDING AND SUPPLEMENTING CHAPTER 442, ARTICLE III OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE CREATING STANDARDS FOR FARMERS' MARKETS

WHEREAS, The River Edge Farmer's Market has been operating in the Borough of River Edge for the last two years; and

WHEREAS, there are no regulations contained in the Borough Code governing Farmer's Markets; and

WHEREAS, the Borough of River Edge wishes to encourage the growth and development of the Farmer's Market; and

WHEREAS, the Borough of River Edge recognizes the need to regulate the Farmer's market in order to ensure the health, safety and welfare of the residents of the Borough of River Edge and the consumers of the Farmer's market; and

WHEREAS, the Borough of River Edge wishes to amend Chapter 442 entitled "Food Handler's Certification" to provide standards for the Farmer's market; and

WHEREAS, the Borough of River Edge wishes to establish an approval process for the Farmer's market;

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

SECTION 1. Chapter 442. Food Handler's Certification of the Code of the Borough of River Edge is hereby amended as follows:

§442-1 Definitions is hereby amended, supplemented, and revised to include the following definitions:

FARMERS MARKET

Shall mean a temporary market established in a public space where a variety of farm products, as defines in this article, are soled directly to the consumer.

FARMERS MARKET VENDOR

Any retail food establishment which is primarily engaged in the sale

of raw agricultural products, may cut the raw agricultural products for sale on the premises and may include as a minor portion of its operation, the sale of factory-sealed or prepackaged food products that do not normally require refrigeration and the sale of other grocery products; or provides for the sale of farm products.

FARM PRODUCTS

Shall mean any agricultural, horticultural, forest product, or other product of the soil or water including but not limited to, fruits, vegetables, eggs, dairy products, meat and meat products, poultry and poultry products, fish and fish products, grain and grain products, honey, nuts, preserves, maple sap product, apple cider, fruit juice, ornamental or vegetable plants, nursery products or flowers.

MOBILE FOOD VENDOR

A mobile food vendor is anyone who sells food or beverages from a vehicle such as a truck, van or pushcart, whether such food or beverages are prepared on site or prepared elsewhere and transported to the site of the sale.

RETAIL FOOD ESTABLISHMENT

Any business establishment or operation where food or drink is prepared for retail sale or for services on the premises or elsewhere; where food is served, handled or provided for the public with or without charge including but not limited to the sale of raw agricultural products, bakery products such as bread, cakes and pies, meat products, candy or candy products, farm products as defined in this article, fish or fish products, frozen dairy or flavored ice products, groceries, products sold from a mobile food vendor; businesses such as retail bakers, coffee shop, sandwich shop, industrial feeding establishment, private, public or nonprofit organizations serving food, catering, kitchen, commissary, box lunch establishment, mass market, delicatessens, restaurants, supermarkets, taverns and temporary food establishments.

TEMPORARY RETAIL FOOD ESTABLISHMENT

Any retail food establishment which operates at a fixed location for a temporary period of time in connection with a fair, carnival, circus, public exhibition or similar transitory function, including church suppers, picnics or other organizational meetings; includes mobile retail food establishments and mobile agricultural markets.

SECTION 2. §442-2 Food handler's certificate required is hereby amended, supplemented, and revised as follows:

No retail food establishment shall operate without the supervisors employed in that establishment possessing a valid food handler's certificate. This section shall not apply to those retail food establishments selling only nonpotentially hazardous foods which are prepackaged, prewrapped or in an approved bulk serving container.

The form of application and applicable fees shall be determined by the River Edge Board of Health.

SECTION 3. Any portion or portions of the Borough Code not affected by this Ordinance remain(s) unchanged and in full effect.

SECTION 4. Any portion(s) of the Borough Code inconsistent herewith is (are) repealed.

SECTION 5. This Ordinance shall be part of the Borough of River Edge's Municipal Code as though codified and fully set forth therein. The Borough Clerk shall have this Ordinance codified and incorporated in the official copies of the River Edge Municipal Code.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ATTEST:

Edward J. Mignone, Mayor

Stephanie Evans, Borough Clerk

Dated:

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni,

Councilwoman Busteded, Councilwoman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Stephanie Evans, Borough Clerk read the title of Ordinance #1861 as follows:

Ordinance #1861 - AN ORDINANCE CREATING AND ESTABLISHING A FARMER'S MARKET

Motion by Councilman Acquafredda, seconded by Councilwoman Davis to approve the first reading of Ordinance #1861 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1861

AN ORDINANCE CREATING AND ESTABLISHING A FARMER'S MARKET

WHEREAS, within the Borough of River Edge there is an increased interest and demand for access to locally grown and raised food; and

WHEREAS, the Mayor and Council seek to promote policies for a sustainable future growing, developing and consuming with the least possible impact on nature; and

WHEREAS, the Mayor and Council desires to increase access to healthy, local and affordable foods; encourage community-building; and support local agriculture and economic development; and

WHEREAS, such goals can be accomplished by providing producers of locally grown and raised food the ability to directly reach residents without requiring that such products be sold in fixed location storefronts; and

WHEREAS, the Mayor and Council is desirous of supporting the concept of a Farmers Market;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council approves the establishment and operation of an outdoor Farmers Market as follows:

SECTION 1. CREATION:

A. The Farmer's Market shall be called the River Edge Farmer's Market. The Farmer's Market shall be held in an area selected by the Borough on designated dates and times.

B. This chapter shall be construed in consonance with the ordinances of the Borough of River Edge's Board of Health regarding a farmer's market. This chapter is adopted essentially in order to create a committee, known as the Farmer's Market Committee, which will oversee, supervise, and provide rules and regulations for the operation of the farmer's market, and to provide for a Farmer's Market manager.

SECTION 2. FARMER'S MARKET COMMITTEE:

A. The River Edge Farmer's Market Committee is hereby authorized and established to serve as an advisory committee to the Mayor and Council and Board of Health, and to be responsible for overseeing market operation, recommending to the Board of Health the issuance of applicable licenses, and ensuring compliance with orders of the River Edge Board of Health and the other provisions of this section.

B. The Committee shall formulate rules and regulations regarding the operation, conduct and financial controls of the Farmer's Market, which shall be subject to the approval of the Mayor and Council and the Board of Health.

C. The Farmer's Market Committee shall consist of four persons. At least one committeeperson shall be a member of the Board of Health. At least one committeeperson shall be a member of the Council. At least one committeeperson shall be a Borough resident nominated by the Mayor. At least one committeeperson shall be a Borough resident nominated by the Council.

D. The members shall be appointed for one year terms. The members first appointed shall be appointed for terms ending on January 1 immediately following the year of appointment.

E. The members of the Farmer's Market Committee shall serve without compensation.

F. The Farmer's Market Committee shall hold meetings at least four times per year and shall keep a record of its proceedings.

G. The Farmer's Market Committee shall prepare and distribute to all vendors a list of rules, created and approved as set forth above in Subsection B, to ensure compliance with state, county and local health regulations and the orderly operation of the market.

H. The Farmer's Market Committee shall not have the authority to incur any obligation in the name of or for the account of the Borough of River Edge or the Board of Health.

SECTION 3. FARMER'S MARKET MANAGER:

A. The Farmer's Market Committee shall recommend subject to the approval of the Borough Council, a Farmer's Market manager. Such manager shall not be a member of the Farmer's Market Committee. The Farmer's Market manager shall serve for a one year term but may be removed as manager by action of the Borough Council in consultation with the Farmer's Market Committee. The manager first appointed shall be appointed for a term ending on January 1 immediately following the year of appointment.

At a minimum, the responsibilities of the Market manager shall include but are not limited to the following:

- (1) Attend meetings of the Farmer's Market Committee;
- (2) The Market Manager or his/her designee shall be on site during the operation of the Farmer's Market. Such designee shall be approved by the Farmer's Market Committee. The Market Manager shall provide advance notice to the Farmer's Market Committee when his/her designee will be on site during the operation of the Farmer's Market.
- (3) Solicit and secure vendor participation.
- (4) Provide supervision of the operation of the market, monitor market operation so as to insure that state, county and local laws and regulations pertaining to the operation of the market are observed, and that rules promulgated by the Farmer's Market Committee are followed.
- (5) Compile and keep current a weekly list of vendors at the market.
- (6) Prepare a budget based on the funding available from fees collected for the purposes of promotion, advertisement and management of the market.
- (7) Provide recommendations to the Farmer's Market Committee for the promotion and advertisement of the market and implement such recommendations based on the availability of funds.
- (8) Provide suggestions for improvement regarding the operation and management of the market to the Farmer's Market Committee.

B. The Farmer's Market manager may receive a salary set by the Borough Council.

SECTION 4. APPLICATION; LICENSE:

Each Vendor shall complete an application to participate in the Farmer's Market. The application form shall be created and prepared by the Farmer's Market Committee.

SECTION 5. VENDOR FEES:

The Farmer's Market Committee shall charge each vendor a fee per space per week or in advance for the season. Vendors shall pay the per market day fee in advance. All fees shall be paid by check made

payable to the Borough of River Edge. Vendor fees shall be determined by the Farmer's Market Committee subject to the approval of the Mayor and Council.

Vendor application fees and monies collected may be used for the advertisement, promotion and management of the market as recommended by the Farmer's Market Committee and approved by the Mayor and Council.

SECTION 6. COMPLIANCE WITH HEALTH REGULATIONS:

Vendors meeting the definition of a "retail food establishment," "farmer's market vendor", or "mobile food vendor", would be required to obtain a food handler's certification in accordance with Chapter 442.

Vendors selling prepared foods shall serve and prepare foods in accordance with all applicable federal, state, and local health regulations. Fees for the food handler's certification shall be made payable to the Borough of River Edge.

SECTION 7. INDEMNIFICATION:

Vendors shall be required to enter into a Use and Indemnity Agreement with the Borough of River Edge.

SECTION 8. VIOLATIONS AND PENALTIES:

Any person who violates any provision of this chapter for which no penalty is otherwise provided shall be fined no less than \$50.00 and not more than \$1,000.00. A separate offense shall be deemed committed on each day that a violation occurs or continues.

SECTION 9. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 10. If any part, sections, provisions, or total of any of the aforementioned sections are held to be invalid or unenforceable by any court, the findings or judgments of which court are applicable in the State of New Jersey, that the balance and remainder of such sections shall remain in full force and effect as an Ordinance of the Borough of River Edge.

SECTION 11. This Ordinance shall become effective immediately upon adoption and publication according to law.

Mayor Edward J. Mignone

Attest:

Stephanie Evans, Borough Clerk

Dated:

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

ORDINANCE - 2ND READING -

Alan Negreann-explained that this ordinance is the balance of the capital program for holiday streetscape decorations, a DPW pickup truck, fire equipment, police equipment, KBG Field light replacement, computer systems, dispatch and records and management for the Police Department as well as tax accounting system for the Tax Collector.

Stephanie Evans, Borough Clerk read the title of Ordinance #1859 as follows:

Ordinance #1859 - 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, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, 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 \$790,000 TO PAY THE COST

THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION, TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS AND TO AMEND BOND ORDINANCE NO. 1806 ADOPTED ON APRIL 21, 2014 (AS PREVIOUSLY AMENDED BY ORDINANCE NO. 1825 ADOPTED ON MARCH 16, 2015).

Ordinance #1859 was introduced by Councilwoman Murphy, seconded by Councilman Bartelloni at the April 4, 2016 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE # 1859

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, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, 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 \$790,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION, TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS AND TO AMEND BOND ORDINANCE NO. 1806 ADOPTED ON APRIL 21, 2014 (AS PREVIOUSLY AMENDED BY ORDINANCE NO. 1825 ADOPTED ON MARCH 16, 2015).

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

Section 1. The Borough of River Edge, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new information technology equipment, new communication and signal systems equipment and new automotive vehicles, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Acquisition of new additional or replacement equipment and machinery consisting of streetscape decorations.

Appropriation and Estimated Cost	\$ 19,750
Down Payment Appropriated	\$ 990
Bonds and Notes Authorized	\$ 18,760
Period of Usefulness	5 years

B. Undertaking of various traffic and pedestrian safety improvements and equipment acquisitions, including the acquisition of driver feedback signs.

Appropriation and Estimated Cost	\$ 21,550
Down Payment Appropriated	\$ 1,050
Bonds and Notes Authorized	\$ 20,500
Period of Usefulness	10 years

C. Supplemental funding for the replacement and upgrading of field lights at Kenneth B. George Park. It is hereby determined and stated that the Borough has heretofore appropriated the sum of \$101,000 for such improvement pursuant to Ord. No. 1806 adopted on April 21, 2014 (as amended by Ord. No. 1825 adopted on March 16, 2015).

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,400
Bonds and Notes Authorized	\$ 47,600
Period of Usefulness	15 years

D. Supplemental funding for the undertaking of various improvements to the River Edge Senior/Community Center. It is hereby determined and stated that the Borough has heretofore appropriated the aggregate sum of \$406,500 for such improvement pursuant to the following three ordinances: Ord. No. 1789 adopted on May 6, 2013; Ord. No. 1806 adopted on April 21, 2014 (as amended by Ord. No. 1825 adopted on March 16, 2015); and Ord. No. 1829 adopted on May 4, 2015.

Appropriation and Estimated Cost	\$110,000
Down Payment Appropriated	\$ 5,240
Bonds and Notes Authorized	\$104,760
Period of Usefulness	15 years

E. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of a pickup truck for the use of the Department of Public Works.

Appropriation and Estimated Cost	\$ 37,000
Down Payment Appropriated	\$ 2,000
Bonds and Notes Authorized	\$ 35,000
Period of Usefulness	5 years

F. Acquisition of new additional or replacement equipment and machinery for the use of the Fire Department consisting of (i) turnout gear, (ii) fire hose and (iii) lighting equipment.

Appropriation and Estimated Cost	\$ 33,500
Down Payment Appropriated	\$ 1,700
Bonds and Notes Authorized	\$ 31,800
Period of Usefulness	5 year

G. Undertaking of the 2016 Road Resurfacing and Improvement Program (including curbing and sidewalk improvements, where necessary) in, by and for the Borough, as set forth on a list prepared by the Borough Engineer and approved by the Borough Council and directed to be placed on file in the Office of the Borough Clerk and made available for public inspection during normal business hours. It is hereby determined and stated that (i) the Borough Council may, by resolution, amend such list from time to time within the appropriation made hereby and (ii) such roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$260,000
Down Payment Appropriated	\$ 12,400
Bonds and Notes Authorized	\$247,600
Period of Usefulness	10 years

H. Acquisition of new communication and signal systems equipment, new information technology equipment and new automotive vehicles, including original apparatus and equipment, for the use of the Police Department consisting of (i) radios, (ii) computer equipment and (iii) SUVs.

Appropriation and Estimated Cost	\$ 88,200
Down Payment Appropriated	\$ 5,610
Bonds and Notes Authorized	\$ 82,590
Period of Usefulness	5 years

I. Acquisition of new information technology equipment consisting of a dispatch and records management computer system for the use of the Police Department.

Appropriation and Estimated Cost	\$146,000
Down Payment Appropriated	\$ 6,960
Bonds and Notes Authorized	\$139,040
Period of Usefulness	7 years

J. Acquisition of new information technology equipment consisting of a tax accounting computer system for the use of the Tax Collector.

Appropriation and Estimated Cost	\$ 24,000
Down Payment Appropriated	\$ 1,150
Bonds and Notes Authorized	\$ 22,850
Period of Usefulness	7 years

Aggregate Appropriation and Estimated Cost	\$790,000
Aggregate Down Payment Appropriated	\$ 39,500
Aggregate Amount of Bonds and Notes Authorized	\$750,500

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$47,950 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 6. It is hereby determined and stated that moneys exceeding \$39,500, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$39,500 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$750,500 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$750,500 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

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

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 9.24 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough,

as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$750,500 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

Section 13. Section 4.I of Bond Ordinance No. 1806 adopted by the Borough Council of the Borough on April 21, 2014 (as previously amended by Ord. No. 1825 adopted on March 16, 2015) is hereby amended to change the location of the municipal parking lot to be constructed from Grove Street to Hackensack Avenue, and shall hereafter read as follows:

"[Section 4.]I. Construction of a municipal parking lot on Borough-owned property located on Hackensack Avenue.

Appropriation and Estimated Cost	\$ 50,500
Down Payment Appropriated	\$ 3,000
Bonds and Notes Authorized	\$ 47,500
Period of Usefulness	10 years."

Section 14. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 15. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 16. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 17. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Attest:

Edward J. Mignone, Mayor

Stephanie Evans, Borough Clerk

Dated:

OPEN PUBLIC HEARING ON THE ORDINANCE - Ordinance #1859

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to open public hearing on Ordinance #1859.

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

CLOSE PUBLIC HEARING ON THE ORDINANCE - Ordinance #1859

There being no comments by the public, motion by Councilman Papaleo, seconded by Councilman Bartelloni to close public hearing on Ordinance #1859.

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

ADOPTION - Ordinance #1859

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to adopt Ordinance #1859.

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

RESOLUTIONS - By Consent

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve resolution #16-167 through #16-182 and #16-185.

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

#16-167 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 2, 2016 work session meeting and discussion of the hereinafter specified subject matter:

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

April 18, 2016

#16-168 Acknowledge Receipt of Certification of Request for Emergency Purchases - Sewer Break - 266 Olympia Drive and Oak Avenue

WHEREAS, the Superintendent of Public Works has certified that an emergency condition exists in the Department of Public Works for the emergency repair to repair the sewer line in front of 266 Olympia Drive and Oak Avenue at an estimated cost of \$48,000.00; and

WHEREAS, this condition constitutes an emergency affecting the public health, safety and welfare of the public; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby confirm and acknowledge the receipt of Certification of Request for Emergency Purchases for this emergency.

April 18, 2016

#16-169 Change in Personnel Policy & Procedure Manual - Section VI, Work Rules and Standards, Subject 15 Sexual Harassment Policy

WHEREAS, the Borough of River Edge adopted a Personnel Policy and Procedure Manual on March 7, 1983 via resolution #83-58; and

WHEREAS, the Mayor and Council of the Borough of River Edge desire to change Section VI, Subject 15 with regard to Sexual Harassment Policy; and

WHEREAS, the Mayor and Council considered at their work session of April 18, 2016 making those changes to the Personnel Policy and Procedure Manual.

NOW, THEREFORE, BE IT RESOLVED that the Personnel Policy and Procedure Manual of the Borough of River Edge shall be changed in the following manner:

1. Add the following to Section VI, Work Rules and Standards, Subject 15, Sexual Harassment Policy:

Employee Dating Policy:

The Borough of River Edge recognizes the right of employees to engage in social relationships with each other, including relationships of a romantic or intimate nature. However, the municipality also recognizes that such relations can be a problem in the workplace. They may result in favoritism, discrimination, unfair treatment, friction among coworkers, or the perception that they generate such problems.

To try to achieve a balance between employee rights and workplace needs, the Borough of River Edge has adopted the following policy on the subject of supervisor/subordinate dating. If such a relationship exists or develops, both parties involved shall report the fact to A) their immediate supervisor or B) the Borough Administrator.

For the purposes of this policy, a supervisor/subordinate status means a situation where one employee, irrespective of job title makes or has the authority to make decisions or to take action concerning another employee's compensation, promotion, demotion, discipline, daily tasks, or any other terms, conditions or privileges of employment with the municipality.

If the employees involved in the relationship are also in a supervisor/subordinate status, management may take any action which it deems appropriate, up to and including transferring one of the parties so that there is no longer a supervisor/subordinate relationship between them. In addition, management reserves the right to address any workplace issues that may result from that relationship in the manner it deems appropriate.

Any employees who violates this policy will be subject to disciplinary action, up to and including discharge. The municipality regards a violation of this policy as particularly serious because such workplace relationships can cause favoritism, discrimination, unfair treatment for other interference with municipal operations.

Nothing in this policy alters an employee's at will status.

April 18, 2016

#16-170 Change in Personnel Policy & Procedure Manual - Section I, General Information, Subject 6

WHEREAS, the Borough of River Edge adopted a Personnel Policy and Procedure Manual on March 7, 1983 via resolution #83-

58; and

WHEREAS, the Mayor and Council of the Borough of River Edge desire to change Section I, with regard to General Information; and

WHEREAS, the Mayor and Council considered at their work session of April 18, 2016 making those changes to the Personnel Policy and Procedure Manual.

NOW, THEREFORE, BE IT RESOLVED that the Personnel Policy and Procedure Manual of the Borough of River Edge shall be changed in the following manner:

1. Add the following to Section I, General Information:

Subject 6 - Open Public Meetings Act Procedure Concerning Personnel Matters:

Discussions by the Governing Body or any body of the Borough of River Edge concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee shall be in closed session, with the right of the employee to be present, unless the individual requests in writing that the discussion be held in open session. Such request must be granted. Prior to the discussion by the Governing Body or any body of the Borough of River Edge concerning such matters, the Clerk shall notify the affected person(s) of the meeting date, time and place, the matters to be discussed and the person's right to request that the discussion occur in open session. In the event more than one person is affected by the discussion and one of the affected persons does not request that the discussion be in open session, then the discussion shall be in closed session. In many instances, it is advisable to allow the employee to be present in Executive Session, but it may not be mandatory.

April 18, 2016

#16-171 Change in Personnel Policy & Procedure Manual - Section I, General Information - Subject 5, Equal Employment Opportunity Statement

WHEREAS, the Borough of River Edge adopted a Personnel Policy and Procedure Manual on March 7, 1983 via resolution #83-58; and

WHEREAS, the Mayor and Council of the Borough of River Edge desire to change Section I, General Information, Subject 5 with regard to Equal Employment Opportunity Statement ; and

WHEREAS, the Mayor and Council considered at their work session of April 18, 2016 making those changes to the Personnel Policy and Procedure Manual.

NOW, THEREFORE, BE IT RESOLVED that the Personnel Policy and Procedure Manual of the Borough of River Edge shall be changed in the following manner:

1. Delete the following paragraph to Section I, General Information, Subject 5, Equal Employment Opportunity Statement:

The Borough expects the cooperation of all Borough employees in fulfilling these goals, which are moral, legal, social and economic obligations. The Borough of River Edge is committed to the principal of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination (LAD). Under no circumstances will the Borough of River Edge discriminate on the basis of Sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), liability for service in the United States armed forces, gender identity or expression, and/or

any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer their Department Head, the Equal Employment Compliance Officer or the Employment Attorney.

2. Add the following paragraph to Section I, General Information, Subject 5, Equal Employment Opportunity Statement:

Anti-Discrimination Policy

The Borough of River Edge is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination (LAD) as amended by the New Jersey Pregnant Worker's Fairness Act (LAD). Under no circumstances will the Borough of River Edge discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy (including pregnancy related medical condition, childbirth, liability for service in the United States armed forces, gender identity or expression and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer their Department Head, the Borough Administrator or Borough Attorney.

April 18, 2016

#16-172 Change in Personnel Policy & Procedure Manual - Section II, Employment - Subject 2, Recruitment and Hiring

WHEREAS, the Borough of River Edge adopted a Personnel Policy and Procedure Manual on March 7, 1983 via resolution #83-58; and

WHEREAS, the Mayor and Council of the Borough of River Edge desire to change Section II, Employment, Subject 2, with regard to Recruitment and Hiring; and

WHEREAS, the Mayor and Council considered at their work session of April 18, 2016 making those changes to the Personnel Policy and Procedure Manual.

NOW, THEREFORE, BE IT RESOLVED that the Personnel Policy and Procedure Manual of the Borough of River Edge shall be changed in the following manner:

1. Add the following to Section II, Employment, Subject 2 Recruitment & Hiring:

Employability Proof:

After acceptance, but before starting employment, all new employees shall be required to fill out an employment verification form (I9) and to provide acceptable proof of right to employment in the United States.

April 18, 2016

#16-173 Change in Personnel & Policy Procedure Manual, Change of Pre-employment Application

WHEREAS, Section II, Subject 2, Recruitment and Hiring of the Borough's Personnel Policy & Procedure Manual indicates that the application used by the Borough shall be that which is on

file with the Borough Clerk and made a part herewith; and

WHEREAS, the Employment Application needs to be compliant with the Banned Box Legislation which prohibits employers from asking on an employment application about a candidates criminal background; and

WHEREAS, the Borough of River Edge had included Page 7, Criminal History Supplement; and

WHEREAS, the Personnel Sub-Committee has recommended a new form of application for the Borough which does not include a Page 7, Criminal History Supplement.

NOW, THEREFORE, BE IT RESOLVED that the new revised application on file with the Borough Clerk shall be used by the Borough and is made a part of the Personnel Policy & Procedure Manual effective April 19, 2016.

April 18, 2016

#16-174 Approval to Waive a Charge for Quasi Insurance Coverage for the River Edge Swim Club, Inc.

WHEREAS, the Borough of River Edge had applied for and received quasi insurance coverage for the River Swim Club and there is a one-time charge to the Borough of \$125.00; and

WHEREAS, the Borough of River Edge wishes to waive the charge for quasi insurance coverage for the River Edge Swim Club, Inc.; and

WHEREAS, the Borough of River Edge has the authority to waive this charge.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey, that the Chief Financial Officer is hereby authorized to waive the charge of \$125.00 from the Bergen County Municipal Joint Insurance Fund for the quasi insurance coverage for the River Edge Swim Club, Inc.

April 18, 2016

#16-175 Rescind Resolution #16-158 - Resolution to Create a Farmer's Market Advisory Committee

WHEREAS, resolution #16-158 creating a Farmer's Market Advisory Committee was approved by the Governing Body on April 4, 2016.

NOW, THEREFORE, BE IT RESOLVED that resolution #16-158 dated April 4, 2016 is hereby rescinded due to amendments regulating the Advisory Committee and the establishment of the Farmer's Market.

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

April 18, 2016

#16-176 Approval Establishing the River Edge Farmer's Market and Creation of the Farmers Market Committee

BE IT RESOLVED, by the Mayor and Council approves the operation of the River Edge Farmer's Market, conditioned upon the following:

1. The Farmers Market shall use and be restricted to the American Legion parking lot located at 215 Continental Avenue, River Edge, New Jersey.

2. The Farmers Market is permitted every Tuesday from June 1, 2016 to October 31, 2016.

3. Permitted hours of operation will be from 11:00 A.M. to 7:00 P.M.

4. The Vendors shall be required to enter into a Use and Indemnity Agreement with the Borough of River Edge and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby creates the Farmer's Market Committee, which will oversee, supervise, and provide rules and regulations for the operation of the farmer's market.

A. The River Edge Farmer's Market Committee is hereby authorized and established to serve as an advisory committee to the Mayor and Council and Board of Health, and to be responsible for overseeing market operation, recommending to the Board of Health the issuance of applicable licenses, and ensuring compliance with orders of the River Edge Board of Health and the other provisions of this section.

B. The Committee shall formulate rules and regulations regarding the operation, conduct and financial controls of the Farmer's Market, which shall be subject to the approval of the Mayor and Council and the Board of Health.

C. The Farmer's Market Committee shall consist of four persons. At least one committeeperson shall be a member of the Board of Health. At least one committeeperson shall be a member of the Council. At least one committeeperson shall be a Borough resident nominated by the Mayor. At least one committeeperson shall be a Borough resident nominated by the Council.

D. The members shall be appointed for one year terms. The members first appointed shall be appointed for terms ending on January 1 immediately following the year of appointment.

E. The members of the Farmer's Market Committee shall serve without compensation.

F. The Farmer's Market Committee shall hold meetings at least four times per year and shall keep a record of its proceedings.

G. The Farmer's Market Committee shall prepare and distribute to all vendors a list of rules, created and approved as set forth above in Subsection B, to ensure compliance with state, county and local health regulations and the orderly operation of the market.

H. The Farmer's Market Committee shall not have the authority to incur any obligation in the name of or for the account of the Borough of River Edge or the Board of Health.

BE IT FURTHER RESOLVED, that the following persons have been appointed to serve on the Farmer's Market Committee:

1. Theresa Esposito, Council Designee
2. Mary Davis, Council Representative
3. JoEllen Schlossberg, Mayor's Designee
4. Patricia Cordts, Board of Health Designee

The members' term expires on December 31, 2016.

April 18, 2016

#16-177 Approval to Add Olympia Drive, Oak Avenue and Wayne Avenue to the 2014 Storm/Sanitary Sewer Improvement Program

WHEREAS, Capital Ordinance #1802 was adopted by the Governing Body of the Borough of River Edge on March 17, 2014; and

WHEREAS, Section II a. of Ordinance #1802 allows the Mayor and Council by resolution, to amend the list on file with the Borough Clerk as to any street to be improved; and

WHEREAS, the Borough Clerk has received a memorandum from the Borough Administrator requesting that Olympia Drive, Oak Avenue and Wayne Avenue be included as part of the 2014 Storm/Sanitary Sewer Improvement Program and therefore, would be allowed to be charged to the #1802 Capital Authorization; and

WHEREAS, the Mayor and Council have considered this matter at their work session of April 18, 2016 and feel that it is in the best interest of the Borough of River Edge to include Olympia Drive, Oak Avenue and Wayne Avenue as part of the 2014 Storm/Sanitary Sewer Improvement Program.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge does hereby approve the inclusion of Olympia Drive, Oak Avenue and Wayne Avenue as part of the 2014 Storm/Sanitary Sewer Improvement Program.

BE IT FURTHER RESOLVED that Olympia Drive, Oak Avenue and Wayne Avenue may also be charged to ordinance #1789 and #1806.

April 18, 2016

#16-178 Report Investments Pursuant to the Cash Management Plan

BE IT RESOLVED that the following investments and deposits made pursuant to the Cash management Plan of the Borough of River Edge are hereby confirmed and accepted by the Governing Body.

Months of January, February and March 2016.

<u>Name of Institution</u>	<u>Amount</u>	<u>Type</u>	<u>Book Value</u>	<u>Earned Income</u>	<u>Market Value</u>	<u>Int. Rate</u>
N.J. Cash Management Fund	\$1,500,000.00	CMF	\$1,500,000.00	\$908.04	\$1,500,908.04	.39

April 18, 2016

#16-179 Authorize Refund from Trust Other Account

WHEREAS, a resident had requested the use of Memorial Park on April 24, 2016; and

WHEREAS, the park use fee of \$50.00 was paid in full; and

WHEREAS, the resident was unable to use the park due to the bathrooms not being available because of a required repair; and

WHEREAS, a refund will be made to the following:

Kumar Satya \$50.00
798 Park Avenue
River Edge, NJ 07661

NOW, THEREFORE, BE IT RESOLVED that a total of \$50.00 be refunded from the Trust Other Account to the above listed resident.

April 18, 2016

#16-180 Amend 2016 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 \$880.00.

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.....\$880.00

BE IT FURTHER RESOLVED that the like sum of \$880.00 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.....\$880.00

BE IT FURTHER RESOLVED that the Chief Financial Officer forward a budget amendment request based on this resolution to the Director of Local Government Services.

April 18, 2016

#16-181 Authorize Redemption and Disbursement of Tax Sale Certificate

WHEREAS, at the Tax Sale held on December 2, 2015, Certificate #2015-1 was sold to D1Softball on the property known as 364 Lee Avenue, River Edge, New Jersey, Block 1002, Lot 54, owner of record, 364 Lee Avenue, LLC; and

WHEREAS, D1Softball, had also paid a premium in the amount of \$60,100.00 which was held in escrow by the Borough of River Edge; and

WHEREAS, Weichert Title Agency, has requested a redemption amount on behalf of the homeowner, Chander P. Singh/364 Lee Avenue, LLC on the above certificate as of 4/18/16 and through Weichert Title Agency, the settlement agent, has submitted a certified check in the amount of \$16,550.87 to redeem the above lien.

NOW, THEREFORE, BE IT RESOLVED, that the Accounts Supervisor is hereby authorized to issue 2 checks, one in the amount of \$16,550.87 for the redemption of the lien and one in the amount of \$60,100.00 which was held in escrow, both payable to D1Softball and the Tax Collector to redeem the lien and adjust her records accordingly.

Please make the checks payable to:

D1Softball
c/o Mike Goldstein
20 Glenside Terrace
Montclair, NJ 07043

April 18, 2016

#16-182 Authorize Tax Collector to Refund Tax Overpayments Due to the 2013 Homestead Benefit Credit

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

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

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

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

Block/Lot	Name/Address	Amount
114/11	Lucille Camporini 851 Bogert Road	\$829.39

River Edge, NJ 07661

708/3	John Hoyt 265 Kensington Road River Edge, NJ 07661	\$739.86
1107/3	Richard & Joann Breuer 268 Valley Road River Edge, NJ 07661	\$943.84

April 18, 2016

Motion by Councilman Papaleo, seconded by Councilman Bartelloni to table resolution #16-183.

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

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#16-183 Authorization to Accept Donation of I Beams and Authorizing the Execution of Agreement with the County of Bergen Regarding the Terms Thereof

WHEREAS, the County of Bergen's Department of Public Works has certain surplus equipment no longer needed for a public purpose including three (3) 15 foot I Beams; and

WHEREAS, the Municipality has requested that the County donate the beams to the Borough of River Edge Department of Public Works; and

WHEREAS, the County of Bergen has determined that the "estimated fair value" of the I Beams, defined as the market value less the cost to the County to continue storage or maintenance is \$0.00; and

WHEREAS, N.J.S.A. 40A:11-5(2) AND N.J.S.A. 40A:11-36(2) authorizes the County to sell surplus personal property to another governmental entity without public bidding; and

WHEREAS, the County agrees herein to sell the Equipment to the Borough of River Edge for one dollars (\$1); and

WHEREAS, the Superintendent of Public Works has recommended the acceptance of the three (3) I Beams to be used to create additional storage room at 1 Riverside Way; and

WHEREAS, the Borough of River Edge acknowledges and agrees that the County has made no representation regarding the condition of the I Beams and that the I Beams are being donated strictly in "As Is" condition with no warranties, either expressed or implied; and

WHEREAS, the Governing Body of the Borough of River Edge has determined that it is in the best interest of the residents and taxpayers of the municipality to accept the donation of three (3) 15 Foot I Beams subject to the terms and conditions set forth in the Agreement, annexed hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the borough of River Edge as follows:

1. The recitals set forth above are incorporated into the body of this resolution as if set forth at length herein.
2. The Borough of River Edge here by accepts the donation from the County of Bergen for three (3) 15 Foot I Beams as set forth above, subject to the terms of the Agreement annexed hereto as Exhibit A and subject to approval by the Borough Attorney.
3. The Mayor and Borough Clerk are hereby authorized to execute an Agreement with the County of Bergen in the form annexed hereto as Exhibit A, together with any other documents necessary to complete the above contemplated transaction.

April 18, 2016

Councilwoman Busted read resolution #16-184 into the record.

Motion by Councilwoman Busted, seconded by Councilwoman Murphy to approve resolution #16-184.

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

#16-184 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	\$1,932,441.51
CAPITAL ACCOUNT	\$ 20,310.60
RECREATION ACCOUNT	\$ 7,038.64
ANIMAL WELFARE ACCOUNT	\$ 62.40
TRUST OTHER ACCOUNT	\$ 19,137.57
OPEN SPACE ACCOUNT	\$ 12,172.05
TRUST OTHER DEVELOPERS ACCOUNT	\$ 2,162.84

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

April 18, 2016

#16-185 Enter Into Agreement with Let It Grow, 52 Ackerson Street, River Edge, New Jersey 07661 for Leaf, Grass and Yard Waste Recycling

WHEREAS, the Borough of River Edge has included the collection of leaf, grass and yard waste as part of its recycling program in an effort to reduce solid waste; and

WHEREAS, Let It Grow, 52 Ackerson Street, River Edge, New Jersey has agreed to enter into a contract with the Borough of River Edge for the purchase and disposal of compost; and

WHEREAS, N.J.S.A. Section 40A:11-5(1)(s) and N.J.S.A. 40A:11-36 permits the awarding of a contract without competitive bidding for the marketing of recyclables; and

WHEREAS, the Borough Attorney and Superintendent of Public Works have prepared a contract containing the approved terms and conditions of the sale.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk be authorized to enter into an agreement with Let It Grow, 52 Ackerson Street, River Edge, New Jersey 07661 at a price of five dollars (\$5.00) per cubic yard of ground compost material sold.

April 18, 2016

OPEN HEARING OF THE PUBLIC -

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni

to open hearing of the public.

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

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS -

Councilwoman Murphy-reported that the Bergen County Department of Parks and Human Services sponsored an event on Sunday April 10th at the Van Saun Park Zoo which was well attended. She congratulated Anita DeSilva on her 10th Anniversary as the owner of State Farm Insurance in River Edge. Councilwoman Murphy wanted to make a correction of an article that was in the Town News regarding the Library Construction Bond Act. The amount was not \$125 million dollars as was stated in the paper but \$125,000.00. Councilwoman Murphy announced that the Beautification Committee will be holding their annual Mother's Day Plant Sale on April 30th at Fire House Company #1 and asked everyone for their support. She also announced that the Junior Women's Club will be having a mother/daughter event called the "Mama Mia Spring Jamboree" on Saturday April 30th at the Knights of Columbus. The Library will be having a coloring for adults event on June 6th and 13th. She also reported that the Lion's Club will be having a fundraiser for the Taveras family at Sanducci's on Wednesday, April 20th and if you bring the flyer, a part of the proceeds will go to help the family.

Councilwoman Davis-said that she attended the fundraising event at the River Edge Diner last Friday where 10% of the proceeds were donated to the River Edge Volunteer Ambulance Service. She said that it was a great event and members of the Ambulance Corp. set up a table outside and many people gave donations. Councilwoman Davis reminded everyone that the Green Team will be having a shredding and used toy collection event on Saturday, April 30th at Cherry Hill School.

Councilman Acquafredda-stated that the Mayor and Council had received notification from Colin Quinn that Mill Creek Residential has withdrawn their application. He asked if the Pilot program falls with the withdrawal of the application.

Mayor Mignone-stated that he doesn't know because he wasn't at the meeting. It is his opinion, that they are two separate items. He stated that if the Planning Board decided yes, it was a redevelopment area, the next step would have been to prepare a redevelopment plan where Mill Creek would have been welcome to apply. The Mayor has said from the beginning that there was a problem with the whole process with Mill Creek so they'll have to wait for the next Planning Board meeting to get some guidance.

Councilman Acquafredda-said that he was unable to attend the last Planning Board meeting so he'll bring it up at the next meeting.

Mayor Mignone-feels that the process needs to be brought to a conclusion one way or another.

Councilman Papaleo-commented on a recent sewer repair that was done by the DPW, where they were doing a standard check of sewer line in the south end of town and identified a collapsed sewer pipe. Due to the diligence and constant attention to detail, our Superintendent John Lynch stayed at the construction site for most of the 48 hours that it took to do the repair. Councilman Papaleo again commended John and his crew for an excellent job and thanked him for keeping him informed. Councilman Papaleo again reminded everyone of the Mother's Day Plant sale that the Beautification Committee will be holding and also commended the Committee for all of their hard work and doing a phenomenal job. Councilman Papaleo stated that although he doesn't have anything new to report with the Fire Department, he thanks them for their continuous dedication.

Councilwoman Davis-mentioned that many new home buyers are having sewer inspections which is something new and she feels that it will happen more and more because of an article written in the Record about the deteriorating sewer lines.

Mayor Mignone-stated that he would always recommend that a new homeowner have the laterals inspected because the laterals are the homeowners responsibility.

Councilman Papaleo-agreed that it is a real problem and said that we are fortunate to have John Lynch and his department to stay on top of it.

Mayor Mignone-said that like the sidewalks, we do not have responsibility from the connection from the house to the connection to the main so it would make sense if you're buying a house to make sure that the lateral doesn't have any sag or root problems.

Councilman Bartelloni-reported that the July 4th Committee met and made a recommendation that Barbara Christiansen be the Grand Marshall of the parade. Councilman Bartelloni asked that this nomination be listed for the next meeting for Council approval. He reported that notices will be going out to the parties and businesses requesting sponsorships. Councilman Bartelloni will speak with Chief Cariddi to see where he's at with assessing his departmental needs and manpower and get his ideas on how to increase our pool of applicants fairly quickly.

Councilwoman Busted-reminded everyone that Saturday, April 23rd is the 35th Annual River Edge Run, Fun Run and Health Walk and thanked all parties involved for their hard work in putting this event together. Councilwoman Busted also announced that on Tuesday evening, April 26th at 7 p.m., the Stigma Free Initiative will be hosting its second seminar on autism awareness entitled "After the Diagnosis". She thanked Jennifer Kelemen and the Library for always being supportive and providing space and advertising. Councilwoman Busted mentioned that May 1st through May 7th is National Small Business Week and suggested that we offer a proclamation to our small businesses in town. She feels that it's an opportunity to remind residents to shop local and support the small businesses in town.

Mayor Mignone - echoed Councilman Papaleo's comments regarding the Beautification Committee, Fire Department and DPW. The Mayor has worked with John Lynch for a number of years and doesn't worry about any of our infrastructure because he is very proactive and always on top of things. The Mayor corrected the statement made previously by saying that the amount of the New Jersey Library Construction Bond Act is for \$125 million dollars and was meant to go on a public ballot for referendum. He continued to say that if the public approves the referendum, the State will figure out how they will handle the grant applications and it will be a matching program as well. The Mayor feels that it will be quite a while before that becomes a reality.

ADJOURNMENT - 8:45 P.M.

Motion by Councilwoman Murphy, seconded by councilman Acquafredda to adjourn the meeting at 8:45 p.m.

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

Mayor Edward J. Mignone

Attest:

Stephanie Evans, Borough Clerk

Dated: