

M I N U T E S
Regular Meeting of the Mayor and Council
Monday, May 2, 2016
8:00 P.M.

CALL THE MEETING TO ORDER -

Mayor Mignone called the meeting to order at 8:04 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 that everyone take a moment to remember three individuals who recently passed away: Lizette Parker, Mayor of Teaneck; Rabbi Joseph Rudavsky, who had a significant impact on our residents was the Rabbi at Temple Shalom from 1962 to 1988; Shirley Sanders, mother of firefighter and ambulance member Bill Sanders, mother-in-law to Donna Sanders our REVAS Captain and grandmother to Justin and Chelsea Kearns. The Mayor asked Borough Clerk, Stephanie Evans 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 Busteed, Councilwoman Davis, Councilwoman Murphy, Councilman Papaleo and Mayor Mignone were present.

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to approve the minutes of the Mayor and Council work session and regular meeting of April 18, 2016.

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

PROCLAMATIONS & AWARDS -

Mayor Mignone read the proclamation declaring May 1st through May 31st as Annual Poppy Sale Days as follows:

PROCLAMATION

WHEREAS, the Annual Poppy Sale by the American Legion and the Veterans of Foreign Wars has been officially recognized and endorsed by the Government leaders; and

WHEREAS, the Poppies are assembled by disabled veterans, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans.

NOW, THEREFORE, I Edward J. Mignone, Mayor of the Borough of River Edge, do hereby urge the citizens of this community to recognize their merits of this cause by contributing generously to its support through the purchase of Poppies from May 1st through May 31st, 2016, the designated Annual Poppy Sale days in the Borough of River Edge, and do further urge all citizens to support the American Legion Auxiliary of the Sgt. Walter Scott Brown Unit #226, the Veterans of Foreign Wars Auxiliary of the Caldorney-Kjaiber-Frost Post NO. 876 of River Edge by buying and wearing a Poppy.

Mayor Edward J. Mignone

Dated: May 2, 2016

Mayor presented the proclamation to Joe Maugeri and asked everyone to buy a poppy and support the cause.

Mayor Mignone read the Proclamation Declaring May 11 - May 17, 2016 as National Police Week as follows:

PROCLAMATION

WHEREAS, in 1962, President Kennedy proclaimed May 15th as National Peace Officers Memorial Day and the calendar week in which May 15th falls, as National Police Week; and

WHEREAS, established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

WHEREAS, recent events throughout our nation have unfortunately demonstrated a reckless disregard for the lives and safety of law enforcement officers; for instance on December 20, 2014 NYPD Officer Liu and Officer Ramos were executed at point blank range while sitting in their patrol vehicle in Brooklyn; and

WHEREAS, it is incumbent upon public officials and the law abiding public to proactively support our law enforcement officers who regularly face threats of violence and danger, and routinely put their lives in jeopardy to defend others, potentially resulting in injury, disability or even death to keep our neighborhoods safe, enforce the rule of law, protect our property and to respond in times of crisis; and

NOW, THEREFORE, BE IT RESOLVED that I, Edward J. Mignone, Mayor of the Borough of River Edge, in recognition thereof, do hereby proclaim:

May 11 - May 17, 2016 as:

National Police Week

Mayor Edward J. Mignone

Dated: May 2, 2016

Mayor Mignone stated that we've created government to secure our rights and the fundamental way that we do that is by having a police department. There is no greater obligation of local government than the protection of public peace and keeping us safe. The Mayor feels very grateful to have a wonderful Police Department from top to bottom.

Mayor Mignone read the Proclamation Declaring May 15 - May 21, 2016 as National Public Works Week as follows:

PROCLAMATION

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

WHEREAS, the support of an understanding and informed citizenry is vital to the

efficient operation of public Works systems and programs such as sewers, streets, drainage, public buildings, recycling, leaf collection and snow plowing; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, I, Edward J. Mignone, Mayor of the Borough of River Edge do hereby proclaim the week of May 15 through May 21, 2016 as:

"National Public Works Week"

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

Mayor Edward J. Mignone

Dated: May 2, 2016

Mayor Mignone stated that Public Works plays a critical role in local government because we need them to maintain our infrastructure and keep our roads clear during storms so that our emergency service can get through. As the Mayor has stated many times in the past, he has nothing but praise for John Lynch and the men in his department and feels that our DPW is one of the best in the county and state.

Mayor Mignone read the Proclamation Declaring May 15 - May 21, 2016 as Emergency Medical Services Week as follows:

PROCLAMATION

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or

volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and

NOW, THEREFORE, I, Edward J. Mignone, Mayor of the Borough of River Edge do hereby proclaim:

May 15 – May 21, 2016

as

Emergency Medical Services Week

in River Edge, in recognition of all those engaged in emergency medical services activities and encourage the community to observe this week with appropriate programs, ceremonies and activities.

Mayor Edward J. Mignone

Dated: May 2, 2016

The Mayor has experienced emergency situations in the past where he needed to call the ambulance and feels that this is a service that our community cannot do without. The Mayor commended all of the volunteers who respond during all hours of the day and night to provide this service to our residents in a professional manner. The Mayor acknowledged Captain Donna Sanders for being a positive role model as well as Councilwoman Mary Davis who has been a member for 42 years.

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

PROCLAMATION

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

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

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

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

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

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

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

THEREFORE, I, Mayor Edward J. Mignone, do hereby proclaim May 2016 as Mental Health Month in the Borough of River Edge. As the Mayor of River Edge, I also call upon the citizens, government agencies, public and private institutions, businesses and schools in River Edge to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

Mayor Edward J. Mignone

Dated: May 2, 2016

Mayor Mignone presented the proclamation to Arlene Faustini, our Public Health Nurse and Board of Health Member Elizabeth Oudens, M.D. The Mayor stated that we are very fortunate to have volunteers and professionals who have brought this issue to the forefront and also thanked Councilwoman Busteded for helping get this initiative off the ground.

Mayor Mignone read the Proclamation Declaring May 1st - May 7, 2016 as National Small Business Month as follows:

PROCLAMATION

WHEREAS, America's progress has been driven by pioneers who think big, take risks and work hard; and

WHEREAS, from the storefront shops that anchor Main Street to the high-tech startups that keep America on the cutting edge, small businesses are the backbone of our economy and the cornerstones of our nation's promise; and

WHEREAS, small business owners and Main Street businesses have energy and a passion for what they do; and

WHEREAS, when we support small business, jobs are created and local communities preserve their unique culture; and

WHEREAS, because this country's 28 million small businesses create nearly two out of three jobs in our economy, we cannot resolve ourselves to create jobs and spur economic growth in America without discussing ways to support our entrepreneurs; and

WHEREAS, the President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs through the U.S. Small Business Administration and other government agencies; and

WHEREAS, the Borough of River Edge supports and joins in this national effort to help America's small businesses do what they do best - grow their business, create jobs, and ensure that our communities remain as vibrant tomorrow as they are today.

NOW, THEREFORE, BE IT RESOLVED that I, Edward J. Mignone, Mayor of the Borough of River Edge, in recognition thereof, do hereby proclaim:

May 1st - May 7, 2016

as:
National Small Business Week

Mayor Edward J. Mignone

Dated: May 2, 2016

Mayor Mignone stated that it is crucial that we support our local businesses because it's not only good for the economy but we get so much support from our local business that it's important to give back.

Mayor Mignone read the proclamation declaring the month of May as Celiac Awareness Month as follows:

PROCLAMATION

WHEREAS, 1 out of every 133 people is diagnosed with celiac disease, a genetic disorder. Affecting 3 percent of the population, roughly 3 million individuals struggle with this condition; and

WHEREAS, a growing number of people who do not have celiac disease are diagnosed with non-celiac gluten sensitivity. In 2012, gluten sensitivity was classified by an international group of experts on the disorder as a legitimate condition that affects up to 10 times more people than celiac disease; and

WHEREAS, Celiac Disease is an autoimmune condition for which the only treatment is to follow a gluten-free diet for life. This digestive disease results in damage to the intestine when affected individuals come into contact with gluten. The resulting malabsorption of nutrients leads to vitamin deficiencies and can also lead to the development of Diabetes and Crohn's Disease; and

WHEREAS, Gluten is a protein found in many foods such as wheat, rye, barley and their derivatives and must be avoided in order to keep from damaging the intestines and immune system. These individuals must also eat gluten-free oats as they can become cross contaminated with wheat during harvest and processing; and

WHEREAS, symptoms of celiac disease are different for everyone, but they may include diarrhea, gas, bloating, constipation, nausea, weight loss, anemia, chronic fatigue, muscle cramps and lapses in memory.

NOW, THEREFORE, I, Edward J. Mignone, Mayor of the Borough of River Edge do hereby proclaim:

May, 2016

as

Celiac Disease Awareness Month

and urge citizens to learn more about this disorder which has a growing impact on our community.

Edward J. Mignone, Mayor

Dated: May 2, 2016

Mayor Mignone stated that living in a world that is gluten free is not easy and feels that promoting awareness is key in getting people to understand this issue.

OPEN PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA -

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

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

~~Beth Chinigo-445 Windsor Road-stated that she read the ordinance regarding food handler's certificate and didn't realize that volunteer organizations would be included. She is the vice-president of REGAL and asked if they would have to obtain a certificate?~~

~~Mayor Mignone-suggested that Mrs. Chinigo raise her questions when they open the public hearing on the ordinance because members of the Board of Health will explain all of the rules and requirements.~~

~~Beth Chinigo-asked if that would also include the PTO pizza lunches at school?~~

~~Mayor Mignone-replied, yes.~~

~~Beth Chinigo-asked if they would have to obtain a certificate every two weeks?~~

~~Mayor Mignone-said that those questions can be answered once they open the public hearing on the ordinance.~~

CLOSE PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA -

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

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

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to approve the salary change of Edward Blue, Patrol Officer from an annual salary of \$37,142.00 to \$45,101.00 due to Patrolman 18th Grade of the contract, effective May 5, 2016.

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

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve compensation for Stuart Heinzinger, Deputy Emergency Management Coordinator for services rendered for the period April 1, 2016 through April 30, 2016 based on the current annual rate of \$7,198.00.

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

Motion by Councilwoman Murphy, seconded by Councilwoman Busted to approve the hire of Colette Murray, 259 Continental Avenue, as part-time Circulation Library Assistant, at an hourly rate of \$11.00, 20 hours per week, with a six-month probationary period, effective May 2, 2016.

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

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to approve the hire of Francis B. Quara, 916 Myrtle Avenue as a part-time seasonal Recreation Commission Park Attendant at an hourly Step I, B Scale hourly rate of \$19.06, effective May 6, 2016.

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

CORRESPONDENCE -

Notice - River Edge Board of Education - 4/18/16
Re: Next Meeting - 4/20/16
Letter - Colin Quinn, Esq. - 4/16/16
Re: Mill Creek Residential, Withdrawal
of Application
Letter - State of NJ, Dept. of Education-4/21/16
Re: 2016-2017 Municipal Percentage
Shares for Tax Levies for Regional
Schools
Notice - Bergen County - 4/21/16
Re: Access for All Community Forum -
May 14, 2016, East Rutherford
Letter - State of New Jersey, DOT - 4/22/16
Re: No Funding for Howland Avenue,
Section 7, Phase V
Letter - State of New Jersey, DEP - 4/22/16
Re: Notice of Suspected Hazardous
Discharge - 130 Kinderkamack Road
Notice - River Edge Zoning Board - 4/25/16
Re: Hearing on Application - 319
Midland Avenue
Letter - Recreation Commission - 4/27/16
Re: Thank you to Police, DPW, Fire &
Ambulance for their Help During River Edge Run

MONTHLY REPORTS -

Historic Commission - March 2016
Environmental Commission - April 2016 (No Quorum)

ORDINANCES - 1ST READING - NONE

ORDINANCE - 2ND 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

Ordinance #1860 was introduced by Councilman Bartelloni, seconded by Councilwoman Busted at the April 18, 2016 meeting 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 REGARDING FOOD HANDLER'S CERTIFICATION

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;

WHEREAS, the Borough of River Edge also seeks to provide standards wherein nonprofit and volunteer organizations sells and/or prepares and serves food to the public;

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 sold 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:

(A) 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.

(B) With regards to nonprofit and/or volunteer organizations selling and/or preparing and serving food to the public, a temporary permit, exempt from fees, must be obtained from the Board of Health two weeks prior to the date of the function. In order to obtain this permit, the following information must be provided: date and length of function; type of food being prepared; and approximate number of people being served. In addition, each organization shall have someone from their organization take the food handler's course and obtain a food handler's certification.

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.

Edward J. Mignone, Mayor

Attest:

Stephanie Evans, RMC

Dated:

OPEN PUBLIC HEARING ON THE ORDINANCE - Ordinance #1860

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to open public hearing on Ordinance #1860.

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

Patricia Cordts-President of the Board of Health-explained in detail the rules and regulations for obtaining a food handler's certificate. A copy of the rules and regulations are on file in the Board of Health office. Councilwoman Murphy-asked if they will have to hire more people to take care of the paperwork? She asked who will be checking the license plates. Patricia Cordts-replied the Board of Health. She continued to say that anyone who needs a permit will have to go onto the webpage, download the form, fill it out and submit it to the Board of Health. Councilwoman Murphy-asked what the fee would be? Patricia Cordts-replied, \$25.00 which she feels is reasonable because other towns are charging \$50.00 to \$75.00. Mayor Mignone-asked how long it takes to go through the online course? Patricia Cordts-replied, not very long. She said that it's very quick and self-paced and is something that you can log into and finish at a later time. The certificate is good for 5 years. Mayor Mignone-asked if what they're proposing is uncommon throughout the County? Patricia Cordts-replied that it's not uncommon at all, it's for the safety of our residents. Mrs. Cordts said that as the President of the Board of Health, she will be the designee for the PTO and REGAL because she's part of those organizations. Mayor Mignone-asked if they have an outreach plan to other organizations

such as the church groups, the Knights, Fire Department, etc.?

Patricia Cordts-stated that they plan to send a letter to the organizations letting them know when they will need to come in for a permit for certain functions.

Mayor Mignone-asked if there is a definition for an organization in the ordinance as opposed to an individual?

Tom Sarlo, Esq.-replied yes.

Mayor Mignone-asked if residents from 50 homes are having a bake sale, will they be required to have a food handler's permit?

Patricia Cordts- replied, no they will not be required to have it. There is some common sense involved.

Councilwoman Murphy-asked about a lemonade stand? She also asked if the rules apply to everyone or not?

Patricia Cordts-stated that the rules do not apply to lemonade stands.

Councilwoman Murphy-asked why not? Councilwoman Murphy made reference to several articles that she read stating that lemonade stands were shut down by the Health Department because they didn't have the proper paperwork.

Mayor Mignone-stated that it's not an organization so it doesn't apply.

Councilwoman Murphy-asked "couldn't it affect public health"?

Mayor Mignone-suggested that Councilwoman Murphy add that language to the ordinance if she feels its warranted.

Councilwoman Murphy-asked again if the rules apply to everyone or not because if they are worried about public safety, someone could potentially be poisoned by something that was sold.

Patricia Cordts-stated that if someone sells lemonade on their property, the individual and the parents will be accountable for it. It's not being sold in a public place for public consumption.

Councilwoman Davis-stated that it would be the same for something such as a cupcake sale in a church.

Patricia Cordts-again stated that common sense would come into play because they don't want to over-regulate.

Councilwoman Murphy-said that it seems that there are a lot more regulations.

Mayor Mignone-asked everyone to remember what triggered this. There was a vendor at the Farmer's Market who was cooking out of his house which is what led to the Board of Health requesting this ordinance.

Councilwoman Murphy-said that he has a restaurant in Bergenfield now.

Mayor Mignone-stated that they had a vendor who prepared food out of his house and was selling it at the Farmer's Market and the Board of Health said that they need to regulate it so that they know who's doing it. The Mayor again stated that this doesn't apply to lemonade stands or bake sales and Councilwoman Murphy's point is well taken that if a mobile vendor comes into town they should be registered.

Councilwoman Murphy-asked if for the carnival, there will be the same oversight of vendors?

Patricia Cordts-replied yes and explained that whoever is in charge of choosing the food vendors, that person needs to provide the name of the vendor and all of the paperwork to the Health Department.

Councilwoman Murphy-asked if the penalty is up to \$1,000 if it's not done correctly?

Councilman Bartelloni-stated that it would be up to Judge Safro's discretion.

Tom Sarlo, Esq.-stated that the interpretation and enforcement will lie with the Board of Health.

Councilwoman Murphy-asked how many incidents of food poisoning have we had over the past decade?

Patricia Cordts-replied, none that she knows of.

Arlene Faustini, Public Health Nurse-stated that she's been with the Borough for 19 years and yes, there have been some food poisoning outbreaks. She receives notification of the incidents confidentially through the communicable disease reporting system. After speaking with the doctor and/or patient and a food vendor or restaurant was identified, the Health Inspector would then be sent out.

Councilwoman Murphy-asked if that has been proven that it come from a restaurant?

Arlene Faustini-replied, absolutely.

Beth Chinigo-stated that in the schools, some of the bake sale goods include food that was prepared at home and some was purchased from a store. She asked if a handler's permit would have to be provided from the goods purchased from the store?

Patricia Cordts-replied no, it only applies when there's actual cooking of the food on the premises.

Beth Chinigo-asked if there is a higher risk of contamination at a bake sale because many of the items are made in private homes?

Patricia Cordts-stated that there's always that possibility but again they're using common sense.

Beth Chinigo-agreed with the common sense thing but also feels that if

they would require it from REGAL then why wouldn't it be required for a PTO fundraising bake sale?

Patricia Cordts-gave an example that if they were at KBG cooking hot dogs, the Health Inspector would inspect the facility, make sure that the hot dogs had been refrigerated and were being cooked at an adequate temperature. The same procedure would also apply at Memorial Park.

Beth Chinigo-asked if on opening day they were to have a hot dog cart, would Joanna have to come out and inspect prior to the event?

Patricia Cordts-asked if it was a person who was bringing their own cart?

Beth Chinigo-replied, no they rented the cart.

Patricia Cordts-stated that the cart would have been inspected already before it was rented out.

Councilwoman Murphy-asked if the water temperature should be tested to make sure the hot dogs are cooked at the correct temperature?

Mayor Mignone-replied, only if they're doing a compliance inspection. He continued to say that it's public expectation that when you go to a snack stand the refrigerator is the proper temperature, the water is the proper temperature and the equipment is being cleaned. The Mayor stated that the public expectation is that those things have already been done and in some instances they haven't been. That's what the Board of Health is trying to address.

Patricia Cordts-explained that there has to be a designee who will have to follow the procedures and guidelines.

Councilwoman Murphy-asked several questions regarding some of the regulations and also asked about the barbeque that is held during the last few games of Men's and Women's Softball. She asked who would be in charge of that?

Patricia Cordts-asked if they hire someone to do the barbeque?

Councilwoman Murphy-replied sometimes they do and sometimes they don't.

Patricia Cordts-asked if they are serving the public and charging for the food?

Mayor Mignone-replied, no.

Councilwoman Murphy-said that it seems like a lot of paperwork.

Patricia Cordts-said that it will be one form.

Councilwoman Busted-stated that the paperwork shouldn't dissuade us from protecting public health and commended Mrs. Cordt's for doing a thorough job of explaining the impact and using reasonable common sense. She feels that the Board of Health should be commended for elevating this conversation to protect public health.

Mayor Mignone-agreed. The Mayor stated that the Council has discussed this several times and if there were concerns or amendments to this language, they should have been brought up before now.

Patricia Cordts-said that she will be the accountable designee for REGAL and the Roosevelt PTO.

Councilman Papaleo-stated that they've done a very thorough job and feels that this is an outstanding common sense ordinance.

Mayor Mignone-trusts that the Board of Health will come back to the Council if there's a need to tweak the ordinance going forward to address anything that they haven't thought of right now.

Cindy Bequeaith-745 7th-stated that she has some misgivings about the bake sale part of the ordinance because she knows people have cats and dogs that they allow to walk on their counters. She feels that Board of Health should reach out to those people who will be preparing food for a bake sale explaining the guidelines as an extra protection.

Mayor Mignone-feels that it should fall under the common sense rule.

Cindy Bequeaith-feels that if we're going to make the outreach to all of the public organizations in town, it also makes sense to advise the people who are going to help in a bake sale because it impacts everyone.

Mayor Mignone-stated that her suggestion is entirely appropriate.

Patricia Cordts-explained that it would be an easy thing to do and gave some suggestions as to how they could implement it.

CLOSE PUBLIC HEARING ON THE ORDINANCE - Ordinance #1860

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to close public hearing on Ordinance #1860.

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

ADOPTION - Ordinance #1860

Motion by Councilwoman Busted, seconded by Councilman Papaleo to adopt Ordinance #1860.

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

Mayor Mignone-thanked Mrs. Cordts and the Board of Health for putting this together and working with the Council and Mr. Sarlo to come up with something that is a good solution and very workable.

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

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

Ordinance #1861 was introduced by Councilman Acquafredda, seconded by Councilwoman Davis at the April 18, 2016 meeting 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:

OPEN PUBLIC HEARING ON THE ORDINANCE - Ordinance #1861

Motion by Councilwoman Murphy, seconded by Councilwoman Davis to open public hearing on Ordinance #1861.

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

Patricia Cordts-is a member of the Farmer's Market Committee and asked if they have hired a manager yet?

Mayor Mignone-explained that the committee has to meet first.

Councilwoman Davis-said that the committee will be meeting next Monday.

CLOSE PUBLIC HEARING ON THE ORDINANCE - Ordinance #1861

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to close public hearing on Ordinance #1861.

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

ADOPTION - Ordinance #1861

Motion by Councilman Acquafredda, seconded by Councilwoman Murphy to adopt Ordinance #1861.

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

RESOLUTIONS - By Consent

Motion by Councilman Papaleo, seconded by Councilwoman Davis to approve resolution #16-186 through #16-190, #16-192 through #16-197 and #16-199 and #16-200.

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

#16-186 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 16, 2016 work session meeting and discussion of the hereinafter specified subject matter:

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

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

2. It is anticipated at this time that the above stated subject matter will be made public within a reasonable time, the substance of which will be released after the Mayor and Council or the specific authorized public body has reviewed and specifically accepted the data.

1. This resolution shall take effect immediately.

May 2, 2016

#16-187 Amend Cash Management Plan

WHEREAS, the Governing Body adopted a Cash Management Plan via resolution #16-28 dated January 1, 2016; and

WHEREAS, the Chief Financial Officer has recommended the following changes to Section IV, Designation of Depositories.

Delete from Section IV -

Hudson City Savings Bank, 249 Kinderkamack Road, Oradell, N.J 07649
Valley National Bank, 243 Main Street, New Milford, NJ 07646

Add to Section IV -

M & T Bank, 249 Kinderkamack Road, Oradell, NJ 07649
Valley National Bank, 350 Kinderkamack Road, Oradell, NJ

NOW, THEREFORE, BE IT RESOLVED that the Governing Body hereby accepts the amendments to the Cash Management Plan as stated above and the Borough Clerk and Chief Financial Officer are instructed to adjust the records of the Borough.

May 2, 2016

#16-188 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the 2016 Riverside Road Resurfacing Program-Inspection

WHEREAS, there exists a need for expert professional engineering services related to the 2015 Riverside Road Resurfacing Program - Inspection; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1859-100 of the Capital Fund not to exceed \$10,000.00; and

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

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

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

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$10,000.00; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

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

May 2, 2016

#16-189 Enter into an Agreement with Nixle for License as a Government User

BE IT RESOLVED, that the Mayor is hereby authorized to sign the agreement with Nixle for License as a Government User.

May 2, 2016

#16-190 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Manchester Road

WHEREAS, on or about May 2, 2016, the Borough of River Edge granted permission to Jamie Cerelli, 163 Manchester Road, River Edge, New Jersey, to hold a block party on Manchester Road between Oak Avenue and Elm Avenue on Saturday, June 4, 2016, (rain date June 18, 2016) starting at 2:00 p.m. in accordance with Borough Ordinance #1678; and

WHEREAS, Mrs. Cerelli has 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.

May 2, 2016

Motion by Councilman Papaleo, seconded by Councilwoman Davis to approve resolution #16-191.

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

#16-191 Approval to Waive a Portion of the Police Outside Duty Rate for St. Peter the Apostle Parish

WHEREAS, St. Peter the Apostle Parish will host a Parish Carnival on the Parish Grounds located at 445 Fifth Avenue from September 22nd through September 25th, 2016; and

WHEREAS, St. Peter the Apostle Parish requested one (1) uniformed officer for the duration of the carnival; and

WHEREAS, St. Peter the Apostle Parish have made an appeal to the Mayor and Council to waive the administrative fee portion of the \$135.00 per hour rate and be billed for the officer's overtime rate; and

WHEREAS, the Mayor and Council have discussed this matter at their work session of May 2, 2016 and have indicated that the outside duty rate of \$135.00 be waived and that the actual overtime rate of the police officer assigned to that duty be charged.

NOW, THEREFORE, BE IT RESOLVED that the Police Department and the Chief Financial Officer are instructed to adjust their billing accordingly and to notify St. Peter the Apostle Parish of the fee to be paid for the services provided.

May 2, 2016

#16-192 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 grant for a Reserve for Clean Communities Grant Unappropriated in the amount of \$500.00.

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

Clean Communities Grant.....\$500.00

BE IT FURTHER RESOLVED that the like sum of \$500.00 and the same is hereby appropriated under the caption of:

General Appropriations

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

Clean Communities Grant.....\$500.00

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.

May 2, 2016

#16-193 Amend Agreement with Matthew Giacobbe, Esq., Cleary Giacobbe Alfieri Jacobs, LLC, 169 Ramapo Valley road, Upper Level 105, Oakland, New Jersey, 07436 for Professional Services as Labor Attorney for the Borough

WHEREAS, there exists a need to retain legal services for the purpose of Labor and Employment Services; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Matthew Giacobbe, Esq., Cleary Giacobbe Alfieri Jacobs, LLC, 69 Ramapo Valley Road, Upper Level 105, Oakland, New Jersey 07436 on January 1, 2016 via resolution #16-03 in the amount of \$3,000.00; and

WHEREAS, additional funding is required for legal services; 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, Matthew Giacobbe, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Matthew Giacobbe, 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 Matthew Giacobbe, 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 May 2, 2016; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-168 of the Current Fund in an

amount not to exceed \$3,000.00.

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

2. The Mayor and Clerk are hereby authorized to execute an amended agreement with Matthew Giacobbe, Esq., Cleary Giacobbe Alfieri Jacobs, LLC, 169 Ramapo Valley Road, Upper Level 105, Oakland, New Jersey 07436 in the amount not to exceed \$3,000.00.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
4. 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.

May 2, 2016

#16-194 Amend Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Design of the Borough Hall Entrance Ramp

WHEREAS, there exists a need for expert professional engineering services related to the Design of the Borough Hall Entrance Ramp; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #15-365 dated October 7, 2015 in the amount of \$3,000.00; and

WHEREAS, additional funding is required for professional services related to the design of Borough Hall entrance ramp; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-170 of the Current Fund in the amount not to exceed \$6,500.00; and

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

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

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

WHEREAS, the Mayor and Council have examined resumes, biographies, work experience; and

WHEREAS, the Mayor and Council have reviewed price and other factors when considering supporting reasons for awarding this contract; and

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

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 325 3,000.00; and
2. The Business Disclosure Entity Certification and the Determination

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

May 2, 2016

#16-195 Amend Agreement with Robert Costa, Borough Engineer for
Professional Services Related to Community Development Block
Grant Street/Curb/Sidewalk Improvements, Phase I - Design and
Inspect

WHEREAS, there exists a need for expert professional
engineering services related to Community Development Block Grant
Street/Curb/Sidewalk Improvements, Phase I - Design and Inspect;
and

WHEREAS, the Borough of River Edge has previously awarded a
contract to Robert Costa, Borough Engineer via resolution #15-336
dated September 8, 2015 in the amount of \$6,000.00 and

WHEREAS, additional funding is required for professional services
related to Community Development Block Grant Street/Curb/Sidewalk
Improvements, Phase I - Design and Inspect; and

WHEREAS, the Chief Financial Officer has certified that funds are
available from Account #01-2010-20-1652-100 of the Current Fund in the
amount not to exceed \$2,000.00; and

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

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

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

WHEREAS, the Mayor and Council have examined resumes,
biographies, work experience; and

WHEREAS, the Mayor and Council have reviewed price and other
factors when considering supporting reasons for awarding this
contract; and

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

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

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

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

May 2, 2016

#16-196 Grant Raffle License to St. Peter the Apostle Church

BE IT RESOLVED that the following license to conduct an Off Premise Prize Raffle to the St. Peter the Apostle Church, 455 Fifth Avenue, River Edge, New Jersey 07661 License #675, I.D. 423-1-27855 to take place at St. Peter the Apostle Church, 455 Fifth Avenue, River Edge New Jersey on September 25, 2016 at 7:30 p.m.

The Clerk reporting all in order.

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control of the State of New Jersey.

May 2, 2016

#16-197 Grant Raffle License to St. Peter the Apostle Church

BE IT RESOLVED that the following license to conduct an On Premise Non-Draw Raffle to St. Peter the Apostle Church, 445 Fifth Avenue, New Jersey, 07661, License #676, I.D. 423-1-27855 for a four (4) day carnival to take place at St. Peter the Apostle Church, 455 Fifth Avenue, River Edge, New Jersey on September 22, 2016 from 6:00 p.m. to 10:00 p.m.; September 23, 2016 from 6:00 p.m. to 12:00 a.m.; September 24, 2016 from 1:00 p.m. to 12:00 a.m.; September 25, 2016 from 1:00 p.m. to 9:00 p.m.

The Clerk reporting all in order.

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control of the State of New Jersey.

May 2, 2016

Councilwoman Busted read resolution #16-198 into the record.

Motion by Councilwoman Busted, seconded by Councilman Bartelloni to approve resolution #16-198.

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

#16-198 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	\$7,607,362.02
CAPITAL ACCOUNT	\$ 218,164.38
RECREATION ACCOUNT	\$ 7,856.09
TRUST OTHER ACCOUNT	\$ 13,207.50
OPEN SPACE ACCOUNT	\$ 4,297.60

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 times claims would be paid.

May 2, 2016

#16-199 Amend Resolution #16-69 2016 Salary Resolution

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

2016

		<u>Annual</u>	<u>Hourly</u>
<u>Open Space</u>			
Park Attendant	P/T Quara, F.		\$19.06

May 2, 2016

#16-200 Borough of River Edge Involved in Certain Litigation Entitled In the Matter of the Application of the Borough of River Edge, a Municipal Corporation of the State of New Jersey

WHEREAS, the Borough of River Edge is involved in certain litigation entitled in the Matter of the Application of the Borough of River Edge, A Municipal Corporation of the State of New Jersey; and

WHEREAS, that litigation is in response to the Supreme Court's ruling in the case of In the Matter of the Adoption of N.J.A. C. 5:96 and 5:97 by the New Jersey Counsel on Affordable Housing 221 NJ1 (2015); and

WHEREAS, that litigation will require the Borough to demonstrate to the Court that it is fulfilling its constitutional obligation of providing reasonable opportunity for affordable housing by and within the Borough of River Edge; and

WHEREAS, various municipalities, including the Borough of River Edge, have entered into a Municipal Shared Services Defense Agreement to form what is colloquially known as the "Consortium", for the purpose of obtaining one or more expert reports in connection with the proper calculation of municipal fair shares, and to share other joint services, attorney and filings; and

WHEREAS, the Consortium initially collected the sum of \$2,000.00 from each municipality which participated to fund its operations; and

WHEREAS, due to the vast amount of work that has been done, the Consortium requires further funding from its members; and

WHEREAS, the Consortium has requested a further contribution of \$2,000 from each municipality to continue the work in connection with these litigations; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-028 of the Current Fund in the amount not to exceed \$2,000.00; and

WHEREAS, it is clearly in the best interests of the Borough of River Edge to continue to participate in the Consortium and its efforts on behalf of all municipalities; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and council of

the Borough of River that the Mayor and Council authorizes a further payment of \$2,000 to continue the Borough's participation in the Consortium, said check to be made payable to Jeffrey R. Surenian & Associates Attorney Trust Account.

May 2, 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, Councilman Davis, Councilwoman Murphy and Councilman Papaleo voted yes.

Lou Grasso-172-Lozier-Terrace with regard to small business week, he thinks it's a great idea to encourage people to shop in River Edge. He said that many of the businesses on Kinderkamack Road have been in business for many years and what makes it so nice is that the patrons deal with the owners directly.

Mayor Mignone -stated that they all agree with that and he and the Council are always looking for ways to partner with the business community to help encourage businesses by promoting such things as outdoor dining and sidewalk sales. The Mayor has formed an advisory committee which will be meeting soon to discuss longer term objectives in bringing new businesses in as well as promote and expand existing businesses.

Cindy Bequeaith, 745 7th Avenue-stated that at a previous Mayor and Council meeting, there were members of the Swim Club in attendance who were asking for help to promote membership. She and her husband were driving on Kinderkamack Road and noticed that there was a message on the electronic board outside of Borough Hall promoting the Swim Club. She asked why the Borough would promote a private organization on their message board? She also asked for clarification whether they are a private organization.

Mayor Mignone-responded that they are a quasi private organization but they are tenant of the Borough because the Borough owns the property. They are not a for profit organization.

Cindy Bequeaith-asked if he was suggesting that other companies and organizations in town could advertise on the electronic sign as well as putting signs up? Mrs. Bequeaith noticed that the Swim Club had placed a vinyl sign on the fence by the Middle School.

Mayor Mignone-said that as far as the vinyl sign goes, the Mayor and Council have no authority over what is placed on school property. He continued to say that as far as the message board, if it's a non-profit or community organization promoting a positive community event, generally, he would not have an issue with posting it on the message board. The Mayor said that because there is only one swim club in town, it's not like they're promoting a competition of one over another so he doesn't see a problem with it especially since they're not a corporation or retail service. The Mayor explained that as far as the property located at 140 Kinderkamack, there is a different process and the Council would have to approve any type of banner or sign that would be placed there. The Mayor feels that they would be a little more cautious as to the kind of things they would allow there.

Cindy Bequeaith-asked if any non-profit could make a request to have something put on the message board?

Mayor Mignone-replied, yes and explained that the procedure has been the same for quite a while.

Councilwoman Murphy-asked Mrs. Bequeaith's what the issue is?

Cindy Bequeaith-stated that she feels that it opens up for anyone who has a business in town or is a non-profit to request something be put up on the sign.

Councilwoman Murphy-replied, it's not a business.

Mayor Mignone-explained that they would not promote a business on the board only community events that benefit the town.

Councilman Bartelloni-explained that they are not a registered 501C3. He continued to say that the Swim Club is open to all residents of the Borough and the fees and costs just about cover the costs of operation. Councilman Bartelloni said that there is no profit and their budgets have reflected a deficit over the last few years. They are not a profit making enterprise and all of the trustees are volunteers.

Cindy Bequeaith-arrived late and asked if they discussed sidewalk and curb responsibility?

Mayor Mignone-replied, no, sidewalk and curb responsibility is a recurrent topic that is listed under old business. They're still waiting for guidance from the Borough Attorney on legal issues.

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS -

Councilwoman Murphy-attended the Arbor Day ceremonies at Cherry Hill and Roosevelt School and thanked the students for doing a great job as well as the Beautification Committee, Shade Tree Commission, Recreation Commission, the Library and the Boy and Girl Scouts for assisting. They also had the opportunity to go to newly renovated Cherry Blossom Park and watch a tree being planted. She encouraged everyone to come and visit the park. Councilwoman Murphy reported that at the Library today, they welcomed their new employee, Collette Murray. She reported that this Saturday, the Environmental Commission will be having their annual river clean-up at KBG Park from 9 to 1 and encouraged everyone to come and help out. Councilwoman Murphy mentioned that this week is Teacher Appreciation Week and offered her thanks to all of our teachers. She attended the Board of Education meeting and congratulated the three teachers who were named Teacher's of the Year. Councilwoman Murphy asked that the sprinkler system of Cherry Blossom Park be turned on.

Councilwoman Davis-reported that the Green Team had a very successful used toy collection event this past Saturday and many residents were happy that they had a shredder there. Councilwoman Davis reported that the first Farmer's Market Committee meeting will take place next Monday, May 9th and she hopes that they will hire a manager.

Councilman Acquafredda-commented that he was involved in a tremendous traffic jam this morning at Main and Kinderkamack Road and asked if they have any control when road work should be allowed to start? He feels that work should not start before or during rush hour and he also felt that there wasn't adequate direction or detour signs as to which lane to take. Mayor Mignone-stated that PSE&G hired the contractor to pave the roads where they replaced gas lines and yes, they do have some discretion but generally the utility companies are sometimes less than cooperative. He also experienced the traffic and said that he will be in contact with a representative from PSE&G to discuss it. The Mayor said that in his own job, they try to accommodate the utility companies because you want to get the work done but sometimes it's to our detriment when you try to be too cooperative.

Councilman Acquafredda-hopes that we are a little more proactive in the future especially in that area because it does affect the safety and welfare of the public.

Councilman Papaleo-thanked the Fire Department for the use of Company #1 for the Beautification Committee's plant sale last Saturday. He thanked Michele Cariddi and her volunteers for a job well done. Councilman Papaleo also wanted to acknowledge Teacher Appreciation Week and commended the faculty of the River Edge and River Dell Education Associations for all that they do for our children.

Councilman Bartelloni- attended the plant sale and hoped that they had a successful event. He was able to make the Arbor Day ceremonies and commended the students for doing a great job. Councilman Bartelloni congratulated Barbara Christiansen on being selected as the Grand Marshall for the 4th of July Parade.

Councilwoman Busteed-congratulated the Recreation Commissioner's and Bobbi Conway, Recreation Director for another successful River Edge Run. She also thanked the Police Department, DPW, members of REVAS, the Fire Department who spent the morning helping out and keeping everyone safe. Councilwoman Busteed also thanked the local businesses for sponsoring this event. She thanked those who came out to accept the proclamations and especially thanked Arlene Faustini and Elizabeth Oudens for spearheading and keeping the Stigma Free Initiative going. Councilwoman Busteed is happy to announce that they have a student participating in the initiative who will reach out to other members of the community. Councilwoman Busteed announced that REGAL and Little League opened up this weekend and hopes that everyone has a great season. She thanked them for including the Mayor and Council in their ceremonies.

Mayor Mignone-stated that this is a busy time of year and they all enjoy going to the opening ceremonies and sharing in that aspect of the community.

ADJOURNMENT - 9:12 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to adjourn the meeting at 9:12 p.m.

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

Mayor Edward J. Mignone

Attest:

Stephanie Evans, Borough Clerk
Dated: