

M I N U T E S
Meeting of the Mayor and Council
Monday, October 21, 2013
8:00 P.M.

CALL THE MEETING TO ORDER -

Mayor Moscaritolo called the meeting to order at 8:20 p.m. in the Council Chambers of the Borough Hall.

SILENT PRAYER - FLAG SALUTE

Mayor Moscaritolo called for a moment of silent prayer and reflection and led the salute to the flag.

MISSION STATEMENT & OPEN PUBLIC MEETINGS -

Mayor Moscaritolo read the Mission Statement into the record as follows:

The New Jersey Open Public Meetings Law was enacted to ensure the right of the public to have advance notice of and attend any meetings of public bodies at which any business affecting their interest is discussed or acted upon.

In accordance with this act the Mayor and Council of the Borough of River Edge have caused notice of this meeting to be published by having the date, time and place thereof posted in the Borough Hall and notices have been sent to the Record and the Ridgewood News.

The mission of this governing body is to provide essential services through the establishment and implementation of public policy that will safeguard our infrastructure provide honest, courteous and professional services; and establish a sense of trust and accomplishment with our residents. Through research and prudent planning we seek to minimize risks while improving our services. We are sensitive to the needs of our taxpayers while realizing that this governing body cannot be all things to all people within the revenue constraints imposed by state mandates, economic conditions and prevailing attitudes about taxation.

ROLL CALL - Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni, Councilman Papaleo and Mayor Moscaritolo were present.

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the minutes of the Mayor and Council work session and regular meeting of October 7, 2013.

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

PROCLAMATIONS & AWARDS - NONE

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the retirement of Gary Faustini, Sergeant in the Police Department, effective January 1, 2014.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the salary change of Anthe Siafflas, Deputy Registrar of Vital Statistics, from Step I - \$19.88 to Step II - \$20.33, effective October 5, 2013.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the salary change of Kenneth Morse, Tree Trimmer II, in the Department of Public Works from an annual salary of \$53,501.00 to \$54,073.00 due to a step increase from Step I to Step II, effective November 5, 2013.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the salary change of Thomas Dekker, Laborer II, in the Department of Public

Works from an annual salary of \$28,091.00 to \$39,815.00 due to a step increase from Step I to Step II, effective November 26, 2013.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the hire of Daniel Dekker, 13-02 Sixth Street, Fair Lawn as a Park Maintenance Attendant for the Recreation Commission at a B Scale, Step I hourly rate of \$17.73, not to exceed 8 hours per week with a six-month probationary period, effective October 22, 2013.

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

CORRESPONDENCE -

Letter - Board of Chosen Freeholders - 10/7/13
Re: Ordinance 13-26, 13-27
Letter - Sergeant Gary Faustini - 10/7/13
Re: Retirement
Notice - River Edge Board of Education- 10/10/13
Re: Meeting on 10/16/13
Letter - Excel Environmental Resources-10/7/13
Re: Clean-up Former Huffman Koos
Letter - State of New Jersey - 10/9/13
Re: NJDOT Rt. 4 over Hackensack River
Bridge Study
Letter - Peter Ng - 10/15/13
Re: Resignation from Zoning Board

MONTHLY REPORTS -

Board of Health - September 2013
Fire Prevention - July 1 through Sept. 30, 2013
Property Maintenance - July through October, 2013
Recreation Commission - June 2013
Recreation Commission - September 2013
Tax Collector - September 2013
Planning Board - July 2013
Zoning Board of Adj. - July 2013

LIAISON REPORTS -

Councilwoman Murphy - Liaison to DPW, Shade Tree Commission, Library, Senior Citizens co-liaison, New Milford/River Edge Shared Services Committee, Oradell/River Edge Shared Services Committee - reported that SCORE will be having a Halloween parade on October 28th, a bus trip on November 6th and a New Years Eve party. Councilwoman Murphy also reported that students from River Dell were helping senior citizens navigate ipads. She reported that the Shade Tree Commission has 290 trees that are scheduled to be planted and the letters notifying homeowners went out last week. Councilwoman Murphy also reported that the DPW is happy with their new truck.

Councilman Acquafredda - Liaison to Beautification Committee, Ad Hoc Zoning Subcommittee, River Edge and River Dell Schools- reported that he was not able to attend Beautification and the River Edge Board of Education meetings. He also stated that River Dell did not have a meeting but they still have not settled their contracts with the teachers and administrators and are probably looking at arbitration.

Councilman Cappola- Liaison to Construction Code Official, Property Maintenance, Senior Citizens co-liaison, Historic Commission - reported that SCORE will be unveiling their ad campaign with a direct mailer that will go out to all senior citizens in town inviting them to a meeting and giving background information on SCORE. Councilman Cappola reported that as part of the Historic Commissions oral history, there is a 44 minute interview with Mary Donohue that is posted on UTube.

Councilman Mignone - Liaison to Police Dept., Environmental Protection Commission, Green Team, Planning Board, New Milford/River Edge Shared Services Committee - reported that on October 12th the Green Team sponsored a bike safety course in Memorial Park that was very well attended. He thanked Ellen Busteed, Bonnie Stuart for getting this event off the ground and Officer Renata Sanches and Officer Patrick Diamond for participating. Councilman Mignone reported that the Planning Board approved the Yeshiva application that was previously denied.

Councilman Bartelloni - Liaison to Recreation Commission, Traffic & Safety, Special Events Committee, Technology Committee, Oradell Shared Services Committee - announced that the Halloween Parade will take place in Memorial Park this weekend, line-up will start at 2:45 and bags will be handed out to the children. He also reported that the Holiday Lighting ceremony is scheduled for December 7th and will start at the Library and proceed to Borough Hall. He also reported that the Recreation Commission has several bus trips planned and the Special Events Committee is looking to add an event such as a swing night in the

spring. He stated that the Technology Committee has not met recently but he does have a few ideas that he will bring up when they do meet.

Councilman Papaleo - Liaison to Fire/Fire Prevention, River Edge Alliance Against Alcohol & Drugs - reported that the River Edge Alliance did participate in River Edge Day and thanked the pharmacist from CVS who was in attendance to answer questions and hand out literature. The Alliance continues to fund programs about alcohol and drugs to the schools. He reported that the Fire Official has informed him that all inspections are up to date. The Fire Department is involved with the ISO audit which looks at training, response times and equipment to determine a rating for community insurance. He also reported that Fire Department members have visited the schools during Fire Prevention Week and will also go to the High School to have a volunteer recruitment for junior firefighters. He informed everyone that the Fire Department is having a fund drive and encouraged everyone to contribute. Councilman Papaleo informed everyone that Chubby Naprstek, a long standing member of the Fire Department lost his battle with cancer over the weekend and stated that the family would like to mourn privately.

Mayor Moscaritolo-reported that the Ambulance Service has responded to 475 calls to date, have held 4 CPR classes; 2 with the Boy Scouts and their parents, were in attendance at the St. Peter's Carnival and conducted in-house classes for their members. The Mayor's Wellness Campaign is still going strong and announced that they will be adding exercise classes for Roosevelt School students to the current programs. He continued to thank all of the volunteers that are helping to keep this campaign alive. The Mayor announced that as of today, Registrars are beginning to accept applications for same sex marriage licenses. The Mayor attended the grand opening ceremony of the Senior Residence at St. Peter's, a faith based initiative serving local senior citizens and stated that some of the funding was obtained through grants. The Mayor also attended a Complete Streets Summit at Rutgers today and said that the speakers were very informative and gave great ideas on how to implement a plan with low cost initiatives. The Mayor stated that all Complete Street strategies are geared to economic development and would like to present the studies to the County to make Kinderkamack Road pedestrian friendly.

ORDINANCES - 1ST READING - NONE

ORDINANCE - 2ND READING - NONE

RESOLUTIONS - By Consent

Motion by Councilman Acquafredda seconded by Councilwoman Murphy to approve resolution #13-384 through #13-386 and #13-388 through #13-390.

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

#13-384 Change in Personnel Policy & Procedure Manual, Section VI, Work Rules and Standards, Subject 9, Use of Borough Property (Fuel) and Telephones

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 VI, Work Rules and Standards, Subject 9, Use of Borough Property and Telephones with regard to use of fuel; and

WHEREAS, the Mayor and Council considered at their work session of October 21, 2013 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. Add the following paragraphs to Section VI, Work Rules and Standards, Subject 9, Use of Borough Property and Telephones:

Use of Fuel

The River Dell Board of Education may use the Borough's fuel subject to a Commodity Resale Agreement between the Borough of River Edge and the River Dell Board of Education.

The River Edge Ambulance Service may use the Borough's fuel subject to N.J.S.A. 40:5-2.

2. Change the following paragraph:

FROM:

The River Edge Board of Education may use the Borough's fuel subject to the adoption of an Interlocal Agreement between the Borough and the Board of Education.

TO:

The River Edge Board of Education may use the Borough's fuel subject to a Commodity Resale Agreement between the Borough of River Edge and the River Edge Board of Education.

October 21, 2013

#13-385 Enter Into Agreement with Pulice/Williams Architects, 344 Broad Avenue, Leonia, New Jersey 07605 for Professional Services Related to the Library HVAC

WHEREAS, there exists a need to retain professional services related to Library HVAC; 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, Pulice/Williams Architects meets the criteria for a professional service contract under N.J.S.A. 40A:11-1; and

WHEREAS, Pulice/Williams Architects has completed and submitted a Business Entity Disclosure Certification which certifies that Pulice/Williams Architects 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 Pulice/Williams Architects 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 #04-2150-55-1789-100 of the Capital Fund in the amount not to exceed \$1,500.00; 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; and

WHEREAS, the per hour rates are as follows:

Partner	\$225.00/hour
Manager	\$175.00/hour
Senior	\$150.00/hour
Staff	\$100.00/hour
Administrative	\$ 75.00/hour
Consulting Engineer	\$Cost + 10%

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 Pulice/Williams Architects, 344 Broad Avenue, Leonia, New Jersey, 07605 in the amount not to exceed \$1,500.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

October 21, 2013

#13-386 Resolution to Go Into Closed Session and Exclude Public

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, permits the exclusion of the public from a meeting in certain enumerated circumstances; and

WHEREAS, this public body is of the opinion that such circumstances will or presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey, as follows:

1. That the public shall be excluded from the October 28, 2013 and November 4, 2013 meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session</u>		<u>Statutory</u>
<u>Docket #</u>	<u>Item Title or Description</u>	<u>Reference</u>

To be determined by reference to the Borough Clerk's Agenda for the above meeting.

2. It is anticipated at this time that the above stated subject matter will be made public within a reasonable time, the substance of which will be released after the Mayor and Council or the specific authorized public body has reviewed and specifically accepted the data.

3. This resolution shall take effect immediately.

October 21, 2013

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolution #13-387 as amended.

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

#13-387 Emergency Appropriation

WHEREAS, an emergency condition has arisen with respect to the cleaning of the Voorhis Avenue storm system and the disposal of the debris in the Borough of River Edge and no adequate provision was made in the 2013 budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total emergency appropriation(s) created including the appropriation to be created by this resolution is \$107,000.00 and 3% of the total operations in the budget for the year 2013 is \$363,819.18.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey (not less than two thirds of all the members thereof affirmatively concurring) that in accordance with the N.J.S.A. 40A:4-48:

1. An emergency appropriation be and the same is hereby made for in the amount of \$9,000.00 to 8. General Appropriations, other expenses line item.
2. That said emergency appropriation shall be provided in full in the 2014 budget.
3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
4. The two certified copies of this resolution be filed with the Director of Local Government Services.

October 21, 2013

#13-388 Authorize Mayor, Administrator and Borough Clerk to Sign the State of New Jersey Corporate Card Program Linking Authorization Contract

BE IT RESOLVED that the Mayor, Administrator and Borough Clerk are hereby authorized to sign the State of New Jersey Corporate Card Program Linking Authorization Contract.

October 21, 2013

#13-389 Authorize Richard D. Kraus, Esq. to Enter Into a Stipulation of Settlement with Kress Associates, LLC, for the Premises 482 - 486 Kinderkamack Road, Block 804, Lot 13

WHEREAS, Richard D. Kraus, Esq., Suite 14, One University Plaza, Hackensack, New Jersey, 07601 has handled the litigation of the Borough of River Edge v. Kress Associates, LLC for the premises 482-486 Kinderkamack Road, Block 804, Lot 13; and

WHEREAS, Richard D. Kraus, Esq. has recommended a stipulation in the above stated matter; and

WHEREAS, the Mayor and Council have considered these recommendations at their work session of October 21, 2013.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby authorize Richard D. Kraus, Esq. to enter into a Stipulation of Settlement with an assessed value for calendar year 2012 of \$650,700.00 and \$650,700.00 for calendar year 2013.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to forward a copy of this resolution to James Anzevino, the Borough's Tax Assessor and Richard D. Kraus, Esq.

October 21, 2013

#13-390 Authorize Richard D. Kraus, Esq. to Enter Into a Stipulation of Settlement with Kress Associates, LLC, for the Premises 464 - 478 Kinderkamack Road, Block 804, Lot 14

WHEREAS, Richard D. Kraus, Esq., Suite 14, One University Plaza, Hackensack, New Jersey, 07601 has handled the litigation of the Borough of River Edge v. Kress Associates, LLC for the premises 464-478 Kinderkamack Road, Block 804, Lot 14; and

WHEREAS, Richard D. Kraus, Esq. has recommended a stipulation in the above stated matter; and

WHEREAS, the Mayor and Council have considered these recommendations at their work session of October 21, 2013.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby authorize Richard D. Kraus, Esq. to enter into a Stipulation of Settlement with an assessed value for calendar year 2012 of \$1,149,300.00 and \$1,349,300.00 for calendar year 2013.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to forward a copy of this resolution to James Anzevino, the Borough's Tax Assessor and Richard D. Kraus, Esq.

October 21, 2013

Councilman Mignone read resolution #13-391 into the record.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #13-391.

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

#13-391 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	\$480,648.66
CAPITAL ACCOUNT	\$ 3,491.85
RECREATION ACCOUNT	\$ 5,891.53
ANIMAL WELFARE ACCOUNT	\$ 230.40
TRUST OTHER ACCOUNT	\$ 496.75

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.

October 21, 2013

OPEN HEARING OF THE PUBLIC -

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

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

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS -

Councilwoman Murphy-announced that the first gay couple came in to apply for a marriage license and thanked the Borough employees for their professionalism. She also announced that Historic New Bridge Landing will be having a clean-up day.
Councilman Mignone-thanked Peter Ng, the Chairperson for the Zoning Board, for his years of service as he has requested that he not be re-appointed in January.

ADJOURNMENT - 9:00 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to adjourn the meeting at 9:00 p.m.

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

Mayor Sandy Moscaritolo

Attest:

Judy O'Connell, Deputy Clerk

Dated: