

M I N U T E S
Meeting of the Mayor and Council
Monday, February 1, 2010
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 Smith 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 18, 2009 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 - Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon, Councilman Cordts and Mayor Watkins were present.

APPROVAL OF MINUTES - By Consent

Motion by Councilwoman Walker, seconded by Councilman Cannon to approve the minutes of the Mayor and Council work session meeting of January 19, 2010.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Motion by Councilwoman Walker, seconded by Councilman Smith to approve the minutes of the Mayor and Council regular meeting of January 19, 2010.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Motion by Councilwoman Walker, seconded by Councilman Smith to approve the minutes of the Mayor and Council work session of January 25, 2010.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

PROCLAMATION & AWARDS - NONE

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilman Smith, seconded by Councilman Porco to approve the appointment of Robert Costa as Borough Engineer for a one-year term, retroactive to January 1, 2010.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Motion by Councilman Smith, seconded by Councilman Cannon to approve the salary increase of William Camera, Mechanic I, Department of Public Works from an annual salary of \$74,692.00 to \$75,172.00 due to a change in longevity from \$1,440.00 to \$1,920.00, effective February 8, 2010.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon voted yes, Councilman Cordts voted no.

Motion by Councilman Smith, seconded by Councilman Cannon to approve the salary increase of Christopher Weismann, Mechanic I, Department of Public Works from an annual salary of \$74,692.00 to \$75,172.00 due to a change in longevity from \$1,440.00 to \$1,920.00, effective February 8, 2010.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon voted yes, Councilman Cordts voted no.

Motion by Councilman Cannon, seconded by Councilman Smith to approve the salary change of Daniel Lee, Patrolman, River Edge Police Department, from an annual salary of \$44,834.00 to Patrolman 6th grade - \$54,108.00, effective February 3, 2010.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

CORRESPONDENCE -

Letter - Cablevision - 1/19/10
 Re: Tariffs
 Notice - River Edge Board of Education - 1/19/10
 RE: Meeting Notice - 1/19/10
 Letter - Public Service Electric & Gas - 1/19/10
 Re: Changes to N.J. Administrative Code
 Letter - State of N.J.-Division of Parks - 1/19/10
 Re: \$7,000 Award for 2009 Business Stimulus
 Fund
 Letter - United Water - 1/25/10
 Re: Termination of Fire
 Letter - Board of Chosen Freeholders - 1/26/10
 Re: Ordinances Adopted
 Notice - River Edge Board of Education - 1/28/10
 Re: Meeting - January 30, 2010

MONTHLY REPORTS -

Library Board - January 2010

OPEN PUBLIC HEARING - Local Assessments Kinderkamack Road, Lincoln Avenue to Christie Avenue

Motion by Councilman Smith, seconded by Councilwoman Rush to open hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

CLOSE PUBLIC HEARING - Local Assessments Kinderkamack Road, Lincoln Avenue to Christie Avenue

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

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

ORDINANCES - 1ST Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1688 as follows:

Ordinance #1688 - AN ORDINANCE APPROPRIATING \$46,000.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR PURCHASE OF EQUIPMENT, IMPROVEMENT OF BOROUGH GROUNDS

Motion by Councilman Smith, seconded by Councilwoman Rush to approve the first reading of Ordinance #1688 as follows:

BOROUGH OF RIVER EDGE
 ORDINANCE #1688

AN ORDINANCE APPROPRIATING \$46,000.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR 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 \$46,000.00 of which \$46,000.00 is from the General Capital Fund Balance.

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

- a. Repairs and improvements to Borough grounds, including but not limited to the reconstruction of the tennis courts in Veteran's Memorial Park and other appurtenances.
- b. Purchase of equipment for the Department(s) of: Police including but not limited to cell tower communication equipment.
- 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:

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Denise Dondiego, Borough Clerk read the title of Ordinance #1689 as follows:

Ordinance #1689 - AN ORDINANCE TO AMEND SECTION 2 OF ORDINANCE #1567 ENTITLED "AN ORDINANCE APPROPRIATING \$68,000 FROM THE GENERAL CAPITAL FUND - CAPITAL IMPROVEMENT FUND FOR PURCHASE OF EQUIPMENT, IMPROVEMENT OF BOROUGH BUILDING AND GROUNDS".

Motion by Councilman Smith, seconded by Councilwoman Rush to approve the first reading of Ordinance #1689 as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1689

AN ORDINANCE TO AMEND SECTION 2 OF ORDINANCE #1567 ENTITLED "AN ORDINANCE APPROPRIATING \$68,000 FROM THE GENERAL CAPITAL FUND - CAPITAL IMPROVEMENT FUND FOR PURCHASE OF EQUIPMENT, IMPROVEMENT OF BOROUGH BUILDING AND 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 1. Section 2 of Ordinance #1567 is hereby amended to increase the scope of the ordinance as authorized below:

Add:

f. Purchase of a shed and appurtenances for the shed for use by the Beautification Committee.

SECTION 2. 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:

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Denise Dondiego, Borough Clerk read the title of Ordinance #1690 as follows:

Ordinance #1690 - AN ORDINANCE AMENDING CHAPTER 246 "HUNTING AND FIREARMS" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Motion by Councilwoman Rush, seconded by Councilman Smith to approve the first reading of Ordinance #1690 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1690

AN ORDINANCE AMENDING CHAPTER 246 "HUNTING AND FIREARMS" OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge that Chapter 246 of the Code of the Borough of River Edge Area, Bulk and Yard be and hereby is amended as follows:

Section I: Section 246-1 is hereby deleted in its entirety and replaced with the following:

"Section 246-1 Hunting Prohibited"

No person, with the exception of Borough police, their designees or other law enforcement officers in the discharge of their lawful duties, shall hunt, trap, shoot, snare or in any fashion attempt to kill or capture any bird or wildlife in the borough.

Section II: Section 246-2 is hereby deleted in its entirety.

Section III: All ordinances inconsistent with the provision of this ordinance are hereby repealed as to such inconsistencies only.

Section IV: If any provision of this ordinance is found to be invalid, for any reason, by the final judgment of a competent jurisdiction, the invalidity of such portions shall not effect the remaining provisions of this ordinance, which shall be severable therefrom.

Section V: This ordinance shall take effect immediately upon final passage and publication as required by law.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated:

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Denise Dondiego, Borough Clerk read the title of Ordinance #1691 as follows:

Ordinance #1691 - AN ORDINANCE AMENDING CHAPTER 358 "SOLID WASTE" ARTICLE II "RECYCLING" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Motion by Councilman Smith, seconded by Councilwoman Walker to approve the first reading of Ordinance #1691 as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1691

AN ORDINANCE AMENDING CHAPTER 358 "SOLID WASTE" ARTICLE II "RECYCLING OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVER EDGE that Chapter 358 "Solid Waste" Article II "Recycling" of the Code of the Borough of River Edge be amended as follows:

Section I: Add Section 358-11(E) as follows:

Residential and Commercial Generated Construction and Demolition Debris. On or after the effective date of this subsection, all persons who are homeowners, lessees or occupants to separate household-generated construction and demolition debris, as defined in Section 358-9, from all other solid waste produced, and to recycle same, where practical. A proposed plan for recycling shall be submitted

to the Borough Building Department as part of an application for any building or demolition permit, as the case may be. The Borough Building Department shall immediately provide a copy of the plan to the Borough Recycling Coordinator.

The building permit holder shall provide the Building Department an invoice from the container company evidencing recycling tonnage, when available.

Section II: All ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies only.

Section III: If any provision of this ordinance is found to be invalid, for any reason, by the final judgment of a Court of competent jurisdiction, the invalidity of such portions shall not effect the remaining provisions of this ordinance, which shall be severable therefrom.

Section IV: This ordinance shall take effect immediately upon final passage and publication as required by law.

Mayor Margaret Fallahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated:

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

ORDINANCES - 2nd Reading

TABLED

TABLED

TABLED

Denise Dondiego, Borough Clerk read the title of Ordinance #1683 as follows:

Ordinance #1683 - AN ORDINANCE AMENDING CHAPTER 384 "TREES" ARTICLE I SECTION 384 "POWERS OF THE COMMISSION" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Ordinance #1683 was introduced by Councilman Cannon, seconded by Councilman Smith at the January 19, 2010 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1683

AN ORDINANCE AMENDING CHAPTER 384 "TREES" ARTICLE I SECTION 384 "POWERS OF THE COMMISSION" OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge that Chapter 384 Section 384-6(a) is hereby amended as follows:

Section I: add at end of Section 384-6(A) the following:

"except that no tree or shrubbery shall be planted in or removed from any Borough park, playground, recreational area, or other area under the jurisdiction of the River Edge Recreation Commission pursuant to Code Section 79-4, without the consent of the River Edge Recreation Commission and the River Edge Shade Tree Commission. Should the Commissions not be able to agree on a planting or removal, the final determination shall be made by the Mayor and Council."

Section II: All ordinances inconsistent with the provision of this ordinance are hereby repealed as to such inconsistencies only.

Section III: If any provision of this ordinance is found to be invalid, for any reason, by the final judgment of a competent jurisdiction, the

invalidity of such portions shall not effect the remaining provisions of this ordinance, which shall be severable therefrom.

Section IV: This ordinance shall take effect immediately upon final passage and publication as required by law.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated:

Councilman Porco-asked that Ordinance #1683 be tabled for two weeks so that both Commission's have time to discuss it.

Motion by Councilman Porco, seconded by Councilman Cannon to **TABLE** Ordinance #1683.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

TABLED

TABLED

TABLED

Denise Dondiego, Borough Clerk read the title of Ordinance #1684 as follows:

Ordinance #1684 - AN ORDINANCE AMENDING CHAPTER 79 "BOARD OF RECREATION COMMISSIONERS" SECTION 79-4 "POWERS OF COMMISSIONERS" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Ordinance #1684 was introduced by Councilman Cannon, seconded by Councilman Smith at the January 19, 2010 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1684

AN ORDINANCE AMENDING CHAPTER 79 " BOARD OF RECREATION COMMISSIONERS" SECTION 79-4"POWERS OF COMMISSIONERS " OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge that Chapter 79 Section 79-4 is hereby amended as follows:

Section I: add at the end of Section 79-4(A) the following:

"except that no tree or shrubbery may be planted in or removed from any Borough park, playground or recreational area without the consent of both the River Edge Recreation Commission and the River Edge Shade Tree Commission. Should the two Commissions be unable to agree on a planting or removal, then the final decision shall be made by the Mayor and Council."

Section II: All ordinances inconsistent with the provision of this ordinance are hereby repealed as to such inconsistencies only.

Section III: If any provision of this ordinance is found to be invalid, for any reason, by the final judgment of a competent jurisdiction, the invalidity of such portions shall not effect the remaining provisions of this ordinance, which shall be severable therefrom.

Section IV: This ordinance shall take effect immediately upon final passage and publication as required by law.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated:

Councilman Cannon-requested that Ordinance #1684 be table also so that both Commission's can meet.

Motion by Councilman Cannon, seconded by Councilman Smith to TABLE Ordinance #1684.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Denise Dondiego, Borough Clerk read the title of Ordinance #1685 as follows:

Ordinance #1685 - AN ORDINANCE AMENDING CHAPTER 206 "FEES" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Ordinance #1685 was introduced by Councilman Smith, seconded by Councilwoman Walker at the January 19, 2010 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1685

AN ORDINANCE AMENDING CHAPTER 206 "FEES" OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge that the Schedule of Fees contained in Chapter 206-2 "Schedule of Fees" of the Borough Code be and hereby is amended as follows:

SECTION I: The following language is to be deleted in its entirety:

Department of Public Works. Any person, company or organization who desire to purchase humus from the Borough of River Edge shall pay a fee from \$2.50 to \$5 per cubic yard. This fee schedule shall not apply to any person or family who shall reside in the Borough of River Edge and uses the humus on their residential property.

SECTION II: Add to Chapter 206-2 the following:

Department of Public Works:

Sale of humus	\$2.50 to \$5.00 per cubic yard
Sale of double ground humus	\$5.00 to \$10.00 per cubic yard
Delivery of humus	To be determined by DPW Superintendent
Sale of humus to residents of River Edge for use on residential property	No charge
Delivery of humus to residents of River Edge for use on residential property	\$25.00
Delivery of wood chips to residents of River Edge for use on residential property	\$25.00

SECTION III: All ordinances inconsistent with the provision of this ordinance are hereby repealed as to such inconsistencies only.

SECTION IV: If any provision of this ordinance is found to be invalid, for any reason, by the final judgment of a competent jurisdiction, the invalidity of such portions shall not effect the remaining provisions of this ordinance, which shall be severable therefrom.

SECTION V: This ordinance shall take effect immediately upon final passage and publication as required by law.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk
Dated:

OPEN HEARING OF PUBLIC - Ordinance #1685

Motion by Councilman Smith, seconded by Councilwoman Rush to open hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

CLOSE HEARING OF PUBLIC - Ordinance #1685

There being no comments by the public, motion by Councilwoman Walker, seconded by Councilman Cannon to close hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

ADOPTION - Ordinance #1685

Motion by Councilman Smith, seconded by Councilman Walker to adopt Ordinance #1685.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Denise Dondiego, Borough Clerk read the title of Ordinance #1686 as follows:

Ordinance #1686 - AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.A. 40:4-53

Ordinance #1686 was introduced by Councilman Porco, seconded by Councilman Cannon at the January 19, 2010 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1686

AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.A. 40:4-53

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, County of Bergen and State of New Jersey, that pursuant to N.J.S.A. 40A:4-53 (Chapter 48, P.L. 1956 as amended by Chapter 144, P.L. 1965 and Chapter 38, P.L. 1969) the sum of \$4,100.00 is hereby appropriated for the

A. Preparation of a revision and codification of ordinances.

And shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A-4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one fifth of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55).

This ordinance shall take effect when passed and published as required by law.

Mayor Margaret Falahee Watkins

ATTEST:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF PUBLIC - Ordinance #1686

Motion by Councilman Cannon, seconded by Councilwoman Rush to open hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

CLOSE HEARING OF PUBLIC - Ordinance #1686

There being no comments by the public, motion by Councilwoman Walker, seconded by Councilman Smith to close hearing of the public.

ADOPTION - Ordinance #1686

Motion by Councilwoman Walker, seconded by Councilman Smith to adopt Ordinance #1686.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Denise Dondiego, Borough Clerk read the title of Ordinance #1687 as follows:

Ordinance #1687 - BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF HOWLAND AVENUE FROM OAK AVENUE TO APPROXIMATELY 225 FEET WEST OF FIFTH AVENUE, A GENERAL IMPROVEMENT, AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF SUCH SECTION OF HOWLAND AVENUE, A SIDEWALK IMPROVEMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$230,000 TO PAY THE COST THEREOF, 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 #1687 was introduced by Councilman Smith, seconded by Councilwoman Rush at the January 19, 2010 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1687

BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF HOWLAND AVENUE FROM OAK AVENUE TO APPROXIMATELY 225 FEET WEST OF FIFTH AVENUE, A GENERAL IMPROVEMENT, AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF SUCH SECTION OF HOWLAND AVENUE, A SIDEWALK IMPROVEMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$230,000 TO PAY THE COST THEREOF, 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 (a) the resurfacing of Howland Avenue from Oak Avenue to approximately 225 feet west of Fifth Avenue and (b) the construction and reconstruction of sidewalks, including, where necessary, curb and driveway apron construction and reconstruction, along and in front of the following properties on such section of Howland Avenue as shown on the Tax Assessment Map of the Borough:

<u>Block</u>	<u>Lots</u>
905	16, 17
911	13, 14, 15, 16, 17, 19, 20, 21, 22, 23
1108	4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18

Said improvements shall include all work, materials and appurtenances necessary and suitable therefor. Said improvements shall be undertaken in accordance with plans and specifications prepared or to be prepared by the Borough Engineer, which plans and specifications are hereby approved and directed to be placed on file in the office of the Borough Clerk and made available for public inspection during regular business hours. It is hereby determined and stated that said road being resurfaced is 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").

Section 2. The sum of \$230,000 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 by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. It is anticipated that a grant

in the amount of \$200,000 from the New Jersey Department of Transportation shall be received by the Borough to finance the cost of the road improvements described in Section 1 hereof. Said grant funds shall be applied as set forth in Section 12 hereof. Said road resurfacing shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Said sidewalk construction and reconstruction, including, where necessary, curb and driveway apron construction and reconstruction, shall be made as a sidewalk improvement as hereinafter set forth.

Section 3. The sidewalk construction and reconstruction, including, where necessary, curb and driveway apron construction and reconstruction, shall be undertaken as a sidewalk improvement and the cost thereof not borne by the Borough shall be assessed in the following manner: an accurate account of the cost of the improvement shall be kept by an officer of the Borough and such cost shall be assessed upon the several properties fronting on the improvement in proportion to their respective frontage thereon pursuant to and in accordance with the provisions of Chapter 65 of Title 40 of the Revised Statutes of New Jersey. The portion of such cost which shall not be so assessed shall be paid by the Borough as in the case of a general improvement which is to be paid for by general taxation.

Section 4. Before making said sidewalk improvement or awarding any contract for such sidewalk improvement, the Borough Clerk shall cause notice of the proposed sidewalk improvement to be given to the owner or owners of all real estate affected thereby. Such notice shall be served in accordance with the provisions of Chapter 65 of Title 40 of the Revised Statutes of New Jersey, in particular Section 40:65-2 to Section 40:65-6, and the proof of service shall be filed with the officer of the Borough in charge of the records of tax liens of the Borough within 10 days after service thereof.

Section 5. It is hereby determined and stated that (1) the Borough will contribute \$139,500 to the cost of said sidewalk improvement, and (2) the estimated maximum amount of the special assessments for said sidewalk improvement is \$3,356, and (3) no sidewalk assessments for such improvement have been levied or confirmed, and (4) such sidewalk assessments may be paid in five annual installments.

Section 6. 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, and (3) the estimated cost of said purpose is \$230,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$230,000, and (5) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$20,000 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 7. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$230,000 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 purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$230,000 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 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 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 \$230,000 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 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 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 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 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 Dondiego, Borough Clerk

Dated:

OPEN HEARING OF PUBLIC - Ordinance #1687

Motion by Councilman Cannon, seconded by Councilwoman Walker to open hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman

Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

CLOSE HEARING OF PUBLIC - Ordinance #1687

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

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

ADOPTION - Ordinance #1687

Motion by Councilman Smith, seconded by Councilwoman Rush to adopt Ordinance #1687.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

RESOLUTIONS - By Consent

Motion by Councilman Cannon, seconded by Councilman Smith to approve resolution #10-78 through #10-90 and #10-92 and #10-93.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

#10-78 Amend Agreement with Vincent D'Amore, 575 Clarendon Court, River Edge, New Jersey 07661 for Professional Services Related to Restoration/Upgrade and/or Mitigation of Fire Company # 2 Located at 55 Ackerson Street and the Department of Public Works Facility Located at 1 Riverside Way

WHEREAS, there exists a need for expert architectural services related to the Design, Bid and Supervision for Fire Company #2 and the Department of Public Works; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Vincent D'Amore via resolution #07-173 dated May 7, 2007, amended via resolution #07-352 on October 15, 2007, amended via resolution #07-397 on December 3, 2007, amended via resolution #08-209 on May 5, 2008, amended #09-90 on February 17, 2009, amended via resolution #09-185 on April 20, 2009 and amended via resolution #09-416 dated November 16, 2009; and

WHEREAS, additional funding is required for Professional Services for Architectural Services; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1458-300 of the Capital Fund in the amount not to exceed \$3,000.00; 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, Vincent D'Amore has completed and submitted a Business Entity Disclosure Certification which certifies that Vincent D'Amore 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 Vincent D'Amore 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 per hour:

Principal	\$90.00
Draftsman.....	\$30.00
Secretary.....	\$25.00

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Vincent D'Amore, 575 Clarendon Court, River Edge, New Jersey, 07661; 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.

February 1, 2010

#10-79 Kinderkamack Road Local Assessments for Curbs, Sidewalk and Driveway Aprons

WHEREAS, reconstruction of Kinderkamack Road from Lincoln Avenue to Christie Avenue including, where necessary, curb, sidewalk and driveway apron construction were made in 2009; and

WHEREAS, the construction of new curbs, sidewalk and driveway aprons are local improvements, the value of which is assessable to owners of the adjacent property; and

WHEREAS, Ordinance #1507 authorized the construction of curbs, sidewalk and driveway aprons as a local assessment to adjoining properties and such work has been completed; and

WHEREAS, the Borough of River Edge has received a grant from the Department of Transportation for the construction of the curbs, sidewalk and driveway aprons; and

WHEREAS, the Mayor and Council have indicated at a work session that the residents shall only be assessed for the engineering portion of the cost of the curbs, sidewalk and driveway aprons on Kinderkamack Road; and

WHEREAS, James Anzevino, Tax Assessor has been appointed as the Local Board of Assessor on this project and has certified a list of properties to be assessed on Kinderkamack Road for the engineering and administrative portion of the cost of curbs, sidewalk and driveway aprons; and

WHEREAS, the Borough Clerk on January 11, 2010 has certified to the Tax Assessor that all of the residents on the list have received notice of a public hearing and report on the Kinderkamack Road assessments.

NOW, THEREFORE, BE IT RESOLVED that the following list of local assessments prepared by James Anzevino, totaling \$10,152.32 hereby confirmed and approved and shall be forwarded to the Tax Collector for billing and collection in accordance with Ordinance #1507 and the laws of the State of New Jersey.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Amount</u>
206/6	Beaugard, Joan 869 Kinderkamack Road	\$2,182.33
206/7 CT001	Pichardo, Grace 843 Kinderkamack Road	\$ 394.94
206/7 CT002	Lin, Chih-Yu & Yu 845 Kinderkamack Road	\$ 394.94
206/7 CT003	Alexander, Deborah Novak 847 Kinderkamack Road	\$ 394.94
206/7 CT004	Zhang, Huai 849 Kinderkamack Road	\$ 394.94
206/7 CT005	Reznik, Anna 851 Kinderkamack Road	\$ 394.94
206/7 CT006	Hong, Edward S. Jaon Y 853 Kinderkamack Road	\$ 394.94
206/7 CT007	Yoo, Kwang Y 855 Kinderkamack Road	\$ 394.94
206/7 CT008	Lee, Choo Chan & Yung, JA, ETALS 857 Kinderkamack Road	\$ 394.94
206/7 CT009	Callahan, Lawrence E. 859 Kinderkamack Road	\$ 394.94
206/7 CT010	Morishima, Hisayo 861 Kinderkamack Road	\$ 394.94
206/7 CT011	Lee, Bea Woo & Hyeon Soon 863 Kinderkamack Road	\$ 394.94

206/7 CT012	Bianchi, Albert V & Gilda M. 865 Kinderkamack Road	\$ 394.94
206/8	Ulmer, Kenneth T. 837 Kinderkamack Road	\$ 963.72
206/9.01	Bergen Boat Landing, Inc. 821 Summit Avenue	\$1,140.60
206/9.02	Parrasch, Walter & Rae 831 Kinderkamack Road	\$1,126.39

February 1, 2010

#10-80 Resolution Supporting the River Edge Board of Education Opposition of Using Local Tax Monies to Support Services for Out-of-State Students

WHEREAS, every school district In the State of New Jersey is endeavoring to successfully provide a quality education to all students; and

and WHEREAS, this endeavor necessitates the financial support from all areas;

WHEREAS, the preponderance of funding emanates from the local school district tax levy; and

WHEREAS, support for funding from Trenton has been and continues to be inadequate, thereby creating an even greater burden on the local taxpayer to support the mission of educating all children; and

WHEREAS, local school districts are the conduit for funding to nonpublic schools through a variety of sources including NJ State Chapter 192/193 monies which are used to support the significant expense of Child Study Team evaluations, reevaluations and annual reviews for parentally placed students in nonpublic schools within the State of New Jersey; and

WHEREAS, the River Edge Schools has raised the matter of use of Chapter 192/193 funding for out-of-state students parentally placed students in nonpublic schools within the State of New Jersey; and

WHEREAS, the Commissioner of Education has determined that local school districts cannot use Chapter funds to support Child Study needs of out-of-state students placed in New Jersey nonpublic schools; and

WHEREAS, the Commissioner of Education has determined that districts may use local funds or allowable IDEA funds, thereby redirecting these local & federal resources away from New Jersey students to out-of-state students and increasing the tax burden of providing these services to the local taxpayer; and

WHEREAS, River Edge is the home to five (5) nonpublic schools, with one school having at least sixty-eight (68) residents of New York.

THEREFORE BE IT RESOLVED, that the River Edge Board of Education does hereby voice their opposition of using local tax monies to support services for out-of-state students.

BE IT FURTHER RESOLVED, that the River Edge Board of Education hereby requests legislative correction to cure this additional tax burden.

BE IT FURTHER RESOLVED, that the River Edge Board of Education hereby requests that other school districts so affected contact their legislators in an effort to attain a corrective legislative response.

February 1, 2010

#10-81 Permission for the Lions Club to Hold Pancake Breakfast Fundraiser at the Walter Scott Brown Senior Center

WHEREAS, the Borough of River Edge purchased the Walter Scott Brown Senior Center building located at 215 Continental Avenue on December 1, 2010; and

WHEREAS, the Lions Club has for many years held a pancake breakfast fundraiser at the Walter Scott Brown Senior Center for the benefit of the community; and

WHEREAS, a request has been received by the Lions Club to hold their pancake breakfast fundraiser at the Walter Scott Brown Senior Center building on March 28, 2010; and

WHEREAS, the Borough Attorney has researched the request and has

determined that the Borough is permitted to use the building for this purpose in accordance with the procedures of the County of Bergen Community Block Grant Program; and

WHEREAS, the Lions Club has agreed to provide an insurance certificate naming the Borough of River Edge as an additional insured; and

WHEREAS, this matter was discussed at a work session of the Mayor and Council on January 19, 2010 and the Governing Body feels that it is in the best interest of the Borough to hold the pancake breakfast fundraiser.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge does hereby grant permission to the Lions Club to hold their annual pancake breakfast fundraiser at the Walter Scott Brown Senior Center building, 215 Continental Avenue on March 28, 2010.

February 1, 2010

#10-82 Amend Resolution #10-62

WHEREAS, resolution #10-62 cancelled two (2) outstanding checks on January 19, 2010; and

WHEREAS, check #4055 for the Recreation Commission was considered stale-dated by the bank upon which it was drawn; and

WHEREAS, the Recreation Commission check #4055 dated August 3, 2009 in the amount of \$125.00 had been cashed.

NOW, THEREFORE, BE IT RESOLVED that resolution #10-62, dated January 19, 2010, is hereby amended to omit check #4055 from being cancelled.

BE IT FURTHER RESOLVED that the Borough Clerk and Accounts Supervisor are hereby instructed to change her records accordingly.

February 1, 2010

#10-83 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Design and Inspection for Emergency Repairs to the Borough's Infrastructure

WHEREAS, there exists a need for expert professional engineering services related to the Design and Inspection for Emergency Repairs to the Borough's Infrastructure; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-100 of the Current Fund not to exceed \$2,000.00; and

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

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

WHEREAS, the rate of pay shall not exceed \$65.00 per hour as Borough Engineer and per hour rates as follows:

Principal Land Surveyor.....	\$ 75.00
Survey Field Crew.....	\$150.00
Senior Designer.....	\$ 65.00
Senior Drafter.....	\$ 55.00
Computer Drafting.....	\$ 75.00

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

4. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 327 South River Street, Suite 302, Hackensack, New Jersey 07601; and
5. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
6. 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.

7. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

February 1, 2010

#10-84 Authorize Clerk to Go Out for Bid for the Stream Stabilization Project at Veteran's Memorial Park and Approve Plan or Design

WHEREAS, the Borough of River Edge desires to out for bid for the Stream Stabilization Project at Veteran's Memorial Park; and

WHEREAS, Environmental Resolutions, Inc. has submitted plans and specifications for the project entitled Stream Stabilization Project at Veteran's Memorial Park to the Mayor and Council of the Borough of River Edge; and

WHEREAS, these plans and specifications have been reviewed by the Borough Engineer and Borough Attorney at a work session held on February 1, 2010; and

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 or a public employee exercising discretionary authority on its behalf or where such plan or design was prepared in conformity with the standards previously approved by the Governing Body; and

WHEREAS, the following improvement to public property has been designed by Environmental Resolution, Inc.; and

WHEREAS, the Mayor and Council of the Borough of River Edge wishes to record its approval of said design.

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

1. Plans and specifications for the project entitled Stream Stabilization Project at Veteran's Memorial Park prepared by Environmental Resolution, Inc. and dated July 4, 2009 be, and hereby are approved.
2. Upon completion of the improvements described herein above, the Borough Engineer shall inspect said improvement and certify to the Governing Body, before final payment is made for same 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.

BE IT FURTHER RESOLVED, that the Clerk be authorized to advertise in THE RECORD for the purpose of providing said service.

February 1, 2010

#10-85 Authorize Clerk to Go Out for Bid for the Reconstruction of Tennis Courts at Veteran's Memorial Park and Approve Plan or Design

WHEREAS, the Borough of River Edge desires to out for bid for the Reconstruction of Tennis Courts at Veteran's Memorial Park; and

WHEREAS, Environmental Resolutions, Inc. has submitted plans and specifications for the project entitled Reconstruction of Tennis Courts at Veteran's Memorial Park to the Mayor and Council of the Borough of River Edge; and

WHEREAS, these plans and specifications have been reviewed by the Borough Engineer and Borough Attorney at a work session held on February 1, 2010; and

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 or a public employee exercising discretionary authority on its behalf or where such plan or design was prepared in conformity with the standards previously approved by the Governing Body; and

WHEREAS, the following improvement to public property has been designed by Environmental Resolution, Inc.; and

WHEREAS, the Mayor and Council of the Borough of River Edge wishes to record its approval of said design.

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

1. Plans and specifications for the project entitled Reconstruction of Tennis Courts at Veteran's Memorial Park prepared by Environmental Resolution, Inc. and dated December 28, 2009 be, and hereby are approved.
2. Upon completion of the improvements described herein above, the Borough Engineer shall inspect said improvement and certify to the Governing Body, before final payment is made for same 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.

BE IT FURTHER RESOLVED, that the Clerk be authorized to advertise in THE RECORD for the purpose of providing said service.

February 1, 2010

#10-86 Green Communities Grant - PF10-099

WHEREAS, the Governing Body of the Borough of River Edge desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000.00 to fund the following project: 2010 Green Communities Grant, Community Forestry Management Plan.

NOW, THEREFORE, BE IT RESOLVED that Mayor Margaret Falahee Watkins or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in any amount not less than \$3,000.00 and not more than \$3,000.00, and (c) to execute any amendments thereto which do not increase the Grantee's obligations.

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of River Edge authorizes and hereby agrees to match 33.3% of the total project amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services or property, is hereby certified. 100% of the match will be made up of in kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable federal, state and municipal laws, rules and regulations in its performance pursuant to the agreement.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Joseph C. Bennett, Assistant Regional Forester/Grants Administrator, New Jersey Forest Service, 501 East State Street, P.O. Box 404, Trenton, New Jersey, 08625-0404.

February 1, 2010

#10-87 Resolution Approving the Certification List of Volunteer Members of the River Edge Volunteer Fire Department Qualifying for Credit Under the Length of Service Awards Program (LOSAP) for 2009

WHEREAS, the Borough of River Edge adopted Ordinance #1289 on May 7, 2000 which created the Length of Service Awards Program (LOSAP); and

WHEREAS, N.J.S.A. 40A:14-191 requires that the River Edge Volunteer Fire Department furnish the Mayor and Council with an annual certification list of all volunteer members who have qualified for credit under the award program for the previous year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the Mayor and Council hereby approves the list of the volunteer members of the River Edge Volunteer Fire Department certified by the Chief of the Fire Department for the year 2009, a copy of which list is attached here as Exhibit A; and

BE IT FURTHER RESOLVED that a copy of this resolution be posted by the Chief of the Fire Department.

February 1, 2010

#10-88 Authorize Refund of 2009 Added Assessments Due to County Board Judgments

Whereas, the Tax Office has received County Board Judgments for the year 2009 on the following properties reducing the Added Assessment values for the year 2009.

Now, Therefore Be It Resolved, that the Account Supervisor refund the following property owners and the Tax Collector adjust her records accordingly.

<u>Block/Lot</u>	<u>Property Owner</u>	<u>2009 Refund Amount</u>
305/53	Medina, Francisco M. 772 Millbrook Road River Edge, NJ 07661	\$ 36.63
809/28	Mock, Allen 418 Windsor Road River Edge, NJ 07661	\$1,009.15
809/32	Chan, Baldwin & Judy 406 Windsor Road River Edge, NJ 07661	\$ 287.74
908/32	Hessman, Keith & Lisa 188 Beech Drive North River Edge, NJ 07661	\$1,486.56

February 1, 2010

#10-89 Authorize Cancellation of 2009 Added Assessment Due to County Board Judgment

WHEREAS, the Tax Office has received County Board Judgments for the year 2009 on the following properties reducing the Added Assessment values for the years 2008 and 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to cancel the following balances and adjust her records accordingly.

<u>Block/Lot</u>	<u>Property Owner</u>	<u>Year</u>	<u>Cancelled Amount</u>
207/20	Schlossberg, Robert & Joellen 84 Gates Avenue River Edge, NJ 07661	2008	\$694.80
		2009	\$732.60

February 1, 2010

#10-90 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 February 2, 2010 meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
10-2/1-1	Potential Litigation - Daly v. River Edge	N.J.S.A. 10:4-12(7)

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.

February 1, 2010

Councilwoman Rush read resolution into the record.

Motion by Councilwoman Rush, seconded by Councilman Smith to approve resolution #10-91.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

#10-91 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	\$6,402,287.83
CAPITAL ACCOUNT	\$ 2,410.00
OPEN SPACE ACCOUNT	\$ 988.00
TRUST OTHER ACCOUNT	\$ 160.00

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

February 1, 2010

#10-92 Resolution for ROID Grant to Provide Opportunities for Active Participation by Children with Special Needs

WHEREAS, the Borough of River Edge desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$2,000.00 to carry out a project to Provide Opportunities for Active Participation by Children with Special Needs; and

BE IT RESOLVED that the Borough of River Edge does hereby authorize the application for such a grant, and recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement, and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of River Edge and the new Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

Margaret Falahee Watkins, Mayor
Administrator/CFO

Alan P. Negreann,

February 1, 2010

#10-93 Resolution to Cancel 2009 Tax Balances Under \$1.00

WHEREAS, N.J.S.A. 40A5-17.1 provides that the governing body of the municipality may, by resolution, authorize cancellation of property taxes up to \$10.00; and

WHEREAS, the following properties are showing open balances in the 2009 tax year in the following amounts.

Block/Lot	Property Owner	Tax Amounts to be Cancelled	
		Overpaid	Delinquent
117/6	Sherry		.58
304/9	Weismann		.01
401/5	Scott		.90
601/19	Leahy	(.01)	
602/4	Watson	(.01)	.01
808/19	Zhang		.55
909/9	Benegal		.81
1003/12	Caruso		.61
1204/11	Lee		.04
1402/4	BCF Investors, LLC		.20
1403/11	Vega		.01
		(.02)	\$3.72

THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to cancel the following balances and adjust her records accordingly.

February 1, 2010

OPEN HEARING OF THE PUBLIC -

Motion by Councilwoman Rush, seconded by Councilman Smith to open hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Neal Carroll - 321 Wales Avenue-asked if the orange barrels and signs can be removed along Kinderkamack Road between Lincoln and Christie now that the project has been completed.

Denise Dondiego-stated that she spoke with Bob Costa about those issues and he told her that there are still a few things that need to be done before the project is complete.

Peggy White-741 Center Avenue-complained that the brick crosswalk on Lincoln Avenue is all broken up and asked what is going to be done about it.

Alan Negreann-explained that they are going to make it a regular crosswalk because the bricking is too hard to maintain.

Peggy White-asked if that bricking is the same as what is down on Grand Avenue?

Bill Lindsley-replied, no it's different.

Peggy White-asked why we can't just paint it because she feels that it would look better.

Alan Negreann-explained that because there are different types of paint and sealants, the engineer will have to make a recommendation on that.

Neal Carroll-made reference to the boat ramp by the Swim Club and stated that he was under the impression that the Mosquito Commission would come and clean-up the area and remove the silt in the river by the boat ramp. He was also under the impression that once that was done, they would return every six months to continue to keep it clear. He further stated that the County, Hackensack Fire Department, River Edge, New Milford and Oradell Police and Fire Departments use this ramp. While he was down there, he took pictures of the area at high and low tide and forwarded them to the Borough Engineer. In recent weeks, the Borough Engineer told Neal that there is no money in the budget to do this work and recommended that he contact the DEP, U.S. Coast Guard and Fish and Game. A few months ago, the engineer told Neal that he didn't think they would be able to clean that area up because the Riverkeeper was not in favor of it. Neal stated that he is going to pursue this further by taking this to the County Executive, County Freeholders, State of New Jersey and Washington D.C. in hopes that we can get this area cleaned up before there is an emergency and the Police or Fire Departments are not able to gain access the river.

Mayor Watkins-stated that she understands his frustration and explained that it's a long drawn out process when you have to deal with the DEP and our waterways.

Neal Carroll-asked for a copy of the area plan from the Swim Club or Recreation Commission that he could turn over to federal agencies.

Alan Negreann-stated that the Borough has something that is attached to the lease agreement with the Swim Club which delineates the parking lot and the other area that they can provide to Mr. Carroll.

CLOSE HEARING OF THE PUBLIC -

Motion by Councilwoman Rush, seconded by Councilman Smith to close hearing of the public.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

COUNCIL COMMENTS -

Councilman Cordts-asked if there would be an opportunity for our Council to attend the school's budget meetings.

Mayor Watkins-stated that the school has their budget meeting the same time our Council does but they will be having a public hearing on their budget on Wednesday, March 31st and hopefully our Council members will be able to attend.

Councilman Cordts-feels that it's important for our Council to be involved in the school budget because it takes up a large portion of our taxes.

Councilman Cannon-had no comment.

Councilman Smith-reminded everyone that the census is still ongoing and again explained the importance of getting the correct count because it will effect grants and funding for the next ten years. He assured that this information is strictly confidential.

Councilman Porco-had no comment.

Councilwoman Rush-thanked Neal Carroll for all of the work that he does for the Town in trying to get services for free. She informed everyone that the Mayor, Council and Citizen's Budget Committee continue to meet every Saturday to go over the budget and invited anyone who is interested to attend.

Councilwoman Walker-was very encouraged at last weeks work session to have representatives from New Jersey Transit here to discuss redevelopment. She was also encouraged that the other property owners heard the information directly from New Jersey Transit.

Mayor Watkins-was also glad that New Jersey Transit came up because it has been quite a few years since the Mayor and Council has received any input from them. The Mayor attended an art display at the Cultural Center which featured artwork from students who attend Cherry Hill and Roosevelt Schools and encouraged everyone to attend. The Mayor thanked everyone for coming up this evening and also invited everyone to attend the budget meetings on Saturday mornings. The Mayor stressed the importance of residents getting involved and understanding the budget process.

ADJOURNMENT - 8:35 P.M.

Motion by Councilwoman Rush, seconded by Councilwoman Walker to adjourn the meeting at 8:35 p.m.

ROLL CALL VOTE: Councilwoman Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts voted yes.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated: