

M I N U T E S  
Meeting of the Mayor and Council  
Monday, April 18, 2011  
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

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

STATEMENT -

Mayor Watkins read the statement under the Sunshine Law and asked the Clerk to put it into the minutes. "Adequate Notice of this meeting has been made by sending notice on December 24, 2010 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".

ROLL CALL - Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone, Councilman Cordts and Mayor Watkins were present, Councilman Cannon was absent.

Motion by Councilman Cordts, seconded by Councilman Porco to approve resolution #11-53.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

#11-153 Resolution to Read Budget by Title

WHEREAS, N.J.S. 40A-8 as amended provides that the budget be read by title at the time of the public hearing if a resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in Borough Hall and copies have been made available by the Borough Clerk to persons requiring them; and

WHEREAS, these two conditions have been met.

NOW, THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

April 18, 2011

\*\*\*\*\*

**OPEN HEARING ON AMENDMENT TO THE 2011 BUDGET**

Motion by Councilman Cordts, seconded by Councilman Porco to open hearing on Amendment to the 2011 Budget.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

**CLOSE HEARING ON AMENDMENT TO THE 2011 BUDGET**

There being no comments by the public, motion by Councilman Cordts, seconded by Councilman Mignone to close hearing on Amendment to the 2011 Budget.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

**OPEN HEARING ON 2011 MUNICIPAL BUDGET**

Motion by Councilman Cordts, seconded by Councilman Cordts, seconded by Councilman Porco to open hearing on 2011 Municipal Budget.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes,

Councilman Cannon was absent.

**CLOSE HEARING ON 2011 MUNICIPAL BUDGET**

There being no comments by the public, motion by Councilman Cordts, seconded by Councilman Mignone to close hearing on the 2011 Municipal Budget.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

**APPROVAL OF MINUTES - By Consent**

Motion by Councilman Cordts, seconded by Councilman Bartelloni to approve the minutes of the Mayor and Council work session and regular meeting of April 4, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

**PROCLAMATION & AWARDS -**

Mayor Watkins read the Proclamation Declaring April 29, 2011 as Arbor Day into the record as follows:

*PROCLAMATION*

*WHEREAS, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and*

*WHEREAS, this holiday, called ARBOR DAY was first observed with the planting of more than a million trees in Nebraska; and*

*WHEREAS, ARBOR DAY is now observed throughout the nation and the world; and*

*WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and*

*WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and*

*WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and*

*WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.*

*NOW, THEREFORE, I, Margaret Falahee Watkins, Mayor of the Borough of River Edge, do hereby proclaim*

*April 29, 2011*

*AS*

*ARBOR DAY*

*in the Borough of River Edge, and I urge all citizens to celebrate ARBOR DAY and to support efforts to protect our trees and woodlands; and*

*FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and further generations.*

*Margaret Falahee Watkins, Mayor*

*Dated: April 18, 2011*

\*\*\*\*\*

Mayor Watkins read the Proclamation Declaring May 1, 2011 as Loyalty Day in River Edge into the record as follows:

## *PROCLAMATION*

*WHEREAS, the citizens of this community are extremely proud of this Nations more than 200 year Heritage of Freedom and are loyal to the ideals, traditions and institutions which have made our nation so great; and*

*WHEREAS, many Americans display their loyalty through careers in public service. Members of our Armed Forces ensure that our Nation remains strong and secure, as well as defend democracy around the world. Many citizens give their time to causes greater than themselves through charitable, civic or church activities to demonstrate their loyalty by working to improve our country and the lives of its people; and*

*WHEREAS, Loyalty Day recognizes the solemn bond between America and its citizens. It provides an opportunity to recognize those who demonstrate their loyalty every day and challenges all of us to find more ways to contribute to the greater good of our country; and*

*WHEREAS, this glorious occasion will serve as a reminder of the loyalty of the members of the Veteran's of Foreign Wars throughout the United States, a loyalty they displayed while serving in our armed forces during war times.*

*NOW, THEREFORE, BE IT RESOLVED that I, Margaret Falahee Watkins, Mayor of the Borough of River Edge, in recognition thereof, do hereby proclaim May 1, 2011 as:*

### *LOYALTY DAY IN RIVER EDGE*

*IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the Borough of River Edge to be affixed this April 18, 2011.*

*Mayor Margaret Falahee Watkins*

*Dated: April 18, 2011*

\*\*\*\*\*

Mayor Watkins read the Proclamation Designating May 1<sup>st</sup> through May 31<sup>st</sup> 2011 as Annual Poppy Sale Days into the record as follows:

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

*WHEREAS, the Annual Poppy Sale by the American Legion and the Veterans of Foreign Wars has been officially recognized and endorsed by the Government leaders; and*

*WHEREAS, the Poppies are assembled by disabled veterans, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans.*

*NOW, THEREFORE, I Margaret Falahee Watkins, Mayor of the Borough of River Edge, do hereby urge the citizens of this community to recognize their merits of this cause by contributing generously to its support through the purchase of Poppies from May 1<sup>st</sup> through May 31<sup>st</sup>, 2011, the designated Annual Poppy Sale days in the Borough of River Edge, and do further urge all citizens to support the American Legion Auxiliary of the Sgt. Walter Scott Brown Unit #226, the Veterans of Foreign Wars Auxiliary of the Caldorney-Klaiber-Frost Post NO. 876 of River Edge by buying and wearing a Poppy.*

*MARGARET FALAHÉE WATKINS MAYOR*

*Dated: April 18, 2011*

\*\*\*\*\*

APPOINTMENTS & PERSONNEL CHANGES

Motion by Councilman Cordts, seconded by Councilman Moscaritolo to approve the resignation of Vincent D'Amore from the Zoning Board of Adjustment and Historic Commission, effective immediately.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

Motion by Councilman Cordts, seconded by Councilman Porco to approve the resignation of Clayton Marcoux as a Fire Inspector, effective immediately.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

CORRESPONDENCE -

Notice	-	Borough of Paramus - 4/4/11
		Re: Board of Adjustment Hearing
Letter	-	Cablevision - 4/4/11
		Re: Launch of New Packages
Letter	-	U.S. Census - 4/4/11
		Re: 2010 Census CQR Program
Letter	-	Office of the Governor State of NJ - 4/4/11
		Re: Budget
Letter	-	Vince D'Amore - 4/6/11
		Re: Resignation from Zoning & Historic
Notice	-	PSE&G - 4/6/11

Notice - Re: Rate changes  
           - Carmine R. Alampi, Esq. - 4/8/11  
           - Re: Planning Board Application  
 Notice - Thomas J. Barrett - 4/11/11  
           - Re: Site Plan Notice  
 Letter - Clayton Marcoux - 4/11/11  
           - Re: Letter of Resignation  
 Letter - Board of Chosen Freeholders - 4/14/11  
           - Re: Resolutions adopted

MONTHLY REPORTS -

Tax Collector - February 2011  
 Building Department - March 2011  
 Library Board - April 12, 2011

ORDINANCES - 1<sup>st</sup> Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1730 as follows:

Ordinance #1730 - BOND ORDINANCE TO AMEND SECTION 4 and 5 OF THE BOND ORDINANCE #1568 ENTITLED "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF REAL PROPERTY IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS".

Motion by Councilman Cordts, seconded by Councilman Cordts, seconded by Councilman Bartelloni to approve the first reading of Ordinance #1730 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1730

BOND ORDINANCE TO AMEND SECTION 4 and 5 OF THE BOND ORDINANCE #1568 ENTITLED "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF REAL PROPERTY IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS".

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. Section 4C of Ordinance #1568 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF REAL PROPERTY IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS".

adopted by the Borough Council of the Borough of River Edge, in the County of Bergen, State of New Jersey (the "Borough") on May 21, 2007 is hereby amended to add the words "Purchase and installation of a generator" authorized in Section 4C and shall hereinafter read as follows:

Section 4C. Construction/purchase and installation of a generator and repair of the Wayne Sanitary Sewer Pump Station.

Appropriation and Estimated Cost	\$178,800
Down Payment Appropriated	\$ 9,050
Bonds and Notes Authorized	\$169,750
Period of Usefulness	40 years

Section 2. Section 4E of Ordinance #1568 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF REAL PROPERTY IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS".

adopted by the Borough Council of the Borough of River Edge, in the County of Bergen, State of New Jersey (the "Borough") on May 21, 2007 is hereby amended to add the words "Construction of a traffic signal and appurtenances" authorized in Section 4C and shall hereinafter read as follows:

Section 4E. Acquisition of real property in connection with the installation of a traffic signal at the intersection of Howland Avenue and Kinderkamack Road. Said property to be acquired is located at 325, 311 and 253-297 Kinderkamack Road and is designated at (i) Block 1004, Lot 25 (ii) Block 1004, Lot 26 and (iii) Block 1007, Lot 1, respectively, on the Tax Assessment Map of the Borough. Construction of a traffic signal and appurtenances.

Appropriation and Estimated Cost	\$81,300
Down Payment Appropriated	\$ 4,350
Bonds and Notes Authorized	\$76,950
Period of Usefulness	40 years

Section 3. Section 5 of Ordinance #1568 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF REAL PROPERTY IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS".

adopted by the Borough Council of the Borough of River Edge, in the County of Bergen, State of New Jersey (the "Borough") on May 21, 2007 (the "Prior Ordinance") is hereby amended to increase the amount of statutorily permitted expenses included in the cost of the purposes authorized in the ordinance from \$100,000.00 to \$125,000.00 (an increase of \$25,000.00) and shall hereafter read as follows:

Section 5. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended: the "Local Bond Law"), and (3) the estimated cost of said purpose is \$1,030,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$978,000, and (5) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$125,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law."

Section . The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section . This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Margaret Falahee Watkins

Attest:

Denise Dondiego, Borough Clerk

Dated:

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

\*\*\*\*\*

ORDINANCES - 2<sup>nd</sup> Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1727 as follows:

Ordinance #1727 - AN ORDINANCE APPROPRIATING \$11,190.00 FROM THE GENERAL CAPITAL FUND BALANCE AND \$8,810.00 FROM THE GENERAL CAPITAL - CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF EQUIPMENT, IMPROVEMENT OF BOROUGH GROUNDS

Ordinance #1727 was introduced by Councilman Cordts, seconded by Councilman Cannon at the April 4, 2011 meeting as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1727

AN ORDINANCE APPROPRIATING \$11,190.00 FROM THE GENERAL CAPITAL FUND BALANCE  
AND \$8,810.00 FROM THE GENERAL CAPITAL - CAPITAL IMPROVEMENT FUND FOR THE  
PURCHASE OF EQUIPMENT, 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 purchase of equipment for and improvements desired in  
Section 2 of this ordinance are hereby authorized as improvements and  
purchases to be made by the Borough of River Edge, New Jersey for the purpose  
of the purchase of said equipment and the making of said improvements, there  
are hereby appropriated the sum of \$20,000.00 of which \$11,190.00 is from the  
General Capital Fund Balance and \$8,810.00 from the General Capital - Capital  
Improvement Fund.

SECTION II. The improvement and purchases are authorized as follows:

- a. The making of improvements to Borough grounds, for: Construction,  
reconstruction and improvements of the sanitary sewer system  
improvements at various locations within the Borough including but  
not limited to Continental Avenue. The list of streets including  
but not limited to Continental Avenue shall be placed on file in the  
office of the Borough Clerk and made available for public inspection  
during normal business hours. It is hereby determined and stated  
that the Borough Council may, by resolution, amend such list from  
time to time within the appropriation made hereby.
- b. Purchase of equipment for the Department(s) of: Emergency  
Management including but not limited to a computer, Police including  
but not limited to body armor and alarm software.
- c. 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 Margaret Falahee Watkins

ATTEST:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1727

Motion by Councilman Cordts, seconded by Councilman Porco to open  
hearing of the public.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo,  
Councilman Porco, Councilman Mignone and Councilman Cordts voted yes,  
Councilman Cannon was absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1727

There being no comments by the public, motion by Councilman Cordts,  
seconded by Councilman Mignone to close hearing of the public.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo,  
Councilman Porco, Councilman Mignone and Councilman Cordts voted yes,  
Councilman Cannon was absent.

ADOPTION - Ordinance #1727

Motion by Councilman Cordts, seconded by Councilman Porco to adopt  
Ordinance #1727.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

\*\*\*\*\*

Denise Dondiego, Borough Clerk read the title of Ordinance #1728 as follows:

Ordinance #1728 - BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF INTERSECTION IMPROVEMENTS AND INSTALLATION OF A TRAFFIC LIGHT AT KINDERKAMACK ROAD AND HOWLAND AVENUE (PHASE I) IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$889,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Ordinance #1728 was introduced by Councilman Cannon, seconded by Councilman Porco at the April 4, 2011 meeting as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1728

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF INTERSECTION IMPROVEMENTS AND INSTALLATION OF A TRAFFIC LIGHT AT KINDERKAMACK ROAD AND HOWLAND AVENUE (PHASE I) IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$889,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake intersection improvements and install a traffic light at Kinderkamack Road and Howland Avenue (Phase I) in, by and for said Borough. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$889,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment (funded from County of Bergen grant funds in the amount of \$44,450 previously received and deposited in the Borough's Capital Improvement Fund) appropriated by this ordinance. It is anticipated that \$844,550 in additional grant funds from the County of Bergen shall be received by the Borough to finance the cost of the improvements described in Section 1 hereof. Said additional grant funds shall be applied as set forth in Section 10 hereof. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$889,000, and (4) \$44,450 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$844,550, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$75,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$44,450, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$44,450 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$844,550 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$844,550 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$844,550 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 12. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1728

Motion by Councilman Cordts, seconded by Councilman Porco to open hearing of the public.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1728

There being no comments by the public, motion by Councilman Cordts, seconded by Councilman Porco to close hearing of the public.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

ADOPTION - Ordinance #1728

Motion by Councilman Porco, seconded by Councilman Cordts to adopt Ordinance #1728.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

\*\*\*\*\*

Denise Dondiego, Borough Clerk read the title of Ordinance #1729 as follows:

Ordinance #1729 - BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$448,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Ordinance #1729 was introduced by Councilman Cordts, seconded by Councilman Cannon at the April 4, 2011 meeting as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1729

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$448,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new information technology equipment and a new automotive vehicle, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Replacement of the boiler at the Department of Public Works ("DPW") Building.

Appropriation and Estimated Cost	\$ 10,000
Down Payment Appropriated	\$ 500
Bonds and Notes Authorized	\$ 9,500
Period of Usefulness	15 years

B. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of a dump truck for the use of the DPW.

Appropriation and Estimated Cost	\$ 51,000
Down Payment Appropriated	\$ 2,550
Bonds and Notes Authorized	\$ 48,450
Period of Usefulness	5 years

C. Acquisition of new additional or replacement equipment and machinery consisting of turnout gear for the use of the Fire Department.

Appropriation and Estimated Cost	\$ 24,000
Down Payment Appropriated	\$ 1,800
Bonds and Notes Authorized	\$ 22,200
Period of Usefulness	5 years

D. Acquisition of new information technology equipment consisting of a laptop computer for the use of the Fire Department.

Appropriation and Estimated Cost	\$ 5,000
Down Payment Appropriated	\$ 250
Bonds and Notes Authorized	\$ 4,750
Period of Usefulness	7 years

E. Undertaking of intersection improvements and installation of a traffic light at Kinderkamack Road and Howland Avenue (Phase II), including acquisition of property interests in connection therewith. The locations (as designated on the Borough's Tax Assessment Map) and types of property interests being acquired are as follows: (a) Block 1004, Lot 21- temporary construction easement, (b) Block 1004, Lot 28 - temporary construction easement and (c) Block 1007, Lot 1 - fee simple acquisition and temporary construction easement. Depending upon contract prices and other exigent circumstances, and upon approval of the Borough Council, there may be additions to or deletions from the preceding list.

Appropriation and Estimated Cost	\$223,000
Down Payment Appropriated	\$ 11,150
Bonds and Notes Authorized	\$211,850
Period of Usefulness	10 years

F. Undertaking the 2011 Road Resurfacing and Improvement Program (including curbing and sidewalk improvements, where necessary) in, by and for the Borough, as set forth on a list prepared by the Borough Engineer and approved by the Borough Council and directed to be placed on file in the Office of the Borough Clerk and made available for public inspection during normal business hours. It is hereby determined and stated that (i) the Borough Council may, by resolution, amend such list from time to time within the appropriation made hereby and (ii) such roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$128,000
Down Payment Appropriated	\$ 6,400
Bonds and Notes Authorized	\$121,600
Period of Usefulness	10years

G. Acquisition of new information technology equipment consisting of a patrol car mobile computer for the use of the Police Department.

Appropriation and Estimated Cost	\$ 7,000
Down Payment Appropriated	\$ 350
Bonds and Notes Authorized	\$ 6,650
Period of Usefulness	7 years

-----

Aggregate Appropriation and Estimated Cost	\$448,000
Aggregate Down Payment Appropriated	\$ 23,000
Aggregate Amount of Bonds and Notes Authorized	\$425,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$35,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$23,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$23,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$425,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$425,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 9.20 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$425,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk  
Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1729

Motion by Councilman Bartelloni, seconded by Councilman Cordts to open hearing of the public.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1729

There being no comments by the public, motion by Councilman Bartelloni, seconded by Councilman Porco to close hearing of the public.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

ADOPTION - Ordinance #1729

Motion by Councilman Porco, seconded by Councilman Cordts to adopt Ordinance #1729.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

\*\*\*\*\*

RESOLUTIONS - By Consent

Motion by Councilman Cordts, seconded by Councilman Porco to approve resolution #11-154 through #11-167, #11-169, #11-172 through #11-174 and #11-176 and #11-177.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

#11-154 Approval of Local Budget Review 2011 Budget

WHEREAS, N.J.S.A. 40A:78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the borough of River Edge has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2011 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to the law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on the Property Tax Levy, Chapter 62, Public Laws of 2007 and to a limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and the appropriations for exceptions to limits on appropriations found at 40A:4-453 et seq. are fully met (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth,
  - c. In itemization, form, arrangement and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

April 18, 2011

\*\*\*\*\*

#11-155 Authorize Cancellation of Accounts Payable

WHEREAS, there exists various accounts payable on the books of the Current Fund; and

WHEREAS, the various purchase orders and contracts creating these accounts payable have been investigated and it has been determined that these should be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the following accounts payable in the following amounts are hereby cancelled.

<u>P.O. #</u>	<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
9772	Bill Lindsley, Esq.	\$1,300.00	Legal Research-Zoning Change NJ Transit So. End Kinderkamack
13861	Colin Quinn, Esq.	\$ 750.00	Redevelopment
15915	Colin Quinn, Esq.	\$4,134.50	Legal Services - Redevelopment
16081	Data Network	\$1,000.00	One-Year Anti-Virus Renewal
17691	FREINJ of NJ	\$1,200.00	Apt. Trash - 4 <sup>th</sup> Quarter 2006
17686	Foley Inc.	\$ 160.6	DPW Filters etc.
18093	Nick Barter	\$ 55.00	Domain Name
18106	S. Vince D'Amore	\$ 292.00	Arch. Svcs - Co. Co. #2/DPW
20881	Colin Quinn, Esq.	\$ 775.98	Redevelopment
20991	Scarinci & Hollenback	\$ 528.72	Labor Services
22656	Real Time Consult.	\$ 22.51	Convert Boro Computers to Optonline
22884	Page Consultants	\$ 340.00	Traffic Pedestrian Study

April 18, 2011

\*\*\*\*\*

#11-156 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 #10-48 dated January 4, 2010 in the amount of \$10,000.00, amended via resolution #10-247 dated June 21, 2010 in the amount of \$15,000.00, amended via resolution #10-402 dated November 15, 2010 in the amount of \$7,000.00 and amended via resolution #11-88 dated February 22, 2011 in the amount of \$5,000.00; 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 April 18, 2011; 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 \$10,000.00.

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.
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.

April 18, 2011

\*\*\*\*\*

#11-157 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 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 April 18, 2011 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>
11-4/18-1	Personnel - Joseph Taylor- DPW Laborer	N.J.S.A. 10:4-12(8)

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.

April 18, 2011

\*\*\*\*\*

#11-158 Resolution to Adopt Emergency Management Plan

WHEREAS, Public Laws of 1985, Chapter 504 and Public Laws of 1989, Chapter 222 requires that each municipality adopt and implement an Emergency Management Plan; and

WHEREAS, the Emergency Management Coordinator in 1988 presented an original plan to the Governing Body of the Borough of River Edge; and

WHEREAS, Richard Berry, Emergency Management Coordinator has updated this plan in 2010; and

WHEREAS, the Emergency Management Plan provides for a chain of command and a functional and responsibility assignment listing; and

WHEREAS, the Borough Administrator/Chief Financial Officer has presented an Emergency Policy and Procedure for purchasing materials and services in case of an emergency; and

WHEREAS, this matter was reviewed by the Governing Body at a work session meeting on April 4, 2011.

NOW, THEREFORE, BE IT RESOLVED in accordance with N.J.A.C. 5:34-6.1, Public Laws of 1985, Chapter 504 and Public Laws of 1989, Chapter 222, the Emergency Management Plan as updated by the Emergency Management Coordinator and the Policy and Procedures for Emergency Purchases on file with the Borough Clerk are hereby adopted by the Governing Body of the Borough of River Edge.

April 18, 2011

\*\*\*\*\*

#11-159 Resolution Authorizing Chief Financial Office to Cancel Grant Fund Receivable and Appropriated Reserve for the Municipal Alliance on Alcohol and Drug Abuse Grant

WHEREAS, the Borough of River Edge received approval for a grant through the State of New Jersey Governor's Council on Alcoholism and Drug Abuse 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 \$1,833.01 and an appropriated reserve of \$1,833.01; and

WHEREAS, the Chief Financial Officer has investigated the account receivable and appropriated reserve balance and has recommended that they 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 \$1,833.01.

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

April 18, 2011

\*\*\*\*\*

#11-160 Change in Personnel Policy & Procedure Manual-Section III, Subject IV, Medical Insurance Plan

WHEREAS, the Borough of River Edge adopted a Personnel Policy and Procedure Manual on March 7, 1983 via resolution #83-58; and

WHEREAS, the Mayor and Council of the borough of River Edge desire to change Section III, Subject IV, with regard to the *medical insurance plan*; and

WHEREAS, the Mayor and Council considered at their work session of April 4, 2011 making those changes to the Personnel Policy and Procedure Manual.

NOW, THEREFORE, BE IT RESOLVED that the Personnel Policy and Procedure Manual of the Borough of River Edge shall be changed in the following manner:

1. Change the paragraph under the Eligibility definition for employees to read, "All permanent employees assigned for at least 35 hours weekly are eligible for enrollment in the health insurance plan. All elected officials who have held office before or after May 21, 2010 and who work 35 hours weekly are eligible for enrollment in the health insurance plan".

April 18, 2011

\*\*\*\*\*

#11-161 Amendment to the Approved Budget of 2011

WHEREAS, the local municipal budget for the year 2011 was approved on the 21st day of March, 2011; and

WHEREAS, the public hearing on said budget was held as advertised on April 18, 2011; and

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge in the County of Bergen that the following amendments to the approved budget for 2011 be made:

	<u>FROM</u>	<u>TO</u>
General Revenues		
1. Surplus Anticipated	\$ 1,132,250.00	\$ 1,178,250.00
Total Surplus Anticipated	\$ 1,132,250.0	\$ 1,178,250.00
3. Miscellaneous Revenues - Section A: Local Revenues		
Fees and Permits	\$ 65,000.00	\$ 88,243.00
Total Section A: Local Revenue	\$ 273,993.62	\$ 297,236.62
3. Miscellaneous Revenues - Section D: Shared Service Agreements		
County of Bergen Interlocal- Snow Removal	\$ 9,030.00	\$ 10,190.00
Total Section D: Shared Service Agreements	\$ 9,030.00	\$ 10,190.00
3. Miscellaneous Revenues - Section F: Public and Private Revenues Offset with Appropriations:		
Municipal Alliance on Alcoholism and Drug Abuse	\$ 0.00	\$ 10,356.00
Total Section F: Public and Private Revenues	\$ 19,340.09	\$ 29,696.09
Summary of Revenues		
1. Surplus Anticipated	\$ 1,132,250.00	\$ 1,178,250.00
3. Miscellaneous Revenues		
Total Section A: Local Revenues	\$ 273,993.62	\$ 297,236.62
Total Section D: Shared Service Agreements	\$ 9,030.00	\$ 10,190.00
Total Section F: Public and Private Revenues	\$ 19,340.09	\$ 29,696.09

Total Miscellaneous Revenues	\$ 1,781,267.91	\$ 1,816,026.91
4. Receipts from Delinquent Taxes	\$ 322,000.00	\$ 366,000.00
5. Subtotal General Revenues	\$ 3,235,517.91	\$ 3,360,276.91
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	\$11,340,991.00	\$10,613,773.00
c) Minimum Library Tax	\$ 0.00	\$ 613,975.00
Total Amount to be Raised for Support of Municipal Budget	\$11,340,991.00	\$11,227,748.00
7. Total General Revenues	\$14,576,508.91	\$14,588,024.91
8. General Appropriations		
(A) Operations - within "CAPS"		
GENERAL GOVERNMENT		
INSURANCE		
Liability Insurance	\$ 217,563.00	\$ 204,232.00
Workers Compensation	\$ 197,750.00	\$ 188,862.00
PUBLIC SAFETY		
Police Department Salaries & Wages	\$ 2,922,177.00	\$ 2,932,177.00
STREETS AND ROADS		
Public Works Repair & Maintenance Other Expenses	\$ 94,492.00	\$ 114,492.00
Total Operations - within "CAPS"	\$ 8,918,520.00	\$ 8,926,301.00
Total Operations Including Contingent within "CAPS"	\$ 8,918,525.00	\$ 8,926,306.00
Detail: Salaries & Wages	\$ 5,216,829.00	\$ 5,226,829.00
Other Expenses	\$ 3,701,696.00	\$ 3,699,477.00
(E) Deferred Charges and Statutory Expenditures- Municipal within "CAPS"		
(2) STATUTORY EXPENDITURES:		
Pension Deferral	\$ 422,790.00	\$ 376,106.00
Interest on Deferred P.E.R.S. and P.F.R.S.	\$ 59,316.00	\$ 76,000.00
Total Deferred Charges and Statutory Expenditures- Municipal within "CAPS"	\$ 1,781,581.98	\$ 1,751,581.98
(H-1) Total General Appropriations - within "CAPS"	\$10,700,106.98	\$10,677,887.98
(A) Operations - Excluded from "CAPS"		
Maintenance of Free Public Library		
Employee Group Health	\$ 62,521.00	\$ 61,021.00
Liability Insurance	\$ 0.00	\$ 13,331.00
Workers Compensation Insurance	\$ 0.00	\$ 8,888.00

Health Benefit Waiver	\$ 0.00	\$ 1,500.00
Total Other Operations - Excluded "CAPS"	\$1,857,043.00	\$1,879,262.00
Shared Service Agreements		
County of Bergen Snow Removal Salaries and Wages	\$ 9,030.00	\$
10,190.00		
Total Shared Service Agreements	\$ 9,030.00	\$ 10,190.00
Public and Private Programs Offset By Revenues		
Municipal Alliance on Alcoholism and Drug Abuse Grant	\$ 0.00	\$ 10,356.00
Total Public and Private Programs Offset By Revenue	\$ 19,340.09	\$ 29,696.09
Total Operations - Excluded "CAPS"	\$1,885,413.09	\$1,919,148.09
Detail: Salaries & Wages	\$ 398,135.00	\$ 399,295.00
Other Expenses	\$1,487,278.09	\$1,519,853.09
(H-2) Total General Appropriations - Excluded "CAPS"	\$3,418,469.09	\$3,452,204.09
(O) Total General Appropriations - Excluded "CAPS"	\$3,418,469.09	\$3,452,204.09
(L) Subtotal General Appropriations (Items (H-1) and (O))	\$14,118,576.07	\$14,130,092.07
9. Total General Appropriations	\$14,576,508.91	\$14,588,024.91
8. General Appropriations		
Summary of Appropriations		
(H-1) Total General Appropriations - within "CAPS"	\$10,700,106.98	\$10,677,887.98
(A) Operations - Excluded from "CAPS"		
Other Operations	\$1,857,043.00	\$ 1,879,262.00
Shared Service Agreements	\$ 9,030.00	\$ 10,190.00
Public and Private Programs Offset By Revenues	\$ 19,340.09	\$ 29,696.09
Total Operations - Excluded "CAPS"	\$ 1,885,413.09	\$ 1,919,148.09
Total General Appropriations	\$14,576,508.91	\$14,588,024.91

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of River Edge does hereby approve this amendment to the approved budget for the year 2011.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the 2011 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this resolution shall be advertised in THE RECORD on April 13, 2011 and that a hearing will be held on this amendment on April 18, 2011, at Borough Hall at 8:00 P.M.

It is hereby certified that the approved Budget Amendment annexed hereto is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof and the total of anticipated revenues equals the total of appropriations.

Certified by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2011

Gary J. Vinci  
Registered Municipal Accountant

Denise Dondiego, Borough Clerk

Mayor  
Dated:  
April 18, 2011

\*\*\*\*\*

#11-162 Emergency Temporary Budget

WHEREAS, N.J.S. 40A:4-19 provides that (where any contract, commitments or payments are to be made prior to the final adoption of the 2011 budget) temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the total emergency temporary resolution adopted in the year 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$2,898,229.58.

WHEREAS, the line items and appropriation amounts listed below have been included in the budget as approved on introduction and will be included in the budget as finally adopted.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S. 40:4-2:

1. An emergency temporary appropriation be and the same is hereby made for:

TEMPORARY APPROPRIATION - 2011

<u>General Appropriation</u>		<u>Operations Within CAPS</u>	<u>Operations Excluded CAPS</u>
Recycling			
Other Expenses	10-8010-100		\$ 5,000.00
General Administration			
Salaries & Wages	20-1001-011	\$ 3,000.00	
Other Expenses	20-1002-036	\$ 1,000.00	
Mayor & Council			
Salaries & Wages	20-1102-011	\$ 2,500.00	
Municipal Clerk			
Salaries & Wages	20-1201-011	\$ 11,000.00	
Other Expenses	20-1202-036	\$ 12,000.00	
Financial Administration			
Salaries & Wages	20-1301-011	\$ 30,000.00	
Other Expenses	20-1302-036	\$ 5,000.00	
Revenue Administration			
Salaries & Wages	20-1451-011	\$ 6,000.00	
Other Expenses	20-1452-036	\$ 1,000.00	
Tax Assessment			
Salaries & Wages	20-1501-011	\$ 2,000.00	
Legal			
Salaries & Wages	20-1551-011	\$ 2,000.00	
Other Expenses	20-1552-036	\$ 10,000.00	
Planning Board			
Salaries & Wages	21-1801-011	\$ 2,500.00	
Construction Official			
Salaries & Wages	22-1951-011	\$ 10,000.00	
Emergency Management Services			
Salaries & Wages	25-2521-011	\$ 500.00	
Uniform Fire Safety			
Salaries & Wages	25-2651-011	\$ 5,000.00	
Public Works Maintenance			
Other Expenses	26-2902-036	\$ 15,000.00	
Other Public Works			

Other Expenses	26-3002-166	\$ 2,500.00	
Shade Tree Commission			
Other Expenses	26-3022-036	\$ 1,000.00	
Recycling			
Salaries & Wages	26-3051-011	\$ 25,000.00	
Other Expenses	26-3052-023	\$ 5,000.00	
Buildings & Grounds			
Salaries & Wages	26-3101-011	\$ 2,000.00	
Other Expenses	26-3102-029	\$ 15,000.00	
Vehicle Maintenance			
Salaries & Wages	26-3151-011	\$ 13,500.00	
Public Health Services			
Salaries & Wages	27-3301-011	\$ 3,600.00	
Bus			
Salaries & Wages	27-3311-011	\$ 3,000.00	
Recreation			
Salaries & Wages	28-3701-011	\$ 4,100.00	
Other Expenses			
Maintenance of Parks			
Salaries & Wages	28-3751-011	\$ 10,000.00	
Other Expenses	28-3752-100	\$ 1,000.00	
Public Library			
Salaries & Wages	29-3901-011		\$33,000.00
Maintenance/Public Library			
Electric O/E	31-4302-174		\$ 1,000.00
Telephone O/E	31-4403-076		\$ 100.00
Water O/E	31-4453-177		\$ 300.00
Petroleum Products			
Other Expenses	31-4472-166	\$ 20,000.00	
Sewer System Stormwater			
Other Expenses	31-5108-100		\$ 3,000.00
Deferred PERS & PFRS			
Other Expenses	36-4792-100	\$ 76,000.00	
Municipal Court			
Salaries & Wages	43-4901-011	\$ 9,000.00	
Bergen County Utilities Authority			
Other Expenses	31-4552-100		\$215,000.00
Total Operations Including			
Contingent Within "CAPS"		\$309,200.00	
Total Other Operations			
Excluded from "CAPS"			\$257,400.00
Total Temporary General			
Appropriations		\$566,600.00	

April 18, 2011

\*\*\*\*\*

#11-163 Approval to Add Continental and Elm Avenue to the 2010 Sanitary and Storm Water Sewer Improvement Program

WHEREAS, Capital Ordinance #1716 was adopted by the Governing Body of the Borough of River Edge on November 1, 2010; and

WHEREAS, Section II A. of Ordinance #1716 allows the Mayor and Council by resolution to amend the list on file with the Borough Clerk as to any street to be improved; and

WHEREAS, the Borough Clerk has received a memorandum from the Borough Administrator requesting that Continental Avenue and Elm Avenue be included as part of the 2010 Sanitary and Storm Water Sewer Program and therefore, would be allowed to be charged to the #1716 Capital Authorization; and

WHEREAS, the Mayor and Council have considered this matter at their work session of April 18, 2011 and feel that it is in the best interest of the Borough of River Edge to include Continental Avenue and Elm Avenue as part of the 2010 Sanitary and Storm Water Sewer Program.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge does hereby approve the inclusion of Continental Avenue and Elm Avenue as part of the 2010 Sanitary and Storm Water Sewer Program.

April 18, 2011

\*\*\*\*\*

#11-164 Grant Raffle License to PTO Roosevelt School

BE IT RESOLVED that the following license to conduct an Off Premise 50/50 Prize Raffle to be issued to PTO Roosevelt School, 711 Summit Avenue, River Edge, New Jersey, 07661, License #626, I.D. 423-5-28534 to take place at 711 Summit Avenue, River Edge, New Jersey on June 23, 2011 from 1:00 p.m. to 6:00 p.m.

The Clerk reporting all in order.

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control of the State of New Jersey.

April 18, 2011

\*\*\*\*\*

#11-165 Adopting 2011 Municipal Budget as Amended

WHEREAS, the 2011 Municipal Budget was approved by Resolution #11-119 on March 21, 2011; and

WHEREAS, in accordance with N.J.S.A. 40A:4-6, was advertised in THE RIDGEWOOD NEWSPAPER on April 8, 2011 and

WHEREAS, a public hearing on the budget was held on April 18, 2011; and

WHEREAS, the Budget was amended on April 18, 2011 via resolution #11-161, advertised on April 13, 2011 in THE RECORD with a hearing on April 18, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Local Municipal Budget as Amended appropriating \$14,588,024.91 be hereby adopted for the fiscal year 2011.

April 18, 2011

\*\*\*\*\*

#11-166 Resolution Authorizing Chief Financial Office to Cancel Grant Fund Receivable and Appropriated Reserve for the Community Stewardship Incentive Program Business Stimulus Fund Grant

WHEREAS, the Borough of River Edge received approval for a grant through the State of New Jersey Division of Environmental Protection for a grant entitled "Community Stewardship Incentive Program Business Stimulus Fund"; and

WHEREAS, the Borough of River Edge has on its books and records an account receivable of \$110.00 and an appropriated reserve of \$110.00; and

WHEREAS, the Chief Financial Officer has investigated the account receivable and appropriated reserve balance and has recommended that they 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 "Community Stewardship Incentive Program Business Stimulus Fund" both in the amount of \$110.00.

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

April 18, 2011

\*\*\*\*\*

#11-167 Amend Resolution #11-86 2011 Salary Resolution

BE IT RESOLVED that the following officers and employees of the Borough of River Edge be compensated for the year 2011 in accordance with Ordinance #1726 effective April 19, 2011 as follows:

<u>Police Department</u>		<u>2011</u>
Crossing Guards	P/T New Hires as of April 19, 2011	\$15.00/hour

April 18, 2011

\*\*\*\*\*

Motion by Councilman Cordts, seconded by Councilman Bartelloni to approve resolution #11-168.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Moscaritolo voted no and Councilman Cannon was absent.

#11-168 Endorse Municipal Open Space Recreation Commission Plan

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #06-234 on August 7, 2006; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 7, 2006; and

WHEREAS, a public hearing was held on January 18, 2011 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the Recreation Commission of the Borough of River Edge submitted at the public hearing a plan for the maintenance of recreational parks for the Borough, a copy of which is on file with the Borough Clerk, not to exceed \$10,000.00; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the Recreation Commission Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2011 of \$5,000.00 (Other Expenses) \$5,000.00 (Salary and Wages) for the Maintenance of Lands is hereby approved.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to the Recreation Commission, Recreation Director and Shade Tree Commission

April 18, 2011

\*\*\*\*\*

#11-169 Endorse Municipal Open Space 9/11 Memorial Plan

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #06-234 on August 7, 2006; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 7, 2006; and

WHEREAS, a public hearing was held on January 18, 2011 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the 9/11 Memorial representatives of the Borough of River Edge submitted at the public hearing a plan for a 9/11 Memorial, a copy of which is on file with the Borough Clerk, not to exceed \$6,450.00; and

NOW, THEREFORE, BE IT RESOLVED that the Appropriated Budget for 2011 of \$5,000.00 (Other Expenses) for the Maintenance of Lands for Recreation and Conservation purposes is hereby approved.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to the 9/11 representatives, the Library Board and the Library Director.

April 18, 2011

\*\*\*\*\*

Motion by Councilman Cordts, seconded by Councilman Mignone to approve resolution #11-170.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Moscaritolo voted no and Councilman Cannon was absent.

#11-170 Endorse Municipal Open Space Department of Public Works

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #06-234 on August 7, 2006; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 7, 2006; and

WHEREAS, a public hearing was held on January 18, 2011 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the Department of Public Works of the Borough of River Edge submitted at the public hearing a plan for the maintenance of recreational parks for the Borough, a copy of which is on file with the Borough Clerk, not to exceed \$132,421.00; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the Department of Public Works Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2011 of \$132,421.00 (Salaries & Wages) for the Maintenance of Lands for Recreation and Conservation purposes is hereby approved.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to the Department of Public Works.

April 18, 2011

\*\*\*\*\*

Motion by Councilman Cordts, seconded by Councilman Bartelloni to approve resolution #11-171.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Moscaritolo voted no and Councilman Cannon was absent.

#11-171 Endorse Municipal Open Space Department of Public Works

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #06-234 on August 7, 2006; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 7, 2006; and

WHEREAS, a public hearing was held on January 18, 2011 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the Department of Public Works of the Borough of River Edge submitted at the public hearing a plan for the maintenance of recreational parks for the Borough, a copy of which is on file with the Borough Clerk, not to exceed \$15,756.00; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the Department of Public Works Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2011 of \$15,756.00 (Other Expenses) for the Maintenance of Lands for Recreation and Conservation purposes is hereby approved.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to the Department of Public Works.

April 18, 2011

\*\*\*\*\*

#11-172 Temporary Capital Budget

WHEREAS, the Borough of River Edge, New Jersey desires to establish the Temporary 2011 Capital Budget of said municipality by inserting thereon or correcting the items therein as shown on such budget for the following reasons:

Wayne Avenue Pump Station Generator

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of River Edge as follows:

Section 1. The 2011 Temporary Capital Budget of the Borough of River Edge is hereby established by adding thereto a Schedule to read as follows:

Project #11-2  
CAPITAL BUDGET OF THE BOROUGH OF RIVER EDGE  
Projects Scheduled for 2011  
Method of Financing

<u>Project</u>	<u>Estimated Costs</u>	<u>Capital Improv. Funds</u>	<u>General Bonds</u>
Wayne Avenue Pump Station Generator	\$50,000.00	\$2,500.00	\$47,500.00

Section 2. The Clerk is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of Permanent Capital Budget as adopted.

Section 3. The Borough Clerk is instructed to advertise this resolution as required by law.

April 18, 2011

\*\*\*\*\*

#11-173 Authorize Tax Collector to Refund Duplicate 1<sup>st</sup> Quarter 2011 Tax Payment

WHEREAS, the tax office has received a duplicate tax payment for the 1<sup>st</sup> Quarter 2011 taxes on the following property; and

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

NOW, THEREFORE, BE IT RESOLVED that the Accounts 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>
113/3	MANTELL, MICHAEL & MARY 111 Kenwood Road River Edge, NJ 07661	\$2,833.69

April 18, 2011

\*\*\*\*\*

#11-174 Authorize Tax Collector to Refund Duplicate 2<sup>nd</sup> Quarter 2011 Tax Payments

WHEREAS, the tax office has received duplicate tax payments for the 2<sup>nd</sup> Quarter 2011 taxes on the following properties; and

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

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is hereby authorized to issue checks in the following amounts and the Tax Collector to adjust her records accordingly.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Refund Amount</u>
506/17	EKIZIAN, HAGOP & JEANETTE 208 Jefferson Avenue River Edge, NJ 07661	\$497.87

602/9	MELLER, EDWARD J. 184 Jefferson Avenue River Edge, NJ 07661	\$367.46
605/33	SCHOTT, ANNELIESE 600 Frank W. Burr Boulevard Apartment 315 Teaneck, NJ 07666	\$404.20
802/19	SARAFIAN, JOHN 144 Voorhis Avenue River Edge, NJ 07661	\$448.40
1108/32	WALKER, HENRY & DOROTHY 318 Taft Road River Edge, NJ 07661	\$417.62

April 18, 2011

\*\*\*\*\*

Councilman Porco read resolution #11-175 into the record.

Motion by Councilman Porco, seconded by Councilman Cordts to approve resolution #11-175.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

#11-175 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 TOTAL	\$1,741,756.65
CAPITAL ACCOUNT	\$ 11,422.73
RECREATION ACCOUNT	\$ 3,065.88
ANIMAL WELFARE ACCOUNT	\$ 124.80
SELF INSURANCE ACCOUNT	\$ 2,445.46

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.

April 18, 2011

\*\*\*\*\*

#11-176 Resolution to Confirm Construction of an Approved Plan or Design - Reconstruction of Tennis Courts at Veteran's Memorial Park

WHEREAS, N.J.S.A. 59:4-6 provides in pertinent part that neither the public entity nor a public employee is liable for an injury caused by the plan or design of public property or any improvement thereto where the plan or design was approved in advance of construction by the Governing Body of the Borough of River Edge or a public employee exercising discretionary authority on its behalf of where such plan or design was prepared in conformity with standards previously approved by the Governing Body of the Borough of River Edge; and

WHEREAS, the Reconstruction of Tennis Courts at Veteran's Memorial Park improvement to public property has been designed by Environmental Resolutions, Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, New Jersey 08054-3415; and

WHEREAS, Environmental Resolutions, Inc. has certified that the construction of the Reconstruction of Tennis Courts at Veteran's Memorial Park improvement has been done in accordance with the plans and specifications of the project; and

WHEREAS, the Governing Body of the Borough of River Edge wishes to record its confirmation of the construction of said design.

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

1. Plans and specifications entitled "Reconstruction of Tennis Courts at Veteran's Memorial Park" prepared by Environmental Resolutions, Inc. dated December 28, 2009 be, and hereby are, approved as constructed.
2. The improvements described herein above have been completed and have been inspected by Environmental Resolutions, Inc. and they have certified to the Governing Body of the Borough of River Edge that said improvement has been constructed in accordance with the above referenced design.
3. The Borough Clerk shall archive this resolution in a manner consistent with the purpose of perpetually documenting governmental immunity in the event of any claim based upon the plan, design or construction of the improvement.

April 18, 2011

\*\*\*\*\*

#11-177 Authorize the Release of Performance Bond for SCS Contracting, Inc., 87 Shadyside Road, Ramsey, New Jersey 07446 for the Reconstruction of Tennis Courts at Veteran's Memorial Park

WHEREAS, the Borough of River Edge received a Performance Bond from SCS Contracting, Inc., 87 Shadyside Road, Ramsey, NJ 07446 on April 12, 2010 for the Reconstruction of Tennis Courts at Veterans Memorial Park; and

WHEREAS, the amount of the Performance Bond was \$211,070.00; and

WHEREAS, the Consulting Engineer has certified that the final inspection has been made and approval is given with regard to the project located at the Veterans Memorial Park; and

WHEREAS, SCS Contracting, Inc. has provided a Maintenance Bond in the amount of \$32,181.66 for a period of two(2) years; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the above referenced Performance Bond be and hereby released.

April 18, 2011

\*\*\*\*\*

OPEN HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

CLOSE HEARING OF THE PUBLIC -

There being no comments by the public, motion by Councilman Cordts, seconded by Councilman Mignone to close hearing of the public.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

COUNCIL COMMENTS -

Councilman Cordts-spoke briefly about the referendum that is coming up and feels that the Board of Education is confusing voters by their "vote yes, vote no, vote yes" campaign. He has heard from several people who seemed confused on how to vote. He feels that the most important issue right now is voting down the referendum and is disappointed that the Board of Education is focusing more on the budget. Councilman Cordts stated that if the budget is voted down it will come back to the Council for minor adjustments but if the referendum passes,

there is no going back and it will be devastating to our town. He feels that if this referendum passes and residents get up to \$1,000 tax increase, the schools will never see their budgets passed again. He encouraged everyone to get the word out to vote no and feels that the schools are being very selfish about their budget and uncooperative regarding the referendum.

Councilman Mignone-congratulated Bobbi Conway and the Recreation Commission for another successful River Edge Run. Councilman Mignone attended the Environmental Commission's meeting on Thursday and informed everyone that the River Clean Up is scheduled for Saturday, May 7<sup>th</sup> and asked everyone to keep the date open. Councilman Mignone feels that it's important to acknowledge people and made reference to a letter that was sent to Chief Cariddi by Nancy Davis, the school nurse, commending Patrolman Joe Zemaites for his presentation at Annual Health Fair for fifth and sixth graders.

Councilman Porco-also commended Bobbi Conway and the Recreation for all of their hard work on the River Edge Run. He helped set up on Saturday morning and was amazed at how much work goes into behind the scenes and again thanked everyone for taking time out and making it a successful event. Councilman Porco thanked everyone on behalf of Liz Stewart and the Shade Tree Commission, for their support and reminded everyone that Arbor Day will be celebrated on April 29<sup>th</sup>.

Councilman Moscaritolo-also thanked Bobbi Conway and noted that it was the first time he had attended the Run and was happy to see such a large crowd participating in this enjoyable event. Councilman Moscaritolo reviewed the minutes from the Historic Commissions meeting of March 23<sup>rd</sup> and explained some of the topics that were discussed. He also urged everyone to spread the word and get out and vote on April 27<sup>th</sup>. He also encouraged everyone to review all of the literature that is out there and understand the effect it will have on taxes if the funding formula is changed.

Councilman Bartelloni-stated that he was not able to attend the River Edge Run but commended Bobbi and the Commission for a well run event. Councilman Bartelloni attended Little League Opening Day and reminded everyone that the Beautification Committee will hold a fundraiser on April 30<sup>th</sup> in the parking lot of the American Legion and asked everyone to support their flower sale.

Mayor Watkins-thanked everyone for coming this evening and also thanked Bobbi and the Commission for running another successful event. The Mayor attended the Lions Club pancake breakfast at St. Peters and encouraged everyone to support and participate in the annual River Clean Up on May 7<sup>th</sup>. Mayor Watkins wished those who are celebrating Passover a safe, healthy and happy holiday and for those celebrating Easter, a blessed holiday as well.

ADJOURNMENT - 8:25 P.M.

Motion by Councilman Cordts, seconded by Councilman Bartelloni to adjourn the meeting at 8:25 p.m.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

RE-OPEN - 8:50 P.M.

Motion by Councilman Cordts, seconded by Councilman Porco to re-open the meeting at 8:50 p.m.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

Motion by Councilman Cordts, seconded by Councilman Porco to approve the separation of employment of Joseph Taylor, Laborer II in the Department of Public Works, effective May 3, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

ADJOURNMENT - 8:51 P.M.

Motion by Councilman Cordts, seconded by Councilman Porco to adjourn the meeting at 8:51 p.m.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Porco, Councilman Mignone and Councilman Cordts voted yes, Councilman Cannon was absent.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk  
Dated: