

M I N U T E S
Meeting of the Mayor and Council
Tuesday, January 19, 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 Councilwoman Walker 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 Councilman Smith, seconded by Councilwoman Walker, to approve the minutes of the Mayor and Council work session of December 28, 2009.

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

Motion by Councilman Smith, seconded by Councilwoman Walker to approve the minutes of the Reorganization Meeting of the Mayor and Council of January 4, 2010.

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

PROCLAMATION & AWARDS -

Mayor Watkins read the Proclamation Declaring January 31st - February 6th as Catholic Schools Week into the record as follows:

PROCLAMATION

WHEREAS, St. Peter Academy plays an important role in our community by furnishing our leaders of tomorrow with basic human, moral and spiritual foundations; and

WHEREAS, St. Peter Academy strengthens the community and nation by keeping viable the right to freedom of religion, under law; and

WHEREAS, St. Peter Academy is intended to fulfill the threefold purpose of message, community and service; and

WHEREAS, the NCEA (National Catholic Educational Association) has declared the week of January 31, 2010 through February 6, 2010 as Catholic Schools Week in the United States of America, with their theme being "Dividends for Life" - Faith, Knowledge, Discipline and Morals."

NOW, THEREFORE, BE IT RESOLVED that I, Margaret Falahee Watkins,

Mayor of the Borough of River Edge, in recognition thereof, do hereby proclaim

January 31st through February 6, 2010 as:

CATHOLIC SCHOOLS WEEK

IN

RIVER EDGE, NEW JERSEY

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the Borough of River Edge to be affixed this January 19, 2010.

Mayor Margaret Falahee Watkins

January 19, 2010

Mayor Watkins presented the proclamation to Sister Barbara and Sister Jean and St. Peter Student Council members as follows: Rhamer Bernardz, Student Council President, Denisse Ruatos, School Spirit, Ivelisse Mandato, Publicity and Jennifer Faiz, Corresponding Secretary.

Mayor Watkins presented a Certificate of Recognition for Laura Grunberg for receiving the "I Love My Librarian!" 2009 Award and congratulated and thanked her for her dedication to the community.

Laura stated that this award is sponsored by the Carnegie Corporation of New York, the New York Times and the American Library Association. They put out a call every year to people who come in to libraries to nominate Librarian's who have degrees for a service award in recognition for their contribution to their community. Laura also stated that there were ten recipients and she was the only one from New Jersey who received this award. She stated that she is deeply honored to be recognized in this way by the Council and the residents of River Edge. She thanked Library Director Daragh O'Connor for fostering an extreme level of customer service in the Library and also thanked the Library Board for their support.

The Fire Department made a presentation to the Winner of the 2009 Fire Prevention Poster Contest - Christopher Kazianis

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilman Smith, seconded by Councilwoman Rush to approve the separation of Martha Smith, Senior Bus/Van Dispatcher, effective January 1, 2010.

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

Motion by Councilman Porco, seconded by Councilman Cannon to approve the salary increase of Marc Abate, Patrolman in the River Edge Police Department from an annual salary of \$112,938.40 to \$115,110.29 due to a longevity increase from 4% to 6%, effective January 12, 2010.

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

Motion by Councilman Cannon, seconded by Councilwoman Walker to approve the resignation of Rena Vogt from the Traffic & Safety Committee effective January 1, 2010.

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

Motion by Councilwoman Rush, seconded by Councilman Smith to approve the appointment of Joseph Taylor, Jr., 180 Hasbrouck Avenue, Hasbrouck Heights to the River Edge Volunteer Fire Department, effective immediately.

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

Motion by Councilwoman Rush, seconded by Councilman Smith to approve the appointment of James B. Rattarasa, 166 Ross Avenue, Hackensack to the River Edge Volunteer Fire Department, effective immediately.

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 appointment of Saverio Cereste, Esq., 1624 Center Avenue, Fort Lee, N.J. as Planning Board Attorney, effective 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 Councilwoman Rush to approve the appointment of Lisa Aljian, Esq., Wells, Jaworski & Liebman, LLP, 12 Route 17 North, P.O. Box 1827, Paramus, N.J. as Zoning Board Attorney, effective 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 Councilwoman Rush to approve the appointment of Lisa Hessman as Certified Municipal Recycling Clerk at an hourly rate of \$22.43 for 3 hours per week with a six month probationary period, effective January 20, 2010.

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

CORRESPONDENCE -

Letter - N.J. General Assembly - 12/31/09
Re: Assembly Bill #3299
Notice - River Edge Board of Education - 1/5/10
Re: Meeting - January 6, 2010
Letter - Rena Vogt - 1/5/10
Re: Resignation from Traffic & Safety
Letter - State of N.J., DEP, Dept. of Parks - 1/6/10
Re: \$3,000 Award for Green Communities Grant
Letter - County of Bergen - 1/7/10
Re: Volunteers for Addling Goose Eggs
Letter - Verizon - 1/8/10
Re: Annual FiOS Customer Notification
Letter - State of New Jersey - DOT - 1/11/10
Re: No Grant for Kinderkamack Road Project
Letter - N.J. General Assembly - 1/13/10
Re: Defined Benefit Plan
Letter - State of New Jersey - 1/15/10
Re: 38 Tenney Avenue-Area of Concern

MONTHLY REPORTS -

Code Enforcement - December 2009
Fire Prevention - October - December 2009
Building Department - December 2009
Police Department - December 2009
Zoning Board of Adjustment - November 2009

PUBLIC HEARING OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND ALLOCATION OF MONIES

Open Public Hearing

Motion by Councilman Cannon, 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.

Alan Negreann-stated that they have received requests from the Shade Tree Commission in the amount of \$13,095.00, Department of Public Works in the amount of \$155,247.00 which is broken down between salary and wages and other expenses, Recreation Commission for a net amount of \$45,300.00, and 9/11 Memorial Committee requested \$6,570.00. He informed everyone that he doesn't have an exact amount right now but based on last years numbers the amount available would be \$160,717.00.

Dan Bruen- spoke on behalf of the Recreation Commission and explained their requests which included the stream stabilization, tennis courts, geese control and field maintenance.

Ann McCarthy-spoke on behalf of the 9/11 Memorial Committee. Their request represents maintenance for the park, replacement of stone at the entrance of the park and replacement of the mulch with ground cover.

Jim Conway - stated that the Committee does understand the financial constraints that the Borough is experiencing and would decrease the original amount 20% which would bring the request down to \$5,100.00.

Alan Negreann-asked if they had any plans for the \$4,000.00 they have in the trust fund.

Ann McCarthy-replied that they're looking to use it towards stone and ground cover.

Alan Negreann-asked if that is in addition to the \$5,100.00.

Ann McCarthy-replied, yes.

Jim Conway-stated that he wasn't aware they had unexpended funds in an account.

Alan Negreann-explained that there is \$3,881 in donations that was raised by the Committee and there is still \$696.00 in old open space money.
Jim Conway-explained that they expend more money than just what is given to them by the Council and they expect to do more fundraising in 2010.
Liz Stewart-spoke on behalf of the Shade Tree Commission. Their request represents additional tree plantings and plantings in the park.
Ray Ramos-spoke on behalf of the Beautification Committee. The Committee is requesting \$4,400.00 for a shed to be placed on Library property so that they can store supplies.
Alan Negreann-stated that there is capital money available for this purpose.
Councilman Smith-stated that these funds will come from a capital ordinance which was set up for the banners several years ago and there is money left for this purpose.
Councilwoman Walker-asked if they are asking for any open space money.
Councilman Smith-stated that Beautification is not asking for any open space money but Stacy Stein was not able to find out if the mulch would be put in the DPW budget again this year.
Alan Negreann-stated that this hearing was held earlier than we normally do because there was a need for a match for the tennis court reconstruction to make sure we get out to bid and get the project done. He asked that if that match is now in the capital area and not part of open space, would the Council take an opportunity to digest what they've heard tonight and then have another discussion on it at a later meeting date.
Councilwoman Rush-asked if we have this money in capital.
Alan Negreann-explained that a capital request has been made and they can have a discussion on how to finance it whether to take it out of fund balance or capital surplus. The process would be a lot shorter than waiting for a bond ordinance to be adopted.
Councilwoman Rush-asked if there is money on an old ordinance that could be re-dedicated to this.
Alan Negreann-replied, that there may be, but that would still take an ordinance reading and take the usual ordinance process.
Councilwoman Rush-asked why we should use capital surplus.
Alan Negreann-explained that it would shorten the time span to just two meetings.
Councilman Smith-spoke on behalf of the DPW stating that John Lynch had put in a significant request that the Council will have to review. He further explained that there may be items that relate to the parks and other areas.

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

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

Close Public Hearing

There being no comments by the public, motion by Councilman Smith, seconded by Councilwoman Walker 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 #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

Motion by Councilman Cannon, seconded by Councilman Smith to approve the first reading of Ordinance #1683 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:

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 #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

Motion by Councilman Cannon, seconded by Councilman Smith to approve the first reading of Ordinance #1684 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:

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

Motion by Councilman Smith, seconded by Councilwoman Walker to approve the first reading of Ordinance #1685 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:

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

Motion by Councilman Porco, seconded by Councilman Cannon to approve the first reading of Ordinance #1686 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:

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.

Motion by Councilman Smith, seconded by Councilwoman Rush to approve the first reading of Ordinance #1687 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:

Block	Lots
905	16, 17
911	13, 14, 15, 16, 17, 19, 20, 21, 22, 23

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:

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

ORDINANCES - 2nd Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1681 as follows:

Ordinance #1681 - AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2010

Ordinance #1681 was introduced by Councilwoman Rush, seconded by Councilman Smith at the January 4, 2010 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1681

AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2010

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge:

Section 1: The compensation for the full-time employees of the Department of Public Works shall be:

<u>Department of Public Works</u>	<u>2010</u>	
	<u>Hourly</u>	<u>Annually</u>
Mechanic I		\$70,287 - \$73,252
General Repairer		\$68,110 - \$70,974
Equipment Operator I		\$63,772 - \$66,450
Tree Trimmer I		\$63,156 - \$65,810
Mechanic II		\$59,259 - \$61,494
General Repairer II		\$57,270 - \$59,618
Equipment Operator II		\$55,946 - \$59,829
Tree Trimmer II		\$51,424 - \$53,768
Laborer I		\$47,624 - \$51,126
Laborer II		\$40,283 - \$44,462

In addition to the salaries set forth above, all full time employees holding these positions listed herein shall have added to base pay the following percentage computed on the basis of the prevailing salary:

	<u>Date of Employment</u>	
	<u>Pre 7/1/93</u>	<u>Post 7/1/93</u>
During:		
5 - 8 years of service -	2%	\$ 480.00
9 -12 years of service -	4%	\$ 960.00
13-16 years of service -	6%	\$ 1,440.00
17-20 years of service -	8%	\$ 1,920.00
21 Plus years of service-	10%	\$ 2,400.00

Section 2. In addition to the salaries set forth herein, Department of Public Works employees of the Borough of River Edge covered under the Collective Bargaining Agreement with Local 108, RWDSU, AFL-CIO Blue Color Unit for the years January 1, 2007 through December 31, 2011 shall be entitled to those benefits as specified in the Collective Bargaining Agreement with Local 108, RWDSU, AFL-CIO Blue Color Unit for the years January 1, 2007 through December 31, 2011.

Any difference in terms between the above Agreement and Ordinance, the Agreement will be deemed dispositive.

The employee compensation disclosure form shall be made part of any formal action taken by the local unit, but shall not be considered part of any contract or agreement.

Section 3. Compensation for the following part-time positions and officers of the Borough of River Edge for the year 2010 is hereby supplemented and amended as follows:

<u>Annually</u>	<u>Hourly</u>
Bus/Van Driver	\$7.00 - \$16.35
Recycling Caretaker/Litter Enf.	\$7.00 - \$17.98

Section 4: The salaries, wages or compensation of all officers and employees shall be paid in twenty-four (24) installments, or upon presentation of duly executed vouchers as required by law.

Section 5: This ordinance shall take effect as of January 1, 2010 when passed and published as required by law.

Margaret F. Watkins, Mayor

ATTEST:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF PUBLIC - Ordinance #1681

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

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

Joyce Polyniak-127 Bogert Road-was under the impression that the salaries were fixed and asked if this is a procedural vote.
Alan Negreann-explained that we currently have a contract in place with the Department of Public Works.

CLOSE HEARING OF PUBLIC - Ordinance #1681

Motion by Councilman Smith, seconded by Councilwoman Rush 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 #1681

Motion by Councilman Smith, seconded by Councilwoman Rush to adopt Ordinance #1681.

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 #1682 as follows:

Ordinance #1682 - AN ORDINANCE AMENDING CHAPTER 65 "OFFICERS AND EMPLOYEES" OF THE CODE OF THE BOROUGH OF RIVER EDGE
OPEN HEARING OF PUBLIC - Ordinance #1682

Ordinance #1682 was introduced by Councilwoman Rush, seconded by Councilman Cannon at the January 4, 2010 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1682

AN ORDINANCE AMENDING CHAPTER 65 "OFFICERS AND EMPLOYEES" 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 65 OF THE Borough Code is hereby amended as follows:

Section I: Add the following:

"ARTICLE III" MUNICIPAL ATTORNEY

Section 65-10. Office created

In accordance with N.J.S.A. 40A:9-139 there is hereby created and established the position of Municipal Attorney.

Section 65-11. Compensation.

Compensation shall be in an annual salary and at an hourly rate based on actual time and expenses as agreed on prior to the rendering of services.

Section 65-12. Term.

The term of the Municipal Attorney shall be for one (1) year.

"ARTICLE IV" MUNICIPAL ENGINEER

Section 65-13 Office Created

In accordance with the terms of N.J.S.A. 40A:9-140 there is hereby created and established the position of Municipal Engineer.

Section 65-14 Compensation

Compensation shall be in an annual retainer and an hourly rate based upon actual time and expenses agreed on prior to the rendering of the services.

Section 65-15 Term.

The term of the Municipal Engineer shall be for one (1) year.

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 Dondiego, Borough Clerk

Dated:

OPEN HEARING OF PUBLIC - Ordinance #1682

Motion by Councilman Smith, 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 #1682

There being no comments by the public, motion by Councilwoman Walker, 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.

ADOPTION - Ordinance #1682

Motion by Councilman Smith, seconded by Councilwoman Walker to adopt Ordinance #1682.

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

RESOLUTIONS - By Consent

Motion by Councilman Smith, seconded by Councilwoman Walker to approve resolution #10-55 through #10-71 and resolution #10-73 through #10-76.

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

#10-55 Change in Personnel Policy & Procedure Manual, Family Leave Policy

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 IV, Subject 10, with regard to Family Leave Policy; and

WHEREAS, the Mayor and Council considered at their work session of January 19, 2010 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. Delete the following paragraphs to Section IV, Leave, Subject 10.

Policy

In accordance with the New Jersey Family Leave Act (NJFLA), N.J.S.A. 34:11B-1 et seq. employees of the Borough of River Edge who have been employed by the Borough for at least twelve (12) months and have worked at least 1,000 base hours in the preceding twelve (12) months are entitled to family leave for up to twelve (12) weeks in a twenty-four (24) month period. A covered employee may take unpaid leave under the NJFLA for the following:

1. Bond with a child during the first twelve (12) months after the child's birth, if the covered employee or the domestic partner or civil union partner of the covered employee is the biological parent of the child, or the first twelve (12) months after the placement of a child for adoption with the covered employee, or
2. Care for a family member with a serious health condition supported by a certification provided by a health care provider.

"Family member" means a child, spouse, domestic partner, civil union partner or parent of a covered employee

"Child" means a biological, adopted, or foster child, stepchild or legal ward of a covered employee, child of a domestic partner of the covered employee, or child of a civil union partner of the covered employee, who is less than nineteen (19) years of age or is nineteen (19) years of age or older by incapable of self-care because of mental or physical impairment.

Where the need for leave is foreseeable due to the birth or adoption of a child, the employee must provide at least thirty (30) days notice to the employee's Department Head.

Where leave is due to the serious health condition of a family member, the employee must provide thirty (30) days advance notice, unless emergent circumstances warrant less notice.

If the need for leave is unforeseeable, the employee must provide notice as soon as practicable. Under most circumstances this will require the employee to provide notice within two (2) working days of discovery of the need for NJFLA leave. However, an employee need not provide such notice where extraordinary circumstances make it impossible. If an employee does not provide proper notice and has no reasonable explanation for delay, the Borough may delay the leave until property notice is given.

2. Add the following paragraphs to Section IV, Leave, Subject 10.

Policy:

In accordance with the New Jersey Family Leave Act (NJFLA) N.J.S.A. 34:11B-1 et seq., the Borough of River Edge does hereby adopt the following policy:

It is the policy of the Borough of River Edge to protect and promote the stability and economic security of family units. Employees should be entitled to take a period of leave upon the birth or placement for adoption of a child or serious health condition of a family member without risk of termination of employment and without loss of certain benefits.

Definitions:

As used in this Section:

a. "Child" means a biological, adopted, or resource family child, stepchild, legal ward, or child of a parent who is

(1) under 18 years of age; or

(2) 18 years of age or older but incapable of self-care because of a mental or physical impairment.

b. "Employee" means a person who is employed for at least 12 months by the Borough and for not less than 1,000 base hours during the 12-month period immediately preceding the requested leave.

c. "Parent" means a person who is the biological parent, adoptive parent, resource family parent, step-parent, parent-in-law or legal guardian, having a "parent-child relationship" with a child as defined by law, or having sole or joint legal or physical custody, care, guardianship, or visitation with a child.

i. "Family leave" means leave from employment so that the employee may provide care made necessary by reason of:

(1) the birth of a child of the employee;

(2) the placement of a child with the employee in connection with adoption of such child by the employee; or

(3) the serious health condition of a family member of the employee.

j. "Family member" means a child, parent, spouse, or one partner in a civil union couple.

k. "Reduced leave schedule" means leave scheduled for fewer than an employee's usual number of hours worked per workweek but not for fewer than an employee's usual number of hours worked per workday, unless agreed to by the employee and the Borough.

l. "Serious health condition" means an illness, injury, impairment, or physical or mental condition which requires:

(1) inpatient care in a hospital, hospice, or residential medical care facility; or

(2) continuing medical treatment or continuing supervision by a health care provider.

Procedures:

An employee shall be entitled to a family leave of 12 weeks in any 24-month period upon advance notice to the Borough.

A. In the case of a family member who has a serious health condition, the leave may be taken intermittently when medically necessary, if:

(1) The total time within which the leave is taken does not exceed a 12-month period for each serious health condition episode;

(2) The employee provides the employer with prior notice of the leave in a manner which is reasonable and practicable; and

(3) The employee makes a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the employer.

B. In the case of the birth or adoption of a healthy child, the leave may be taken intermittently if agreed to by the employer and the employee.

C. Leave taken because of the birth or placement for adoption of a child may commence at any time within a year after the date of the birth or placement for adoption.

D. The Borough may require that any period of family leave be supported by certification issued by a duly licensed health care provider or any other health care provider determined by the director to be capable of providing adequate certification.

(i) Where the certification is for the serious health condition of a family member of the employee, the certification shall be sufficient if it states:

(a) the date on which the serious health condition commenced; (b) the probable duration of the condition; and (c) the medical facts within the provider's

knowledge regarding the condition;

(ii) Where the certification is for the birth or placement of the child, the certification need only state the date of birth or date of placement, whichever is appropriate.

In any case in which the Borough has reason to doubt the validity of the certification provided pursuant to paragraph (1) of this subsection, the Borough may require, at its own expense, that an employee obtain an opinion regarding the serious health condition from a second health care provider designated or approved, but not employed on a regular basis, by the Borough. If the second opinion differs from the certification provided pursuant to paragraph (1) of this subsection, the Borough may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee concerning the serious health condition. The opinion of the third health care provider shall be considered to be final and shall be binding on the Borough and the employee.

F. In any case in which the necessity for leave under this act is foreseeable, based upon an expected birth or placement of the child for adoption, the employee shall provide the employer with prior notice of the expected birth or placement of the child for adoption in a manner which is reasonable and practicable.

G. No employee shall, during any period of leave taken pursuant to this section, perform services on a full-time basis for any person for whom the employee did not provide those services immediately prior to commencement of the leave.

Reduced Leave Option:

An employee shall be entitled, at the option of the employee, to take this leave on a reduced leave schedule, except that:

A. The employee shall not be entitled to a reduced leave schedule for a period exceeding 24 consecutive weeks; and

B. The employee shall not be entitled to take the leave on a reduced leave schedule without an agreement between the employer and employee, if the leave is taken upon the birth or adoption of a healthy child.

The employee shall make a reasonable effort to schedule reduced leave so as not to disrupt unduly the operations of the employer and the employee shall provide the employer with prior notice of the care, medical treatment, or continuing supervision by a health care provider necessary due to a serious health condition of a family member, in a manner which is reasonable and practicable. Leave taken on a reduced leave schedule shall not result in a reduction of the total amount of leave to which an employee is entitled.

January 19, 2010

#10-56 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 January 19, 2010 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>
10-1/19-4	Personnel - Position of Certified Municipal Recycling Coordinator	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.

January 19, 2010

#10-57 Correction of Temporary Budget

WHEREAS, the Governing Body of the Borough of River Edge passed resolution #10-27 on January 4, 2010 to constitute the Temporary Budget of the Borough of River Edge; and

WHEREAS, a correction needs to be made for the line item Zoning Board where Other Expenses were listed as \$400.00; and

WHEREAS, the correct listing should have been Other Expenses \$490.00.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge does hereby correct the Temporary Budget of the Borough of River Edge by confirming that the listing of Zoning Board Other Expenses is \$490.00.

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

January 19, 2010

#10-58 Correction of Temporary Budget

WHEREAS, the Governing Body of the Borough of River Edge passed resolution #10-27 on January 4, 2010 to constitute the Temporary Budget of the Borough of River Edge; and

WHEREAS, a correction needs to be made for the line item Animal Welfare where Other Expenses were listed as \$100.00; and

WHEREAS, the correct listing should have been Other Expenses \$10.00.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge does hereby correct the Temporary Budget of the Borough of River Edge by confirming that the listing of Animal Welfare Other Expenses is \$10.00.

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

January 19, 2010

#10-59 Amend Certification of Chief Financial Officer with Regard to the Contract for Bergen County Department of Health Services Related to Providing Animal Control Services

WHEREAS, on January 4, 2010 via resolution #10-02, the Borough of River Edge awarded a contract to the Bergen County Department of Health Services related to providing animal control services; and

WHEREAS, the amount of the contract was for \$17,075.76; and

WHEREAS, the Chief Financial Officer had certified that funds were available from Account #01-2010-27-3402-100 of the Current Fund in a not to exceed amount of \$100.00; and

WHEREAS, an error was made in the certification of funds.

NOW, THEREFORE, BE IT RESOLVED by the Governing body of the Borough of River Edge that it does hereby accept the revised certification of funds provided by the Chief Financial Officer which indicates that \$10.00 is available from Account #01-2010-27-3402-100 of the Current Fund and \$17,065.76 is available from the Animal Fund in a total amount not to exceed \$17,075.76.

BE IT FURTHER RESOLVED that the Chief Financial Officer and the Borough Clerk are hereby instructed to adjust their records accordingly.

January 19, 2010

#10-60 Resolution to Refund Planning Board Escrow Money

WHEREAS, the following application has been made to the Planning Board for Site Plan approval and have since received such approval; and

WHEREAS, all professionals have been paid.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized to refund the following to:

<u>Block/Lot</u>	<u>Name/Address</u>	<u>Amount</u>
1002/4.0202	David Viganola 433 Lafayette Avenue River Edge, NJ 07661	\$1,091.25

January 19, 2010

#10-61 Resolution Authorizing the Mayor and Clerk to Enter Into an Agreement with Public Service Electric & Gas for the Small Business Direct Install Program

WHEREAS, the Governing Body of the Borough of River Edge authorized the making of applications to provide an energy audit of the below listed buildings in order to qualify for the Small Business Direct Install Program at their work session meeting of October 19, 2009; and

<u>Building Name</u>	<u>Location</u>	<u>PSE&G Account #</u>	<u>PSE&G Work Order #</u>
DPW	500 Riverside Way	6694933118	910022
Borough Hall	705 Kinderkamack Road	6510505118	910016
Library	685 Elm Avenue	6735070208	910020
Firehouse Co. #1	695 Kinderkamack Road	Same Public	910023
Public Safety Bldg.	705A Kinderkamack Road	6607890318	910014
Firehouse Co. #2	55 Ackerson Street	6667964504	910013

WHEREAS, the PSE&G Direct Install Program for government facilities can assist in cutting energy costs by up to 30% and will require a 20% payback on behalf of the Borough for the investment in energy efficient upgrades; and

WHEREAS, the vendor, Public Service Electric & Gas Direct Install Program is an approved exception to the public bidding portion of the Local Public Contracts Law specifically, N.J.S.A. 40A:11-5(1)(f); and

WHEREAS, the Direct Install Program for River Edge will consist of the installation of energy efficient upgrade of new lighting fixtures, bulbs and ballasts; and

WHEREAS, Council President Smith, Councilwoman Walker, John Lynch, Superintendent of Public Works and Alan Negreann, Borough Administrator/CFO have met with a representative and have reviewed the result of the audit and proposals submitted by Public Service Electric & Gas; and

WHEREAS, the Borough Attorney has reviewed the form of the PSE&G contracts; and

WHEREAS, the Mayor and Council have discussed this matter at their work session of January 19, 2010; and

WHEREAS, the Governing Body of the Borough of River Edge feels that it is in the best interest of the Borough of River Edge to participate in the Public Service Electric & Gas Small Business Direct Install Program; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account # (to be determined) of the Capital Fund in the amount of \$5,105.00 and from Account #01-2010-26-3102-188 and Account #01-2010-29-3902-101 of the Current Fund in the amount of \$3,251.00 and \$6,767.00 for a total amount not to exceed \$15,123.00 for the 1st year from January 19, 2010 to December 31, 2010; contingent upon the Governing Body passing and including an appropriation in the 2010 Current Fund budget and passage of a capital ordinance in 2010 and subject to all of the requirements of N.J.A.C. 5:34-5.5 with respect to multi-year contracts; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account # (to be determined) of the Capital Fund in the amount of \$5,105.00 and from Account #01-2010-26-3102-188 and Account #01-2010-29-3902-101 of the Current Fund in the amount of \$3,251.00 and \$6,767.00 for a total amount not to exceed \$15,123.00 for the 2nd year from January 1, 2011 to December 31, 2011; contingent upon the Governing Body passing and including an appropriation in the 2011 Current Fund budget and passage of a capital ordinance in 2010 and subject to all of the requirements of N.J.A.C. 5:34-5.5 with respect to multi-year contracts; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are authorized to execute contracts on file with the Borough Clerk for this work on the above listed public buildings.

January 19, 2010

#10-62 Cancel Outstanding Checks

WHEREAS, the Borough of River Edge has had on its records outstanding check(s) for a lengthy period of time; and

WHEREAS, the bank upon which these checks are drawn considers the checks stale-dated after six months.

NOW, THEREFORE, BE IT RESOLVED that the following outstanding checks be cancelled and that the Chief Financial Officer is ordered to adjust his records accordingly.

<u>Fund</u>	<u>Check #</u>	<u>Date</u>	<u>Amount</u>
Recreation	4055	8/3/09	\$ 125.00
Trust Other Developers	1876	5/4/09	\$1,190.10

January 19, 2010

#10-63 Resolution to Permanently Dedicate All Lands Currently Held by the Borough of River Edge for Recreation and Conservation Purposes

WHEREAS, The Borough of River Edge has submitted an application to the State of New Jersey for financial assistance under the Green Acres Program for the acquisition of property located at Block 1004, Lot 38.05 and known as the "Bogert Road Pocket Park"; and

WHEREAS, in connection with said application the Borough has prepared an inventory of all open space held the Borough for recreation and conservation purposes (ROSI); and

WHEREAS, the Green Acres Project Agreement between the Borough and the State of New Jersey by the Department of Environmental Protection requires that all lands held by the Borough as and for recreation and conservation purposes permanently remain dedicated as such; and

WHEREAS, the Borough has caused to be prepared a ROSI which contains an inventory of all land held by the Borough for recreation and conservation purposes.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that all lands held by the Borough and intended for recreation and conservation purposes, as contained on the ROSI be and hereby are dedicated to remain open and for recreation and conservation purposes only.

January 19, 2010

#10-64 Resolution to Dedicate Borough Owned Property at Block 1004, Lot 38.05, as and for Recreation and Conservation Purposes as Parkland

WHEREAS, The Borough of River Edge recently purchased real estate located at Block 1004, Lot 38.05 and known as the "Bogert Road Pocket Park"; and

WHEREAS, the Governing Body desires to dedicate said property as parkland to be used exclusively as and for recreation and conservation purposes.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the land located at Block 1004, Lot 38.05 and commonly known as "Bogert Road Pocket Park" be and hereby is permanently dedicated as Open Space Parkland for Recreation and Conservation purposes only.

January 19, 2010

#10-65 Resolution to Adopt the Recreation and Open Space Inventory (ROSI) as Prepared by the Borough Attorney and Borough Planner as Part of the Green Acres Application for Financial Assistance.

WHEREAS, The Borough of River Edge has submitted an application to the State of New Jersey for financial assistance under the Green Acres Program for the acquisition of property located at Block 1004, Lot 38.05 and known as the "Bogert Road Pocket Park"; and

WHEREAS, the application for said financial assistance requires the Borough to include a listing of all open space held by the Borough for the purposes of recreation and conservation, known as a Recreation and Open Space Inventory (ROSI); and

WHEREAS, the Borough Attorney and Borough Planner have collaborated on the preparation of the ROSI to be submitted by the Borough to the State; and

WHEREAS, the Mayor and Council have reviewed the ROSI at their work session meeting of January 19, 2010 and are satisfied that it meets the requirements of the Green Acres application process.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the ROSI be and hereby is approved and that the Mayor, or Council President and the Planning Board Chairman are hereby authorized to certify the ROSI and submit same to the State.

January 19, 2010

#10-66 2010 Salary Resolution

BE IT RESOLVED that the following officers and employees of the Borough of River Edge be compensated for the year 2010 in accordance with Ordinance #1681 and a signed contract between the Borough of River Edge and Local #108, effective January 1, 2010 as follows:

		<u>2010</u>	
		<u>Annual</u>	<u>Hourly</u>
<u>Department of Public Works</u>			
Mechanic I	Camera, W.	\$73,252	
Mechanic I	Weismann, C.	\$73,252	
General Repairer I	Stephen, R.	\$70,974	
General Repairer II	Tarpey, R.	\$58,432	
Equipment Operator I	Lynch, James	\$66,450	
Equipment Operator I	Neglia, M.	\$66,450	
Equipment Operator II	O'Connor, R.	\$56,238	
Tree Trimmer I	Ader, S.	\$63,156	
Laborer I	Duarte, J.	\$49,571	
Laborer I	Gallagher, F.	\$48,495	
Laborer I	Cornelio, J.	\$51,126	
Laborer I	Fink, G.	\$51,126	
Laborer I	Milito, J.	\$51,126	
Laborer I	Schultz, E.	\$51,126	
Laborer I	Szczecina, M.	\$51,126	
Laborer II	Morse, K.	\$43,115	
Laborer II	Taylor, J.	\$43,115	
 <u>Bus Department</u>			
Bus/Van Driver	Noone, J.		\$16.35
	Pribula, R.		\$16.35
	Biggar, D. (sub)		\$16.35

BE IT FURTHER RESOLVED, that any formal action by a governing body approving or disapproving a measure establishing or modifying the salaries, benefits, or other compensation of its employees shall occur no earlier than the tenth calendar day immediately following the meeting at which the measure was introduced and discussed.

BE IT FURTHER RESOLVED that the actions of the Chief Financial Officer, Accounts Supervisor and Payroll Clerk to pay these salaries and wages effective January 1, 2010 is hereby ratified.

January 19, 2010

#10-67 Approval of Amusement Machine Licenses

WHEREAS, pursuant to the Borough of River Edge Ordinance #1514, it is required that a license shall be issued for Amusement Machines in the Borough of River Edge; and

WHEREAS, an application has been received and a fee has been paid for an Amusement Machine License.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the following be granted an Amusement Machine License commencing on January 1, 2010 and expiring on December 31, 2010 at midnight.

Sayat Nova Restaurant	
T/A Feathers	
77 Kinderkamack Road	Two Machines (2) \$240.00

January 19, 2010

#10-68 Resolution Authorizing the Borough of River Edge to Support and Commit to the Shared Service with the County of Bergen for the PARIS Grants Program to Perform Municipal Inventories, Needs Assessments and Strategic Plans

Be it resolved by the Mayor and Council of River Edge, THAT:

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2010-11 grant cycle, priority funding will be given to county projects shared services projects with its constituent municipalities; and

WHEREAS, the Borough of River Edge desires to collaborate with the County of Bergen in the PARIS Grant Shared Services Program; and

WHEREAS, the Borough of River Edge is acknowledging that their eligible funding of \$40,000.00 will be leveraged with the County of Bergen; and

WHEREAS, the Borough of River Edge is acknowledging that the County of Bergen would be both the lead agency and the applicant for such a proposal.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge, that River Edge does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

January 19, 2010

#10-69 Enter Into Agreement with Lisa R. Aljian, Esq., Wells, Jaworski & Liebman, LLP, 12 Route 17 North, P.O. Box 1827, Paramus, New Jersey, 07652 for Professional Services as Zoning Board of Adjustment Attorney for the Borough of River Edge

WHEREAS, there exists a need for a Zoning Board of Adjustment Attorney for legal services such as attendance at meetings of the Board, doing legal research and issuing oral and written legal opinions; 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, Lisa R. Aljian, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Lisa R. Aljian, 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 Lisa R. Aljian, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-167 of the Current Fund not to exceed \$4,500.00.

WHEREAS, the rate of pay shall not exceed \$85.00 per hour as zoning Board of Adjustment Attorney; 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, this contract will be retroactive to January 1, 2010.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Lisa R. Aljian, Esq., Wells, Jaworski & Liebman, LLP, 12 Route 17 North, P.O. Box 1827, Paramus, New Jersey, 07652.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law to Lisa Aljian, Esq., Wells, Jaworski & Liebman, LLP, 12 Route 17 North, P.O. Box 1827, Paramus, New Jersey, 07652
4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

January 19, 2010

#10-70 Enter Into Agreement with Saverio V. Cereste, Esq., 1624 Center Avenue, Fort Lee, N.J. 07024 For Professional Services as Planning Board Attorney for the Borough of River Edge

WHEREAS, there exists a need for a Planning Board Attorney for legal services such as attendance at meetings of the Board, doing legal research and issuing oral and written legal opinions; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-166 of the Current Fund not to exceed \$4,500; 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, Saverio V. Cereste, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Saverio V. Cereste, 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 Saverio V. Cereste, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the rate of pay shall not exceed \$85.00 per hour as Borough Planning Board Attorney; and

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

WHEREAS, this contract will be retroactive to January 1, 2010.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Saverio V. Cereste, Esq.
2. The Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law to Saverio V. Cereste, Esq., 1624 Center Avenue, Fort Lee, N.J. 07024.
4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

January 19, 2010

#10-71 Grant Raffle License to Lions Club of River Edge

BE IT RESOLVED that the following license to conduct an Off Premise 50/50 Raffle to be issued to the Lions Club of River Edge, P.O. Box 33, River Edge, New Jersey, 07661, License #619, I.D. 423-8-26559 to take place at the American Legion, 215 Continental Avenue, River Edge, New Jersey On March 28, 2010 at 11:30 a.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.

January 19, 2010

Councilwoman Rush read resolution #10-72 into the record.

Motion by Councilwoman Rush, seconded by Councilman Smith to approve resolution #10-72.

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

#10-72 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	\$390,680.28
CAPITAL ACCOUNT	\$ 72,348.85
RECREATION COMMISSION	\$ 680.00
TRUST OTHER DEVELOPERS ACCOUNT	\$ 1,867.50
TRUST OTHER ACCOUNT	\$ 47.52
ANIMAL WELFARE	\$ 145.92
OPEN SPACE ACCOUNT	\$ 356.69

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.

January 19, 2010

#10-73 Temporary Capital Budget

WHEREAS, the Borough of River Edge, New Jersey desires to establish the Temporary 2010 Capital Budget of said municipality by inserting thereon or correcting the items therein as shown on such budget for the following reasons:

Resurfacing of Howland Avenue and
Construction and Reconstruction of Sidewalks, Curbs & Driveway Aprons

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

Section 1. The 2010 Temporary Capital Budget of the Borough of River Edge is hereby established by adding thereto a Schedule to read as follows:

Project #10-1
CAPITAL BUDGET OF THE BOROUGH OF RIVER EDGE
Projects Scheduled for 2010
Method of Financing

<u>Project</u>	<u>Estimated Costs</u>	<u>Capital Improv. Funds</u>	<u>General Bonds</u>
Resurfacing of Howland Avenue and Construction & Reconstruction of Sidewalks, Curbs & Driveway Aprons	\$230,000.00		\$230,000.00

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.

January 19, 2010

#10-74 Authorize Redemption and Disbursement of Tax Sale Certificate

WHEREAS, at the December 1, 2009 Tax Sale, Certificate #2009-4 was sold to Joseph Clemente on the property known as 44 Jordan Drive, River Edge, NJ, Block 409, Lot 35, Qualifier: C0044, owner: Jacqueline Sarbu; and

WHEREAS, Joseph Clemente had also paid a premium in the amount of \$9,000.00 which was held in escrow by the Borough of River Edge; and

WHEREAS, Kondaur Capital Corporation has requested redemption amounts on the above certificate as of January 19, 2010 and has submitted cashiers checks in the amount of \$27,328.61 and \$648.60 to redeem the lien.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is hereby authorized to issue two checks, one in the amount of \$27,977.21 for the redemption of the lien and one in the amount of \$9,000.00 which was held in escrow, both payable to Joseph Clemente, and the Tax Collector to redeem the lien and adjust her records accordingly.

Please make checks payable to:

Joseph Clemente
366 Sunset Boulevard
Wyckoff, NJ 07481

#10-75 Change Order #3 Approval and Amendatory Contract to Trino Associates, LLC for the Kinderkamack Road Regional Revitalization (Phase 1B) Federal Project Number STP-8443(107)

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

WHEREAS, the Borough of River Edge awarded a contract on August 3, 2009 to Trino Associates, LLC via resolution #09-316 in the amount of \$197,516.35 and amended via resolution #09-436 in the amount of \$8,300.00 dated December 7, 2009 and amended via resolution #09-455 in the amount of \$6,450.00 dated December 7, 2009; and

WHEREAS, Change Order #3 reflects an increase of \$7,620.00 for the keystone retaining wall and granite curb tree wells, a decrease of (\$14,247.90) for a decrease in quantity for 5" thick sidewalk concrete, pavers, conduit, DGA Base Course, 5", Superpave surface course, 6" PVC, 9 x 20 Concrete Vertical Curb and a decrease of (\$15,867.00) for deletions from the contract for milling, porous fill, borrow excavation, zone 3, broken stone or washed gravel, miscellaneous concrete, miscellaneous crushed stone, DGA base course 8", Superpave HMA 19H64, 6" PVC, 4" PVC, cleaning existing pipe, 9 x 18 concrete vertical curb, permanent traffic stripes, 12" wide, painted stamped pavement for a total decreased amount not to exceed (22,494.90); and

WHEREAS, the Borough Attorney and the Borough Engineer have reviewed the above change; and

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with Trino Associates, LLC, 354 Verona Way, Paramus, New Jersey 07652 for Change Order #3.

BE IT FURTHER RESOLVED that the exact form of this amendatory contract shall be at the discretion of the Borough Attorney and the Mayor and the Borough Clerk are authorized to execute said contract and Change Order #3.

January 19, 2010

#10-76 Resolution to Go Into Closed Session and Exclude Public on January 25, 2010 at 6:45 P.M.

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 January 25, 2010 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>
10-1/25-1	Litigation - Chern vs. Borough Of River Edge	N.J.S.A. 10:14-12(7)

2. Any non-attorney client privilege communications will be released at the conclusion of the litigation subject of any orders of the court.

3. This resolution shall take effect immediately.

January 25, 2010

OPEN HEARING OF THE PUBLIC -

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

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

Liz Stewart-178 Wales Avenue-stated that the Shade Tree Commission was not aware that Ordinance #1681 was going on and asked what it means.

Bill Lindsley-stated that it means that both Commissions have to work together when any planting or removal of trees are to take place in the parks.

Liz Stewart-stated that she understands that they need to work together but asked why the Shade Tree Commission was never informed that this ordinance was going on. Liz was under the impression that they didn't need approval for removal of trees.

Mayor Watkins-explained that they do need approval when it pertains to trees in the park because the Recreation Commission is in charge of every aspect of the parks.

Liz Stewart-stated that this will be a problem because they are volunteers and it will add to their paperwork and they don't have a secretary to rely on.

Mayor Watkins-recommended that they work something out with the Recreation Commission because by ordinance, they are in charge of the parks.

Liz Stewart-stated that Shade Tree is in charge of trees.

Bill Lindsley-explained that there is an overlap of jurisdiction and this ordinance is requiring that both commissions work together.

Liz Stewart-doesn't think that this has been thought through.

Denise Dondiego-explained that this is only the first reading.

Bill Lindsley-stated that it won't be adopted until February 1st.

Mayor Watkins-stated that it could be put off or changed.

Liz Stewart-stated that it wouldn't have been nice to know this ahead of time and she feels that Shade Tree is not looking to make things difficult.

Mayor Watkins-asked Liz to arrange to meet with Bobbi and the Recreation Commission.

Liz Stewart-hopes that this ordinance can be held off until they can get this straightened out with the Recreation Commission.

Alan Negreann-stated that this is not the first time that this has been discussed at a meeting and when it was discussed previously, the Borough Attorney was asked to draft an ordinance for consideration. Alan asked that if they do meet with the Recreation Commission that they keep the Council informed. He further stated that they can table the ordinance until they have additional information.

Liz Stewart-explained that they don't get information regarding work sessions. Councilman Porco-assured Liz that as their liaison he will keep them informed.

Colin Busted - 597 Bogert Road-spoke on behalf of the River Edge Board of Education and invited the Mayor and Council to attend their budget meeting on January 30, 2010 at 9:00 a.m. in the New Bridge Center building.

Mayor Watkins-advised Mr. Busted that the Mayor and Council also have their budget meetings on Saturdays but if they get out early enough maybe some members could make it there later on.

Joyce Polyniak-127 Bogert Road-asked if the geese, after they are slaughtered, could be used to feed the homeless.

Mayor Watkins-stated that the homeless won't eat the geese because they're too greasy.

Joyce Polyniak-asked about the technique on oiling the eggs.

Mayor Watkins-stated that one of the problems is that the geese are laying their eggs across the river in New Milford.

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 -

Councilwoman Walker- had no comment.

Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon and Councilman Cordts-congratulated Laura Grunberg, Chris Kazianis for winning the Fire Prevention Poster Contest and St. Peter's on Catholic Schools Week. Mayor Watkins-thanked everyone for coming out this evening.

ADJOURNMENT - 9:10 P.M.

Motion by Councilman Smith, seconded by Councilwoman Walker to adjourn the meeting at 9:10 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: