

M I N U T E S  
Meeting of the Mayor and Council  
Monday, October 3, 2011  
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

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

STATEMENT -

Mayor Watkins read the statement under the Sunshine Law and asked the Clerk to put it into the minutes. "Adequate Notice of this meeting has been made by sending notice on December 24, 2010 to THE RECORD and THE RIDGEWOOD NEWSPAPER, by positioning on the bulletin board in the lobby of the Borough Hall, and filing a Notice of the same with the Municipal Clerk".

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

APPROVAL OF MINUTES - By Consent

Motion by councilman Cordts, seconded by Councilman Moscaritolo to approve the minutes of the Mayor and Council work session and regular meeting of September 19, 2011.

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

Motion by Councilman Cordts, seconded by Councilman Bartelloni to approve the minutes of the Closed Emergency Special meeting of the Mayor and Council of September 20, 2011.

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

Motion by Councilman Cordts, seconded by Councilman Bartelloni to approve the minutes of the special meeting of the Mayor and Council of September 23, 2011.

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

Motion by Councilman Cordts, seconded by Councilman Cannon to approve the minutes of the Mayor and Council work session and special meeting of September 26, 2011.

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

PROCLAMATION & AWARDS -

Mayor Watkins presented a Plaque to Sergeant Mark Westervelt for 30 years of Service to the Police Department which read as follows:

Presented to Sergeant Mark A. Westervelt  
For 30 Years of Service to the  
River Edge Police Department

The Mayor and Council  
Appreciate Your Dedicated Commitment  
In Protecting and Serving the  
Residents of River Edge

Congratulations and Best Wishes  
On the Occasion of Your Retirement

Mayor Margaret Falahee Watkins and Council  
September 2011

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Mayor Watkins read the Proclamation Declaring October 9 - 15, 2011  
as National Fire Prevention Week as follows:

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

*WHEREAS, cooking, heating, and electrical fires represent three of the nation's leading causes of home fires, and are collectively responsible for nearly half of all home fires and almost one-third of the associated fire deaths; and*

*WHEREAS, the vast majority of home cooking, heating, and electrical fires can be prevented by taking simple safety precautions; and*

*WHEREAS, developing a home fire escape plan and practicing it at least twice a year are critical to escaping a fire safely; and*

*WHEREAS, proper installation, testing, and maintenance of smoke alarms are part of a thorough home fire escape plan; and*

*WHEREAS, by preventing the leading causes of home fires, and by developing and practicing a thorough home fire escape plan, people can greatly reduce their risk to fire; and*

*WHEREAS, the Fire Prevention Week 2011 theme, "It's Fire Prevention Week, Protect Your Family from Fire" teaches the public how to prevent cooking, heating, and electrical fires, and encourages people to develop a home fire escape plan that includes working smoke alarms; and*

*WHEREAS, the fire service of the Borough of River Edge is dedicated to the safety of life and property from the devastating effects of fire; and*

*WHEREAS, the members of the fire service are joined by other concerned citizens of this Borough of River Edge, County of Bergen, State of New Jersey, as well as other emergency service providers and safety advocates, businesses, schools, service clubs, and organizations in their fire safety efforts; and*

*WHEREAS, I Margaret Falahee Watkins, Mayor of the Borough of River Edge, do hereby proclaim the week of*

*October 9 - 15 2011,*

*as Fire Prevention Week*

*This week commemorates the Great Chicago Fire of 1871, which killed more than 250 persons, left 100,000 homeless, and destroyed more than 17,400 buildings.*

*WHEREAS, I call upon the people of the Borough of River Edge to participate in fire prevention activities at home, work, and school, and to take the steps needed to make their homes and families safe from the leading causes of home fires, which include cooking, heating and electrical.*

*Margaret Falahee Watkins, Mayor*

*Dated: October 3, 2011*

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Mayor Watkins read the Proclamation Declaring October 2011 as National Breast Cancer Awareness Month as follows:

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

WHEREAS, in the United States, Breast Cancer is the third most common cause of cancer deaths after lung cancer and colon cancer; and

WHEREAS, during National Breast Cancer Awareness Month, we renew our commitment to fighting this disease, raising awareness and supporting those affected by breast cancer; and

WHEREAS, women in the United States have a 1 in 8 lifetime chance of developing invasive breast cancer and a 1 in 33 chance of breast cancer causing their death; and

WHEREAS, death rates from breast cancer have been declining and this change is believed to be the result of earlier detection and improved treatment; and

WHEREAS, mammography, an "x-ray" of the breast, is recognized as the single most effective method of detecting breast changes that may be cancer long before physical symptoms can be seen or felt.

WHEREAS, we recognize the innovative, lifesaving work of medical professionals, through their efforts to prevent, detect and treat make a difference in the lives of our citizens.

NOW, THEREFORE, BE IT RESOLVED, that I, Margaret Falahee Watkins, Mayor of the Borough of River Edge and on behalf of the Council do proclaim:

OCTOBER 2011

as

NATIONAL BREAST CANCER AWARENESS MONTH

Mayor Margaret Falahee Watkins

Dated: October 3, 2011

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APPOINTMENTS & PERSONNEL CHANGES

Motion by Councilman Mignone, seconded by Councilman Moscaritolo to approve the hire of David Delia, 40 Zabriskie Street, Hackensack, New Jersey as a part-time Dispatcher in the Police Department at an hourly rate of \$17.23, 16 hours per week, with a six-month probationary period, effective October 4, 2011.

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

Motion by Councilman Cordts, seconded by Councilman Cannon to approve the appointment of Peter Smith, 68 Kenwood Road, to the Recreation Commission as Alternate #2 for a five year term effective October 3, 2011.

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

CORRESPONDENCE -

Letter	-	Catholic Charities - 9/19/11
		Re: Social Day Care Center Closing
Notice	-	River Edge Public Schools - 9/29/11
		Re: Meeting - October 5 <sup>th</sup>
Letter	-	Cablevision - 9/30/11
		Re: Launch of International Channels

MONTHLY REPORTS -

Library Board - September 2011  
Shade Tree Commission - June 2011

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

Denise Dondiego, Borough Clerk read the title of Ordinance #1738 as follows:

Ordinance #1738 - AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE, CHAPTER 400, ARTICLE II, SECTION 18.1 "ALTERNATE PARKING FOR SNOW PLOWING"

Motion by Councilman Cannon, seconded by Councilman Mignone to approve the first reading of Ordinance #1738 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1738

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE, CHAPTER 400, ARTICLE II, SECTION 18.1 "ALTERNATE PARKING FOR SNOW PLOWING"

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

Section 1. Section 400-18.1 *Alternate Parking for Snow Plowing* shall be amended as follows:

- A. Whenever snow has fallen and the accumulation is such that it covers the street or highway, vehicles shall be removed and cleared from the enumerated streets or highway and alternate side of the street or highway "No Parking" will be in effect as follows:

Add The following streets:

1. The following streets shall be cleared of vehicles with "No Parking" as follows:
  12. Lakeview Street, east side, from State Highway #4 to Reservoir Avenue Tuesday, Thursday and Saturday.  
Lakeview Street, west side, from State Highway #4 to Reservoir Avenue, Monday, Wednesday, Friday and Sunday.
  13. Center Avenue, east side, from Tenney Avenue to River Edge Road, Tuesday, Thursday and Saturday.  
Center Avenue, west side, from Tenney Avenue to River Edge Road, Monday, Wednesday, Friday and Saturday.
  14. Summit Avenue, east side, from Continental Avenue to Midland Avenue, Tuesday, Thursday and Saturday.  
Summit Avenue, west side, from Continental Avenue to Midland Avenue, Monday, Friday and Saturday.
  15. Bogert Road, east side, from Dead End of Bogert Road to Lincoln Avenue, Tuesday, Thursday and Saturday.  
Bogert Road, west side, from Dead End of Bogert Road to Lincoln Avenue, Monday, Wednesday, Friday and Saturday.
  16. Wayne Avenue, north side, from Bogert Road to The Fenway, Tuesday, Thursday and Saturday.  
Wayne Avenue south side, from Bogert Road to The Fenway, Monday, Wednesday, Friday and Saturday.
  17. Tenney Avenue, north side, from Bogert Road to Elm Avenue, Tuesday, Thursday and Saturday.  
Tenney Avenue, south side, from Bogert Road to Elm Avenue, Monday, Wednesday Friday and Saturday.
  18. Webb Avenue, north side, from Summit Avenue to the west curbline of Webb Avenue cul-de-sac, Tuesday, Thursday and Saturday.  
Webb Avenue, south side, from Summit Avenue to the west curbline of Webb Avenue cul-de-sac, Monday, Wednesday, Friday and Saturday.
  19. Oswego Place, north side, from Lakeview Street to Davis Drive, Tuesday, Thursday and Saturday.  
Oswego Place, south side, from Lakeview Street to Davis Drive, Monday, Wednesday, Friday and Saturday.
  20. Howland Avenue, south side, from Bogert Road to easterly curbline of Colonial Court, Monday, Wednesday, Friday and Saturday.

21. Oxford Terrace, south and west sides from Bogert Road to the north curbline of Rutgers Place, Monday, Wednesday, Friday and Saturday.

22. Bogert Road/Oxford Terrace, south side, from the east curbline of Bogert Road to a point 150 feet east therefrom, Monday, Wednesday, Friday and Saturday.

Bogert Road/Oxford Terrace, north side, from the east curbline of Bogert Road to a point 150 feet east therefrom, Tuesday, Thursday and Saturday

Bogert Road/Oxford Terrace, both sides, beginning at a point 150 feet east of the easterly curbline of Bogert Road continuing around the loop to a point 150 feet east of the easterly curbline of Bogert Road.

2. The following street parking **WILL BE PERMITTED** as follows:

a) Howland Avenue, north side, from Bogert Road to the easterly curbline of Cherry Mews, Monday, Wednesday, Friday and Saturday.

b) Oxford Terrace, south and west side, from Bogert Road to the north curbline of Rutgers Place, Monday, Wednesday, Friday and Saturday.

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

Section II:

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

Section III:

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

Margaret Falahee Watkins, Mayor

ATTEST:

Denise A. Dondiego, RMC  
Borough Clerk

Dated:

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

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Denise Dondiego, Borough Clerk read the title of Ordinance #1739 as follows:  
Ordinance #1739 - AN ORDINANCE AMENDING CHAPTER 206 "FEES" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Motion by Councilman Cordts, seconded by Councilman Mignone to approve the first reading of Ordinance #1739 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1739

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, County of Bergen, State of New Jersey, that chapter 206 "Fees" of the Code of the Borough of River Edge be and hereby is amended as follows:

Section 1. 206-2EE (Miscellaneous Fees) amended as follows:

Planning Board - Site Plan Review  
Application Fee for Soil Movement Permits  
for 100 or more cubic yards of soil: \$350.00

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

Section II.

If any provision of this ordinance are found to be invalid, for any reason, by the final judgement of a court of competent jurisdiction, the invalidity of such portions shall not effect the remaining provisions of this ordinance, which shall be severable therefrom.

Section III.

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

Margaret Falahee Watkins, Mayor

ATTEST:

Denise A. Dondiego, Borough Clerk  
Dated:

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

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Denise Dondiego, Borough Clerk read the title of Ordinance #1740 as follows:

Ordinance #1740 - AN ORDINANCE AMENDING AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.A. 40A:4-53

Motion by Councilman Cordts, seconded by Councilman Bartelloni to approve the first reading of Ordinance #1740 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1740

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

WHEREAS, the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey, adopted Ordinance #1737 on September 6, 2011; and

WHEREAS, a contract has been awarded to appraisal Systems, Inc. for the reassessment of the Borough of River Edge via resolution #11-303, dated September 6, 2011 in the amount not to exceed \$174,060.00; and

WHEREAS, it is in the best interest of the Borough of River Edge to amend Ordinance #1737 to reflect a special emergency in the amount of \$174,000.00.

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. 1956 and Chapter 38, P.L. 1969) that the sum of \$230,000.00 (two hundred thirty thousand dollars) is hereby amended to \$174,000.00 (one hundred seventy four thousand dollars) and is hereby appropriated to the

- A. Preparation and execution of a complete evaluation program or any program to update and make current any previous revaluation program when same is ordered by the County Board of Taxation.

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 and 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, RMC  
Borough Clerk  
Dated:

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

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ORDINANCES - 2<sup>nd</sup> Reading - NONE

RESOLUTIONS - By Consent

Motion by Councilman Cordts, seconded by Councilman Moscaritolo to approve resolution #11-347 through #11-366.

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

#11-347 Resolution to Go Into Closed Session and Exclude Public on October 17, 2011 at 7:00 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 October 17, 2011 meeting at 7:00 p.m. and discussion of the hereinafter specified subject matter:

<u>Closed Session</u> <u>Docket #</u>	<u>Item Title or Description</u>	<u>Statutory</u> <u>Reference</u>
11-10/17-1	Litigation - Haggis v River Edge	N.J.S.A. 10:4-12(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.

October 3, 2011

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#11-348 Resolution to Refund Planning Board Escrow Money to Appletree Preschool, Inc., 620 Kinderkamack Road, River Edge, New Jersey, Block 617, Lot 17

WHEREAS, the following application(s) has been made to the Planning Board for Site Plan approval and has since not been reviewed; and

WHEREAS, all professionals have not reviewed the site plans as the applicant has withdrawn their application.

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>
617/17	Appletree Preschool, Inc. 620 Kinderkamack Road Suite 5 River Edge, NJ 07661	\$2,200.00

October 3, 2011

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#11-349 Resolution to Go Into Closed Session and Exclude Public on October 24, 2011 at 7:00 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 October 24, 2011 meeting at 7:00 p.m. and discussion of the hereinafter specified subject matter:

<u>Closed Session Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
11-10/24-1	Personnel - Interview with Joseph P. Baumann, Jr., McManimon & Scotland, LLC - Redevelopment Attorney	N.J.S.A. 10:4-12(8)
11-10/24-2	Personnel - Interview with Jeffrey B. Lehrer, Esq., - DiFrancesco, Bateman, Coley, Yospin Kunzman, David & Lehrer, P.C. - Redevelopment Attorney	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.

4. This resolution shall take effect immediately.

October 3, 2011

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#11-350 Change Order #3 Approval and Amendatory Contract for 2011 Howland Avenue & Kinderkamack Road Intersection Improvement Project to AJM Contractors, Inc.

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 June 6, 2011 via resolution #11-207 to AJM Contractors, Inc., 300 Kuller Road, Clifton, New Jersey 07011 in the amount of \$818,320.10, amended via resolution #11-263 in the amount of \$5,295.00 dated August 1, 2011 and amended via resolution #11-311 dated September 6, 2011 in the amount of \$4,000.00; and

WHEREAS Change Order #3 reflects three (3) additional inlets converted to manholes (county specifications) in the amount not to exceed \$4,014.00; and

WHEREAS, the Mayor and Council have reviewed this matter at their work session of October 3, 2011; and

WHEREAS, the Borough Engineer has recommended the above change.

WHEREAS, The Chief Financial Office has certified that funds are available from Account #04-2150-55-1728-200 of the Capital Fund in the amount not to exceed \$4,014.00.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with AJM Contractors, Inc. for Change Order #3 in the amount not to exceed \$4,014.00.

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

October 3, 2011

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#11-351 Authorize Redemption and Disbursement of Tax Sale Certificate

WHEREAS, at the December 1<sup>ST</sup>, 2010 Tax Sale, Certificate #2010-1 was sold to US Bank Cust for Pro Capital I, LLC on property known as: 76 Christie Avenue, River Edge, New Jersey, Block: 210, Lot: 15, owner of record: William and Mary Lou Melber; and

WHEREAS, US Bank Cust for Pro Capital I, LLC had also paid a premium in the amount of \$1,200.00 which was held in escrow by the Borough of River Edge; and

WHEREAS, Thomas Barrett, Esq., closing attorney, has requested redemption amounts on the above certificate as of 10/3/11 and has submitted a certified check in the amount of \$20,293.17 to redeem the above lien.

NOW, THEREFORE, BE IT RESOLVED, that the Accounts Supervisor is hereby authorized to issue 2 checks, one in the amount of \$20,293.17 for the redemption of the lien and one in the amount of \$1,200.00 which was held in escrow, both payable to US Bank Cust for Pro Capital I, LLC and the Tax Collector to redeem the lien and adjust her records accordingly.

Please make checks payable to:

US Bank Cust for Pro Capital I, LLC  
U.S. Bank TLSC  
50 S 16<sup>th</sup> Street, Suite 1950  
Philadelphia, PA 19102

October 3, 2011

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#11-352 Authorize Refund from Recreation Dedicated Account

WHEREAS, a resident had signed up to be a vendor in River Edge Day and was unable to participate; and

WHEREAS, they had paid in full for this event; and

WHEREAS, a refund will be made to the following:

Anthony Tortorella	\$40.00
238 Concord Drive	
River Edge, NJ 07661	

NOW, THEREFORE, BE IT RESOLVED that a total of \$40.00 be refunded from the Recreation Dedicated Account to the above listed resident.

October 3, 2011

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#11-353 Enter into a Grant Agreement with the County of Bergen

BE IT RESOLVED, that the Mayor and Council of the Borough of River Edge wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$12,500.00 in 2011 Community Development Block Grant funds for Senior Bus Driver Wages in the Borough of River Edge.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Margaret Falahee Watkins to be a signatory for the aforesaid grant agreement.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorized Alan P. Negreann, Borough Administrator/Chief Financial Office to sign all County vouchers submitted in connection with the aforesaid project.

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of River Edge is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

October 3, 2011

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#11-354 Enter into a Grant Agreement with the County of Bergen

BE IT RESOLVED, that the Mayor and Council of the Borough of River Edge wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$23,000.00 in 2011 Community Development Block Grant funds for ADA (Handicap Accessible) Improvements to the Municipal Building in the Borough of River Edge.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Margaret Palahee Watkins to be a signatory for the aforesaid grant agreement.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorized Alan P. Negreann, Borough Administrator/Chief Financial Office to sign all County vouchers submitted in connection with the aforesaid project.

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of River Edge is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

October 3, 2011

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#11-355 Amend 2011 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services approved the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item of appropriation for an equal amount; and

WHEREAS, the Borough has received a deposit in its Unappropriated Reserve for State and Local Housing Grant in the amount of \$1,354.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

3. Miscellaneous Revenue - Section F

State/Local Cooperative Housing Grant.....\$1,354.00

BE IT FURTHER RESOLVED that the like sum of \$1,354.00 and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from the "CAPS"

Public & Private Programs Offset by Revenues

State/Local Cooperative Housing Grant.....\$1,354.00

BE IT FURTHER RESOLVED that the Borough forward two (2) copies of this resolution to the Director of Local Government Services.

October 3, 2011

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#11-356 Authorize Cancellation of Accounts Payable

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

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

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

<u>P.O. #</u>	<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
9452	Bill Lindsley, Esq.	\$ 1,040.00	Kinderkamack Road Improvement
16464	A. Nelessen Assoc.	\$21,931.00	Planner/Redevelopment Various Block & Lot Plans
19418	A. Nelessen Assoc.	\$ 1,547.75	Planner/Redevelopment Various Block & Lot Plans

19482	A. Nelessen Assoc.	\$19,640.00	Planner/Redevelopment Various Block & Lot Plans
19485	Remm Construction	\$10,600.00	Restroom DPW Building
22749	Bill Lindsley, Esq.	\$ 1,078.65	Legal Services

October 3, 2011

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#11-357 Authorize Chief Financial Officer to Cancel Grant Fund Appropriation and Account Receivable for the FEMA Assistance to Firefighters Grant

WHEREAS, the Borough of River Edge received approval for a grant through the FEMA Assistance to Firefighters Grant; and

WHEREAS, the Borough of River Edge has on its books and records a Grant Fund amount of \$4,694.00 of an Unexpended Appropriated Reserve; and

WHEREAS, the Borough of River Edge has on its books and records a grant fund amount of \$4,694.00 which represents an account receivable; and

WHEREAS, the Chief Financial Officer has investigated the grant fund FEMA Assistance to Firefighters Grant Unexpended Appropriated Reserve and Accounts Receivable and has recommended that they be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is authorized to cancel the FEMA Assistance to Firefighters Grant Unexpended Appropriated Reserve in the amount of \$4,694.00 and the Accounts Receivable balance of \$4,694.00.

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

October 3, 2011

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#11-358 Authorize Chief Financial Officer to Cancel Grant Fund Appropriation for the Local Match - FEMA Assistance to Firefighters Grant

WHEREAS, the Borough of River Edge received approval for a grant through the FEMA Assistance to Firefighters Grant; and

WHEREAS, the Borough of River Edge received a grant of \$44,080.00 and was required to provide a local match in the amount of \$2,320.00; and

WHEREAS, the Borough of River Edge is done spending the grant funds and has a balance in the Appropriated Reserve for the local match in the amount of \$247.00; and

WHEREAS, the Chief Financial Officer has investigated the grant fund Unexpended Appropriated Reserve and has recommended that it be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is authorized to cancel the Unexpended Appropriated Reserve for the local match in the amount of \$247.00.

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

October 3, 2011

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#11-359 Resolution to Observe Week of Respect

WHEREAS, the State of New Jersey N.J.S.A. 18A:37-29 mandates that a Week of Respect be observed beginning with the first Monday of October; and

WHEREAS, the River Edge Board of Education recognizes the importance of character education focusing on the prevention of Harassment, Intimidation and Bullying as defined by N.J.S.A. 18A:37-14; and

WHEREAS, the staff members of the River Edge Schools are committed to providing age-appropriate education experiences for the River Edge students that promote for others and nurture an environment free of HIB.

THEREFORE, the River Edge Board of Education establishes the week of October 3 - 7, 2011 as a "Week of Respect."

October 3, 2011

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#11-360 Enter Into Agreement with Francis Campbell, Esq., The Reussille Law Firm 365 Broad Street, Red Bank, New Jersey, 07701 for Legal Services Pertaining to Oradell's Petition to the Commissioner of Education

WHEREAS, there exists a need to retain legal services pertaining to Oradell's Petition for Equitable Modification of the Cost Apportionment for the River Dell Regional School District; and

WHEREAS, Francis Campbell, Esq., The Reussille Law Firm, meets the criteria for a professional service contract under N.J.S.A. 40A:11-1; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-172 of the Current Fund in the amount not to exceed \$2,500.00; and

WHEREAS, Francis Campbell, Esq., The Reussille Law Firm has completed and submitted a Business Entity Disclosure Certification which certifies that Francis Campbell, Esq., The Reussille Law Firm 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 Francis Campbell, Esq., The Reussille Law Firm from making any reportable contributions through the term of the contract; and

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

WHEREAS, the rate of pay shall not exceed \$175.00 per hour:

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Francis Campbell, Esq., The Reussille Law Firm in an amount not to exceed \$2,500.00 retroactive to September 27, 2011.
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 3, 2011

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#11-361 Confirm Endorsement of Community Development Project

WHEREAS, a Bergen County Community Development Grant of \$180,000.00 has been proposed by the Borough of River Edge for the River Edge Local Board of Education for barrier free improvement for toilet facilities for the Cherry Hill School of River Edge; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of River Edge; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development Funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of River Edge hereby confirm endorsement for the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

October 3, 2011

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#11-362 Authorize Chief Financial Officer to Cancel Grant Fund Appropriation and Account Receivable for the Over the Limit Under Arrest 2011 Statewide Crackdown Grant

WHEREAS, the Borough of River Edge received approval for a grant through the Over the Limit Under Arrest 2011 Statewide Crackdown Grant; and

WHEREAS, the Borough of River Edge has on its books and records a Grant Fund amount of \$4,000.00 of an Unexpended Appropriated Reserve; and

WHEREAS, the Borough of River Edge has on its books and records a grant fund amount of \$4,000.00 which represents an account receivable; and

WHEREAS, the Chief Financial Officer has investigated the grant fund Over the Limit Under Arrest 2011 Statewide Crackdown Grant Unexpended Appropriated Reserve and Accounts Receivable and has recommended that they be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is authorized to cancel the Over the Limit Under Arrest 2011 Statewide Crackdown Grant Unexpended Appropriated Reserve in the amount of \$4,000.00 and the Accounts Receivable balance of \$4,000.00.

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

October 3, 2011

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#11-363 Authorize Mayor and Clerk to Sign Municipal Alliance 2011 Grant

WHEREAS, the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Governing Body of the Borough of River Edge recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Governing Body of the Borough of River Edge has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Governing Body does hereby authorize submission of an application for the River Edge Municipal Alliance grant for calendar year 2012 in the amount of \$10,356.00.
2. The Governing Body acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized To sign the Municipal Alliance to Prevent Alcoholism and Drug Abuse Grant.

October 3, 2011

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#11-364 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 October 3, 2011 meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session</u> <u>Docket #</u>	<u>Item Title or Description</u>	<u>Statutory</u> <u>Reference</u>
11-10/3-1	Personnel - Police Department	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.

October 3, 2011

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#11-365 Change in Custodian of Petty Cash Fund

WHEREAS, Adriana Silla was custodian of the Finance Department Petty Cash Fund; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Borough of River Edge is changing custodians to Gomattie Birnbaum; and

WHEREAS, Gomattie Birnbaum is bonded in the amount of \$1,000,000.00 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge, County of Bergen hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of community Affairs for approval.

October 3, 2011

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#11-366 Authorize the Release of a Performance Bond for Reggio Construction, Inc., 1575 West Street, Fort Lee, NJ 07024 for the 2010 Howland Avenue Road Improvement Project Phase 2

WHEREAS, the Borough of River Edge received a Performance Bond from Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey 07024 on October 6, 2010 for the 2010 Howland Avenue Road Improvement Project Phase 2; and

WHEREAS, the amount of the Performance Bond was \$192,558.33; and

WHEREAS, the Borough Engineer has certified that the final inspection has been made and approval is given with regard to the 2010 Howland Avenue Road Improvement Project Phase 2; and

WHEREAS, a Maintenance Bond in the amount of \$29,751.85 has been received by the Borough Clerk; and

WHEREAS, a work session was held before the Mayor and Council of the Borough of River Edge on October 3, 2011 at which time a review of the project took place.

NOW, THEREFORE, BE IT RESOLVED that the Performance Bond for Reggio Construction, Inc. be release in the amount of \$192,558.33.

October 3, 2011

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Councilman Porco read resolution #11-367 into the record.

Motion by Councilman Porco, seconded by Councilman Mignone to approve resolution #11-367.

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

#11-367 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	\$344,345.00
CAPITAL ACCOUNT	\$609,011.22
RECREATION ACCOUNT	\$ 4,301.50
TRUST OTHER ACCOUNT	\$ 479.38
OPEN SPACE ACCOUNT	\$ 1,620.75

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 3, 2011

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OPEN HEARING OF THE PUBLIC -

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

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

Tom Smith-288 Manning Avenue-thanked the Mayor and Council for the Fire Prevention proclamation and informed them that the Fire Department will begin visiting the schools and teaching fire prevention and safety. He stated that Neal Carroll had originally started visitation to the schools many years ago and feels that it is one of the best things that the Fire Department continues to do. He continued by saying that every three or four years they have an interactive program for grades 4, 5 & 6 where they bring in a smoke house so they can experience an actual smoke condition. He stated that in the past they have gotten this smoke house from the County but because of the high volume demand they are looking into borrowing one from the Township of Teaneck. He asked the Mayor if she would write a letter to Teaneck stating that the Council has given permission to borrow the smoke house and that they will assume responsibility for transported it with one of our DPW vehicles to and from Teaneck to River Edge.

Mayor Watkins-stated that she has no problem with that and asked for a motion.

Motion by Councilman Cannon, seconded by Councilman Bartelloni requesting the Mayor to write a letter to the Township of Teaneck granting the Fire Department permission to use the smoke house and assume responsibility to transport it with a DPW vehicle to and from Teaneck to River Edge.

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

Tom Smith-stated that there are many members in the Fire Department who have been involved for twenty five years or more and again thanked the Mayor and Council for the proclamation and their support for the smoke house.  
Kara O'Donnell-150 Voorhis Avenue-stated that at the September 6<sup>th</sup> meeting the Voorhis Block Association presented a proposal to the Mayor and Council regarding a re-occurring flooding problem on Voorhis Avenue. Ms. O'Donnell acknowledged that she received documentation from the Borough regarding Manning Avenue and noted that that issue had been taken care of within a reasonable amount of time and is requesting that their proposal also be considered priority.  
Denise Dondiego, Borough Clerk-handed out copies of a letter from the Borough Administrator with responses to their questions.  
Bob Costa, Borough Engineer-apologized and stated that he did not realize that he was supposed to meet with the residents but said that he will make himself available for a meeting to discuss some options for this problem. He asked for contact information.

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS - No Comments

ADJOURNMENT - 8:20 P.M.

Motion by Councilman Cordts, seconded by Councilman Cannon to adjourn the meeting at 8:20 p.m.

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

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk  
Dated: