

M I N U T E S  
Regular Meeting of the Mayor and Council  
Monday, December 15, 2014  
8:30 P.M.

CALL THE MEETING TO ORDER -

Mayor Moscaritolo called the meeting to order at 9:17 p.m. in the Council Chambers of the Borough Hall.

SILENT PRAYER - FLAG SALUTE

Mayor Moscaritolo called for a moment of silent prayer or reflection and asked Councilwoman Busted 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 Busted, Councilman Mignone, Councilman Acquafredda, Councilman Papaleo and Mayor Moscaritolo were present.

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the minutes of the Mayor and Council work session meeting of November 17, 2014.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the minutes of the Mayor and Council regular meeting of December 1, 2014.

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

PROCLAMATIONS & AWARDS -

Fire Chief Cariddi Presented Unit Citations to the following members of the Fire Department for their work during a motor vehicle extrication on New Bridge Road at the border of New Milford and Teaneck on September 25<sup>th</sup>: New Milford Assistant Chief Stormer, River

Edge Assistant Chief Eric Schultz; Members of Engine. Co. #3 Tim Carroll, firefighters John Lynch, Dave Delia, Roger Tarpey and Tom Goodwin; Rescue 1 Captain Len Coyman, firefighters Tom Smtih, Bill Camera, Pete Stitz, Brian Coyman and John Francin.

OPEN PUBLIC HEARING ON ANY ISSUE ON THE AGENDA -

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

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

CLOSE PUBLIC HEARING ON ANY ISSUE ON THE AGENDA -

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

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

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the change in hours for Arthur DeRosa, Code Enforcement Officer from 7 hours per week to 11 hours per week, effective December 3, 2014.

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

Councilwoman Murphy-asked if the hours could be increased to 15?  
Alan Negreann-stated that they can discuss that for next years budget.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the salary increase of William Camera, Mechanic I in the Department of Public Works from an annual salary of \$79,655.00 to \$80,135.00 due to an increase in longevity from \$1,920.00 to \$2,400.00, effective February 8, 2014.

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

CORRESPONDENCE -

E-Mail	-	Municipalities Continuing Disclosure Cooperation Initiative- Questionnaire- 12/8/14
Notice	-	BCUA - 12/1/14
Notice	-	Re: Public Hearing 2015 Budgets
Notice	-	River Edge Board of Education - 12/1/14
Report	-	Re: Meeting Notice - 12/3/14
Report	-	Bergen County JIF - 12/1/14
Letter	-	Re: Loss Control Report
Letter	-	County of Bergen - 12/3/14
Letter	-	Re: Kinderkamack Road Speed Limit
Letter	-	Board of Chosen Freeholders - 12/4/14
Letter	-	Re: Adopted Ordinance #14-16
Letter	-	Board of Chosen Freeholders - 12/4/14
Letter	-	Re: Introduction of Ordinances #14-37, #14-38 and #14-39
Notice	-	Thomas Barrett - 12/8/14
Notice	-	Re: Site Plan & Variance Notice for Sign - 1051 Main Street

Letter - State of NJ DEP - 12/8/14  
Re: Former Exxon - 2 Route 4 West  
Letter - PSE&G - 12/10/14  
Re: Energy Strong Update

MONTHLY REPORTS -

Library Board - December 2014  
Historic Commission - October 2014  
Historic Commission - November 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 the Shade Tree Commission has planted 66 shade trees and 21 park trees and they will be meeting this Thursday so there isn't anything else to report right now. Councilwoman Murphy has had communications with them regarding the tennis court trees and the replacement plantings. Councilwoman Murphy also reported that the Library Board has received resignations from Janet Boyd and Pat Dalton who have been instrumental in helping the Library. Councilwoman Murphy informed everyone that the current representative to the schools, Janet Boyd has recommended Julie Rabinowitz to Dr. Ben Dov as her replacement. She looks forward to more people joining the Green Team and Environmental Commission in 2015. Councilwoman Murphy wished everyone a Merry Christmas and Happy New Year.

Councilman Cappola - Liaison to Recreation Commission, Senior Citizens co-liaison, Beautification Committee, Special Events Committee, Technology Committee - reported that the Recreation Commission will be meeting tomorrow evening. He also reported that he, Councilwoman Busteed and Tom Sarlo, Esq. attended a lengthy meeting with members of SCORE to try and push forward the upcoming elections. There were many questions and comments made by the SCORE members and many are in disagreement as to who should serve on the Board. He received feedback today saying that they have chosen five people to meet to talk about the bylaws and elections. He doesn't know if the five people will serve on the panel. Councilman Cappola commended the Beautification Committee for their work in getting the holiday decorations up and thanked them for making the town look great. Councilman Cappola also reported that he, Councilwoman Busteed and Bobbi Conway will be meeting tomorrow regarding the Special Events Committee to determine whether to keep it as a committee, disband it or break it down to smaller events, such as July 4<sup>th</sup>. They feel that people are a little apprehensive to join for a long term but might be willing to volunteer for one event.

Councilwoman Busteed - Liaison to Senior Citizens, Co-liaison, Historic Commission, Traffic & Safety Committee, Special Events Committee - reported that the Historic Commission has received a grant to embark on an archiving project and they have already purchased a laptop and spoke with Daragh O'Connor about the usage of space in the Library. She commended all of them for their hard work and dedication. Councilwoman Busteed congratulated Mary Donohue who just published her book entitled "The Revolutionary War at New Bridge Landing". Councilwoman Busteed encouraged everyone to buy a copy because 100% of the proceeds will benefit the museum building fund. She informed everyone that the book may be purchased through the Historic Society. Councilwoman Busteed commended the members of the Traffic & Safety Committee for their hard work this year and feels that they've made an effort to have an engaged committee to focus on special issues to make our community safer for our residents.

Councilman Mignone - Liaison to DPW, Zoning Sub-Committee, Redevelopment, New Milford and Oradell Shared Services Committee - reported that the Zoning Board had three applications and denied one application for an inground pool. Councilman Mignone commended DPW for doing a tremendous job with the leaves and keeping our streets and parks clean on a timely basis.

Councilman Acquafredda - Liaison to Construction Code Official, Property Maintenance, Planning Sub Committee, Technology Committee, River Edge and River Dell Schools - thanked the Mayor and Council for approving the

increase in hours for Art DeRosa our Code Enforcement Officer and agrees with Councilwoman Murphy that they should look into increasing it again in 2015. He commended Art for doing a great job. Councilman Acquafredda reported that there will be a Planning Board meeting this Thursday and also stated that unfortunately the school board meetings conflict with our meetings so he will look to update the Mayor and Council on relevant issues in the near future.

Councilman Papaleo - Liaison to Police Department, Fire/Fire Prevention, River Edge Alliance Against Alcohol & Drugs - reported that as the Mayor and Council had directed him, he looked into some of the lighting that needs to be replaced or repaired by PSE&G. He spoke with Police Chief Cariddi who did follow up. The Chief reported that one of the issues is that PSE&G has a two week window to report back to municipalities. Once a request is made by the municipality, they have two weeks to respond with a report and if the report is not printed out, it is deleted from their system. The Police Department was unaware of this feature and did not print a report. Now that the Police Department is aware of this protocol, they have taken a more active and aggressive approach with PSE&G. They did follow up and are currently in discussions with PSE&G. Councilman Papaleo also reported that with regard to the decorative lights, PSE&G will only repair those that are paid for by the town and most are owned or leased by private property owners such as a condo unit or shopping centers. The Police Chief spoke with Bob Costa and Alan and will meet with them to discuss getting the lights relit. He reported that the Mayor and Council continue to perform interviews for the position of Sergeant in the Police Department. Councilman Papaleo stated that he received a report from Fire Chief Cariddi that the ladder truck was out of service and provided him with the details of the repair. The volunteer Fire Department has been looking for volunteers and Fire Chief Cariddi has appointed a Fire Officer and 5 firefighters to a recruitment committee to hopefully bring the numbers back up. Councilman Papaleo also reported that the Fire Department has responded to 260 year to date and members held training exercises on a structure on Berkeley Road prior to the building being torn down. The Fire Department participated in the Annual Wallington Holiday Parade and our antique won second place for best appearance. Over 200 apparatus participated. The Fire Department also participated in the borough's holiday tree lighting ceremony by delivering Santa and hosting the Recreation Commissions' hot chocolate with Santa. They also went around town with Santa on Sunday and delivered a puppy to a family of children on Manchester Road. Councilman Papaleo thanked them for doing a great job and wished everyone a wonderful holiday season.

Mayor Moscaritolo offered the message board at Borough Hall if the Fire Department would like to utilize it for recruitment.

Mayor Moscaritolo - River Edge Ambulance Service - The Mayor did not receive a report from the Ambulance Service but reported that they are a very worthwhile organization and provide emergency health services to residents in need free of charge. They are always looking for new members so if anyone is interested in joining, they should check out their Facebook page. The Mayor also reported that the Borough had received a donation for the community center trust fund from the Ciancia's for \$40,000. The Mayor has also received an e-mail from CVS that when they have their grand reopening they would like to make a donation. The Mayor will suggest that they make a donation to the community center. The Mayor apologized for not getting the assessment survey and opinion pole information to the Council for the community center but stated that he will get the information to them as soon as possible. The Mayor has been in contact with the Department of Environmental Protection who wish to hold a meeting with representatives from the New Bridge Landing Commission to settle some turf issues and differences. The Park Commission is now under new leadership and they are very close to having enough funds to build visitor's center and museum. The Mayor thanked the following volunteers and organizations for helping with the holiday lighting ceremony: the Volunteer Fire Department, DPW, Michele Cariddi and the Beautification Committee, Bobbi Conway and Councilman Cappola for providing microphones and music.

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

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

RESOLUTIONS - By Consent

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolutions #14-441, #14-444, #14-445 and #14-447 through #14-456.

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

#14-441 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 January 5, 2014 meeting and discussion of the hereinafter specified subject matter:

<u>Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
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To be determined by reference to the Borough Clerk's Agenda for the above meeting.

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

3. This resolution shall take effect immediately.

December 15, 2014

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Councilman Papaleo-stated that at the last meeting it was decided by a majority vote to rescind the resolution awarding a contract to Metropolitan Center for Forensic Psychology for services to perform exams for the promotion to Sergeant. Exams had already been approved at an earlier meeting and some of the candidates had already gone through the process. Due to the fact that most of the candidates have already gone through the process, Tom Sarlo has advised and he agrees, it would show an inconsistency if we did not complete the task. He does not want to open ourselves up to a law suit upon completion of the promotion process.

Motion by Councilman Papaleo, seconded by Councilwoman Murphy to TABLE resolution #14-442.

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

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#14-442 Rescind Resolution #14-419 Awarding a Contract with Metropolitan Center for Forensic Psychology for Professional Services to Perform Psychological Exams for the Promotion to the Position of

Sergeant in the Police Department

WHEREAS, resolution #14-419 awarding a contract to Metropolitan Center for Forensic Psychology for professional services to perform psychological exams for the promotion to the position of Sergeant in the Police Department was approved on November 17, 2014.

NOW, THEREFORE BE IT RESOLVED, that resolution #14-419, dated November 17, 2014 is hereby rescinded.

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

December 15, 2014

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Motion by Councilman Papaleo, seconded by Councilwoman Murphy to approve resolution #14-443.

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

#14-443 Enter Into Agreement with Premier Product Development LLC, 18 West Walnut Avenue, Moorestown, NJ 08057 for Professional Services Related to Planning and Design Work for Cherry Blossom Park, Phase 1

WHEREAS, there exists a need for expert professional engineering services related to planning and design work for Cherry Blossom Park, Phase 1; 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 #01-2010-20-1652-100 of the Current Fund not to exceed \$12,300.00; 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, Premier Product Development, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Environmental Resolutions, Inc. 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 Premier Product Development, LLC 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.

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 Premier Product Development, LLC, 18 West Walnut Avenue, Moorestown, NJ 08057 in the amount not to exceed \$12,300.00; 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.

December 15, 2015

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#14-444 Amend Agreement with Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey for Professional Services for Expert Legal Services

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

WHEREAS, the Borough of River Edge has previously awarded a contract to Alan P. Spiniello, Esq. via resolution #14-09 dated January 1, 2014 in the amount of \$5,000.00; amended via resolution #14-225 in the amount of \$6,000.00; amended via resolution #14-271 in the amount of \$9,000.00 and amended via resolution #14-387 in the amount of \$3,000.00; and

WHEREAS, additional funding is required for Expert Legal Services for tax appeal representation; and

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

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

WHEREAS, the Mayor and Council have reviewed this matter at a work session on December 15, 2014; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-174 of the Current Fund an amount not to exceed \$3,000.00.

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

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

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

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

December 15, 2015

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#14-445 Amend Agreement with Robert Costa, Borough Engineer, for

Professional Services Related to the 2014 Road Resurfacing Program

WHEREAS, there exists a need for expert professional engineering services related to the 2014 Road Resurfacing Program; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #14-204 dated May 5, 2014 in the amount of \$5,000.00 and amended via resolution #14-330 dated September 3, 2014 in the amount of \$2,000.00; and

WHEREAS, additional funding is required for professional services related to the 2014 Road Resurfacing Program; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1806-100 of the Capital Fund in the amount not to exceed \$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 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 \$500.00; 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.

December 15, 2014

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Councilman Papaleo-stated that he would like to amend resolution #14-446 to allow a 75% down payment in order for the Borough to experience a benefit of approximately \$17,000 in the purchase.

Motion by Councilman Papaleo, seconded by Councilwoman Murphy to approve #14-446 as amended.

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

#14-446 Purchase of Saber Pumper for Fire Department

WHEREAS, the Fire Department of the Borough of River Edge has requested that a Saber Pumper be purchased through the Houston-Galveston Area Council Cooperative Purchasing Program; and

WHEREAS, the Public Laws of 2011, Chapter 139 allows the Borough of River Edge to utilize national cooperative contracts as a method of procurement; and

WHEREAS, the Borough has determined that the use of the HGAC Cooperative Purchasing Agreement shall result in a cost savings after all factors, including charges for service, material and delivery have been considered; and

WHEREAS, the competitive bid contract has been awarded by HGAC which is a government to government procurement service for local governments to Pierce Manufacturing Inc., for a contract term of December 1, 2013 through November 30, 2015; and

WHEREAS, Pierce Manufacturing Inc., has complied with the Local Public Contracts Law by providing documents such as a New Jersey Business Registration Certificate, Statement of Corporate Ownership, EEO Compliance, a Political Contribution Disclosure Form and a Non-Collusion Affidavit; and

WHEREAS, the Borough has advertised a notice of intent to award a contract under a National Cooperative Purchasing Agreement and also posted it on its website; and

WHEREAS, the Borough is a HGAC member having executed a contract for the term January 1, 2014 to December 31, 2014; and

WHEREAS, the Risk Consultant has reviewed the Certificate of Insurance, Hold Harmless and Consent of Surety that was submitted and has provided approval of those documents; and

WHEREAS, the Borough Attorney has issued a written legal opinion that prepayments or down payments for a fire engine are not codified in statute and there is no case law discovered in his research to clarify New Jersey law; and

WHEREAS, the Fire Department has reviewed the specifications and has approved the purchase of the Saber Pumper as per the proposal by Pierce Manufacturing Inc.; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1807-300 of the Capital Fund in the amount not to exceed \$404,984.60.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge does hereby approve the purchase of a Saber Pumper through HGAC Contract FS12-13, not to exceed \$404,984.60.

BE IT RESOLVED that the Governing Body hereby authorizes a 75% prepayment to be made at the issuance of a purchase order.

BE IT FURTHER RESOLVED, that Alan P. Negreann, the Qualified Purchasing Agent for the Borough of River Edge is hereby authorized to issue a purchase order to Pierce Manufacturing, Inc. for this purchase.

BE IT FURTHER RESOLVED, that the Accounts Supervisor is authorized to issue a check in the amount of \$303,738.75 representing a 75% pre-payment.

December 15, 2014

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Councilwoman Murphy-asked if this agreement is something new or has it been in existence for a while?  
Alan Negreann-stated that five or six years ago they found this agency that will provide TV inspection services at a much lower rate than an

outside contractor.

Councilman Murphy-asked if we had the County provide this service last year?

Alan Negreann-replied no.

Mayor Moscaritolo-explained that it's not a company it's a utility authority. He further explained that the sewer camera is a very expensive piece of equipment and you have to get someone who knows how to operate it.

Councilwoman Murphy-stated that she was not aware that we entered into this agreement every two years and is happy that we are continuing to do so.

Councilman Mignone-asked if they have increased their rate?

Alan Negreann-stated that he does not have the contract in front of him and Stephanie would have a copy and would be able to compare it to last year.

Councilman Mignone-asked if we have to go with them?

Alan Negreann-replied no.

#14-447 Enter Into an Interlocal Agreement with the Northwest Bergen County Utilities Authority

This Agreement is made this 1<sup>st</sup> day of January, 2015, by and between the Borough of River Edge, a Municipal Corporation of the State of New Jersey located at 705 Kinderkamack Road, River Edge, New Jersey 07661, (hereafter "Borough") and the Northwest Bergen County Utilities Authority (hereafter "NBCUA") 30 Wyckoff Avenue at Authority Drive, Waldwick, New Jersey.

WHEREAS, the Borough of River Edge has a need for TV Inspection Services of the sanitary sewer system or other systems; and

WHEREAS, the State's Best Practices highly recommended that municipalities find ways to share services; and

WHEREAS, the Borough and NBCUA wish to enter into an a two-year agreement whereby NBCUA will provide TV Inspection Services of the sanitary sewer system or other systems, for the years 2015 and 2016; and

WHEREAS, this agreement is an open ended contract as per N.J.A.C. 5:34-4.9 and thus the certificate of availability of funds required by N.J.A.C. 5:34-5 shall be executed each time an order is placed, covering the amount of the order at that time; and

WHEREAS, the Participants are desirous of entering into an Agreement pursuant to the provisions of N.J.S.A. 40A:65.5 et seq whereby a Share Service Agreement can lower the cost of T.V. services to the taxpayers of the Borough and the users of the NBCUA; and

WHEREAS, each of the Participants has adopted an authorizing resolution pursuant to the provisions of N.J.S.A. 40A:65.5 et seq.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are hereby authorized to enter into an agreement with the Northwest Bergen County Utilities Authority which is on file in the Borough Clerks office.

December 15, 2014

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#14-448 Condominium Services Agreement - Millbrook Village Townhouse Association

WHEREAS, the legislature has adopted what is commonly referred to as the Condominium Municipal Services Act which has been codified as N.J.S.A. 40:67-23.2, et seq.; and

WHEREAS, as a result of an amendment to the Act, the effective provisions of the Act have been mandated to take effect as of January 1, 1993; and

WHEREAS, pursuant to the terms and conditions of the Act, a municipality is required to provide the municipal services referred to in N.J.S.A. 40:67-23.3 such as snow removal, lighting of street, collection of rubbish, etc. or to reimburse the Qualified Community for the reasonable cost of said services; and

WHEREAS, representatives of the Borough and representatives of the Qualified Community have engaged in negotiations for the purpose of resolving the issues created by the Condominium Municipal Services Act and have agreed upon terms and conditions under which the municipality would provide any services or a reimbursement for services which it is obligated to provide under the Statute; and

WHEREAS, the Millbrook Village Townhouse Association, a New Jersey corporation with offices at Millbrook Townhouse Association, c/o Taylor Management, 80 S. Jefferson Avenue, Whippany, NJ 07981, Attention: Dawn Vinci and the Governing Body of the Borough of River Edge have agreed to terms of conditions for the provision of services under the Condominium Municipal Services Act; and

WHEREAS, the Mayor and Council have discussed the relationship with the Millbrook Village Townhouse Association at a work session on December 1, 2014 and will enter into an agreement.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute said agreement on file with the Borough Clerk.

BE IT FURTHER RESOLVED that the Accounts Supervisor is authorized to issue a check in the amount of \$16,424.00 payable to Millbrook Village Townhouse Association, c/o Taylor Management, 80 S. Jefferson Avenue, Whippany, New Jersey 07981.

December 15, 2014

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Councilwoman Murphy-questioned why the majority of the transfers are coming from the Electric & Natural Gas line?

Alan Negreann-stated that he can't pinpoint it because it may be due to credits from the audits that we had done or usage, he's not quite sure.

Councilman Mignone-stated that historically that budget line is always on the conservative side because you can't predict the usage, so it's not surprising to have a percentage left over.

Councilwoman Murphy-also questioned why there is so much left in the sanitation landfill line?

Alan Negreann-stated that residents aren't throwing out a lot this year for some reason and tipping fees are not what he expected because tonnage is down. He doesn't know if more people are recycling or possibly holding onto things longer because of the economy.

#14-449 Transfer of Funds

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

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

FROM: Electric & Natural Gas	31-4482-120	\$10,000.00
TO: Public Repair Maintenance O/E	26-2902-028	\$ 5,000.00
TO: Public Repair Maintenance O/E	26-2902-030	\$ 5,000.00
FROM: Electric & Natural Gas	31-4482-120	\$10,000.00
TO: Vehicle Maintenance	26-3152-173	\$10,000.00
FROM: Electric & Natural Gas	31-4482-120	\$ 5,000.00
TO: Building & Grounds O/E	26-3102-166	\$ 5,000.00

FROM: Economic Development O/E	20-1742-100	\$ 1,450.00
TO: Mayor and Council O/E	20-1102-041	\$ 1,450.00
FROM: Economic Development O/E	20-1742-100	\$12,300.00
TO: Engineering Services	20-1652-100	\$12,300.00
FROM: Economic Development O/E	20-1742-100	\$10,000.00
TO: Legal Services O/E	20-1552-174	\$10,000.00
FROM: Sanitation Landfill O/E	32-4652-124	\$ 2,100.00
TO: Construction Official	22-1952-036	\$ 2,100.00
FROM: Sanitation Landfill O/E	32-4652-124	\$ 300.00
TO: General Administration	20-1002-036	\$ 300.00
FROM: Sanitation Landfill O/E	32-4652-124	\$ 1,300.00
TO: Public Defender O/E	43-4952-100	\$ 1,300.00
FROM: Sanitation Landfill O/E	32-4652-124	\$ 9,000.00
TO: Police Department S/W	25-2401-014	\$ 9,000.00
FROM: Sanitation Landfill O/E	32-4652-124	\$13,000.00
TO: Engineering	20-1652-100	\$13,000.00
FROM: Planning Board O/E	21-1802-021	\$ 750.00
FROM: Zoning Board O/E	21-1852-021	\$ 750.00
TO: Maint. Public Library/Water	31-4453-177	\$ 1,500.00
FROM: Revenue Admin. S/W	20-1451-011	\$ 1,000.00
TO: Municipal Clerk O/E	20-1202-036	\$ 1,000.00
FROM: Sanitation Landfill O/E	32-4652-124	\$ 3,000.00
FROM: Finance Administration	20-1302-169	\$ 2,000.00
TO: Fire Department	25-2552-101	\$ 5,000.00

December 15, 2014

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14-450 Grant Raffle License to Temple Avodat Shalom

BE IT RESOLVED that the following license to conduct an Off Premise Merchandise Raffle to Temple Avodat Shalom, 385 Howland Avenue, River Edge, New Jersey, 07661, License #650, I.D. 423-2-24023 to take place at 385 Howland Avenue, River Edge, New Jersey on March 1, 2015 at 12:30 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.

December 15, 2014

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#14-451 Grant Raffle License to the Lions Club of River Edge

BE IT RESOLVED that the following license to conduct an Off Premise 50/50 Raffle to the Lions Club of River Edge, P.O. Box 33, River Edge, New Jersey, 07661, License #651, I.D. 423-08-26559 to take place at St. Peter the Apostle Roman Catholic Church, 455 Fifth Avenue, River Edge, New Jersey on March 29, 2015 at 11:30 a.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.

December 15, 2014

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#14-452 Resolution to Authorize Tax Collector to Refund 2014 Taxes  
Due to a County Board Judgment

WHEREAS, a County Board Judgment was received for the year 2014 by the tax office on 10/23/14 reducing the Assessed Value on the following properties; and

WHEREAS, the reduction in the assessment for 2014 has also reduced the total tax amount for 2014; and

WHEREAS, taxes for the year 2014 have been paid.

NOW, THEREFORE, BE IT RESOLVED that the Account Supervisor refund the following amounts and the Tax Collector adjust her records accordingly.

<u>BL/Lot</u>	<u>Name/Address</u>	<u>Old Value</u>	<u>New Value</u>	<u>Tax Refund</u>
213/9	Bascom, Gene L. 848 Park Avenue River Edge, NJ 07661	320,000	275,000	1,450.35
409/27	Bogut, Goran & Roxanna 675 Center Avenue River Edge, NJ 07661	456,700	410,000	1,505.14
501/39.01	Murtza, Shamoun 689 5 <sup>th</sup> Avenue River Edge, NJ 07661	680,000	600,000	2,578.40
809/7	Brown, Robert & Susan 455 Kinderkamack Road River Edge, NJ 07661	406,400	395,000	367.42
910/12	Shoor, Gilad & Haley 231 Beech Drive South River Edge, NJ 07661	357,600	345,000	406.10

December 15, 2014

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#14-453 Resolution to Authorize Tax Collector to Refund 2014 Taxes  
Due to County Board Judgments

WHEREAS, a County Board Judgment was received for the year 2014 by the Tax Office on 10/23/14 reducing the Assessed Value on the following properties; and

WHEREAS, the reduction in the assessment for 2014 has also reduced the total tax amount for 2014; and

WHEREAS, taxes for the year 2014 have been paid.

NOW, THEREFORE, BE IT RESOLVED that the Account Supervisor refund the following and the Tax Collector adjust her records accordingly.

<u>BL/Lot</u>	<u>Name/Address</u>	<u>Old Value</u>	<u>New Value</u>	<u>Tax Refund</u>
101/5	Ziaaddini, Ali (Etal) 921 Laurel Avenue	487,900	450,000	1,221.52

Payable to: Donald Jackson/Ziaaddini, Ali

Mail to: 100 State Street, Suite 2E  
Teaneck, NJ 07666

101/6 Striano, Craig & Nicole 391,400 370,000 689.72  
915 Laurel Avenue

Payable to: Lawrence Jaskot/Craig & Nicole Striano  
Mail to: 385 Prospect Avenue  
Hackensack, NJ 07601

103/1.01 Wang, Zhishun & Quiong Liu 684,900 639,000 1,479.36  
938 Magnolia Avenue

Payable to: Spiotti & Esposito/Wang, Zhishun & Quiong Liu  
Mail to: 165 Passaic Avenue, Suite 103A  
Fairfield, NJ 07004

111/13 Carney, Thomas & Susan 391,800 350,000 1,347.21  
84 Surrey Lane

Payable to: Colin Quinn/Thomas & Susan Carney  
Mail to: 745 Kinderkamack Road  
River Edge, NJ 07661

203/9.02 Estrin, Demitry & Elmira 663,300 600,000 2,040.16  
912 Summit Avenue

Payable to: Richard Hubschman/Demitry & Elmira Estrin  
Mail to: 460 Bergen Blvd., Ste. 230  
Palisades Park, NJ 07650

304/20 Feurer (Etal), Thomas 392,900 350,000 1,382.67  
784 5<sup>th</sup> Avenue

Payable to: Martin Sharit/Feurer (Etal), Thomas  
Mail to: 141 Main Street  
Hackensack, NJ 07601

308/6 Roushdy, Ragai & Manal 791,100 777,500 438.32  
727 Seventh Avenue

Payable to: Paul Lee Appraisals/Roushdy, Ragai & Manal  
Mail to: 2-11 31<sup>st</sup> Street  
Fair Lawn, NJ 07410

308/19 Karol, Joseph & Rosalia 551,900 510,000 1,350.44  
736 Eighth Avenue

Payable to: Richard Hubschman/Karol, Joseph & Rosalia  
Mail to: 460 Bergen Blvd., Ste. 230  
Palisades Park, NJ 07650

401/12 Lubin, Robert & Kim 370,200 322,000 1,553.49  
148 Webb Avenue

Payable to: Robert & Kim Lubin  
Mail to: 297-101 Kinderkamack Road  
Oradell, NJ 07649

408/3 Jolly, Sarah M. (Etals) 374,300 340,000 1,105.49  
133 Continental Avenue

Payable to: Cabanillas Esqs./Sarah M. Jolly  
Mail to: 120 Bloomingdale Road, #404  
White Plains, NY 10605

605/19	Buckley, John W. 183 Greenway Terrace	390,700	378,000	409.32
Payable to:	Colin Quinn/John Buckley			
Mail to:	745 Kinderkamack Road River Edge, NJ 07661			
607/3	Realty Life LLP 157 Adams Avenue	302,300	272,000	976.57
Payable to:	Realty Life LLP			
Mail to:	PO Box 1322 Paramus, NJ 07653			
615/23	Grivas, Thomas & Christine 569 Clarendon Court	436,800	395,000	1,347.21
Payable to:	Richard Hubschman/Grivas, Thomas & Christine			
Mail to:	460 Bergen Blvd., Ste. 230 Palisades Park, NJ 07650			
701.01/19.15	Ignazzi, Nicholas & Joyce 501 Manning Court	753,200	685,000	2,198.09
Payable to:	Zipp & Tannenbaum/Ignazzi, Nicholas & Joyce			
Mail to:	165 Gatzmer Avenue Jamesburg, NJ 08831			
909/25	Ryu, Young Hee & Sam Sangwon 2 Fenway Court	476,000	440,000	1,160.28
Payable to:	David Witherspoon/Ryu, Young Hee & Sam Sangwon			
Mail to:	PO Box 1032 Newark, NJ 07101			
911/23	Ng, See-Yim & Lou, Sao Fong 326 Howland Avenue	686,000	620,000	2,127.18
Payable to:	Richard Hubschman/Ng, See-Yin & Lou, Sao Fong			
	460 Bergen Blvd., Ste. 230 Palisades Park, NJ 07650			
1002/53	Jing, Yifei & Li, Biqiang 190 Howland Avenue	375,000	335,000	1,289.20
Payable to:	Martin Sharit/Jing, Yifei & Li, Biqiang			
Mail to:	141 Main Street Hackensack, NJ 07601			
1004/25	Natoli, Dennis T. 325 Kinderkamack Road	564,900	450,000	3,703.23
Payable to:	Martin Sharit/Dennis T. Natoli			
Mail to:	141 Main Street Hackensack, NJ 07601			
1202/22.03	Sy, Stroika & Annalisa	559,900	505,000	1,769.43

126 Davis Drive

Payable to: Richard Hubschman/Sy, Stroika & Annalisa  
460 Bergen Blvd., Ste. 230  
Palisades Park, NJ 07650

1209/15 Frost IV, Raymond Nelson 628,200 618,000 328.75  
160 Lozier Terrace

Payable to: Colin Quinn/Frost IV, Raymond Nelson  
Mail to: 745 Kinderkamack Road  
River Edge, NJ 07661

1210/7 Noel, Bruce & Eleanor 696,900 640,000 1,833.89  
181 Lozier Terrace

Payable to: Richard Hubschman/Noel, Bruce & Eleanor  
Mail to: 460 Bergen Blvd., Ste. 230  
Palisades Park, NJ 07650

1306/3 Public Svc E & Gas Co. 126,800 75,000 1,669.51  
1190 Main Street

Payable to: Zipp & Tannenbaum, LLC/Public Service E & Gas Co.  
Mail to: 166 Gatzmer Avenue  
Jamesburg, NJ 08831

1406/2 Hudson City Svgs Bank 261,800 235,000 863.76  
1068 Main Street

Payable to: Richard Hubschman/Hudson City Savings Bank  
Mail to: 460 Bergen Blvd., Ste. 230  
Palisades Park, NJ 07650

December 15, 2014

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#14-454 Authorize Tax Collector to Refund 4<sup>th</sup> Quarter 2014 Tax Overpayments

WHEREAS, the tax office has received a duplicate payment and/or tax overpayment for the 4<sup>th</sup> Quarter 2014 taxes on the following properties; and

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

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</u>	<u>Name &amp; Address</u>	<u>Refund Amount</u>
801/13	Olveira, Joaquin & Cobos, Laura 176 Voorhis Avenue River Edge, NJ 07661	1,572.82
910/6	Cohen, Peter & Neila 243 Beech Court River Edge, NJ 07661	5.53
1205/34	Stitz, Raymond & Kathy 210 Mohawk Drive River Edge, NJ 07661	227.77

December 15, 2014

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#14-455 Authorize Tax Collector to Transfer a 4<sup>th</sup> Quarter 2014 Tax Overpayment to the 1<sup>st</sup> Quarter 2015 Taxes

WHEREAS, the tax office has received a 4<sup>th</sup> quarter 2014 tax overpayment on the following property due to a County Board Judgment; and

WHEREAS, a written request was received from Access Property Management, the taxpayer's management company who made the overpayment, to transfer the overpayment to the next quarter due.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector adjust her records by transferring the 4<sup>th</sup> quarter 2014 tax overpayment to the 1<sup>st</sup> quarter 2015 taxes as follows:

<u>Block/Lot</u>	<u>Owner/Property</u>	<u>from 4th Qtr. 14</u>	<u>to 1<sup>st</sup> Qtr.15</u>
1209/39	Gainesborough Coop 269 Bogert Road River Edge, NJ 07661	31,907.70	31,907.70

December 15, 2014

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#14-456 Authorize Alan P. Spiniello, Esq. to Enter Into a Stipulation of Settlement with Lynne Litterini, 316 Kinderkamack Road, Block 1005, Lot 6.01

WHEREAS, Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey will handle the litigation of Settlement with Lynne Litterini v. Borough of River Edge, Block 1005, Lot 6.01; and

WHEREAS, Alan Spiniello, Esq. has recommended stipulation in the above stated matter; and

WHEREAS, the Mayor and Council have considered these recommendations at their work session of December 15, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby authorize Alan Spiniello, Esq. to enter into a Stipulation of Settlement with an assessment reduced from \$476,100 to \$420,000 for the calendar year 2013; the freeze act would apply to years 2014 and 2015.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to forward a copy of this resolution to James Anzevino, the Borough's Tax Assessor and Alan Spiniello, Esq.

December 15, 2014

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Councilman Mignone read resolution #14-457 into the record.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #14-457.

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

#14-457 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 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	\$462,625.26
CAPITAL ACCOUNT	\$188,950.91
RECREATION ACCOUNT	\$ 609.67
TRUST OTHER ACCOUNT	\$ 28,649.84
OPEN SPACE ACCOUNT	\$ 2,340.00
TRUST OTHER DEVELOPERS ACCOUNT	\$ 2,090.97

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.

December 15, 2014

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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, Councilman Acquafredda and Councilman Papaleo voted yes.

Jim Levis-726 Seventh Avenue-appeared at the last Mayor and Council meeting voicing concerns regarding the tree in front of his house and wanted to let them know that the tree was taken down last Friday and thanked them for helping him out.

Mayor Moscaritolo-stated that while Mr. Levis was voicing his concerns, Councilwoman Murphy was texting a message to the Shade Tree Chairperson, Liz Stewart. The Mayor said that he was sorry Mr. Levis had to come before them for something that should have been taken care of a while ago, but is glad that things worked out.

Lou Grasso-172 Lozier Terrace-had sent an e-mail to the Mayor and Council requesting a change in the current zoning ordinance. He would like it to read the same as Hasbrouck Heights which involves termination of the nonconforming use and structures. He explained that all of the commercial buildings on the east side Kinderkamack Road between Lincoln and Midland Avenue are nonconforming. He stated that the two portions of the zoning ordinance that they all do not conform to is having residential units above a business and a front setback which in River Edge is 30 feet. Mr. Grasso has found that many of the tenants who live above the businesses are young, commute into the city and seem to like being able to walk to stores, pizzeria or Dunkin Donuts. As the current ordinance stands, if something should happen to a structure, it could not be rebuilt as it was because it would have to conform to the current zoning regulations. He feels that if offices were to replace the rental units, the space would be more difficult to rent. He noted that the office space on the second floor over the florist has been vacant for over a year. As far as the front 30 foot setback, it would be cost prohibitive to rebuild a damaged structure and have it setback 30 feet from the curb due to the slope of the grade on the east side of Kinderkamack Road. Mr. Grasso suggested that the last section pertaining to Section A of 416-65 be amended to read that use is voluntary and not merely the unintended temporary inability to continue the same, and feels that it would be beneficial to single tenant

buildings that are nonconforming.

Councilwoman Murphy asked that the Borough Attorney look it over and give the Mayor and Council his opinion.

Mayor Moscaritolo wanted to clarify Mr. Grasso's understanding of our existing ordinance Section 416-64 & 65 that he believes that the effect would be if there is a nonconforming building that gets destroyed by a fire, it can only be rebuilt if it conforms to all of the current setbacks.

Lou Grasso replied, correct. His understanding is that if its damaged more than 50%, it would not be allowed to be rebuilt as it is now.

Mayor Moscaritolo - stated that similar buildings in his neighborhood would require a 30 foot setback and the existing setbacks are right at the sidewalk?

Lou Grasso - replied that right now, they are approximately 8 feet from the curb. His stated that TD Bank is set back further but he doesn't think its 30 feet.

Mayor Moscaritolo asked Mr. Grasso if he is asking that our ordinance be changed to read the same as the example he gave from the Borough of Hasbrouck Heights, which states that you're not prohibited from rebuilding if the foundation remains intact.

Councilman Murphy stated that it sounds reasonable to protect your investment.

Councilman Mignone stated that he has a few concerns because it's non conforming in other ways as well, particularly onsite parking. He continued to say that we have a bunch of buildings which are overbuilt that don't have adequate onsite parking. He feels that this is reverse spot zoning and suggested a change to allow uses such as what Mr. Grasso has, along the Kinderkamack Road corridor with closer setbacks because it's a commercial district. He stated that from a planning perspective, the reason they are nonconforming is because the borough does not want them to exist in perpetuity and by saying we're going to leave them there until the foundation fails is a very high standard to achieve. He doesn't think that meets the objectives of the Master Plan so if we can look at it from a positive stand point and see if there is a way to enhance the zoning, he would rather go that route than changing it this way.

Mayor Moscaritolo suggested that we make a motion to refer Mr. Grasso's suggestion for an amendment to our Planner to see if it's consistent with the Master Plan and/or make appropriate suggestions.

Councilman Murphy feels that Councilman Mignone has valid points and would like that included and taken into consideration.

Councilman Mignone asked if we have money in the budget to have the Planner spend time on this?

Alan Negreann stated that he will ask for a proposal to see what it costs but doesn't feel it will be that expensive.

Councilman Acquafredda feels that we should go through the proper channels by engaging the Planner to obtain a professional opinion to make sure this will be applicable for the entire town.

Motion by Councilwoman Murphy, seconded by Councilwoman Busted to refer Mr. Grasso's suggested zoning changes and request a proposal to the Borough Planner, Brigette Bogart.

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

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 Busted, Councilman Mignone, Councilman Acquafredda and Councilman Papaleo voted yes.

COUNCIL COMMENTS - No comments

ADJOURNMENT - 10:11 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to adjourn the meeting at 10:11 p.m.

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

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated: