

M I N U T E S  
Regular Meeting of the Mayor and Council  
Monday, September 15, 2014  
8:00 P.M.

CALL THE MEETING TO ORDER -

Mayor Moscaritolo called the meeting to order in the Court Room of the Public Safety Building at 8:11 p.m.

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.

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 Busteded, Councilman Mignone, Councilman Acquafredda, Councilman Papaleo, Mayor Moscaritolo and Tom Sarlo, Esq. were present.

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the minutes of the Mayor and Council Regular Meeting of September 3, 2014.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cappola, Councilwoman Busteded, 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 Emergency Meeting of September 8, 2014.

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

PROCLAMATIONS & AWARDS -

Mayor Moscaritolo read the Proclamation Honoring The Friends of the Library on their 60<sup>th</sup> Anniversary as follows:

*PROCLAMATION*

*WHEREAS, the Friends of the Library is a volunteer organization that has given support to the library and its patrons since 1954; and*

*WHEREAS, members of the Friends of the Library, over the years have sponsored many fund drives, book sales and other fundraising events which has enabled the library to provide many programs such as the Children's Summer Reading Club, Movies, Concerts, Guest Speakers and Computer Classes; and*

*WHEREAS, as a result of their many fundraisers, the Friends of the Library have made major purchases such as a television, refrigerator, laptops, lounge furniture and shelving which provide necessities and enjoyment to members of our community; and*

*WHEREAS, the Friends of the Library are celebrating their 60<sup>th</sup> anniversary; and*

*NOW, THEREFORE, I, Sandy Moscaritolo, Mayor of the Borough of River Edge and on behalf of the Council commend, congratulate and celebrate:*

*Friends of the Library*

*on their*

*60<sup>th</sup> Anniversary*

*and recognize the many hours of service that they have dedicated to the community.*

*Sandy Moscaritolo, Mayor*

*Dated: September 15, 2014*

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Mayor Moscaritolo introduced Assemblyman Tim Eustace who would like to make a presentation to the Friends of the Library.

Assemblyman Eustace-stated on behalf of Senator Gordon, Assemblyman Lagana and himself, they have a joint resolution from the Senate Assembly that he would like to present to the Friends of the Library. He continued to say that he has been a member of the Friends of the Library in Maywood and one of the things that's always brought up is budget constraints. The Friends of the Library always come up with the things that the town can't afford to do. There is a great amount of devotion, a lot of imagination and patience that go into the Friends of the Library and 60 years is quite an accomplishment. He thanked them for their dedication to the Borough.

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Mayor Moscaritolo read the Proclamation Honoring the Bergen County Cooperative Library System (BCCLS) on their 35<sup>th</sup> Anniversary as follows:

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

*WHEREAS, In 1979, the Bergen County Cooperative Library System (BCCLS) or "Buckles" was formed to foster resource sharing among Bergen County public libraries; and*

*WHEREAS, BCCLS is a consortium of public libraries that deliver quality library service to the general public through sharing of books and other materials, purchasing, maintaining and sharing a computer system and providing common access to electronic resources; and*

*WHEREAS, by County, there are 61 in Bergen, 9 in Essex, 4 in Hudson and 1 in Passaic; and*

*WHEREAS, BCCLS libraries have over 600,000 registered cardholders and circulate over 12,000,000 items annually; and*

*WHEREAS, BCCLS initiates, nurtures and manages cooperative public library services of which reciprocal borrowing is the cornerstone and these actions provide its users the widest possible access to all types of materials and information and facilitate the use of global technology in public libraries; and*

*WHEREAS, BCCLS, supports coalition and consensus building as key steps in addressing and respecting library needs at the local, county, state and national levels for both adequate funding and appropriation legislation; and*

*WHEREAS, BCCLS affirms that libraries are forums for information and ideas and endorses the American Library Association Library Bill of Rights.*

*NOW, THEREFORE, I, Sandy Moscaritolo, Mayor of the Borough of River Edge and on behalf of the Council congratulate and celebrate:*

*The Bergen County Cooperative Library System (BCCLS)*

*on their*

*35<sup>th</sup> Anniversary*

*Sandy Moscaritolo, Mayor*

*Dated: September 15, 2014*

Robert White, BCCLS President-stated that he's celebrating his 28<sup>th</sup> year in BCCLS and has worked with many of River Edge's Library Directors. He's done some research on River Edge and found that River Edge was one of the original 21 libraries out of the 61, that wanted to automate back in 1984. There was a predecessor organization called Mid-Bergen Federation of Library's, which in 1959, River Edge was one of the founding members. He continued to say that even though the public library had only been in existence for 5 years as a municipal library, River Edge had been working to do cooperation, in fact long before shared services, since the 1950's. River Edge was not only there, they were there first.

Daragh O'Connor, Library Director-thanked the Mayor and Council for inviting Robert and the Friends of the Library to the meeting this evening. He stated that they are both very important organizations for the health our library and library services in River Edge. He thanked Library Liaison Kathleen Murphy and stated that communication between the Council and the Library has never been better. He thanked the Mayor and Council again for putting this together for them tonight because it makes them realize how awesome they are.

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

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

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

Paolo Cilia-685 Fifth Avenue-gave his suggestions on how to better communicate with the public as well as internal communications.

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

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

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

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve the salary change of Dennis Griffith, Patrol Officer from an annual salary of \$117,547.27 to \$119,852.12 due to an increase in longevity from 2% to 4%, effective September 19, 2014.

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

Motion by Councilman Mignone seconded by Councilwoman Murphy to approve the salary change of Joseph Zemaites, Patrol Officer from an annual salary of \$96,785.00 to Patrol Officer 1<sup>st</sup> Grade - \$106,630.00, effective September 16, 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 appointment of Stuart M. Green, 75A Madison Street, Hackensack, New Jersey to the River Edge Volunteer Fire Department, effective September 16, 2014.

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

CORRESPONDENCE -

Notice - River Edge Board of Education - 9/2/14  
Re: Meeting Notice - 9/3/14  
Notice - NJ Transit - 9/3/14

E-Mail - Re: Hearing Notice  
 Board of Chosen Freeholders - 9/5/14  
 E-Mail - Re: Introduced Bond Ordinance #14-25  
 Board of Chosen Freeholders - 9/5/14  
 Notice - Re: Introduced Bond Ordinance #14-26  
 PSE&G - 9/5/14  
 Notice - Re: Hearing - EEE Extension II  
 Timothy Corrison, Esq. - 9/8/14  
 Re: 200 Ft. List Notice - 1025-1077  
 Main Street and 135 Kinderkamack Road  
 Notice - PSE&G - 9/11/14  
 Re: Notice of Hearing for Basic  
 Generation Service (BGS)  
 Report - Ferraioli, Wielkocz, Cerullo & Cuva-  
 9/12/14  
 Re: Annual Audit - 2013  
 Report - Ferraioli, Wielkocz, Cerullo & Cuva -  
 9/12/14  
 Re: Emergency Services LOSAP - 12/31/13

MONTHLY REPORTS -

Library Board - September 2014  
 Building Department - August 2014  
 Code Enforcement - April - August 2014  
 Tax Collector - August 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 - explained that the Shade Tree Commission has provided the Mayor and Council with information regarding the purchase of a stump grinder along with a summary of what the savings would be for the Borough. Councilwoman Murphy said that they will be meeting this week and offered to bring any questions or concerns to their attention. Councilwoman Murphy congratulated the Library on all of their continued good work and informed everyone they will have a concert in celebration of the Friends of the Library on September 28<sup>th</sup> at 1:00 p.m. The concert is called "From Italy with Love" and is free and refreshments will be served. Councilwoman Murphy announced that the Environmental Commission will be having their River Clean-up on October 11<sup>th</sup> at 10:00 a.m. and they are in desperate need of volunteers. She announced that the Green Team will be meeting at the end of the month and the recycling calendars will be coming out soon as they continue to work towards Sustainable Jersey points.

Councilman Cappola - Liaison to Recreation Commission, Senior Citizens co-liaison, Beautification Committee, Special Events Committee, Technology Committee - reported that he will be meeting with SCORE next Monday about their executive board and the structure of it. He continued to say they want to hold elections, which he will be organizing, in order to have a formal structure and chain of command. He reported that River Edge Day will be on October 5<sup>th</sup> and the Special Events Committee will be meeting tomorrow to finalize plans.

Councilwoman Busted - Liaison to Senior Citizens, Co-liaison, Historic Commission, Traffic & Safety Committee, Special Events Committee - reported that the Historic Commission received word that their grant application was approved for their archival project. Councilwoman Busted thanked Tom Sarlo for working with the Chairperson to help get them prepared for the upcoming Planning Board meeting to keep the historic element moving forward. She reported that the Traffic & Safety Committee and the Green Team will be having a combined meeting on September 30<sup>th</sup> where members will present their findings of the bikability/walkability study. Councilwoman Busted announced that tomorrow the County will be holding the annual Senior Citizen's picnic and encouraged everyone to stop by for an enjoyable day from 10 - 3. Councilwoman Busted thanked Councilman Cappola and Bobbi Conway for working cooperatively to plan special events. Councilwoman Busted encouraged all organizations to join in on River Edge Day, October 5<sup>th</sup> and at 2:00 p.m. and announced that

there will be a volunteer appreciation ceremony given by the Mayor and Council to recognize all of their efforts.

Councilman Mignone - Liaison to DPW, Zoning Sub-Committee, Redevelopment, New Milford and Oradell Shared Services Committee - reported that the Zoning Board heard four applications; two for home additions, one for a fence and the other a patio. All applications were approved. He stated that the Zoning Board always does a great job soliciting the testimony, listening to the pros and cons of each application and generally coming to a good consensus to help the residents accomplish their goals without any negative impact to surrounding properties.

Councilman Acquafredda - Liaison to Construction Code Official, Property Maintenance, Planning Sub Committee, Technology Committee, River Edge and River Dell Schools - thanked Art DeRosa for his report and suggested that when the time comes, the Borough should increase his hours. He commended Art for his compassion and for taking his job seriously and also stated that he has exceeded the expectations of what a Code Enforcer should be. He announced that the schools will be holding a Back to School Night tomorrow. He continued to say that the Planning Board work session was cancelled due to lack of agenda. Councilman Acquafredda plans to attend the River Dell Board of Education meeting next week and will report back to the Mayor and Council.

Councilman Papaleo - Liaison to Police Department, Fire/Fire Prevention, River Edge Alliance Against Alcohol & Drugs - reported that the Fire Department has responded to 192 calls year to date. He continued to report that Chief Cariddi and 6 members attended an apparatus dedication for the Silverton Fire Department on August 23<sup>rd</sup>. He reminded everyone that our Fire Department assisted in covering the Silverton Fire Department after Super Storm Sandy. Councilman Papaleo explained that while in route to Silverton on the Parkway, the Fire Department came upon a fully involved Dodge pick-up truck at mile marker 107, pulled over and extinguished the fire prior to the local emergency services arriving. Councilman Papaleo feels that these guys are just amazing and feels very proud and deeply honored to be their liaison. He stated that many members attended the New Jersey State Relief Association Convention this past weekend in Wildwood and the Bergen County Fire Academy will be hosting its annual graduation this Friday, September 19<sup>th</sup> in Hackensack where five River Edge members will be graduating. He was asked by Chief Cariddi to remind the Mayor and Council that they will be touring the fire houses on September 20<sup>th</sup> starting at 9 a.m. at Company #1. The Fire Department will be participating in River Edge Day and will have an auto extraction demonstration, cooking fire safety demonstration and several fire prevention handouts and apparatus will be on display. He announced that the Memorial Service for Chub Naprstek will be held on October 12<sup>th</sup>.

Mayor Moscaritolo - River Edge Ambulance Service - the Mayor reported that the Ambulance Serviced responded to a total of 427 calls. A nasal Narcan class has been scheduled at the Ambulance Corp which will be given by Hackensack University Medical Center. They will supply the members with the Narcan once all area ambulance corps have been trained.

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 resolution #14-344 through #14-346, #14-348 through #14-361.

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

#14-344 Authorize Severance and Accumulated Absence Payments to James Lynch

WHEREAS, James Lynch, Equipment Operator, has submitted a

notification that he will separate as an employee of the Borough of River Edge on September 5, 2014; and

WHEREAS, Section V, Subject 1 of the Personnel Policy and Procedure Manual of the Borough of River Edge states that the Municipal Governing body shall approve all payments for accumulated absences and other severance payment; and

WHEREAS, Article 10 of the contract with the members of Local 108, Public Employee Division, RWDSU, Blue Collar Unit provides for the payment of any unused vacation due him in that calendar year; and

WHEREAS, a certification by the Chief Financial Officer in accordance with N.J.A.C. 5:30-15.4 has been received and is on file with the Borough Clerk, in the amount of \$2,186.56.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of River Edge that the Chief Financial Officer and the Finance Department are hereby authorized to make payment to James Lynch for any amounts due for accumulated vacation or other time as certified by the Chief Financial Officer.

September 15, 2014

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#14-345 Award Contract for Park and Entrance Signs to Hassan Sign Company, 799 Chief Justice Cushing Highway, Cohasset, MA 02025

WHEREAS, the Borough received two (2) quotations for Park and Entrance Signs, the lowest from Hassan Sign Company; and

WHEREAS, the quotation has been reviewed by the Superintendent of Public Works and the Borough Administrator; 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 #04-2150-55-1787-250 of the Capital Fund in an amount not to exceed \$13,700.00; and

NOW, THEREFORE, BE IT RESOLVED that the contract is hereby awarded to Hassan Sign Company, 799 Chief Justice Cushing Highway, Cohasset, MA 02025 in the amount not to exceed \$13,700.00 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

September 15, 2014

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Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolution #14-346 contingent on New Milford also making an award of bid.

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

#14-346 Award of Contract to Joseph Smentkowski, Inc., 3 York Avenue, Jersey City, NJ 07306 for Complete Solid Waste Collection Service from 1-4 Family Residences as Part of a Shared Service with New Milford

WHEREAS, on August 26, 2014 bids were received by the Borough of New Milford for Complete Solid Waste Collection Service for New Milford and River Edge; and

WHEREAS, four (4) bids were received, the lowest from Joseph Smentkowski, Inc., 3 York Avenue, Jersey City, New Jersey 07306 in the amount of \$3,500,000.00 for a five (5) year contract total representing Options 1,2,3; and

WHEREAS, the bidding procedures were in compliance with the New Jersey Public bidding law and all other statutes, rules and regulations governing public bidding for solid waste collection services; and

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

WHEREAS, the Borough of River Edge and Borough of New Milford have agreed to share the cost of such service for all years and during the first year of the contract it will be calculated at the following percentages: River Edge (44.4%), New Milford (55.6%) based upon the 2013 Table of Aggregates.

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-26-3050-100 of the Current Fund in the amount not to exceed \$310,800.00 for the 1st year from October 16, 2014 to October 15, 2015; a pro-rata share of \$310,800.00 for the 2nd year from October 16, 2015 to October 15, 2016; a pro-rata share of \$310,800.00 for the 3rd year from October 16, 2016 to October 15, 2017; a pro-rata share of \$310,800.00 for the 4th year from October 16, 2017 to October 15, 2018 and a pro-rata share of \$310,800.00 for the 5th year from October 16, 2018 to October 15, 2019. All amounts are contingent upon the Governing Body passing and including an appropriation in those current fund budgets and subject to all of the requirements of N.J.A.C. 5:34-5.3 with respect to multi-year contracts.

NOW, THEREFORE, BE IT RESOLVED that the bid for a one year contract with four one year options for Complete Solid Waste Collection Service from 1-4 Family Residences is hereby awarded to Joseph Smentkowski, Inc., 3 York Avenue, Jersey City, New Jersey 07306 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

BE IT FURTHER RESOLVED, that this award of contract is subject to the Borough of New Milford making a similar award since they are the Lead Agency.

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to Joseph Smentkowski, Inc. and the Borough of New Milford.

September 15, 2014

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Motion by Councilwoman Murphy, seconded by Councilwoman Busted to approve resolution #14-347.

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

#14-347 Approval to Waive a Portion of the Police Outside Duty Rate for St. Peter the Apostle Parish

WHEREAS, St. Peter the Apostle Parish will host a Parish Carnival on the Parish Grounds located at 445 Fifth Avenue from September 25<sup>th</sup> through September 28<sup>th</sup>, 2014; and

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

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

WHEREAS, the Mayor and Council have discussed this matter at their work session of September 15, 2014 and have indicated that the outside duty rate of \$135.00 be waived and that the actual overtime rate of the police officer assigned to that duty be charged.

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

September 15, 2014

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#14-348 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 deposit in its Unappropriated Reserve for State and Local Housing Grant in the amount of \$729.00.

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

State/Local Cooperative Housing Grant.....\$729.00

BE IT FURTHER RESOLVED that the like sum of \$729.00 and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from the "CAPS"

Public & Private Programs Offset by Revenues

State/Local Cooperative Housing Grant.....\$729.00

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

September 15, 2014

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#14-349 Authorize Refund to Beaugard Funeral Home for Overpayment of Burial Permits for 2009

WHEREAS, the River Edge Health Department collects a fee of \$10.00 for a death certificate; and

WHEREAS, Beaugard Funeral Home has overpaid on ten (10) death certificates in 2014; and

WHEREAS, the overpayment for each burial permit is \$10.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available from the Current Fund #01-1920-55-0000 in the amount not to exceed \$100.00.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to issue a check in the amount of \$100.00 to Beaugard Funeral Home, 869 Kinderkamack Road, River Edge, New Jersey

September 15, 2014

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#14-350 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 6, 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.

September 15, 2014

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#14-351 Rescind Resolution #12-215 Creating a Special Events Committee

WHEREAS, resolution #12-215 creating a Special Events Committee was approved on June 4, 2012.

NOW, THEREFORE BE IT RESOLVED, that resolution #12-215, dated June 4, 2012 is hereby rescinded in order to reflect a change for sitting Council members to serve as co-liaisons instead of co-chairpersons.

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

September 15, 2014

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#14-352 Resolution to Create a Special Events Committee

WHEREAS, the Borough of River Edge has had a July 4<sup>th</sup> Committee which has assisted greatly in the celebration of this important event; and

WHEREAS, the Governing Body of the Borough of River Edge recognizes that a volunteer committee is of value in order to assist new special events and enhance those that already exists; and

WHEREAS, the Governing Body of the Borough of River Edge feels that it is in the best interest of the Borough to convert and expand the July 4<sup>th</sup> Committee to an all encompassing Special Events Committee;

and

WHEREAS, this matter has been discussed at a work session of the Mayor and Council on September 3, 2014.

NOW, THEREFORE, BE IT RESOLVED that a Special Events Committee is hereby created with the following requirements, powers, duties and responsibilities:

The purpose of the Special Events Committee is to organize various local celebrations, including but not limited to, parades, festivals and feasts. The Committee will sponsor and/or assist with events in order to bring together local citizens, businesses and civic groups with the goal of fostering a social and community-building atmosphere.

Appointment; Membership

- A. The Special Events Committee shall consist of at least 12, but not to exceed 15 members, who shall be residents of the Borough of River Edge. Two members of the Special Events Committee shall also be members of the Borough Council who shall be appointed by the Council. The Director of the River Edge Recreation Department shall be a standing member of the Special Events Committee in an advisory capacity. The remaining members of the Special Events Committee shall be appointed by the Mayor with the approval of the Borough Council for terms of two years, to serve without salary.
- B. Any vacancy occurring for any reason shall be filled for the unexpired term by appointment of the Mayor with the approval of the Borough Council.
- C. The Special Events Committee shall organize annually. The Council members sitting on the Special Events Committee shall serve as co-liaisons of the Committee.

Powers and Duties

The duties of the Special Events Committee shall be as follows:

- A. Organize various local celebrations, sponsored by the Borough of River Edge including, but not limited to, 4<sup>th</sup> of July Celebrations, River Edge Day, Volunteer Appreciation Day, Welcome Back in September, River Edge Turkey Trot and Spring Swing Night.
- B. Raising funds through various events in order to help plan, finance and coordinate the Borough's celebrations, parades and other community events. All funds will be deposited into and expended from in accordance with N.J.S.A. 40A:4-39 and dedicated by rider to the municipal budget with the approval of the Division of Local Government Services, State of New Jersey.
- C. To assist, when requested, local civic groups in their dealings with the Borough of River Edge with regards to their events that require the use of various municipal resources, including but not limited to; a police presents, the Department of Public Works, road closures, electrical supply, etc.

Records; Annual Report

The Special Events Committee shall keep complete and accurate records of its meetings and activities and shall make an annual report to the Mayor and Council.

September 15, 2014

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

Months of April, May, June and July, 2014.

<u>Name of Institution</u>	<u>Amount</u>	<u>Type</u>	<u>Book Value</u>	<u>Earned Income</u>	<u>Market Value</u>	<u>Int. Rate</u>
N.J. Cash Management Fund	\$500,000.00	CMF	\$500,000.00	\$69.03	\$500,069.03	.05

September 15, 2014

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Councilwoman Murphy-stated that there was a question about where this was to be placed on the lamp post or sign. She doesn't know if we have to say specifically in the resolution where it will be placed.

#14-354 Resolution Designating Ackerson Avenue as "Chub's Way" in Memory of Charles "Chub" Naprstek

WHEREAS, Charles "Chub" Naprstek tirelessly serviced the Borough for more than 50+ years as a member and former Chief of the River Edge Volunteer Fire Department; and

WHEREAS, "Chub" always brought his attention to detail and a devotion to make sure things were done right and taken care of in the Fire Department; and

WHEREAS, on October 13, 2013 "Chub" passed away leaving a void in the hearts of all who have come to know him.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge, that Ackerson Avenue be dedicated to Chub Naprstek's memory and forever known as "Chub's Way"

September 15, 2014

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#14-355 Approval to Waive a Portion of the Police Outside Duty Rate for Let It Grow, Inc.

WHEREAS, Let It Grow, Inc. hosted a benefit located at Ackerson Street on September 7, 2014; and

WHEREAS, Let It Grow requested two (2) uniformed officers for the duration of the benefit; and

WHEREAS, Let It Grow has made an appeal to the Mayor and Council to waive the administrative fee portion of the \$135.00 per hour rate and be billed for the officer's overtime rate; and

WHEREAS, the Mayor and Council have discussed this matter at their work session of September 15, 2014 and have indicated that the outside duty rate of \$135.00 be waived and that the actual overtime rate of the police officer assigned to that duty be charged.

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

September 15, 2014

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#14-356 Enter Into Agreement with Premier Product Development LLC, 18 West Walnut Avenue, Moorestown, NJ 08057 for Professional Services to Prepare an Estimate of Costs for the Open Space Application for Kenneth B. George Park - Lighting

WHEREAS, there exists a need for expert professional engineering services related to preparing an estimate of costs for the Open Space application for Kenneth B. George Park - Lighting; 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 \$850.00; 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

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 \$850.00; 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.

September 15, 2014

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#14-357 Authorize Tax Collector to Refund 3<sup>rd</sup> Quarter 2014 Tax Overpayments

WHEREAS, the tax office has received a duplicate payment and/or tax overpayment for the 3rd Quarter 2014 taxes on the following property; and

WHEREAS, a written request was received from the closing attorney to refund the overpaid amount directly to the law office of Michael J. Lunga, Esq., LLC.

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>
308/13	Lipishin, Vitaly 346 Continental Avenue River Edge, NJ	12.82

Please make check payable to:

Michael J. Lunga, Esq., LLC Attorney Trust Account  
Counsellor At Law  
23 Vreeland Road, Suite 250  
Florham Park, NJ 07932

September 15, 2014

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#14-358 Resolution Authorizing Advanced Travel Expense for the Fire Department

WHEREAS, N.J.S.A. 40A5-16.1 permits the governing body for any local unit to authorize payment in advance toward expenses for authorized official travel; and

WHEREAS, certain officers of the Fire Department have requested an advance payment of travel expenses for attendance at the New Jersey State Firemen's Convention, Wildwood, New Jersey; and

WHEREAS, Section IV, Subject 9, Leave and Conferences and Conventions of the Borough's Personnel and Policy Procedure Manual, provides a policy for Fire Department members to attend certain conferences and enumerates regulations pertaining to travel expenses; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01/2010/25/2552/041 of the Current Fund in the amount not to exceed \$3,000.00; and

WHEREAS, the Fire Officers of the Borough of River Edge will verify their expenses and any excess cash will be repaid to the Borough of River Edge along with a detailed bill or items of demand, and the certification or affidavits required by N.J.S.A. 40A:5-16 which will be submitted by the officers within 10 days after the completion of the travel for which the advance was made.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor and Chief Financial Officer are hereby instructed to make up a \$3,000.00 check payable to the River Edge Fire Department for life members to go to the New Jersey State Firemen's Convention, September 11, 12 & 13, 2014.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution as well as the policy of the Borough with regard to travel expenses, to each of the Fire Department Officers receiving the advance.

September 15, 2014

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#14-359 Resolution in Support of Assembly Bill 3404 Permitting Municipalities to Issue Retail Liquor Licenses for Use in Certain Historic Taverns

WHEREAS, Assembly Bill 3404 will allow municipalities to issue retail liquor licenses for use in certain historic taverns; and

WHEREAS, a Historic Tavern meaning a building constructed prior to 1920, which is included in the New Jersey Register of Historic Places and the National Register of Historic Places, and at which the sale and service of alcoholic beverages for consumption on the premises was the primary and principal business prior to 1920; and

WHEREAS, the proposed legislation would allow the governing body of any municipality to issue a plenary retail consumption license to a person at a "Historic Tavern" as defined in said proposed legislation. The governing body of any municipality may include part of the criteria for eligibility to bid on the historic tavern, the bidder's ability to rehabilitate the property and to qualify as a licensee under Title 33 of the Revised Statutes; and

WHEREAS, the proposed legislation prohibits the holder of a plenary retail consumption license issued to a designated "Historic Tavern" who may not sell or transfer the license to another person for use in connection with another premises. A license issued under the provisions of this proposed legislation shall not be counted in determining the number of licenses under section 2 of P.L. 1947, c.94 (c.22:1-12-14); and

WHEREAS, the proposed legislation would stimulate economic growth, promote travel and tourism, provide historical, educational and employment opportunities; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby support Assembly Bill 3404 and urge quick action be taken.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Senate and General Assembly of the State of New Jersey, Assemblyman Timothy Eustace, Assemblyman Joseph Lagana, Senator Robert Gordon, Senator Loretta Weinberg, Senator Gerald Cardinale, New Jersey State League of Municipalities, the Bergen County Historical Society, the Historic New Bridge Landing Park Commission, the County of Bergen, and surrounding municipalities.

September 15, 2014

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#14-360 Resolution of Certification of the Annual Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by the Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52-27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6-5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body has reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations", and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C.5:30-6-5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or members of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of River Edge, hereby states that it has complied with N.J.S.A. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

September 15, 2014

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#14-361 Resolution to Approve the Corrective Action Plan for the Fiscal Year 2013 Audit Report for the Borough of River Edge

WHEREAS, the Division of Local Government Services requires the Chief Financial Officer to file a "Corrective Action Plan" outlining the actions to be taken by the Borough of River Edge relative to the findings and recommendations in the annual audit report; and

WHEREAS, the "Corrective Action Plan" shall be prepared by the Chief Financial Officer with assistance from other officials affected by the audit finding and recommendations; and

WHEREAS, the Governing Body is required by resolution, to approve said "Corrective Action Plan"; and

WHEREAS, the "Corrective Action Plan", as prepared by the Chief Financial Officer and approved by the Governing Body, shall be placed on file and made available for public inspection in the office of the Borough Clerk.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby approves the "Corrective Action Plan" for the year 2013 Audit Report submitted by the Chief Financial Officer.

September 15, 2014

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Councilman Mignone read resolution #14-362 into the record.

Motion by Councilman Mignone, seconded by Councilwoman Busted to approve resolution #14-362.

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

#14-362 Payment of Bills

WHEREAS, vouchers for the payment of goods and services rendered to the Borough of River Edge have been received; and

WHEREAS, each bill has been checked by the receiving department, approved by the Chief Financial Officer and Borough Clerk and reviewed by the three members of the Finance Committee.

NOW, THEREFORE, BE IT RESOLVED that bills as listed now be confirmed for payment from the appropriate funds as follows:

CURRENT ACCOUNT	\$1,786,817.02
CAPITAL ACCOUNT	\$ 60,902.70
RECREATION ACCOUNT	\$ 7,310.63
ANIMAL WELFARE ACCOUNT	\$ 10.20
TRUST OTHER ACCOUNT	\$ 23,055.46
OPEN SPACE ACCOUNT	\$ 2,410.00

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.

September 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.

Paolo Cilia-685 Fifth Avenue-stated that after looking at the budgets from 2012, 2013 and 2014 he noticed that each year they purchased a new fire engine? He asked if that was correct?

Alan Negreann-stated that he would have to look at the details.

Paolo Cilia-stated that after doing an analysis, it looks like the town purchased seven fire engines in the past eight years.

Mayor Moscaritolo-stated that he doesn't think that is correct.

Paolo Cilia-asked if the CFO can confirm the purchases. He asked what happens to the old fire engines?

Mayor Moscaritolo-stated that in order to answer the question, we need to confirm that your preliminary statement is correct, which he doesn't believe that it is. The Mayor continued to explain that we allocated money in our 2014 capital budget to replace a 28 year old fire engine. The Mayor further stated that during his tenure, that's the only time that we have allocated money for a new fire engine. He explained that when the new engine gets here, probably in 2015, a decision will be made what to do with the old engine.

Councilwoman Murphy-stated that we don't buy a new engine every year.

Paolo Cilia-stated that it says so in the budget.

Councilman Mignone-explained that the last time they purchased fire apparatus was 2002. He continued to explain that Mr. Cilia is probably looking at old bonds because there were no new engines purchased until this year.

Councilwoman Murphy-stated that she doesn't feel Mr. Cilia is reading the budget correctly.

Alan Negreann-stated that the Department of Public Works does have a replacement schedule for their vehicles, whether it be a sewer jet, bucket truck or dump trucks. He continued to say that Mr. Cilia may be correct in that almost on an annual basis, we do allocate for the replacement of trucks.

Paolo Cilia-feels that the same thing is happening with the Fire Department and he asked for more information.

Alan Negreann-stated that he'll make an assumption that what Mr. Cilia is looking at is what's called the capital budget and program which is a planning document that has no authority to appropriate money for the Borough. What we do put in that capital budget and program is a line item for Public Works trucks, Fire Department trucks to anticipate or try to project what our needs will be for the next six years. Because things may

be listed in the capital budget program does not mean that we actually went ahead and authorized funds for that purchase. It's merely a planning document which the State requires that we do and may be considered hypothetical. He continued to explain that we ask our departments to project out five or six years, what they think their needs might be and we try and lay that out. It may come to fruition or it may not.

Paolo Cilia-stated that he obtained the budget information from the website and asked why they would post incorrect information?

Councilman Mignone-explained that it's an attachment to the budget or appendix which the State requires showing a five or six year capital plan. He continued to say that it's not wrong information or an appropriation within the budget, it's an appendix for planning purposes for future years. There are certain capital purchases that come up every year for the replacement of older items. Also included are discretionary items such as road paving, sewer repairs, drainage problems or capital projects such as the Grove Street lot. He again explained that this is just a planning document reflecting the needs of the different departments in the future. Councilman Mignone stated that many times these requests are not met because the budget may not allow for that type of expenditure.

Paolo Cilia-asked if the 2014 budget is perfectly balanced between tax revenues and expenditures?

Alan Negreann-explained that the State requires that revenues equal appropriations.

Paolo Cilia-asked if they borrowed any money?

Alan Negreann-stated that for the operating budget the answer is no, there was no tax anticipation notes or special emergency notes.

Paolo Cilia-questioned whether the current budget shows any borrowing whatsoever?

Alan Negreann-explained that within the current operating budget, we raised debt service payments. Debt service payments are principal and interest on current bonds issued, temporary debt or loans.

Paolo Cilia-asked what sheets would reflect that?

Alan Negreann-told Mr. Cilia to look at Sheet 11, Total Revenues or Sheet 29 or 30, Total Appropriations. Those two numbers for 2014 should be equal.

Antoinette Kofler-42 Tenney Avenue-stated that she had hand delivered a letter two weeks ago to the Mayor and Council regarding a retaining wall and drainage issue that she's been having and feels that she's given ample time for the matter to be reviewed and responded to. She feels that this problem needs to be addressed and suggested that someone take a look at the property.

Mayor Moscaritolo-replied that he has her e-mail and address and asked when she would be available for him to come and take a look. The Mayor said that he will be there on Wednesday.

Councilman Mignone-asked what the Borough's responsibility is versus what may be a property maintenance issue? He asked if it's a possibility that Mr. DeRosa could potentially issue a violation to have them comply or is it a matter of Mr. Costa reviewing the original approval to see if things were constructed according to what was approved? He asked where is the Borough's liability/responsibility versus a homeowner's dispute?

Tom Sarlo, Esq.-stated that there is no liability on behalf of the Borough. He stated that since this has been an ongoing issue, he suggests that they direct both Bob Costa and Mark Skerbetz to do a review and investigation and come up with some ideas and reports for the Mayor and Council. He also stated that ultimately, he feels that it will be a property owner versus property owner situation unless the Borough can prove that this is a health, safety, welfare issue that this retaining wall is in such deplorable condition, then we can take action.

Mayor Moscaritolo-stated that if he feels that this wall is in danger of collapsing, he'll call in the engineer and request a report.

Antoinette Kofler-stated that after her wall was deemed catastrophic by the Borough Engineer she hired a contractor and it took them a full week to get the wall down. She again explained the deteriorating condition of the wall on Millbrook property and asked why the Borough may not be able to help her? She is extremely disappointed that she may have to hire an attorney or go to small claims court over this.

Tom Sarlo, Esq.-stated that it is a possibility.

Mayor Moscaritolo-explained that at the work session meeting this evening there were two adjoining property owners who disputed something between their properties on Adams Avenue. They wound up going to court and spending a lot of money to rectify the situation because it was on private property, not town property. The Mayor continued to say that the only time the Borough was involved was to make sure they used the correct

professionals and they obtained permits. He continued to say that that's where our authority begins and ends. The Mayor again told Mrs. Kofler that he will take a look on Wednesday.

Antoinette Kofler-explained some of the problems that she's had with Millbrook Townhouse Association in the past and doesn't feel that they're good neighbors.

Mayor Moscaritolo-asked if it's possible that the retaining wall is so old that she doesn't know who put it up?

Antoinette Kofler-feels that the retaining wall has been there about 100 years.

Mayor Moscaritolo-asked if the retaining wall appears on her survey or their survey?

Antoinette Kofler-replied, their survey.

Mayor Moscaritolo-asked if she is confident that the wall is on their property?

Antoinette Kofler-replied, yes I can show you my survey.

CLOSE HEARING OF THE PUBLIC -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to close the 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 - 9:07 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to adjourn the meeting at 9:07 p.m.

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

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated: