

M I N U T E S
Regular Meeting of the Mayor and Council
Monday, October 6, 2014
8:00 P.M.

CALL THE MEETING TO ORDER -

Mayor Moscaritolo called the meeting to order at 8:00 p.m. in the Court Room of the Public Safety Building.

SILENT PRAYER - FLAG SALUTE

Mayor Moscaritolo called for a moment of silent prayer or reflection and asked Councilman Acquafredda to lead the salute to the flag.

SUNSHINE STATEMENT -

Mayor Moscaritolo read the following:

"Adequate Notice of this meeting has been made by sending notice on December 21, 2013 to THE RECORD and THE RIDGEWOOD NEWSPAPER, by positioning on the bulletin board in the lobby of the Borough Hall, and filing a Notice of the same with the Municipal Clerk".

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, Acquafredda, Councilman Papaleo, Mayor Moscaritolo and Borough Attorney, Tom Sarlo were present; Councilman Mignone was absent.

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilwoman Busted to approve the minutes of the Mayor and Council Work Session meeting of September 3, 2014.

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

Motion by Councilwoman Murphy, seconded by Councilwoman Busted to approve the minutes of the Mayor and Council Work Session and Regular Meeting of September 15, 2014.

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

voted yes; Councilman Mignone was absent.

PROCLAMATIONS & AWARDS -

Mayor Moscaritolo read the Proclamation Honoring the Honorable Eugene Austin as follows:

P R O C L A M A T I O N

WHEREAS, the Honorable Eugene H. Austin, Judge of the Superior Court of New Jersey and his wife Eileen, have resided in River Edge since 1975 where they raised their two children; and

WHEREAS, Judge Austin having dedicated his time as a Coach for REGAL, Recreation Soccer, Football and Basketball, Swim Club Timer, Assistant Coach for the Connie Mack League and served on the July 4th Committee; and

WHEREAS, the Honorable Eugene H. Austin was appointed to the Superior Court- in Bergen County from January 9, 1992 to December 17, 2013; when he retired and continues to serve on temporary recall status; and

WHEREAS, over the years, the Honorable Eugene Austin has held several appointed positions in the Borough such as Municipal Prosecutor, Public Defender, Borough Attorney, Rent Leveling Board Attorney, Attorney for Community Aid for River Edge, Attorney for the River Edge Central Athletic Council and Planning Board Attorney; and

WHEREAS, the Honorable Eugene H. Austin has always been a distinguished citizen and a valuable asset to our community and we acknowledge his many accomplishments and recognize his contributions to society.

NOW, THEREFORE, I, Mayor Sandy Moscaritolo, and on behalf of the Borough Council along with all of the residents of River Edge do Honor, Thank, Commend and Congratulate the Honorable Eugene H. Austin for his years of dedicated service.

Mayor Sandy Moscaritolo

Dated: October 6, 2014

The Honorable Eugene Austin-stated that it has been is greatest pleasure to be a resident and citizen of River Edge because as everyone here knows, the community gets better when we all participate.

Mayor Moscaritolo read the Proclamation Declaring the Week of October 6 - 10, 2014 as a "Week of Respect" as follows:

P R O C L A M A T I O N

WHEREAS, the State of New Jersey N.J.S.A. 18A:37-29 mandates that a Week of Respect be observed beginning with the first Monday of October; and

WHEREAS, the River Edge Board of Education recognizes the importance of character education focusing on the prevention of Harassment,

Intimidation and Bullying as defined by N.J.S.A. 18A:37-14; and

WHEREAS, the staff members of the River Edge Schools are committed to providing age-appropriate education experiences for the River Edge students that promote for others and nurture an environment free of HIB.

THEREFORE, I, Mayor Sandy Moscaritolo hereby proclaim:

the Week of October 6 - 10, 2014

as a "Week of Respect".

Mayor Sandy Moscaritolo

Dated: October 6, 2014

Mayor Moscaritolo presented the proclamation for "Week of Respect" to several students from Roosevelt School.

Mayor Moscaritolo read the Proclamation Celebrating the River Edge Diner's 40th Anniversary as follows:

PROCLAMATION

WHEREAS, On August 28, 1974 Steve Siderias and his partner Alex Alexandris purchased the River Edge Diner which at the time, looked like a train car; and

WHEREAS, George and Alex worked long hours learning and growing the business until 1983 when they started their first major renovation; and

WHEREAS, in 1998 they expanded once more enlarging the kitchen and rear dining room to almost double the size; and

WHEREAS, in 2005 Alex Alexandris retired and Steve Siderias became sole owner of the River Edge Diner; and

WHEREAS, Steve's son George Siderias has been working at his father's Diner his entire life, working his way up from dishwasher to busboy, to cook and then host; and

WHEREAS, in 2006 George began culinary school. Upon graduation from culinary school, Steve started to groom his son to take over the reins and in 2014 George officially became a partner, assuming day to day management of the family business operations; and

WHEREAS, for more than 40 years the River Edge Diner has been a cornerstone in our community; not only by providing healthy and wholesome meals, but also by sponsoring and supporting many community organizations, sports teams, and civic and business groups; and

WHEREAS, the River Edge Diner has welcomed residents of our community as well as hosting thousands of patrons who travel through town on Kinderkamack Road; and

WHEREAS, Steve and now his son George Siderias have always been

there for our emergency responders, whether paid or volunteer, to provide food during emergency situations that have occurred over the years; and

NOW, THEREFORE, BE IT RESOLVED that I, Sandy Moscaritolo, Mayor of River Edge and on behalf of the Council, am proud to issue this proclamation to Steve and George Siderias and their River Edge Diner and to thank, congratulate and celebrate:

*The River Edge Diner
on their
40th Anniversary*

Mayor Sandy Moscaritolo

October 6, 2014

Steve and George Siderias, owners of the River Edge Diner accepted the proclamation.

George Siderias—thanked everyone for this great honor and privilege to be recognized by the Mayor and Council and the entire community. He and his father Steve, always say how lucky they are to be members of this community because they truly believe that River Edge is one of a kind. George stated that their doors are always open to everyone. George also informed everyone that this weekend, they will be donating 10% of all sales to a little boy in River Edge who is battling cancer.

Mayor Moscaritolo read the Proclamation Declaring October 5-11, 2014 as Fire Prevention Week as follows:

P R O C L A M A T I O N

WHEREAS, cooking, heating, and electrical fires represent three of the nation's leading causes of home fires, and are collectively responsible for nearly half of all home fires and almost one-third of the associated fire deaths; and

WHEREAS, the vast majority of home cooking, heating, and electrical fires can be prevented by taking simple safety precautions; and

WHEREAS, developing a home fire escape plan and practicing it at least twice a year are critical to escaping a fire safely; and

WHEREAS, proper installation, testing, and maintenance of smoke alarms are part of a thorough home fire escape plan; and

WHEREAS, by preventing the leading causes of home fires, and by developing and practicing a thorough home fire escape plan, people can greatly reduce their risk to fire; and

WHEREAS, the Fire Prevention Week 2014 theme, "Working Smoke Alarms Save Lives" encourages the public to develop a home fire escape plan and make sure they have working smoke alarms; and

WHEREAS, the fire service of the Borough of River Edge is dedicated to the safety of life and property from the devastating effects of fire; and

WHEREAS, the members of the fire service are joined by other concerned citizens of this Borough of River Edge, County of Bergen, State of New Jersey, as well as other emergency service providers and safety advocates, businesses, schools, service clubs, and organizations in their fire safety efforts; and

WHEREAS, I Sandy Moscaritolo, Mayor of the Borough of River Edge, do hereby proclaim the week of

October 5 - 11, 2014

as Fire Prevention Week

This week commemorates the Great Chicago Fire of 1871, which killed more than 250 persons, left 100,000 homeless, and destroyed more than 17,400 buildings.

WHEREAS, I call upon the people of the Borough of River Edge to participate in fire prevention activities at home, work, and school, and to take the steps needed to make their homes and families safe from the leading causes of home fires, which include cooking, heating and electrical fires and plan and practice their home fire escape.

Sandy Moscaritolo, Mayor

Dated: October 6, 2014

Fire Chief Cariddi accepted the proclamation on behalf of the Fire Department and Fire Prevention Bureau.

Fire Chief Cariddi-stated that in addition to maintaining smoke detectors, C.O. detectors should be maintained as well especially now that we're approaching the winter months. He explained that carbon monoxide is more deadly than smoke because smoke we can smell, carbon monoxide we can't. He urged everyone to make sure all the batteries are changed in every level of their homes.

Daragh O'Connor, Library Director-stated that they have many wonderful volunteers at the Library but it is not often that they get a young person who has given us the kind of service that Marcelle has given over the last year and a half. He continued to say that in one year, Marcelle clocked more than 250 hours of service. Daragh O'Connor read a letter from President Obama congratulating Marcelle on her achievements.

Mayor Moscaritolo-read the Presidential Volunteer Service Award as follows:

Congratulations on receiving the Presidents Volunteer Service Award. Thank you for helping to address the most pressing needs in your community and our country. In my inaugural address, I stated that we need a new era of responsibility. A recognition on the part of every American, that we have duties to ourselves, our nation and the world. These duties that we do not grudgingly accept, but rather seize gladly confirm in the knowledge that there is nothing so satisfying than the spirit of giving all to a difficult task. Your volunteer service demonstrates this kind of commitment to your community and moves America a step closer to its great promise. Our nation faces the most challenging economic crisis in a lifetime. We will only renew America if we all work together. Individuals from the private sector and government must combine efforts to make real and lasting change so that each person has the opportunity to fulfill his

or her potential. While government can only open opportunities for us to serve our community, it is up to each of us to seize upon those opportunities. Thank you for your devotion to service and for doing all you can to shape a better tomorrow for our nation.

Signed by President Barack Obama.

Mayor Moscaritolo-also presented Marcelle with a gold medal that has the presidential seal on it.

Daragh O'Connor-presented Marcelle with flowers and a certificate.

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

Motion by Councilwoman Murphy, seconded by Councilwoman Busted to open the meeting to the public on any issued on the agenda.

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

Paolo Cilia-685 Fifth Avenue-asked for an explanation of the \$23,000.00 bill that is being paid for audit services.

Alan Negreann-explained that payment is for the town audit. The state requires, by state statute that the town have an audit by a Certified Public Accountant every year.

Paolo Cilia-asked if there is an audit report and what is included?

Alan Negreann-replied that there is a report which lists the towns finances, operating capital, trust accounts, etc.

Paolo Cilia-asked what the \$234,000.00 for BCUA is for?

Alan Negreann-replied that it's the sewer payment for the town's sewerage.

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

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

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

**OPEN HEARING ON BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL PROGRAM
PARK IMPROVEMENT - Kenneth B. George Field Lights Improvement**

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to open hearing on Bergen County Open Space Trust Fund Municipal Program Park Improvement - Kenneth B. George Field Lights Improvement.

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

There were no comments by the public.

Councilman Papaleo-feels that this is an important grant that is long overdue because experts have come in and told them that the lighting on the fields are below standards and inadequate. He continued to say that they've been struggling with financial limitations but have put money aside for the last two years so that we can upgrade and improve the lighting. Councilman Papaleo also stated that it has been made clear to us by the experts that the new lighting will be an LED system which will save the Borough a substantial amount of money in electrical costs. He continued to say that not only will there being savings from the efficiency of the lights but there will be a more efficient way to turn the lights on and off by a remote control. Councilman Papaleo is hopeful that this grant is approved by the Bergen County Open Trust Fund.

Councilwoman Murphy-stated that we've had a three year plan to get this accomplished and it looks like this is the finale. She looks forward to providing better lighting for all of the teams that use the fields.

Mayor Moscaritolo-explained that they've spent substantial amounts of money every year just to maintain the current lights and he feels that by upgrading the system, it would save us costs for maintenance and be more energy efficient as well as providing a better lighted surface for our sports teams. The Mayor stated that every member of Bergen County has paid into the Open Space Fund and if we can a little bit of taxpayer money back without raising it through local property taxes it would be very beneficial.

CLOSE HEARING ON BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL PROGRAM PARK IMPROVEMENT - Kenneth B. George Field Lights Improvement

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to close hearing on Bergen County Open Space Trust Fund Municipal Program Park Improvement - Kenneth B. George Field Lights Improvement.

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

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve the appointment of Leo Collins, 16 Jordan Drive to the Traffic & Safety Committee, for a one-year term to December 31, 2015, effective October 7, 2014.

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

Mayor Moscaritolo-explained the many improvements throughout the town that have been discussed at Traffic & Safety meetings. The Mayor thanked Mr. Collins for volunteering and stated that he is a very qualified candidate for the committee.

Motion by Councilwoman Murphy, seconded by Councilwoman Busteed to approve the salary increase of Tybe Manzelli, Accounts Receivable Clerk from a Step I hourly rate of \$18.48 to Step II - \$19.49, effective September 19, 2014.

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

Motion by Councilwoman Murphy, seconded by Councilwoman Busteed to approve the hire of Francis Quara, 916 Myrtle Avenue, as a Substitute Senior Bus Driver, at an hourly rate of \$17.35, with a six-month probationary period, effective October 7, 2014.

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

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve the promotion of Scott Ader, from Tree Trimmer I at an annual salary of \$69,838.00 to Equipment Operator I, A Scale at an annual salary of \$70,518.00, effective October 7, 2014.

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

Motion by Councilwoman Murphy, seconded by Councilwoman Busteded to approve the separation of Anthe Siaflas as Senior Bus Dispatcher, effective October 1, 2014.

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

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve the hire of Cathy Solimando as Senior Bus Dispatcher, at a Step I, B Scale hourly rate of \$12.66, 5 hours per week, with a six-month probationary period, effective October 1, 2014.

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

CORRESPONDENCE -

Letter - BCUA - 9/12/14
Re: Environmental Awareness Challenge
Grant Award to River Dell Schools

Notice - New Jersey Transit - 9/15/14
Re: Hearing - Senior Citizen/Disabled
Resident Transportation Assistance Act

Notice - New Jersey Transit - 9/15/14
Re: Notice of Intent to Apply for Federal Fiscal
Year 2014 Federal
Financial Assistance

Notice - River Edge Board of Education - 9/15/14
Re: Meeting Notice - 9/17/14

Notice - River Edge Board of Education - 9/19/14
Re: Special Meeting-September 23, 2014

Letter - NJ Transit - 9/18/14
Re: FY2013 Federal Transit Admin.
Program (FTA) Section 5310 Program

Letter - County of Bergen - 9/18/14
Re: Bond Ordinance #14-29

Letter - FEMA - 9/22/14
Re: Flood Insurance Rate Maps

Letter - County of Bergen-Community Development
Re: Notice of Compliance

Letter - Board of Chosen Freeholders - 9/26/14
Re: Adopted Ordinance #14-25

Letter - Board of Chosen Freeholders - 9/26/14
Re: Adopted Ordinance #14-26

Letter - Board of Chosen Freeholders - 9/26/14
Re: Resolution #1095-14, Rail Safety
Measures in Bergen County

Notice - River Edge Board of Education - 9/26/14
Re: Meeting - October 1, 2014

Letter - State of New Jersey - 9/29/14
Re: Suspected Hazardous Discharge Notice -
207 Bogert Road

Letter - Bell Environmental Consultants-9/30/14
Re: Community Outreach Documentation -
55 Kinderkamack Road

MONTHLY REPORTS -

Planning Board - August 2014
Recreation Commission - June 2014
Recreation Commission - August 2014

ORDINANCES - 1ST READING -

Stephanie Evans, Borough Clerk read the title of Ordinance #1813 as follows:

Ordinance #1813 - AN ORDINANCE AMENDING CHAPTER 354 "SOIL REMOVAL" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve the first reading of Ordinance #1813 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1813

AN ORDINANCE AMENDING CHAPTER 354 "SOIL REMOVAL" OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, County of Bergen and State of New Jersey, that Chapter 354 "Soil Removal" of the Code of the Borough of River Edge be and hereby is amended as follows:

SECTION 1. Add 354-10 "Enforcement" as follows:

- A. The Borough Engineer or the Superintendent of Public Works or a designee shall have the authority to enforce the provisions of Chapter 354.
- B. The Borough Engineer or his designee shall have the authority to require approval of the installation of soil control/drainage measures, structures and or facilities.
- C. The maintenance of all soil control/drainage measures, structures and or facilities shall be the responsibility of the property owner.
- D. The maintenance of all soil control/drainage measures, structures and or facilities shall be in accordance with the manufacturer's recommendation and kept in good working condition.

SECTION 2. This ordinance shall take effect immediately after the first publication after final passage as provided by law.

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated:

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

Stephanie Evans, Borough Clerk read the title of Ordinance #1814 as follows:

Ordinance #1814 - AN ORDINANCE APPROPRIATING \$15,000.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE IMPROVEMENT OF BOROUGH GROUNDS

Motion by Councilman Acquafredda, seconded by Councilwoman Murphy to approve the first reading of Ordinance #1814 as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1814

AN ORDINANCE APPROPRIATING \$15,000.00 FROM THE GENERAL CAPITAL FUND
BALANCE FOR THE IMPROVEMENT OF BOROUGH GROUNDS

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

SECTION I. The improvements desired in Section 2 of this ordinance are hereby authorized as improvements to be made by the Borough of River Edge, New Jersey for the purpose of the making of said improvements, there are hereby appropriated the sum of \$15,000.00 of which \$15,000.00 is from the General Capital Fund Balance.

SECTION II. The improvements are authorized as follows:

- a. Repairs and improvement to public sidewalks, curbs and grounds.
- b. Other Expenses, including but not limited to architect's fees, accounting, engineering and inspection costs, legal expense and other expenses to the extent permitted by Section 20 of the Local Bond Law.

SECTION III: The appropriation shall be made from the General Capital Fund and no debt is authorized.

SECTION IV: This ordinance shall take effect immediately after the first publication after final passage as provided by law.

Mayor Sandy Moscaritolo

ATTEST:

Stephanie Evans, Borough Clerk

Dated:

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

Stephanie Evans, Borough Clerk read the title of Ordinance #1815 as follows:

Ordinance #1815 -A CAPITAL ORDINANCE OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AUTHORIZING THE CONSTRUCTION OF CURB AND SIDEWALK REPLACEMENTS IN SAID BOROUGH, AND APPROPRIATING THE SUM OF \$92,530.00 FROM BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT PROGRAM FUNDS AND \$10,000.00 FROM THE GENERAL CAPITAL FUND BALANCE OF THE BOROUGH OF RIVER EDGE TO PAY THE COST THEREOF

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve the first reading of Ordinance #1815 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1815

A CAPITAL ORDINANCE OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AUTHORIZING THE CONSTRUCTION OF CURB AND SIDEWALK REPLACEMENTS IN SAID BOROUGH, AND APPROPRIATING THE SUM OF \$92,530.00 FROM BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT PROGRAM

FUNDS AND \$10,000.00 FROM THE GENERAL CAPITAL FUND BALANCE OF THE
BOROUGH OF RIVER EDGE TO PAY THE COST THEREOF

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

SECTION 1. The Borough of River Edge shall construct curb and sidewalk ramps at the intersections of: Tenney and Center, Bogert and Oswego, Zabriskie and Reservoir, Reservoir and Van Saun, Cleveland and Lozier, Lozier and Van Saun (NE,NW), Green and Wayne (S), Park and Christie (S), Spring Valley and Park (S), Gates and Park (S), Bogert and Hillside, Elm and Hillside (S), Demarest and Summit (N,S), Woodland and Bogert (N,S), Coles and Eastbrook and other locations located on file with the Borough Clerk. Such improvements shall include all work and appurtenances necessary and suitable for the use and purpose thereof. Such improvements shall be made in accordance with plans to be prepared thereof by the Borough and herein authorized to be made. Such improvements shall be undertaken and made as a general improvement, no part of the cost of which shall be assessed against property specially benefited.

Other expenses, including but not limited to architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses to the extent permitted by Section 20 of the Local Bond Law are permitted.

SECTION 2. The Borough shall expend \$102,530.00 for the improvement authorized in Section 1. Hereof. Said sum of \$92,530.00 is a grant from the 2014 Community Development Block Grant Funds, County of Bergen and is appropriated by the Borough by special rider in budgets hereinbefore authorized. Said sum of \$10,000.00 is hereby appropriated from the General Capital Fund Balance.

SECTION 3. Such improvement is hereby determined and declared to be a capital improvement which the Borough may lawfully make pursuant to law.

SECTION 4. This ordinance shall take effect at the time and in the manner provided by law.

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated:

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

ORDINANCE - 2ND READING - NONE

RESOLUTIONS - By Consent

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve resolution #14-363 through #14-378, #14-381, #14-383 through #14-388.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cappola, Councilwoman Busteed, Councilman Acquafredda and Councilman Papaleo

voted yes; Councilman Mignone was absent.

#14-363 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 October 20, 2014 meeting and discussion of the hereinafter specified subject matter:

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

October 6, 2014

#14-364 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Lexington Drive

WHEREAS, on or about October 6, 2014, the Borough of River Edge granted permission to Janet and Bill Crowley, 256 Lexington Drive, River Edge, New Jersey, to hold a block party on Lexington Drive between Oak Avenue and Warwick Court on October 19, 2014 in accordance with Borough Ordinance #1678; and

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

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

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

October 6, 2014

Councilwoman Busteved-stated that it is her understanding that at the last meeting, Councilman Acquafredda made a suggestion to include language that if the fence were to be taken down that a permit would not be granted for the replacement in the same location. She stated that as she reads this resolution, it's not clear to her that that's the case.
Tom Sario, Esq.-explained that the language will be in the agreement itself.

#14-365 Grant of Revocable License for Placement of a Fence over Borough Drainage Easement to Mr. & Mrs. Dariuez Naltner, 165 Adams Avenue, Block 607, Lot 1

WHEREAS, Mr. & Mrs. Dariuez Naltner, are the owners of premises known as 165 Adams Avenue, River Edge, New Jersey, and have requested permission and license to place a fence on the side yard of their premises at 165 Adams Avenue, which will extend over an approximate one (1) to approximate four (4) foot drainage easement held by the Borough of River Edge; and

WHEREAS, the Borough has agreed to grant a revocable license to the property owner subject to the execution of a License Agreement in recordable form prepared by the Borough Attorney.

NOW, THEREFORE, BE IT RESOLVED, that a Revocable License be granted for the construction of a fence over the drainage easement at the stated premises. Said license shall be granted with the understanding that the Borough will be permitted access without restriction and will in no way be held responsible for the reconstruction of the fence, if access to the easement requires its removal. The removal and replacement of any fence shall be the responsibility of the property owner.

BE IT FURTHER RESOLVED, that this grant shall be memorialized in an Agreement prepared by the Borough Attorney which will be recorded so that future property owners shall be bound by its terms.

October 6, 2014

#14-366 Municipal Endorsing Resolution for Bergen County Open Space Trust Fund Municipal Program Park Improvement Application - Kenneth B. George Field Lights Improvement

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and

WHEREAS, the Borough of River Edge desires to further the public interest by obtaining a matching grant of \$172,726.00 from the County Trust Fund to fund the following project: Kenneth B. George Field Lights Improvement; and

WHEREAS, the Governing Body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, as part of the application process, the Governing Body received public comments on the proposed park improvements in the application on October 6, 2014; and

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of October 31, 2014 as established by the County; and

2. That in the event of a County Trust Fund award that may be less than the grant amount requested above, the Governing Body of the Borough of River Edge has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and
3. That the Governing Body of the Borough of River Edge is committed to providing a dollar for dollar cash match for the project; and
4. That only those park improvements identified and approved in the project application, its Trust Fund contract or other documentation will be considered eligible for reimbursement.
5. That the Governing Body of the Borough of River Edge agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

October 6, 2014

#14-367 Acknowledge Receipt of Certification of Request for
Emergency Purchases - Water Line Break at the Department of Public
Works

WHEREAS, the Superintendent of Public Works has certified that an emergency condition exists in the Department of Public Works Buildings and Grounds for the emergency water line break at the Department of Public Works at an estimated cost of \$6,000.00; and

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

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

October 6, 2014

#14-368 Change Order Approval and Amendatory Contract for 2014
Riverside Cooperative Road Improvement Program to Crossroads Pavement,
LLC, 81 Franklin Avenue, Nutley, NJ 07424

WHEREAS, N.J.A.C. 5:34-4.2 lists the requirements for all Change Orders; and

WHEREAS, the Borough of Haworth, the Lead Agency for the Riverside Cooperative awarded a contract via resolution dated June 10, 2014; and

WHEREAS, the Borough of River Edge awarded a contract to Crossroads Pavement, LLC on June 16, 2014 via resolution #14-259; and

WHEREAS Change Order #1 reflects an increase in quantity for milling, traffic stripes and asphalt price adjustment in the amount of \$10,303.08 and a decrease in quantity for hot mix asphalt and resetting of existing castings in the amount of (\$3,946.63) for a total increased amount of \$6,356.45; and

WHEREAS, the Borough Engineer has recommended the above change.

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1806-500 of the Capital Fund in the amount not to exceed \$6,356.45.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with Crossroads Pavement, LLC for Change Order #1 for an increase of \$6,356.45.

BE IT FURTHER RESOLVED that the exact form of this amendatory

contract shall be at the discretion of the Borough Attorney and the Mayor and the Borough Clerk is hereby authorized to execute said contract, and Change Order #1.

October 6, 2014

#14-369 Resolution to Authorize Tax Collector to Adjust 2014 Final Tax Bills Due to County Board Judgments

WHEREAS, County Board Judgments were received for the year 2014 by the tax office on 3/21/14 reducing the Assessed Value on the following properties; and

WHEREAS, the reductions were not reflected in the 2014 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED the Tax Collector apply the tax credits to the 4th Quarter 2014 taxes and adjust and her records accordingly.

<u>BL/Lot</u>	<u>Name/Address</u>	<u>Old Value</u>	<u>New Value</u>	<u>Adjusted Taxes</u>
204/24.02	Matis, Louis & Calamusá 888 Bogert Road	459,500	420,000	1,273.09
205/10	Geraghty, James J. & Donna 793 Summit Avenue	488,500	455,000	1,079.71
501/4	Winkler, (Etals) Edward H. 5 Kimberly Way	521,200	460,000	1,972.48
501/26	Lee, Mi Yung 335 Continental Avenue	674,900	600,000	2,414.03
613/3	Abdelhamid, (Etals) Edsayed 117 Adams Avenue	370,700	340,000	989.46
701/19.04	Fanelli, Donald & Donna 502 Manning Court	767,800	670,000	3,152.09
801/13	Olveira, Joaquin & Laura 176 Voorhis Avenue	404,800	356,000	1,572.82
801/15	Krasnovsky, Dimitry & Irina 184 Voorhis Avenue	414,600	370,000	1,437.46
1004/20	Wei, Margaret Hong 7 June Court	376,900	367,600	299.74
1103/61	Huang (Etal), Heidi 82 Eastbrook Drive	695,400	600,000	3,074.74
1204/17	Spano, Michael & Lisa 174 Cherry Lane	381,200	340,000	1,327.88
1209/39	Gainesborough Co-op 269 Bogert Road	9,590,000	8,600,000	31,907.70

October 6, 2014

#14-370 Authorize Tax Collector to Credit 3rd Quarter 2014 Taxes due to Tax Over Billing

WHEREAS, the Tax Assessor on 12/17/13 reduced the Assessed Value on the following property from 1,115,300 to 400,400; and

WHEREAS, the preliminary 2014 taxes billed are more than the taxes due for 2014.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector credit the 3rd Quarter 2014 taxes for the over billing created due to estimated billing and to adjust her records accordingly.

<u>Block/Lot</u>	<u>Property Owner</u>	<u>Quarter</u>	<u>Amount</u>
206/9.01	Bergen Boat Landing, Inc. 800 Summit Avenue River Edge, NJ 07661	3 rd	2,288.30

October 6, 2014

14-371 Enter into a Grant Agreement with the County of Bergen for the Purpose of Using Community Development Block Grant Funds

BE IT RESOLVED, that the Mayor and Council of the Borough of River Edge wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$1,800.00 in 2014 Community Development Block Grant funds for Senior Citizen Activities in the Borough of River Edge.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Sandy Moscaritolo, Mayor to be a signatory for the aforesaid grant agreement.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Alan P. Negreann, Borough Administrator/Chief Financial Officer to sign all County vouchers submitted in connection with the aforesaid project.

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of River Edge is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.
October 6, 2014

#14-372 Enter into a Grant Agreement with the County of Bergen for the Purpose of Using Community Development Block Grant Funds

BE IT RESOLVED, that the Mayor and Council of the Borough of River Edge wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$13,500.00 in 2014 Community Development Block Grant funds for Senior Bus Dispatcher & Driver Wages in the Borough of River Edge.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Sandy Moscaritolo, Mayor to be a signatory for the aforesaid grant agreement.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Alan P. Negreann, Borough Administrator/Chief Financial Officer to sign all County vouchers submitted in connection with the aforesaid project.

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of River Edge is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

October 6, 2014

#14-373 Amend 2014 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item of appropriation for an equal amount; and

WHEREAS, the Borough has received a grant for a Reserve for Senior Van Driver Grant Unappropriated in the amount of \$1,800.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

3. Miscellaneous Revenue - Section F

Bergen County Community Development Block Grant
Senior Citizen Activities.....\$1,800.00

BE IT FURTHER RESOLVED that the like sum of \$1,800.00 and the same is hereby appropriated under the caption of:

General Appropriations
(A) Operations excluded from the "CAPS"
Public & Private Programs Offset by Revenues
Senior Citizen Activities.....\$1,800.00

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

October 6, 2014

#14-374 Amend 2014 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item of appropriation for an equal amount; and

WHEREAS, the Borough has received a grant for a Reserve for Senior Bus Dispatcher & Driver Wages Grant Unappropriated in the amount of \$13,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

4. Miscellaneous Revenue - Section F

Bergen County Community Development Block Grant
Senior Bus Dispatcher & Driver Wages\$13,500.00

BE IT FURTHER RESOLVED that the like sum of \$13,500.00 and the same is hereby appropriated under the caption of:

General Appropriations

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

Senior Bus Dispatcher & Driver
Wages.....\$13,500.00

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

October 6, 2014

#14-375 Amend 2014 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item for an equal amount; and

WHEREAS, the Borough has received a deposit in its Unappropriated Reserve for Nursing Services for Nonpublic Schools Grant in the amount of \$16,561.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

5. Miscellaneous Revenue - Section F

Unappropriated Reserve for Nursing Services
Public & Private Programs Offset by
Revenues.....\$16,561.00

BE IT FURTHER RESOLVED that the like sum of \$16,561.00 and the same is hereby appropriated under the caption of:

General Appropriations

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

Unappropriated Reserve for Nursing Services
Public & Private Programs Offset by
Revenues.....\$16,561.00

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

October 6, 2014

14-376 Enter into a Grant Agreement with the County of Bergen for the Purpose of Using Community Development Block Grant Funds

BE IT RESOLVED, that the Mayor and Council of the Borough of River Edge wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$92,530.00 in 2014 Community Development Block Grant funds for Handicapped Accessible Curb Ramps in the Borough of River Edge.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Sandy Moscaritolo, Mayor to be a signatory for the

aforesaid grant agreement.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Alan P. Negreann, Borough Administrator/Chief Financial Officer to sign all County vouchers submitted in connection with the aforesaid project.

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of River Edge is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

October 6, 2014

#14-377 Rescind Resolution #14-324 Awarding Contract to Reggio Construction for the 2014 Fifth Avenue Road Improvement Project, Section 1

WHEREAS, resolution #14-324 awarding a contract to Reggio Construction for the 2014 Fifth Avenue Road Improvement Project, Section was approved on September 3, 2014.

NOW, THEREFORE BE IT RESOLVED, that resolution #14-324, dated September 3, 2014 is hereby rescinded in order to reflect the correction in mathematical errors that were on the bid proposal by Reggio Construction as well as the tabulation sheet prepared by the Borough Engineer.

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

October 6, 2014

#14-378 Award Contract for the 2014 Fifth Avenue Road Improvement Project, Section 1 to Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey 07024

WHEREAS, on August 21, 2014 (2) sealed bids were received for the 2014 Fifth Avenue Road Improvement Project, Section 1; and

WHEREAS, the lowest bid was received from Reggio Construction, Inc.; and

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

WHEREAS, the Mayor and Council have discussed this matter at a work session on September 3, 2014; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1794-200 of the Capital Fund in an amount not to exceed \$155,338.00; and

NOW, THEREFORE, BE IT RESOLVED that the contract is hereby awarded to Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey 07024 in the amount not to exceed \$155,338.00 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

October 6, 2014

Motion by Councilman Papaleo, seconded by Councilman Acquafredda to **Table** resolution #14-379.

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

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#14-379 Enter into Agreement with Atlantic Coast Fibers, 101 7th Street, Passaic, New Jersey 07055

WHEREAS, the Borough of River Edge has included the collection of newspaper, mixed news and co-mingled containers as part of its recycling program in an effort to reduce solid waste; and

WHEREAS, Atlantic Coast Fibers has agreed to enter into a _____ year contract with the Borough of River Edge for the disposal of newspaper, mixed news and co-mingled containers; and

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

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

WHEREAS, the Mayor and Council have reviewed this matter at a work session on October 6, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are authorized to enter into an agreement with Atlantic Coast Fibers, 101 7th Street, Passaic, New Jersey 07055.

October 6, 2014

Motion by Councilman Papaleo, seconded by Councilman Acquafredda to **Table** resolution #14-380.

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

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#14-380 Acknowledge Receipt of Certification of Request for Emergency Purchases - Garbage Collection

WHEREAS, the Superintendent of Public Works and Borough Engineer have certified that an emergency condition exists in the Department of Public Works Buildings and Grounds for garbage collection for the period October 17, 2014 to February 28, 2015 at an estimated cost of \$114,242.00; and

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

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

#14-381 Award of Contract to Downes Tree Service, Inc., 65 Royal Avenue, Hawthorne, New Jersey 07506 for the 2014 Riverside Cooperative Emergency Vegetative Maintenance/Collection Disposal

WHEREAS, on July 15, 2014 one (1) sealed bid was received for the 2014 Riverside Cooperative Emergency Vegetative Maintenance/Collection Disposal by the Riverside Cooperative (35-RC); and

WHEREAS, the Borough of Haworth, the Lead Agency for the Riverside Cooperative, awarded the bid to Downes Tree Service, Inc. on August 6, 2014; and

WHEREAS, the term of the contract shall commence September 1, 2014 and expire September 1, 2016; 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 October 6, 2014; 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 bid is hereby awarded to Downes Tree Service, Inc., 65 Royal Avenue, Hawthorne, New Jersey 07506 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

October 6, 2014

Motion by Councilman Papaleo, seconded by Councilman Acquafredda to **Table** resolution #14-382.

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

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#14-382 Rescind Resolution #14-346 Awarding Contract to Joseph Smentkowski, Inc., 3 York Avenue, Jersey City, New Jersey for Complete Solid Waste Collection Service from 1 - 4 Family Residences as Part of a Shared Service with New Milford

WHEREAS, resolution #14-346 awarding a contract to Joseph Smentkowski, Inc. for Complete Solid Waste Collection Service from 1 - 4 Family Residences as Part of a Shared Service with New Milford was approved on September 15, 2014.

NOW, THEREFORE BE IT RESOLVED, that resolution #14-346, dated September 15, 2014 is hereby rescinded due to an objection by another bidder.

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

October 6, 2014

#14-383 Enter Into Agreement with Robert McNerney, McNerney & Associates, P. O. Box 67, Glen Rock, New Jersey, 07452-0067 for

Professional Services for Tax Appeal Appraisals, Litterini v River Edge, 316 Kinderkamack Road, Block 1005, Lot 6.01

WHEREAS, there exists a need for professional services for various tax appeal appraisals;

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 McNerney meets the criteria for a professional service contract under N.J.S.A. 40A:11-1; and

WHEREAS, Robert McNerney has completed and submitted a Business Entity Disclosure Certification which certifies that Robert McNerney 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 McNerney from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-1552-174 of the Current Fund not to exceed \$2,500.00; and

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 McNerney not to exceed \$2,500.00; 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.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

October 6, 2014

Councilwoman Murphy-asked if this is money that we gave back because it wasn't spent?

Alan Nekreann-replied, yes that's correct.

#14-384 Resolution Authorizing Chief Financial Officer to Cancel Grant Fund Receivable and Appropriated Reserve for the "Municipal Alliance on Alcoholism and Drug Abuse" Grant

WHEREAS, the Borough of River Edge received approval for a grant through the County of Bergen for a grant entitled "Municipal Alliance on Alcoholism and Drug Abuse"; and

WHEREAS, the Borough of River Edge has on its books and records an account receivable of \$1,457.70 and an appropriated reserve of \$1,457.70; and

WHEREAS, the Chief Financial Officer has investigated the account receivable and appropriated reserve balance and has recommended that they can be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer

is authorized to cancel the grant fund account receivable and appropriated reserve for the grant entitled "Municipal Alliance on Alcoholism and Drug Abuse" both in the amount of \$1,457.70.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby instructed to adjust the records accordingly.

October 6, 2014

#14-385 Authorize Richard D. Kraus, Esq. to Enter Into a Stipulation of Settlement with Arthur Schmitt, 97 Lakeview Street, Block 1208, Lot 16.01

WHEREAS, Richard D. Kraus, Esq., Suite 14, One University Plaza, Hackensack, New Jersey, 07601 has handled the litigation of the Borough of River Edge v. Arthur Schmitt for the premises at 97 Lakeview Street, Block 1208, Lot 16.01; and

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

WHEREAS, the Mayor and Council have considered these recommendations at their work session of October 6, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby authorize Richard D. Kraus, Esq. to enter into a Stipulation of Settlement with for an assessed value of \$300,000.00 for calendar year 2011 and \$266,500.00 for calendar years 2012 and 2013.

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

October 6, 2014

#14-386 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Monroe Court

WHEREAS, on or about October 6, 2014, the Borough of River Edge granted permission to Liz Serednicky, 291 Monroe Avenue, River Edge, New Jersey, to hold a block party on Monroe Court between Monroe Avenue and Fifth Avenue on October 11, 2014 (rain date October 12th) in accordance with Borough Ordinance #1678; and

WHEREAS, Mrs. Serednicky 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.

October 6, 2014

#14-387 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 and amended via resolution #14-271 in the amount of \$9,000.00; 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 July 7, 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.

October 6, 2014

#14-388 Acknowledge Receipt of Certification of Request for
Emergency Purchases - Repair Street Sweeper

WHEREAS, the Superintendent of Public Works has certified that an emergency condition exists in the Department of Public Works for the emergency repair of the street sweeper at an estimated cost of \$5,042.52; and

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

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

October 6, 2014

Council President Murphy read resolution #14-389 into the record.

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve resolution #14-389.

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

#14-389 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	\$869,886.53
CAPITAL ACCOUNT	\$393,145.81
RECREATION ACCOUNT	\$ 5,574.79
TRUST OTHER ACCOUNT	\$ 13,494.03
OPEN SPACE ACCOUNT	\$ 4,109.30
TRUST OTHER DEVELOPERS ACCOUNT	\$ 1,387.50

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

October 6, 2014

OPEN HEARING OF THE PUBLIC -

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

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

Joseph Dunsay-151 Concord Drive-was very encouraged that there will be a bicycle rack down on Main Street where they are building the new stores. He asked if the Mayor and Council would ever consider putting a bicycle path on the paper street between Kensington Road and Adams Avenue. He mentioned that there is a path by Brookside Park and thought it would be a nice idea to continue it.

Mayor Moscaritolo-stated that he thought it would be a good topic for the Traffic & Safety Committee to discuss and make a recommendation to the Mayor and Council. If they do come back with a recommendation, the Mayor

and Council will have to look at how to fund it. The Mayor and Councilwoman Busted are members of the Traffic & Safety Committee and the Mayor told Mr. Dunsay that they will list it on their next agenda.

Alex Zamsky-780 6th Avenue-stated his concerns regarding the lack of crossing guards, sidewalks, yield signs or school zone signs on Fifth Avenue between Continental and Midland. He also feels that the speed limit is not enforced. He stated that two weeks ago, his daughter was struck by a car when she attempted to cross Fifth Avenue. He stated that most motorists don't stop for pedestrians and that you have to wait until all traffic has passed before you cross a street.

Mayor Moscaritolo-thanked Mr. Zamsky for his comments and asked Alan if that section of Fifth Avenue is included in the Safe Streets to School application? He asked Alan Negreann to send a memo to the Police Chief asking that a traffic officer take a look at that section of Fifth Avenue and make recommendations for additional signage, sidewalks, additional crossing guards and enforcing the speed limit.

Carol Mah-680 Center Avenue-stated that she is a member of SCORE which has been in existence for 42 years and to the best of her knowledge, they have never had by-laws or an executive board. It has been brought to her attention that the Mayor and Council are demanding that they have a set of by-laws in place as well as an election for an executive board. She stated that although they have no objection, she wonders why after 42 years of not having anything, they wouldn't have been given an ample amount of time to get this done? It is her understanding that the town gets state or county money and was told that an out of town member would not be able to serve on the executive board. Mrs. Mah feels that it would be discriminating and doesn't understand why that would be the case if the town is getting funding from the state or county. Mrs. Mah explained that most of the membership is made up of out of town members and the percentage from River Edge is very small. She has requested a meeting because she is trying to keep SCORE going.

Tom Sarlo, Esq.-explained that the Mayor and Council are not demanding anything. He, as the Borough Attorney, recommended to the Mayor and Council that they institute by-laws. He is of the opinion that SCORE should have by-laws in place because every town that has a senior program or organization has by-laws. He continued to say that when a recent issue came up, he was asked by the Mayor and Council to resolve it and the first thing he asked for was the by-laws. He explained that they are getting funding from the town and feels that as an organization, they have them. Mr. Sarlo assured Mrs. Mah that all members in the organization will be included in the drafting of the by-laws. Mr. Sarlo is in the process of preparing by-laws and he will meet with the liaisons, Councilman Cappola and Councilwoman Busted to obtain their input. After that, they plan on attending to a SCORE meeting to get input from the membership on the by-laws. He completely agrees that this Mayor and Council cannot draft by-laws without the input from the membership. With regard to out of towners, nothing has been discussed whether they can be included or if they can run for office. He again stated that no one is demanding anything, but thinks it would be prudent at this point that River Edge has by-laws for its senior's going forward.

Carol Mah-again stated that they have no objection to having by-laws and is happy she received clarification and correct information.

Tom Sarlo, Esq.-stated that he welcomes any suggestions that she may have and will try to incorporate them in his draft.

Councilman Cappola-asked for clarification on how the club is funded?

Alan Negreann-explained that through our operating account, we provide funding for the rent and certain programs and we also receive Community Development Block Grant Funds which are actually federal funds.

Carol Mah-is still confused as to who may be on the executive board.

Mayor Moscaritolo-explained that because of the way we're funded, there may be a difference between who is allowed to attend the activities of SCORE and who can sit on the board. He thinks members of the board may be restricted to Borough residents but they would have to look into it.

Daisy Ortiz Berger-162 Van Saun Drive-thanked everyone for coming and for expressing their passions because it's all about the betterment of the community. She commented that she started attending Mayor and Council meetings and feels that some of their comments are intimidating. She continued to say that she feels more consideration and compassion should be given to residents when they share their views. Ms. Berger thanked the Mayor and Council for all that they do because she understands it's a difficult job.

Esther Fletcher-780 Oak Avenue-noticed that there were several items that were tabled for closed session and asked for the qualification of the

category by which they were put into closed session?

Tom Sarlo, Esq.-explained that for the garbage bid, we had a letter from the second bidder threatening litigation with regard to the process and the bid of the low bidder. He continued to say that there is a very good chance the town may get sued and that's why it is placed into closed session.

Mayor Moscaritolo-explained that the matters regarding the Sergeants promotion document review and Tom Schick are both personnel issues.

Paola Cilia-asked if the contract for recycling that was tabled, will be made public?

Tom Sarlo, Esq.-explained that the bid documents are public, the bids themselves are public but what's not public right now is any correspondence between himself and the Mayor and Council regarding the objection. The objection which was issued by Waste Management is also public information.

Paola Cilia-asked if he could come to Borough Hall to view this information or would he have to fill out an OPRA request?

Tom Sarlo, Esq.-suggested that he fill out an OPRA request.

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS -

Councilwoman Murphy-announced that we will be having the river clean-up this Saturday, October 11th at KBG Park starting at 10 a.m. and encourages everyone to come and help out. Councilwoman Murphy stated that the new garbage cans at the strip mall look really good and they are holding the garbage perfectly. She congratulated Marcelle Katri for receiving the Presidential Volunteer Award and informed everyone that she continues to volunteer at the Library. Councilwoman Murphy also congratulated dance instructor Joan Sullivan for her service to the dance community and wished her well in her retirement. Councilwoman Murphy had the pleasure of going to BCCLS 35th Anniversary party at Season's last week where over 350 people attended. She announced that this Wednesday, October 8th River Edge volunteers Ken Krautheim and Michele Cariddi will be honored at the Bergen County Technical School at 6:30 p.m.

Councilwoman Busted-stated that she was honored to present the proclamation to Joan Sullivan on behalf of the Mayor and Council this past Saturday where 248 former students and family members gathered to pay tribute to Joan. Councilwoman Busted complimented Bobbi Conway and members of the Special Events Committee for sponsoring another successful River Edge Day event and thanked members of the community for coming out.

Councilman Acquafredda-stated that he is delighted that they are starting the final phase for the lighting at KBG because he feels that it is an essential component for the health, safety and welfare of the public. He looks forward to restarting efforts to give shape and impetus to a community senior citizens center. He also looks forward to meeting with the Mayor and Councilman Mignone to review the responses that were received from the survey that was sent out. He stated that it is an essential part of our community which is sorely lacking and also feels that this is an initiative that will benefit the community at large. Councilman Acquafredda stated that he has initiated a discussion with Superintendent Patrick Fletcher to investigate the feasibility of video taping the Mayor and Council meetings with the assistance of the school video team. This will eventually end up generating a proposal because it will cost some money but they are in a position to help us achieve this goal. He suggests that if possible, we gather volunteers who have experience in video taping to form a committee.

Councilman Papaleo-concurred with all of the comments that have been offered but added a special commendation to Bobbi Conway and all of the volunteers who did a phenomenal job on River Edge Day.

Mayor Moscaritolo-apologized for missing River Edge Day this year but unfortunately his son was involved in a car accident in the morning and he spent most of the day at the hospital. He thanked Councilman Papaleo for giving out the proclamations to the volunteers and hopes that they were

well received because the words came from his heart. The Mayor stated that as you can see from the proclamations and appointments this evening, we a community of volunteers and because of that, he is extremely proud to be Mayor. The Mayor stated that River Edge has a statewide reputation for being a strong volunteer based community. As previously stated, the County Executive will be holding a Volunteer of the Year ceremony at the Bergen County Technical School this Wednesday and Ken Krautheim, longtime community volunteer for REGAL and Citizens Budget Committee as well as Michele Cariddi who has volunteered at St. Peters, Fire Department and our Beautification Committee, will be recognized. The Mayor thanked everyone for coming this evening and voicing their concerns and opinions.

ADJOURNMENT - 9:27 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to adjourn the meeting at 9:27 p.m.

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

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated: