

M I N U T E S
Regular Meeting of the Mayor and Council
Monday, June 16, 2014
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

Mayor Moscaritolo called for a moment of silent prayer and reflection and asked Tom Sarlo, Esq. to lead the salute to the flag.

MISSION STATEMENT & OPEN PUBLIC MEETINGS -

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

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

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

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

ROLL CALL - Councilwoman Murphy, Councilman Cappola, Councilwoman Busteed, Councilman Mignone, Councilman Acquafredda, Mayor Moscaritolo and Tom Sarlo, Esq. were present; Councilman Papaleo was absent.

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the minutes of the Mayor and Council regular meeting of June 2, 2014.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the minutes of the Mayor and Council work session meeting of May 5, 2014.

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

PROCLAMATIONS & AWARDS -

Mayor Moscaritolo presented a Certificate of Recognition to Stanley Gurian which read as follows:

Certificate of Recognition

this certifies that

Stanley Gurian

*Is hereby awarded this certificate in recognition for
his twenty years of volunteer work with ESL and Project Literacy
at the River Edge Public Library*

Mayor Moscaritolo, on behalf of the entire Council thanked Mr. Gurian for all of his volunteer efforts.

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

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

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

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

There being no comments by the public, motion by Councilwoman Murphy, seconded by Councilman Mignone to close meeting to the public on any issue on the agenda.

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

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the reappointment of James Anzevino, Tax Assessor to July 31, 2018.

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

Motion by Councilwoman Murphy, seconded by Councilwoman Busteed to approve the hire of Nicole Florio, 842 Bogert Road, River Edge as a Tax Collection Clerk, effective June 17, 2014, at a "B" scale probationary rate of \$15.74, 20 hours per week with a six-month probationary period commencing on the first day of work.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cappola,

Councilwoman Busteed, Councilman Mignone and Councilman Acquafredda voted yes; Councilman Papaleo was absent.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the hire of Nick Tarabocchia, 0-164 Yerger Road, Fair Lawn, New Jersey be hired as an Appendix B Laborer II, Step I starting salary of \$28,653.00 with a one-year probationary period, effective June 17, 2014.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the hire of Daniel Dekker, 13-02 Sixth Street, Fair Lawn, New Jersey be hired as an Appendix B Laborer II, Step I starting salary of \$28,653.00 with a one-year probationary period, effective June 17, 2014.

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

Motion by Councilman Mignone, seconded by Councilwoman Busteed to approve the appointment of Brian Estevez as a Police Reserve, effective June 17, 2014.

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

Mayor Moscaritolo administered the Oath of Office to Brian Estevez.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the salary increase of Francis Gallagher, Laborer I in the Department of Public Works from an annual salary of \$54,736.00 to \$55,216.00 due to an increase in longevity from \$480.00 to \$960.00, effective July 5, 2014.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the resignation of Pauline Franklin, Clerk/Typist in the Department of Public Works, effective June 6, 2014.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the hire of Camp Staff from June 23, 2014 through July 25, 2014 as per the list on file in the Borough Clerk's office.

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

CORRESPONDENCE -

Letter - Cablevision - 6/2/14
Re: Programming Changes
Letter - Board of Chosen Freeholders - 6/4/14
Re: Stigma Free Zone Resolution
Letter - BCUA - 6/9/14
Re: 2014 BCUA Environmental Awareness
Challenge Grant
Letter - State of New Jersey DEP - 6/9/14
Re: Underground Storage-278 Howland
Notice - River Edge Board of Education - 6/6/14
Re: Meeting - Tuesday, June 10th
Letter - Board of Chosen Freeholders - 6/10/14
Re: Adopted Resolution in Support of
Line Item for Historic New Bridge Landing
Park Commission
Letter - Borough of New Milford - 6/12/14
Re: Support of Mayor Moscaritolo's letter to
PSE&G Re: Substation near
Main and Hackensack Avenue

MONTHLY REPORTS -

Recreation Commission - April 2014
Historic Commission - May 2014
Tax Collector - May 2014
Zoning Board of Adjustment - February 2014

LIAISON REPORTS -

Councilwoman Murphy - Liaison to Shade Tree Commission, Library, Environmental Protection Commission, Green Team, Technology Committee, New Milford and Oradell Shared Services Committee - reported that she was unable to attend the last Shade Tree Commission meeting and asked Liz Stewart who was in the audience if there was anything to report.

Liz Stewart-Shade Tree Chair-stated that they are still working on the plantings for the area around Total Wine.

Councilwoman Murphy-reported that the Library has the following upcoming events: Shakespeare and Field Station Dinosaur on Friday, June 17th at 1 p.m. for children of all ages. She continued to say that they are looking to repair the emergency exit doors and front door.

Councilman Cappola- Liaison to Recreation Commission, Senior Citizens co-liaison, Beautification Committee, Special Events Committee, Technology Committee - reported that the Senior Citizens will be having a concert on June 30th at Temple Avodat Shalom. He also reported that a meeting was held with Recreation, Cultural Center and Police Department on Thursday where they discussed and came to an agreement to allow cars in the park for the annual car show.

Councilwoman Busted - Liaison to Senior Citizens, Co-liaison, Historic Commission, Traffic & Safety Committee, Special Events Committee - reported that SCORE members are continuing to fill out their surveys regarding a senior center and the Historic Commission continues to do good work and are anxiously awaiting to hear whether or not their grant has been awarded. Councilwoman Busted reported that the Traffic & Safety Committee will be joining the Green Team tomorrow night where they will discuss the walkability/bikeability survey. Councilwoman Busted stated that she has reached out to members of SCORE to encourage them to participate in the survey as well. Councilwoman Busted reported that the Special Events Committee is working hard on all of the July 4th festivities and

announced that they are still taking sponsorships and accepting applications for parade entrance.

Councilman Mignone - Liaison to DPW, Zoning Sub-Committee, Redevelopment, New Milford and Oradell Shared Services Committee - had no report.

John Lynch-reported that the sweeper has been repaired and he will be putting in for a new one as a capital purchase for 2015. He stated that he met with a dealer today to go over the specs.

Mayor Moscaritolo-asked if the sweeper is only one brand?

John Lynch-replied no, we go out to bid.

Mayor Moscaritolo-stated that the correspondence that they had received was only from one manufacturer.

John Lynch-stated that he has to start somewhere.

Councilman Mignone-stated that they get a lot of use and only have one purpose so when they go down, they are expensive to repair and maintain.

Councilman Acquafredda - Liaison to Construction Code Official, Property Maintenance, Planning Sub Committee, Technology Committee, River Edge and River Dell Schools - reported that this week the Planning Board will meet and hear the signage application for the new CVS who is relocating to the old Total Wine building. With regard to River Dell, graduation exercises will be held this Thursday at 5 p.m. Councilman Acquafredda plans to attend and invited the Mayor and Council members. Councilman Acquafredda reported that the River Edge Schools hosted a community planning meeting moderated by the New Jersey School Board Association on June 3rd. This meeting was an exercise by the River Edge Board of Education to begin to assess the challenges facing the school system and to share thoughts on how to address learning and academic needs as well as a need for additional space. As has been reported in the past, there has been a marked increase of incoming students, especially at the kindergarten level. Besides the school planning initiative, they will be doing a re-registration for the incoming class for the fall and they've also conducted a demographic study that will be reported on at the meeting on June 25th at Cherry Hill School. He will report back to the Mayor and Council at the August 4th meeting.

Councilman Papaleo - Liaison to Police Department, Fire/Fire Prevention, River Edge Alliance Against Alcohol & Drugs - no report, Councilman Papaleo was absent.

Mayor Moscaritolo - River Edge Ambulance Service - The Mayor reported that the Ambulance Service has responded to 307 calls so far this year. He also reported that they will be participating in the River Dell Junior Police Academy on June 27th with the River Edge and Oradell Police Departments. The helicopter for this event is scheduled to land at 11:15 a.m. The Mayor stated that the River Edge Volunteer Ambulance Service is a long standing volunteer organization and they are always in need of new volunteers. If anyone is interested, they can obtain further information by contacting Donna Sanders or check out the REVAS Facebook page.

ORDINANCES - 1ST READING - NONE

ORDINANCE - 2ND READING - NONE

RESOLUTIONS - By Consent

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolution #14-247 through #14-249, resolution #14-251 through #14-259.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cappola, Councilwoman Busted, Councilman Mignone and Councilman Acquafredda

voted yes; Councilman Papaleo was absent.

#14-247 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 July 7, 2014 meeting and discussion of the hereinafter specified subject matter:

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

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

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

3. This resolution shall take effect immediately.

June 16, 2014

#14-248 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Madison Avenue

WHEREAS, on or about June 16, 2014, the Borough of River Edge granted permission to Rosa DiStefano-Amapani, 249 Madison Avenue, River Edge, New Jersey, to hold a block party on Madison Avenue between Fifth Avenue and Elm Avenue on July 26, 2014 (rain date July 27th) in accordance with Borough Ordinance #1678; and

WHEREAS, Ms. DiStefano-Amapani has requested that the possession and consumption of alcoholic beverages be permitted in connection with said block party;

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

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

June 16, 2014

#14-249 Acknowledge Receipt of Certification of Request for
Emergency Purchase

WHEREAS, the Superintendent of Public Works has certified that an emergency condition exists in the Department of Public Works Maintenance and Vehicles for the repair of a street sweeper due to a broken rear wheel hub at an estimated cost of \$12,000.00 plus; and

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

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.

June 16, 2014

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolution #14-250.

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

#14-250 Award Contract for the HVAC Replacement at Borough Hall to Falak Construction, Inc., 836 Ridgewood Avenue, North Brunswick, New Jersey 08902

WHEREAS, on May 29, 2014 sealed bids were received for the HVAC Replacement at Borough Hall; and

WHEREAS, five (5) bids were received, the lowest from Falak Construction, Inc. in the amount of \$361,200.00; and

WHEREAS, the bid has been reviewed by the Consulting Mechanical Engineer and the Borough Attorney; and

WHEREAS, the Mayor and Council have discussed this matter at a work session on June 16, 2014; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1763-200 of the Capital Fund in the amount of \$300,000.00; Account #04-2150-55-1806-200 of the Capital Fund in the amount of \$50,000.00 and Account #01-2010-26-3102-174 of the Current Fund in the amount of \$11,200.00 for a total amount not to exceed \$361,200.00; and

NOW, THEREFORE, BE IT RESOLVED that the contract is hereby awarded to Falak Construction, Inc., 836 Ridgewood Avenue, North Brunswick, New Jersey 08902 in the amount not to exceed \$361,200.00 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

June 16, 2014

#14-251 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on The Fenway

WHEREAS, on or about June 17, 2014, the Borough of River Edge granted permission to Vincent and Colleen Kiely, 489 The Fenway, River Edge, New Jersey, to hold a block party on The Fenway between

Wayne Avenue and Kensington Road on August 30, 2014 (rain date August 31st) in accordance with Borough Ordinance #1678; and

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

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

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

June 16, 2014

#14-252 Authorize Tax Collector to Refund a 2nd Quarter 2014 Tax Overpayment

WHEREAS, a 2rd Quarter 2014 overpayment was received on 8 Cherry Mews from Foundation Title, LLC - Morristown., on behalf of David Kaplan; and

WHEREAS, the tax office has received a written request to refund the overpaid amount to Foundation Title, LLC - Morristown.

NOW, THEREFORE, BE IT RESOLVED that the Account Supervisor is hereby authorized to issue a refund check in the follow amount and the Tax Collector to adjust her records accordingly.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Refund Amount</u>
1004/32.02	Dapper 8 Cherry Mews River Edge, NJ 07661	28.87

Make check payable to:

Foundation Title, LLC - Morristown
65 Madison Avenue, Suite 250
Morristown, NJ 07960
Attn: Stephanie

June 16, 2014

#14-253 Authorize Tax Collector to Refund a 2nd Quarter 2014 Duplicate Tax Payment

WHEREAS, the Tax Office has received a duplicate tax payment for the 2nd Quarter 2014 taxes on the following property;

WHEREAS, a written request was received from their mortgage company to refund the overpaid amount directly to the mortgage company;

NOW, THEREFORE, BE IT RESOLVED that the Account Supervisor is hereby authorized to issue a refund check in the following

amount and the Tax Collector to adjust her records accordingly.

<u>Block/Lot Name & Address</u>	<u>Refund Amount</u>
616/4 Martin 31 Tenney Avenue River Edge, NJ 07661	2,473.50
Total: 2,473.50	

Make check payable to: Visions Federal Credit Union
 24 McKinley Avenue
 Endicott, NY 13760
 Attn: Refunds Department

June 16, 2014

#14-254 Authorize Tax Collector to Refund Duplicate 2nd Quarter
2014 Tax Payments

WHEREAS, the tax office has received duplicate and/or tax overpayments for the 2nd Quarter 2014 taxes on the following properties; and

WHEREAS, a written request was received from their mortgage company to refund the overpaid amount directly to the mortgage company.

NOW, THEREFORE, BE IT RESOLVED that the Account Supervisor is hereby authorized to issue a refund check in the following amount and the Tax Collector to adjust her records accordingly.

<u>BLOCK/LOT</u>	<u>HOMEOWNER/ADDRESS</u>	<u>AMOUNT</u>
201/3	Long 166 Hillside Avenue	7.05
203/13.01	Vesey 930 Summit Avenue	65.77
506/8	Orth 239 Adams Avenue	2,276.18
603/10	Champagne 180 Madison Avenue	93.18
1002/20	Borza 396 Mercer Avenue	49.33
1002/31	Robledo 65 Wayne Avenue	435.35
Total:		2,926.86

Make check payable to:

CORE LOGIC TAX SERVICES
Mail Code: DFW 1-3
One Corelogic Drive
Westlake, TX 76262
Attn: Tax Refunds

June 16, 2014

#14-255 Authorize the Petty Cash Reimbursement for the Recreation Camp Program

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of Petty Cash Fund for the Office of the Chief Financial Officer of the Borough of River Edge; and

WHEREAS, said the petty cash fund was established by resolution dated January 3, 1983 by the Mayor and Council of the Borough of River Edge as amended by Resolution #90-149 dated August 6, 1990; and

WHEREAS, Resolution #87-169, dated August 3, 1987, established that the maximum amount of a single draw down on the Petty Cash Fund shall not exceed \$35.00; and

WHEREAS, Resolution #99-188, dated June 7, 1999 increased the maximum amount of a single draw limit to \$50.00; and

WHEREAS, the purpose of having a Petty Cash Fund is to eliminate staff time and paper work for small purchases which could be handled more cost effectively through a Petty Cash Fund; and

WHEREAS, the Recreation Commission of the Borough of River Edge operates a camp for its residents and has a unique need to purchase supplies for programs, activities and projects for the children of the camp on a daily basis; and

WHEREAS, the Mayor and Council recognize that the unique nature of a camp operation does not always lend itself to advance planning and there is an immediate need to purchase items such as first aid supplies, food and drink, and arts and crafts materials and the Governing Body considered this at their work session of June 16, 2014.

NOW, THEREFORE, BE IT RESOLVED that Geeta Birnbaum, Custodian of the Petty Cash Fund, is hereby authorized to reimburse the Recreation Director up to a single draw down limit of \$50.00 per slip and said authorization to initiate the day the Borough of River Edge camp opens and expire on the last day of camp operation, and as long as the Recreation Director complies with all other policies and procedures in effect for the Borough of River Edge with regard to the maintenance of its Petty Cash Funds.

June 16, 2014

#14-256 Authorize Refund for Application Fee for the Use of Memorial Park and Kenneth B. George Park from Trust Other Account

WHEREAS, the Rosenbaum Yeshiva of North Jersey had requested the use of Memorial Park and Kenneth B. George Park for field day on Monday, June 9, 2014; and

WHEREAS, the Yeshiva of North Jersey was unable to hold field day because of inclement weather; and

WHEREAS, the Yeshiva of North Jersey had paid the \$100.00 application fee (\$50.00 per application) in full for the use of

NOW, THEREFORE, BE IT RESOLVED that the sketch for the Grove Street and Lincoln Avenue Parking Area with regard to the twelve (12) perpendicular parking spaces, including improvements to landscaping and pavement where required are accepted and approved by the Governing Body of the Borough of River Edge.

June 16, 2014

#14-259 Award of Contract to Crossroads Pavement, LLC, 81 Franklin Avenue, Nutley, NJ 07424 for the 2014 Riverside Cooperative Road Improvement Program

WHEREAS, on May 20, 2014 sealed bids were received for the 2014 Riverside Cooperative Road Improvement Program by the Riverside Cooperative (35-RC); and

WHEREAS, five (5) bids were received, the lowest from Crossroads Pavement, LLC; and

WHEREAS, the Borough of Haworth, the Lead Agency for the Riverside Cooperative, awarded the bid on June 10, 2014; and

WHEREAS, the bids have been reviewed by the Borough Administrator, Borough Engineer, Superintendent of Public Works and Borough Attorney; and

WHEREAS, the Mayor and Council have reviewed this matter at a work session on June 16, 2014; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1806-500 of the Capital Fund not to exceed \$261,266.50.

WHEREAS, this contract is awarded on a unit price basis and may be considered an "Open Ended Contract" under N.J.A.C. 5:34-5.3, in which case certification of funds is not required until such time as the services are ordered and prior to incurring the liability by placing the order, certification of availability of funds will be made by the Chief Financial Officer, and it shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds from the Chief Financial Officer as appropriate.

NOW, THEREFORE, BE IT RESOLVED that the bid is hereby awarded to Crossroads Pavement, LLC, 81 Franklin Avenue, Nutley, New Jersey 07424 in the amount of \$261,266.50 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

June 16, 2014

Motion by Councilwoman Murphy, seconded by Councilwoman Busted to approve resolution #14-260.

ROLL CALL VOTE: Councilwoman Murphy and Councilwoman Busted voted yes, Councilman Cappola, Councilman Mignone and Councilman Acquafredda voted no and Councilman Papaleo was absent.

Councilman Mignone-said he voted no because he feels that the minimal savings that we're getting by leaving the County will be costs that are passed on to homeowners. He doesn't feel that we should be saving money on this level by transferring more costs to individual homeowners.

Alan Negreann-stated that we'll put this on the July 7th work session to determine what we'll do after the expiration of the County contract.

Tom Sarlo, Esq.-stated that we have 90 days to re-enter or rescind with the County.

#14-260 Authorize Mayor to Enter Into Agreement for Animal Control and Services with Tyco Animal Control Services

WHEREAS, there exists a need for animal control and services in the Borough of River Edge; and

WHEREAS, three (3) proposal were submitted for these services; and

WHEREAS, the Mayor and Council at their work session meeting of May 5, 2014 have decided to enter into an agreement with Tyco Animal Control Services; and

WHEREAS, the Chief Financial Officer has certified that funds are available from the Animal Control Fund in the amount not to exceed \$4,400.00 from September 2, 2014 to December 31, 2014 and from Account #01-2010-27-3402-100 of the Current Fund in the amount of \$8,800.00 from January 1, 2015 to September 2, 2015 not to exceed a total of \$13,200.00 contingent upon the Governing Body passing and including an appropriation in the current fund budget and subject to all of the requirements N.J.A.C. 5:34-5.3 with respect to multi-year contracts.

NOW, THEREFORE, BE IT RESOLVED that the mayor be authorized to enter into agreement for animal shelter and services with Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, New Jersey 07423 for the period from September 2, 2014 to September 2, 2015 at a fee of \$13,200.00.

June 16, 2014

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #14-261.

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

#14-261 Authorize Tax Collector to Refund a 2nd Quarter 2014 Tax Overpayment

WHEREAS, the tax office has received a duplicate payment and/or tax overpayment for the 2nd Quarter 2014 taxes on the following property; and

WHEREAS, a written request was received from the homeowner to refund the overpaid amount directly to the homeowner.

NOW, THEREFORE, BE IT RESOLVED that the Account Supervisor is hereby authorized to issue a check in the following amount and the Tax Collector to adjust her records accordingly.

<u>Block/Lot Name & Address</u>	<u>Refund Amount</u>
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1209/39

Gainesborough Co-Op
c/o Wilkin Management
45 Whitney Road
Mahwah, NJ 07043

3,000.00

June 16, 2014

Motion by Councilwoman Busteed, seconded by Councilman Mignone to open to the public on this subject before a vote on the resolution is taken.

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

Councilman Cappola-stated that there was a meeting with representatives from the Cultural Center, Recreation and Police Department on Thursday to discuss the car show. After deliberation, conversation and debate, they came to an agreement that the park could be used and came up with a number of cars that the Police Department would deem safe. The agreement was to allow ten cars in the park and the number one reason was public safety and the ability for emergency vehicles to enter and exit the park if needed. He stated that the Recreation Commission was disappointed that they were not kept in the loop during the process before making a decision.

Katherine Bounds-753 Summit Avenue-feels that the macadam areas that they are planning to park the cars on are not wide enough and has a concern about oil leaks.

Councilman Cappola-explained that the members of the Cultural Center assured them that they would put an elongated plastic or metal pan under the vehicle to capture anything that might drip onto the blacktop.

Chris Ilg-404 Valley Road-is a member of the Recreation Commission and was at the meeting on Thursday. He stated that there were a few things that he would like to mention that were not brought up by Councilman Cappola. One, there would have to be a \$5,000 maintenance bond procured by the Cultural Center and second, the Mayor and Council will have to decide whether any other special events permits for the park taken out by a resident or organization will have to pay for the Police overtime that is incurred. He explained that at the meeting, the Police Chief stated that he does not have the money in his budget for the event. His is disappointed that the resolution which would allow 40 cars is still on the table.

Peter Dunsay-446 Oak Avenue-Trustee for Cultural Center-stated that after an extensive amount of discussion and negotiation, the Chairperson of the Recreation Commission presented a proposal and they accepted it. Although they would have preferred 40 cars, they reluctantly accepted a compromise of 10 with the hope that in the future, they would be able to increase that number if all goes well. Mr. Dunsay stated that after the agreement was accepted, the other stipulated items such as the bond, were added on. Mr. Dunsay is confident that there will not be any damage because the car owners take such good care of their vehicles. Mr. Dunsay continued to say that they've never had a regular Police Officer other than at the very start to make sure everything was in order and then the Reserves take over. He stated that the expense that was proposed was not part of the agreement and they feel more comfortable with the resolution as stated here with the modification of ten cars. He stated that they were not prepared to have the extra expense of the bond and is concerned that they may not be able to sponsor many of the free events that they offer during the year.

Mayor Moscaritolo-asked how much the entrance fee per vehicle is.

Peter Dunsay-early registration is \$12.00, then \$15.00 and after June 30th, \$20.00.

Councilwoman Busted-stated that it is her understanding that they agreed to a reduction to 10 cars but they are objecting to the increase in the bond to \$5,000.00.

Mayor Moscaritolo-stated that they are objecting to a bond at all. So the record is clear, the Mayor stated that the River Edge Cultural Center is sponsoring the car show which runs on Borough owned property and the Cultural Center is insured under a general liability policy. Correct?

Peter Dunsay-replied, yes.

Councilwoman Murphy-asked if there are other groups that are required to post bonds.

Chris Ilg-stated that at the meeting on Thursday, they discussed in great length the bond and the Police Officers and disagrees with Mr. Dunsay that these items were added after the agreement was made.

Councilman Mignone-asked if they posted a \$2,000 bond the last time and also asked if they had pans under the cars the last time. He stated that they cannot overrule the Police Chief's recommendation about Police Officers.

Peter Dunsay-stated that they posted the bond but the last time they had dealer cars and did not put pans under them.

Motion by Councilman Mignone, seconded by Councilman Cappola to table resolution #14-262 and let the agreement as brokered stand.

ROLL CALL VOTE: Councilman Cappola and Councilman Mignone votes yes; Councilwoman Murphy, Councilwoman Busted and Councilman Acquafredda voted no and Councilman Papaleo was absent.

Motion by Councilwoman Busted, seconded by Councilman Acquafredda to **amend** the resolution to reduce the number of cars to 10 per the agreement and not include a bond.

Tom Sarlo, Esq.- stated that number 1 will be changed from 40 to 10 cars and a number 6 will be added to state that no maintenance bond is required to be posted by the River Edge Cultural Center.

ROLL CALL VOTE: Councilman Cappola, Councilwoman Busted and Councilman Acquafredda voted yes; Councilwoman Murphy, Councilman Mignone voted no and Councilman Papaleo was absent.

#14-262 Resolution Authorizing the River Edge Cultural Center to Use Memorial Park for the Annual Car Show

WHEREAS, the River Edge Car Show is organized and operated by the River Edge Cultural Center, a not-for-profit Museum/Cultural Center. For more than a dozen years, the River Edge Cultural Center holds an annual car show in River Edge; and

WHEREAS, in prior years, the River Edge Cultural Center has applied for and the Borough has granted a special events permit pursuant to Section 305 of the River Edge Code to hold the car show on Continental Avenue and surrounding streets; and

WHEREAS, the River Edge Cultural Center recently appeared before the Mayor and Council asking for permission to utilize Memorial park during the car show; and

WHEREAS, this matter was discussed at a work session meeting of the Mayor and Council on May 19, 2014 and June 2, 2014; and

WHEREAS, a legal opinion dated June 2, 2014 has been rendered by Thomas Sarlo, Esq. to the Governing Body of the Borough of River Edge with regard to authorizing a permit to hold the River Edge Car Show in Memorial Park; and

WHEREAS, the legal opinion states that the Governing Body has the ability to authorize by resolution a special events permit and the authority to allow the use of Memorial Park.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that the River Edge Cultural Center is hereby authorized to use Memorial Park for the car show on July 13, 2014 subject to the following conditions:

1. The number of cars permitted in the park will be limited to 10.
2. No cars will be permitted an early exit.
3. The cars will be limited to travel and park only upon the macadam pathways in the park.
4. The park will be cleaned up for camp the following day.
5. A special events permit is obtained by the River Edge Cultural Center for the car show event.
6. No Maintenance Bond will be required to be posted by the River Edge Cultural Center.

BE IT FURTHER RESOLVED that the Borough Clerk shall provide a copy of this resolution to the Police Department, Department of Public Works, Recreation Commission and Recreation Director.

June 16, 2014

Motion by Councilwoman Murphy, seconded by Councilwoman Busteded to approve resolution #14-263.

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

#14-263 Authorizing the Borough of River Edge to Apply to the New Jersey Department of Transportation for Safe Routes to School Program Funding

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

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

WHEREAS, the River Edge School Safety Improvements meet all the criteria necessary to receive funding under the Safe Routes to School Program; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey

authorizes the Mayor to submit a grant application to the NJDOT for funding under the Safe Routes to School Program for the River Edge School Safety Improvements at River Dell Middle School, Cherry Hill Elementary School, and Roosevelt Elementary School, SRS-I-2014-River Edge School Safety Improvements-00025.

June 16, 2014

Motion by Councilwoman Murphy, seconded by Councilwoman Busteded to approve resolution #14-264.

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

#14-264 Enter Into Agreement with Brigette Bogart, 36 Harvey Court, Wyckoff, New Jersey as a Certified Municipal Planner for Professional Services Related to the Historic Element and Master Plan

WHEREAS, there exists a need for a Certified Municipal Planner for professional planning services related to the Historic Element and Master Plan; and

WHEREAS, the Mayor and Council has discussed this matter at the work session on May 19, 2014; 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, Brigette Bogart has completed and submitted a Business Entity Disclosure Certification which certifies that Brigette Bogart 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 Brigette Bogart from making any reportable contributions through the term of the contract; 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, that rate of pay shall not exceed \$125.00 per hour:

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-028 in the amount not to exceed \$1,650.00.

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 Brigette Bogart, 366 Harvey Court, Wyckoff, New Jersey, 07481-2060 in the amount not to exceed \$1,650.00; 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.

June 16, 2014

Councilman Mignone read resolution #14-265 into the record.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #14-265.

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

#14-265 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	\$1,963,133.71
CAPITAL ACCOUNT	\$ 1,410.90
RECREATION ACCOUNT	\$ 3,520.03
ANIMAL WELFARE ACCOUNT	\$ 15.00
SELF INSURANCE ACCOUNT	\$ 5,254.33
TRUST OTHER ACCOUNT	\$ 6,516.38
OPEN SPACE ACCOUNT	\$ 415.10
TRUST OTHER DEVELOPERS ACCOUNT	\$ 7,155.17

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

June 16, 2014

Motion by Councilwoman Murphy, seconded by Councilman Mignone to **TABLE** resolution #14-266.

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

TABLED

TABLED

TABLED

#14-266 Resolution to Accept State Contract Bid for Micro-resurfacing Various Roads

WHEREAS, the Borough of River Edge desires to micro-resurface various roads with the award of a contract to Asphalt Paving Systems, P.O. Box 530, Hammonton, New Jersey 08037; and

WHEREAS, the vendor, Asphalt Paving Systems is an approved State Contract participant, bearing the State Contract #81757; and

WHEREAS, the Chief Financial Officer has certified that funds are available from the Account #04-2150-55-1806-500 of Capital Fund in an amount not to exceed \$100,000.00; and

WHEREAS, N.J.A.C. 5:34-1.2 requires that any local contracting unit purchasing pursuant to N.J.S.A. 40A:11-12, must award the contract by a resolution of the Governing Body; and

WHEREAS, this contract is awarded on a unit price basis and may be considered an "Open Ended Contract" under N.J.A.C. 5:34-5.3, in which case certification of funds is not required until such time as the services are ordered and prior to incurring the liability by placing the order, certification of availability of funds will be made by the Chief Financial Officer, and it shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds from the Chief Financial Officer as appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk is authorized to accept the State Contract bid on the micro-resurfacing specifications in an amount not to exceed \$100,000.00.

June 16, 2014

OPEN HEARING OF THE PUBLIC -

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

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

Kathy Bounds-753 Summit Avenue-stated that she is a frequent visitor to Memorial Park and disagrees with the decision to allow cars to be parked there during the car show. She asked if the town requires certificate of occupancies for rentals of apartments or houses?

Mayor Moscaritolo-asked if she was referring to anytime a tenant vacates and a new tenant comes in?

Kathy Bounds-replied, yes.

Mayor Moscaritolo-stated that he does not believe we have that requirement.

Kathy Bounds-stated that other towns have it and suggested that it might be a good idea for River Edge to have it. She owns rental properties in other counties who require it.

Mayor Moscaritolo-asked if she was referring to commercial property? Kathy Bounds-replied no, not commercial property. She stated that if the town required a C.O., there would be an income stream to the town and you would be able match the lease of the resident to the

schools to determine who legitimately lives here.

Mayor Moscaritolo-thanked Ms. Bounds for the suggestion and asked if she could provide the names of other towns who have this in place. Councilman Mignone-stated that he thinks Fort Lee does.

Kathy Bounds-stated that she has a dead tree in front of her home and asked what the process is to get it removed and replaced. She also asked if the homeowner has a choice of what type of tree gets planted. She asked if she could do this on her own?

Jennifer Dougherty-stated that typically what residents do is call the Shade Tree office or write a letter, and they'll go out to evaluate the tree. They will mark it if it is dead and leave a door tag. After the tree is evaluated and marked they'll do a work order for DPW.

Mayor Moscaritolo-stated that once the tree is marked, the work order goes from Shade Tree to DPW who will place it on their tree removal list. Once the tree is removed, there is a waiting list to have the stump ground. This could take a while because once a year they go out for bid for stump grinding and they do as many as the funds allow. Mayor Moscaritolo continued to say that if there is a request for a specific type of tree, that request should be made to the Shade Tree Commission and in turn they will place you on a list for a new tree.

Kathy Bounds-stated that this sounds like it could take at least a year.

Jennifer Dougherty-explained that it could take longer because it depends on the amount of funding they receive each year.

Kathy Bounds-asked if she could plant her own tree?

Liz Stewart-replied, unfortunately not because it is on Borough property. You can plant any tree on your own property.

Kathy Bounds-commended the excellent job the DPW has done with snow removal but explained that because the plows came and cleaned right to the curb, it caused damage to the curb on the Webb Avenue side by her home. She asked who is responsible for fixing that.

Alan Negreann-explained that the homeowner has the responsibility of maintaining the curb and sidewalk.

Kathy Bounds-asked why she would be responsible if the town caused the damage.

Alan Negreann-explained that we have an ordinance which states that it is the homeowners responsibility for the curb and sidewalks.

Kathy Bounds-stated that the DPW street sweeper has never cleaned Webb Avenue on her side of the street because cars are always parked there. She asked if it was possible to get a schedule as to when they will sweep so that they can try to keep the street clear.

John Lynch-explained that several years ago he suggested that signs be put up around the schools limiting the hours to park between a certain area, but that never happened. He continued to say that there is no way he can set a schedule to street sweep if there are cars parked all over.

Kathy Bounds-asked if there could be a schedule breaking down different sections of the town?

John Lynch-stated that there is no schedule because it's hard to plan ahead when you may encounter maintenance or breakdown issues, inclement weather as well as a lack of manpower. He feels that a set schedule may set other sections of the town back.

Mayor Moscaritolo-explained that we have fifteen DPW employees who have to multi-task so street sweeping is something that is done when the weather is good.

Kathy Bounds-still doesn't understand why a schedule can't be set up.

Councilman Mignone-stated that it would be easier to set a schedule with a much larger department because certain employees would have the sole responsibility to street sweep. He continued to say that John doesn't have an overtime budget to bring someone in early in the morning with a set schedule. He does the mandated areas that are required by our stormwater regulations but everything else is done on an as needed basis.

Kathy Bounds-asked what is going on with the American Legion

building?

Mayor Moscaritolo-stated that they have put out an opinion and assessment survey to different organizations who are interested in having a community center. The Community Center Sub-Committee will start to evaluate the surveys that have been received.

Kathy Bounds-asked if it was just circulated to organizations or could residents fill it out.

Stephanie Evans - stated that it was on our web-site and hard copies were in the Recreation Department.

Mayor Moscaritolo-also stated that it was also on our message board.

Councilman Mignone-offered to get her a copy of the survey if she would be interested in filling it out.

Mayor Moscaritolo-explained that the survey will give them a good idea of what the community wants. It will tell them whether they want to use the existing American Legion and fix it up or build a new building.

Kathy Bounds-asked if a non-profit agency buys a house in town for the purpose of using it for a group home, do they pay property taxes?

Tom Sarlo, Esq.-replied no, that there was a new case that just recently came out. There are very minimal restrictions that are put on group homes and it is very difficult to stop.

Mayor Moscaritolo-stated that it's part of a whole involving philosophy on institutionalization.

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS - None

ADJOURNMENT - 9:20 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to adjourn the meeting at 9:20 p.m.

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

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated: