

MINUTES

Regular Meeting of the Mayor and Council
Tuesday, March 31, 2020

Meeting held electronically via Zoom

CALL TO ORDER –

Mayor Papaleo called the meeting to order at 7:00 p.m. in the Council Chambers of the Borough Hall. Mayor Papaleo called the roll. All Council members were present. Also present were Borough Clerk, Stephanie Evans, Raymond Poerio, Borough Administrator and Borough Attorney, Tom Sarlo.

SILENT PRAYER – FLAG SALUTE

Mayor Papaleo asked for a moment of silent prayer and reflection for those who are suffering with the corona virus. He asked Borough Administrator, Ray Poerio to lead the salute to the flag.

STATEMENT –

Statement of Compliance with Open Public Meeting Act: This meeting complies with the Open Public Meeting Act by notification on December 20th of this location, date and time to the Ridgewood News and the Record and by posting of same on the municipal bulletin board and Borough Web Site and filing a notice of the same with the Municipal Clerk.

APPROVAL OF MINUTES -

On motion by Councilman Chinigo, seconded by Councilman Gautier the minutes of the Mayor and Council Work Session of March 9, 2020 were approved unanimously.

On motion by Councilwoman Busteed, seconded by Councilman Chinigo the minutes of the Mayor and Council Regular Session of March 9, 2020 were approved unanimously.

PUBLIC COMMENTS ON ANY ITEM ON THIS AGENDA –

On motion by Councilwoman Kaufman, seconded by Councilwoman Koen to open public comments on any item on the agenda was unanimously approved.

Jack Velten-445 The Fenway-said that he is currently a crossing guard in River Edge and asked for clarification on a two week pay period that he was told they are not entitled to.

Tom Sarlo, Esq.-stated that he is not familiar with the law and would have to research it get back to everyone.

Raymond Poerio-said that the best way to get the correct information out to all of the crossing guards would have to come from the Chief of Police. He suggested that the Chief send a memo to all of the guards so that they all receive the same answer.

Mayor Papaleo-asked Mr. Velten if this was a sufficient response and he replied yes. The Mayor gave Mr. Velten his cell phone number and said that if he doesn't get a response within 7 days to contact him.

On motion by Councilwoman Kaufman, seconded by Councilwoman Kinsella to close public

comments on any item on the agenda was unanimously approved.

APPOINTMENTS & PERSONNEL CHANGES –

The salary change of Gabriel Colucci, Police Officer from an annual salary of \$39,226.00 to Patrol Officer 18th grade salary of \$47,632.00 effective April 8, 2020 was **tabled** until the April 13, 2020 meeting.

On motion by Councilman Gautier, seconded by Councilwoman Busted, the resignation of Maureen Murphy, Certified Tax Collector effective March 24, 2020 was approved unanimously.

On motion by Councilman Gautier, seconded by Councilwoman Busted, the salary change of Michael Varrecchia from an annual salary of \$112,614.00 to \$121,622.00 due to performing duties of a high rank for 75 days as per Article 30 of the contract, effective March 31, 2020 was approved unanimously.

On motion by Councilman Gautier, seconded by Councilwoman Busted, the increase in salary and hours of Tybe Manzelli to the hourly rate of \$24.00 not to exceed 29 hours per week, effective March 31, 2020 was approved unanimously.

On motion by Councilman Gautier, seconded by Councilwoman Busted, the increase in hours of Katia Minaya, Accounts Payable Clerk from 24 hours per week not to exceed 29 hours per week, effective March 31, 2020 was approved unanimously.

ORDINANCES – 2nd Reading

Stephanie Evans, Borough Clerk read the title of Ordinance #20-2 into the record as follows:

ORDINANCE #20-2 – AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING PART 1 OF THE RIVER EDGE BOROUGH CODE ENTITLED “ADMINISTRATIVE LEGISLATION”

Ordinance #20-2 was introduced by Councilman Chinigo, seconded by Councilwoman Kinsella and approved unanimously as amended at the March 9, 2020 meeting as follows:

AN ORDINANCE OF
THE BOROUGH OF RIVER EDGE
ORDINANCE #20-2

AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING PART 1 OF THE RIVER EDGE BOROUGH CODE ENTITLED “ADMINISTRATIVE LEGISLATION”.

BE IT RESOLVED by the Mayor and Council of the Borough of River Edge, County of Bergen and State of New Jersey that Part 1 of the Code of the Borough of River Edge, entitled “Administrative Legislation” shall be amended and supplemented as follows:

Section 1. Composition of Boards and Commissions

- A. All members appointed to any Board or Commission in the Borough of River Edge shall be at least 18 years of age and a resident of the Borough or River Edge.
- B. Each Board or Commission is permitted to have one non-voting Member who shall be a River Edge student enrolled in high school. The term for the non-voting Member shall be for one year, commencing on September 1 and expiring on August 31 of the following calendar year. A vacancy occurring otherwise than by expiration of the term shall be filled for the balance of the unexpired term in the same manner as original appointment.
- C. If an existing member is a non-resident, or if another Statute, rule or regulation allows for non-resident members to a Board or Commission, that Statute, rule or regulation shall supersede this Ordinance.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 3. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance.

Section 4. This Ordinance shall become effective immediately upon adoption and publication according to law.

ATTEST:

APPROVED:

Stephanie Evans
Borough Clerk

Thomas Papaleo
Mayor

On motion by Councilman Gautier, seconded by Councilwoman Kaufman to open for public comments on Ordinance #20-2 was unanimously approved.

There being no comments the public, the motion by Councilwoman Kinsella, seconded by Councilman Gautier to close public comments on Ordinance #20-2 was unanimously approved.

On motion by Councilwoman Kaufman, seconded by Councilwoman Kinsella to adopt Ordinance #20-2 was unanimously approved.

RESOLUTIONS - By Consent

On motion by Councilwoman Kaufman, seconded by Councilman Chinigo, resolution #20-103 through #20-109 were unanimously approved.

#20-103 Resolution Authorizing the River Edge Historical Society to Create and Maintain a Facebook Page

WHEREAS, the River Edge Historical Society is desirous of creating a Facebook page as a means of conveying information to the public; and

WHEREAS, the Borough has an overriding interest and expectation in deciding what is “spoken” on borough related social media sites.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of River Edge hereby approves the request of the River Edge Historical Society to create and maintain a Facebook page.

BE IT FURTHER RESOLVED that the River Edge Historical Society Facebook page shall comply with River Edge social media policy.

March 23, 2020

#20-104 Refund of Performance Escrow for the Property Located at 733 Williams Avenue, Block 411, Lot 4

WHEREAS, Thomas Behrens deposited \$1,000.00 in the Trust Other Fund on January 16, 2019 to complete grading and seeding within 90 days of the project completion at the property located at 733 Williams Avenue, Block 411, Lot 4; and

WHEREAS, the Borough Engineer has performed all final inspections.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund:

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Amount</u>
411/4	Thomas Behrens 733 Williams Avenue River Edge, NJ 07661	\$1,000.00

March 31, 2020

20-105 Change Order #1 Approval and Amendatory Contract for the 2018 Municipal Aid Program for Bogert Road (Section 2) Howland Avenue (Section 7, Phase V) Road Improvement Project to American Asphalt & Milling Services, LLC

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

WHEREAS, the Borough of River Edge awarded a contract to American Asphalt & Milling Services, LLC on November 12, 2019 via resolution #19-361; and

WHEREAS, Change Order #1 reflects an increase in quantity for a total amount not to exceed \$29,200.00; and

WHEREAS, the Borough Engineer has recommended the above change.

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #C-04-18-024-200 of the Capital Fund in the amount not to exceed \$29,200.00.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with American Asphalt & Milling Services, LLC, for Change Order #1 for an

increase of \$29,200.00.

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.

March 31, 2020

#20-106 Authoring the Appointment of Gomattie Birnbaum as Tax Collector

WHEREAS, there is a need to fulfill the position of Tax Collector; and

WHEREAS, the Governing Body of the Borough of River Edge has agreed that Gomattie Birnbaum is qualified to perform the duties of Tax Collector; and

WHEREAS, Gomattie Birnbaum has fulfilled all the statutory requirements to be appointed to such a position, pursuant to N.J.S.A. 40A:9-141.

NOW, THEREFORE, BE IT RESOLVED that Gomattie Birnbaum shall hereby be appointed Tax Collector to a full term beginning April 1, 2020 expiring December 31, 2024 effective upon passage of this resolution and pursuant to law (N.J.S.A. 40A:9-142).

BE IT FURTHER RESOLVED that the annual salary will be \$20,000.00 and that a copy of the resolution be forwarded to the Chief Financial Officer for payroll purposes.

March 31, 2020

#20-107 Resolution Appointing Battaglia Associates, LLC for Consulting Services for the Position of Tax Collector

WHEREAS, there exists a need for professional services; consulting services for the position of Tax Collector in accordance with N.J.S.A. 40A:9-140 in the Borough of River Edge, County of Bergen and State of New Jersey; and

WHEREAS, Battaglia Associates, LLC is qualified to provide consulting services under the laws of the State of New Jersey; and

WHEREAS, the Account Supervisor has certified that funds are available from Account # 0-01-20-145-028 of the Current Fund in the amount not to exceed \$10,000.00.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of River Edge authorizes the Mayor and Clerk to execute an agreement with Battaglia Associates, LLC; and

BE IT FURTHER RESOLVED, that any agreement is subject, if applicable, to approval from the Division of Local Government Services pursuant to N.J.A.C. 5:32-2.5.

ADOPTED, at the public meeting of the Mayor and Council of the Borough of River Edge, held on Tuesday, March 31, 2020.

March 31, 2020

20-108 Amend Agreement with Banisch Associates, Inc., 111 Main Street, Flemington, New Jersey 08822 for Professional Services as a Court Appointed Master for the Borough's Affordable Housing Obligation

WHEREAS, there exists a need for a Court Appointed Master for the Borough's Affordable Housing Obligation; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Banisch Associates, Inc. via resolution #15-404 on November 16, 2015 in the amount of \$3,000.00; amended via resolution #18-148 in the amount of \$4,000.00 dated April 23, 2018 and amended on May 13, 2019 via resolution #19-179 in the amount of \$3,000.00; and

WHEREAS, additional funding is required for Professional Services as a Court Appointed Master for the Borough's Affordable Housing Obligation; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #001-20-155-172 of the Current Fund in the amount not to exceed \$8,000.00; and

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

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

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

WHEREAS, that rate of pay shall not exceed \$250.00 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 Banisch Associates, Inc., 111 Main Street, Flemington, New Jersey 08822 in the amount not to exceed \$8,000.00; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

March 31, 2020

#20-109 Resolution of the Borough Council of River Edge Regarding Furlough of Affected Employees

WHEREAS, Governor Philip D. Murphy has called a State of Emergency arising from the COVID-19 Virus pandemic; and

WHEREAS, all public schools throughout the State of New Jersey, including the schools located in the Borough of River Edge (“Borough”), have been ordered to close by Executive Order No. 104 of Governor Philip D. Murphy; and

WHEREAS, the Borough of River Edge has canceled all senior programs including the senior transportation; and

WHEREAS, all public schools must remain closed for as long as the Executive Order remains in effect, and as necessary to protect the health and safety of students, employees, and the community; and

WHEREAS, there is no clear date when the schools or senior programs may reopen during the 2019-2020 school year; and

WHEREAS, the Borough Council has determined there is a lack of work requiring a reduction in force in the River Edge School Crossing Guards and River Edge Senior Bus Drivers; and

WHEREAS, proper notice to the affected employees was provided pursuant to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and Rice v. Union County Regional High School Board of Education, 155 N.J. Super. 64 (App. Div. 1977); and

WHEREAS, attached to and hereby incorporated into this Resolution is a list of employees so affected; and

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of River Edge, County of Bergen, State of New Jersey, that the Borough Council shall cause to be furloughed the River Edge employees so listed within this Resolution, effective March 16, 2020.

March 31, 2020

LIST OF EMPLOYEES SO AFFECTED BY THE RESOLUTION OF THE BOROUGH COUNCIL OF RIVER EDGE REGARDING FURLOUGHS:

1. Jim Bounds
2. Pat Henry
3. Jeff De Prete
4. Bill Clark
5. Philip DePaul
6. Sean McLoughlin
7. Peter Van Gunst
8. Jim O’Donnell
9. Paul Tina
10. Jack Velten

11. Bob Dondiego
12. Michael Goldberg
13. Paul Insigna
14. Francis Quara
15. Victor Fonseca

Councilwoman Kaufman read resolution #20-110 into the record.

On motion by Councilwoman Kaufman, seconded by Councilwoman Busted to approve resolution #20-110 was unanimously approved.

#20-110 Payment of Bills

At a Regular Meeting of the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey, held on March 31, 2020.

BE IT RESOLVED that the Mayor and Council of the Borough of River Edge approve the following expenditures.

CURRENT FUND ACCOUNT	\$567,207.25
CAPITAL FUND ACCOUNT	\$243,491.71
GRANT FUND ACCOUNT	\$ 4,163.05
TRUST OTHER ACCOUNT	\$ 1,266.70
OPEN SPACE ACCOUNT	\$ 1,144.00
PAYROLL ACCOUNT	\$ 2,171.84
DEVELOPER’S ESCROW ACCOUNT	\$ 350.00
RECREATION ACCOUNT	\$ 3,409.50

March 31, 2020

NEW BUSINESS –

- Councilwoman Kaufman-asked if there was some way to ask businesses to do only cashless transactions with curbside service.

Mayor Mayor-said that he doesn’t know how that can be accomplished but if she has an idea that the Council would be in agreement with they would do it.

Councilwoman Kaufman-suggested that the businesses be contacted by phone and asked if they would do that.

Mayor Papaleo-said that he doesn’t think we have the staffing to make phone calls to all of the businesses unless the Council would like to do it on their own. The Mayor said that we have a skeleton staff right now and are on an A & B schedule for DPW, have a closed building and some of the staff is working from home. He asked if there was a consensus from the Council to start

making phone calls?

Councilman Chinigo-suggested that maybe some of the employees who do not have a heavy work load right now be tasked with that.

Raymond Poerio-explained, as did the Mayor, that many of the employees who are working from home are trying to juggle work and home schooling and again stated that we are really experiencing a light crew right now.

Councilwoman Kaufman-said she would be willing to make some calls.

Councilwoman Busted-asked if the Mayor could send a letter to the President of the River Dell Chamber of Commerce to let them know the Council has had this discussion and ask that they voluntarily consider going to cashless during this time?

Mayor Papaleo-said he would absolutely do that and asked Councilwoman Kaufman to draft a letter for him to review and make revisions, if necessary, before passing it along.

Councilwoman Busted-asked if the Mayor would consider signing a letter with the Mayor of Oradell since it is the River Dell Chamber of Commerce?

Mayor Papaleo-said yes, and thought it was a great idea for him to reach out to Mayor Didio.

The Council members are all in agreement.

PUBLIC COMMENTS –

On motion by Councilwoman Kinsella, seconded by Councilman Gautier to open to public comments was unanimously approved.

Lou Grasso-172 Lozier Terrace-said that there are Facebook groups out there where they could post a message about the cashless transactions which would reach many people very quickly.

Mayor Papaleo-said that he has no objection to that and asked the Council for any comments or thoughts on that.

The Council was in agreement and thanked Lou for the suggestion.

On motion by Councilwoman Kaufman, seconded by Councilwoman Montisano-Koen to close public comments was unanimously approved.

COUNCIL COMMENTS –

Councilwoman Busted-expressed her thanks to all of the Borough employees who have been working tirelessly. She also thanked all of the emergency first responders, the Police Department, our Volunteer Fire and Ambulance Service for their bravery during this time. She encouraged everyone to follow the social distancing guidelines and stay safe.

Councilman Chinigo-thanked everyone who has to go to work, those who are on the front lines, those who are staying home to teach their kids and doing the right thing by not congregating. He asked that we all continue doing so and hopes that we get through this sooner than later.

Councilman Gautier-thanked everyone who made this meeting happen tonight, our employees, our first responders and first responders everywhere who are fighting this virus.

Councilwoman Kaufman-also thanked our first responders, our town employees, nurses and doctors in the hospitals right now and wished everyone an extremely healthy coming year.

Councilwoman Montisano-Koen-wanted to acknowledge support to our local residents in the medical field as well as town nurses in the forefront of this battle. She said it's heartwarming to see the outpour of support especially on social media. She wished everyone continued good health and sanity as we go through this.

Councilwoman Kinsella-echoed everyone's thoughts and thanked all of the residents of Bergen County as well as the country in dealing with this unprecedented situation. She encouraged everyone to be as safe as possible.

Mayor Papaleo-echoed everyone's comments and thanked the Borough employees, first responders and all those who are working hard to keep us safe. He also thanked both school superintendents who are working very hard with our students and teachers. He offered a special thanks to Arlene Faustini and Sam Yanovich from our Health Department as well as a special thanks to Councilwoman Kaufman who spent so much time with the Clerk and Borough Administrator to make this virtual meeting possible. He said that the best thing we can do is stay home and keep up social distancing. He asked that we please be patient with each other and please keep not just those with Covid19 in your prayers but their families, the health care workers in the hospitals, the ambulances, the Police Department, Fire Department and all those who have to respond. He said that they all need our support and thanked them for everything that they are doing to keep us safe and making the flattening of the curve possible.

ADJOURNMENT – 7:35 P.M.

On motion by Councilwoman Kaufman, seconded by Councilwoman Busted to adjourn the meeting at 7:45 p.m. was unanimously approved.

Thomas Papaleo, Mayor

Attest:

Stephanie Evans, Borough Clerk

Dated: