

M I N U T E S
Meeting of the Mayor and Council
Tuesday, September 6, 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 Porco 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 Cannon to approve the minutes of the Mayor and Council work session and regular meeting of August 1, 2011.

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

Motion by Councilman Cordts, seconded by Councilman Cannon to approve the minutes of the Mayor and Council work session of August 22, 2011.

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

Motion by Councilman Cannon, seconded by Councilman Cordts to approve the minutes of the Mayor and Council Special Meeting of August 22, 2011.

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

PROCLAMATION & AWARDS -

Chief Tom Cariddi read letters of recognition for Police Officers Craig Casey, Dennis Griffith and Daniel Lee as follows:

To: Ptl. Craig Casey
From: Chief Thomas Cariddi
Re: Commendation - DWI Enforcement

September 06, 2011

I would like to officially commend you for the law enforcement actions you have taken in the fight to keep our highways and roadways safe from individuals who have driven vehicles while under the influence of alcohol or drugs.

You should be proud that your vigilance and hard work in this extremely important law enforcement function has no doubt prevented injury and saved lives.

Your efforts have also resulted in recognition by The State of New Jersey Division of Traffic Safety on June 1, 2011, as part of their 2010 Top Gun DWI Enforcement Program, and you have been recognized by Mothers Against Drunk Drivers who presented you with the 2010 MADD Law Enforcement Distinguished Service Award on June 8, 2011.

Thank you for your service and congratulations on a job well done.

To: Ptl. Dennis Griffith
From: Chief Thomas Cariddi
Re: Recognition - Firearms Arrest

September 06, 2011

I would like to officially recognize your actions on June 11, 2011 at 03:53

where you assisted Ptl. Lee in the arrest of an individual wanted in connection with a hit and run accident in Paramus, and subsequently found to be in possession of a semi-automatic handgun.

After responding as a back-up officer to Route 4 West and Spring Valley Av. in Paramus you assisted in securing the arrest of an individual you and Ptl. Lee believed to be armed. Your search of the individual confirmed that he was in possession of a .380 caliber handgun and ammunition for the weapon.

Your prompt and professional assistance to a fellow officer in a dangerous situation insured that an illegal weapon was removed from the streets of Bergen County. The risk this individual posed was averted with your help.

This situation underscores that that the job done by the men and women of law enforcement is never routine and always potentially dangerous. Your professional handling of this situation is a credit to yourself and to the River Edge Police Department.

Thank you for your service and congratulations on a job well done.

To: Ptl. Dennis Griffith
From: Chief Thomas Cariddi
Re: Commendation - DWI Enforcement

September 06, 2011

I would like to officially commend you for the law enforcement actions you have taken in the fight to keep our highways and roadways safe from individuals who have driven vehicles while under the influence of alcohol or drugs.

You should be proud that your vigilance and hard work in this extremely important law enforcement function has no doubt prevented injury and saved lives.

Your efforts have also resulted in recognition by The State of New Jersey Division of Traffic Safety on June 1, 2011, as part of their 2010 Top Gun DWI Enforcement Program, and you have been recognized by Mothers Against Drunk Drivers who presented you with the 2010 MADD Law Enforcement Distinguished Service Award on June 8, 2011.

Thank you and congratulations on a job well done.

To: Ptl. Daniel Lee
From: Chief Thomas Cariddi
Re: Commendation - Firearms Arrest

September 06, 2011

I would like to officially commend you for your actions on June 11, 2011 at 03:53.

While on patrol of Route 4 West, you entered Paramus in order to return to River Edge via the Forrest Avenue exit. At that location you came upon a vehicle which had collided with a telephone pole, and identified a witness who had observed the driver leave the scene of the accident

The witness, an off duty Paramus fireman had already phoned Paramus Police and reported a physical and clothing description of an individual who had left the scene of the accident. You radioed River Edge Police Headquarters and confirmed that the Paramus Police Department was attempting to locate the driver of the hit and run accident.

You then proceeded to travel west on Route 4 in an effort to assist Paramus Police in locating the individual. As you approached the Spring Valley exit, you located a man matching the description of the wanted party. After radioing your location to River Edge headquarters, you question the person. As Ptl. Griffith of the River Edge Police and officers from the Paramus Police responded to your location, you learned the individual you were speaking with was in possession of a handgun.

You ordered him to raise his hands and directed and maintained control of him. Upon the arrival of Ptl. Griffith and officers of the Paramus Police Department, the man was searched by Ptl. Griffith and found to be in possession of a .380 caliber semi-automatic handgun and ammunition for the weapon.

The individual was placed under arrest and transported by you to the Paramus Police Department where he was subsequently charged.

September 19, 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 Porco to approve the separation of Michael Neglia, Department of Public Works due to retirement, effective September 1, 2011.

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

CORRESPONDENCE -

Letter - John Cannon - 8/1/11
Re: Not Running for Re-Election

Letter - Hackensack Medical Center - 8/1/11
Re: Hackensack Medical at Pascack Valley

Letter - Boswell McClave Engineering - 8/1/11
Re: Flood Control Project-Borough of New Milford

Letter - Loretta Weinberg - 8/1/11
Re: Bill S1351

Letter - Lola Bachok, Tax Collector - 8/8/11
RE: Resignation effective 12/31/11

Notice - Patricia Seitz, 834 Park Ave. - 8/2/11
RE: Sub-Division

Notice - Deborah & Davie Besen - 8/1/11
RE: Construction of 2nd floor

Notice - Alan P. Negreann-Administrator/CFO - 8/9/11
RE: River Edge Revenue Report

Memo - Alan P. Negreann-Administrator/CFO - 8/9/11
RE: Report of Bond Anticipation Note Sale

Notice - County of Bergen - 8/15/11
Re: Public Hearing on United Water New Jersey Water Storage Tank Project

Letter - 9/11 Memorial Gardens Committee - 8/15/11
Re: Thank you to Let It Grow

Letter - State of New Jersey DEP - 8/15/11
Re: Hazardous Discharge Notice

Notice - PSE&G - 11/23/11
Re: Rate Changes

Letter - Excel Environmental Resources, Inc. - 8/18/11
Re: Request for Additional Monitoring Wells

Letter - Groundwater & Environmental Services - 8/30/11
Re: Notification & Public Outreach - 584 Kinderkamack Road

Letter - Rogut McCarthy- 8/10/2011
Re: Bond Anticipation Note-Determination and Award Certificate

Letter - ISO - 8/31/11
Re: Bldg Code Effectiveness Grading Schedule

MONTHLY REPORTS -

Planning Board - June 16, 2011
Building Dept. - July 2011
Zoning Board of Adjustment - July 8, 2011
Planning Board - July 21, 2011

ORDINANCES - 1st Reading - NONE

ORDINANCES - 2nd Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1736 as follows:

Ordinance #1736 - AN ORDINANCE AMENDING ORDINANCE #585 ENTITLED "AN ORDINANCE TO PROVIDE FOR SEVERANCE PAY AND HEALTH BENEFITS FOR EMPLOYEES OF THE BOROUGH OF RIVER EDGE WHO RETIRE AFTER TWENTY (20) YEARS OR MORE OF CONTINUOUS SERVICE TO THE BOROUGH".

Ordinance #1736 was introduced by Councilman Cordts, seconded by Councilman

Your observations and actions on the morning of June 11, 2011 were directly responsible for the removal of an illegal firearm from the streets of Bergen County. The dangerous possible consequences this individual posed were averted due to your efforts.

This situation underscores that that the job done by the men and women of law enforcement is never routine and always potentially dangerous. Your professional handling of this situation is a credit to yourself and to the River Edge Police Department.

Thank you for your service and congratulations on a job well done.

APPOINTMENTS & PERSONNEL CHANGES

Motion by Councilman Cordts, seconded by Councilman Mignone to approve the promotion of Christopher Cheevers to the rank of Sergeant in the Police Department from an annual salary of \$100,479.00 to \$108,518.00, effective September 7, 2011.

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

Mayor Watkins administered the Oath of Office to Christopher Cheevers.

Motion by Councilman Cannon, seconded by Councilman Cordts, to approve the salary change of Michael Marion, Inspector for the Department of Public Works/Code Enforcement, from \$381.10 semi-monthly to \$431.79 semi-monthly, not to exceed \$10,363.00 per year, retroactive to January 1, 2011.

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

Motion by Councilman Porco, seconded by Councilman Cannon to approve the retirement of Adriana Silla, Accounts Supervisor, effective, October 1, 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 promotion of Geeta Birnbaum to the position of Accounts Supervisor at an annual salary of \$49,302.00, with a six-month probationary period, effective October 1, 2011.

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

Motion by Councilman Moscaritolo, seconded by Councilman Cannon to approve the salary change of Lisa Hessman, Office Manager/Administrative Assistant, Department of Public Works from \$45,359.00 to \$45,839.00 due to a longevity increase of \$480.00 effective August 28, 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 resignation of Lola Bachok, Tax Collector, effective December 31, 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 Mignone, to approve the salary change of Joseph Zemaites, Police Department, from an annual salary of \$63,382.00 to \$72,655.00 due to Patrolman 4th Grade pay scale, effective September 16, 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 Mignone to approve the salary change of Dennis Griffith, Police Department, from an annual salary of \$90,348.00 to \$100,479.00, due to Patrolman 1st Grade pay scale, effective

Mignone at the August 1, 2011 meeting as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1736

AN ORDINANCE AMENDING ORDINANCE #585 ENTITLED "AN ORDINANCE TO PROVIDE FOR SEVERANCE PAY AND HEALTH BENEFITS FOR EMPLOYEES OF THE BOROUGH OF RIVER EDGE WHO RETIRE AFTER TWENTY (20) YEARS OR MORE OF CONTINUOUS SERVICE TO THE BOROUGH".

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: The following portion of Ordinance #585 is hereby amended to add a new paragraph to Section 2:

Section 2: Employees hired on or after July 1, 2011 shall not be eligible for severance pay under Ordinance #585.

Section 3: All other provisions of Ordinance #585 remain in full force and effect.

Section 4: This Ordinance shall take effect upon passage and publication as required by law.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1736

Motion by Councilman Cordts, 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.

CLOSE HEARING OF THE PUBLIC - Ordinance #1736

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

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

ADOPTION - Ordinance #1736

Motion by Councilman Cannon, seconded by Councilman Mignone to adopt Ordinance #1736.

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

Denise Dondiego, Borough Clerk read the title of Ordinance #1737 as follows:

Ordinance #1737 - AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.A. 40A:4-53

Ordinance #1737 was introduced by Councilman Cordts, seconded by Councilman Cannon at the August 1, 2011 meeting as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1737

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

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

County of Bergen, 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 \$230,000.00 (two hundred thirty thousand dollars) is hereby appropriated for the

- A. Preparation and execution of a complete revaluation 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 the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one fifth of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55).

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

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1736

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

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

CLOSE HEARING OF THE PUBLIC - Ordinance #1736

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

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

ADOPTION - Ordinance #1736

Motion by Councilman Cordts, seconded by Councilman Cannon to adopt Ordinance #1736.

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

RESOLUTIONS - By Consent

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve resolutions #11-290 through #11-302, #11-304 and #11,305, resolutions #11-307, #11-308 and #11-310 and resolutions #11-312 and #11-324.

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

#11-290 Change in Personnel Policy & Procedure Manual-Longevity Pay

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 V, Subject 3, with regard to Longevity Pay; and

WHEREAS, the Mayor and Council considered at their work session of August 1, 2011 making those changes to the Personnel Policy and Procedure Manual.

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

1. Change the following paragraph to Section V, Pay Periods, Compensation and Distribution, Subject 3, Longevity Pay as follows:

3. Regular, full-time employees who have been hired after July 1, 2011 shall not be entitled to longevity payments in addition to their salary.

September 6, 2011

#11-291 Resolution Authorizing Advanced Travel Expense for the Fire Department

WHEREAS, N.J.S.A. 40A5-16.1 permits the governing body for any local unit to authorize payment in advance toward expenses for authorized official travel; and

WHEREAS, certain officers of the Fire Department have requested an advance payment of travel expenses for attendance at the New Jersey State Firemen's Convention, Wildwood, New Jersey; and

WHEREAS, Section IV, Subject 9, Leave and Conferences and Conventions of the Borough's Personnel and Policy Procedure Manual, provides a policy for Fire Department members to attend certain conferences and enumerates regulations pertaining to travel expenses; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01/2010/25/2552/041 of the Current Fund in the amount not to exceed \$3,000.00; and

WHEREAS, the Fire Officers of the Borough of River Edge will verify their expenses and any excess cash will be repaid to the Borough of River Edge along with a detailed bill or items of demand, and the certification or affidavits required by N.J.S.A. 40A:5-16 which will be submitted by the officers within 10 days after the completion of the travel for which the advance was made.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor and Chief Financial Officer are hereby instructed to make up a \$3,000.00 check payable to the River Edge Fire Department for life members to go to the New Jersey State Firemen's Convention, September 15, 16 & 17, 2011.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution as well as the policy of the Borough with regard to travel expenses, to each of the Fire Department Officers receiving the advance.

September 6, 2011

#11-292 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 September 6, 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>
11-9/6-1	Acquisition of Property - Hackensack Avenue	N.J.S.A. 10:4-12(5)

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.

September 6, 2011

#11-293 Authorize Mayor to Sign Lease with Temple Avodat Shalom for Rental of Premises Located at 385 Howland Avenue, River Edge, New Jersey for the Recreational Needs of the Senior Citizens of River Edge

WHEREAS, the Borough of River Edge is aware of, and recognizes that there is a need for greater concern for the good and welfare of senior citizens of River Edge; and

WHEREAS, there is a need in River Edge for adequate facilities to conduct a meaningful and ongoing program as it relates to the recreational needs of the senior citizens of River Edge; and

WHEREAS, Temple Avodat Shalom, 385 Howland Avenue, River Edge, New Jersey has agreed to make available to the senior citizens of River Edge such facilities that are deemed necessary to carry out a senior citizens recreational program; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-15(i), as well as N.J.S.A. 40A:48-9.4, permit the leasing and funding of facilities for this purpose; and

WHEREAS, the Chief Financial Officer certifies that funds are available from Account #01-2010-27-3602-100 of the Current Fund for 2012 in the amount of \$18,000.00 subject to the Governing Body making sufficient funds available in the year 2012 budget; in the 2013 budget from Account #01-2010-27-3602-100 of the Current Fund in the amount of \$18,000.00 subject to the Governing Body making sufficient funds available in the year 2013 budget; and

WHEREAS, the Mayor and Council at their work session meeting of August 22, 2011 have reviewed a lease agreement prepared by the Borough Attorney and reviewed by the Contracts Committee and have accepted the form of that agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor is hereby authorized to sign said lease agreement on file with the Borough Clerk and the Borough Clerk is authorized to attest said signature for a lease period commencing January 1, 2012 and ending December 31, 2013.

September 6, 2011

#11-294 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 \$187.00.

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.....\$187.00

BE IT FURTHER RESOLVED that the like sum of \$187.00 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.....\$187.00

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

September 6, 2011

#11-295 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 grant for Recycling Tonnage in the amount of \$20,413.17.

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

Unappropriated Reserve for Recycling Tonnage Grant.....\$20,413.17

BE IT FURTHER RESOLVED that the like sum of \$20,413.17 and the same is hereby appropriated under the caption of:

General Appropriations

(B) Operations excluded from the "CAPS"
Public & Private Programs Offset by Revenues

Unappropriated Reserve for Recycling Tonnage Grant.....\$20,413.17

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

September 6, 2011

#11-296 Acknowledge Receipt of Certification of Request for Emergency Purchases

WHEREAS, the Borough Administrator has certified that an emergency condition exists in the Department of Public Works Buildings and Grounds; and

WHEREAS, the condition constitutes an emergency affecting the health, safety and welfare of the public; and

WHEREAS, it is necessary to hire a Asbestos Safety Control Monitor and install additional temporary construction fencing for the demolition of the building located in the Bogert Road Pocket Park; and

WHEREAS, the Borough Administrator has received quotations.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby confirm and acknowledge the receipt of the Certification of Request for Emergency Purchases for this emergency.

September 6, 2011

#11-297 Enter Into Agreement with Frank Lurch Demolition Company, LLC for Professional Services Related to the Demolition of the Building in the Bogert Road Pocket Park

WHEREAS, there exists a need to retain professional services for the purpose of demolishing the building located in the Bogert Road Pocket Park; and; and

WHEREAS, on August 5, 2011 quotes were received for the Building Demolition Project at the Bogert Road Pocket Park; and

WHEREAS, two (2) quotes were received and four (4) were solicited for the Building Demolition Project at the Bogert Road Pocket Park; and

WHEREAS, the lowest proposal was received from Frank Lurch Demolition Company, LLC, 515 Main Street, P.O. Box 42, Avon by the Sea, New Jersey, 07717 in the amount of \$35,900.00; and

WHEREAS, the Mayor and Council have discussed this matter at a work session on June 6, 2011; 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, Frank Lurch Demolition Company LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Frank Lurch Demolition Company LLC 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 Frank Lurch Demolition Company LLC 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 #04-2150-55-1654-300 of the Capital Fund not to exceed \$35,900.00; and

NOW, THEREFORE, BE IT RESOLVED that the proposal is hereby awarded to Frank Lurch Demolition Company, LLC, 515 Main Street, P.O. Box 42, Avon by the Sea, New Jersey, 07717 in the amount not to exceed \$35,900.00.

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 Frank Lurch Demolition LLC; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

September 6, 2011

#11-298 Authorize Refund from Trust Other Account

WHEREAS, residents had signed up to use Memorial Park and had to cancel due to inclement weather conditions; and

WHEREAS, they had paid the Park Use Fee in full; and

WHEREAS, a refund will be made to the following:

River Edge Volunteer Fire Department Attn: Reena Mishory 55 Ackerman Street River Edge, NJ 07661	\$ 50.00	Park Facility Use
Cindy Maresca 188 Adams Avenue River Edge, NJ 07661	\$50.00	Park Facility Use

NOW, THEREFORE, BE IT RESOLVED that a total of \$100.00 be refunded from the Trust Other Account to the above listed residents.

September 6, 2011

#11-299 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the 2011 Riverside Cooperative Road Resurfacing Design & Inspection

WHEREAS, there exists a need for expert professional engineering services for the 2011 Riverside Cooperative Road Resurfacing Design & Inspection; 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 #04-2150-55-1729-100 of the Current Fund not to exceed \$2,387.50; and

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

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

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

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 327 South River Street, Suite 302, Hackensack, New Jersey 07601; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

September 6, 2011

#11-300 Resolution of the Borough Council of the Borough of River Edge, in the County of Bergen, New Jersey, Covenanteeing to Comply With the Provisions of the Internal Revenue Code of 1986, As Amended, Applicable to the Exclusion From Gross Income for Federal Income Tax Purposes of Interest On Obligations Issued by the Borough of River Edge, Authorizing the Mayor, Borough Clerk, Chief Financial Officer and Other Borough Officials to Take Such Action As They May Deem Necessary or Advisable to Effect Such Compliance And Designating A \$1,000,000 Bond Anticipation Note, Dated August 16, 2011 And Payable February 16, 2012, As A "Qualified Tax-Exempt Obligation" Pursuant To Section 265(b)(3) Of The Internal Revenue Code of 1986, As Amended.

WHEREAS, the Borough of River Edge, in the County of Bergen, New Jersey (the "Borough"), from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, that require issuers of tax-exempt obligations, such as the Borough, to account for and rebate certain arbitrage earnings to the United States Treasury and to take such other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$1,000,000 bond anticipation note, dated August 16, 2011 and payable February 16, 2012 (the "Note"); and WHEREAS, the Borough desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code.

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

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2011.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2011.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2011 dated as of the date of delivery of the Note.

Section 8. This resolution shall take effect immediately upon its adoption.

September 6, 2011

DETERMINATION AND AWARD CERTIFICATE

(\$1,000,000 Bond Anticipation Note)

BOROUGH OF RIVER EDGE, COUNTY OF BERGEN, NEW JERSEY

I, ALAN P. NEGREANN, Chief Financial Officer of the Borough of River Edge, in the County of Bergen, New Jersey (herein called "Issuer"), HEREBY CERTIFY as follows:

1. By virtue of the authority conferred upon me by three bond ordinances adopted by the Borough Council of the Issuer on April 18, 2011 (two ordinances: Ord. Nos. 1728 and 1729) and May 16, 2011 (Ord. No. 1731), I have determined to issue a Bond Anticipation Note (herein called the "Note") of the Issuer in accordance with the following description:

TOTAL PRINCIPAL AMOUNT: \$1,000,000

DATED: August 16, 2011

MATURITY: February 16, 2012 (non-callable)

<u>NUMBER</u>	<u>DENOMINATION</u>
11-1	\$1,000,000

INTEREST RATE PER ANNUM: 0.87%
(payable at maturity)

PLACE OF PAYMENT:
Valley National Bank 1460 Valley Road
Wayne, New Jersey

2. Pursuant to said authority, I have awarded and will sell the Note to Valley National Bank, at the price of \$1,000,000 plus an amount equal to the interest on the Note accrued to the date of payment of the purchase price thereof.

3. No obligations of the Issuer other than the Note have been issued pursuant to the ordinances referenced above.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day
of August, 2011.



ter

ALAN P. NEGREANN
Chief Financial Officer
Borough of River Edge
County of Bergen
New Jersey

#11-301 Resolution Permitting the Possession and Consumption of Alcoholic
Beverages at a Block Party on Sixth Avenue

WHEREAS, on or about September 6, 2011, the Borough of River Edge granted permission to Doris Chatellier, 770 Sixth Avenue, River Edge, New Jersey, to hold a block party on Sixth Avenue on September 10, 2011 in accordance with Borough Ordinance #1678; and

WHEREAS, Mrs. Chatellier has requested that the possession and consumption of alcoholic beverages be permitted in connection with said block party;

WHEREAS, Borough Code Section 114-15 allows the Governing Body to permit the possession and consumption of alcoholic beverages in or on a public street or sidewalk in connection with an authorized block party.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of River Edge that persons age 21 and over be and hereby are permitted to possess

and consume alcoholic beverages at the block party described above, on the date and time specified herein.

September 6, 2011

#11-302 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Tenney Avenue

WHEREAS, on or about September 6, 2011, the Borough of River Edge granted permission to Sherry Herity, 171 Avenue, River Edge, New Jersey, to hold a block party on Sixth Avenue on September 10, 2011 in accordance with Borough Ordinance #1678; and

WHEREAS, Mrs. Herity has requested that the possession and consumption of alcoholic beverages be permitted in connection with said block party;

WHEREAS, Borough Code Section 114-15 allows the Governing Body to permit the possession and consumption of alcoholic beverages in or on a public street or sidewalk in connection with an authorized block party.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of River Edge that persons age 21 and over be and hereby are permitted to possess and consume alcoholic beverages at the block party described above, on the date and time specified herein.

September 6, 2011

Motion by Councilman Bartelloni, seconded by Councilman Porco to approve resolution #11-303.

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

#11-303 Award Contract to Appraisal Systems, Inc., 110 S. Jefferson Road, Suite 300, Whippany, New Jersey 07981 for Reassessment of the Borough of River Edge

WHEREAS, there exists a need for professional services for the purpose of reassessment of the Borough of River Edge; and

WHEREAS, the Borough of River Edge acted as Lead Agency to request proposals for the Boroughs of Dumont, Cresskill and River Edge for reassessment; and

WHEREAS, one (1) Request for Proposal was received on August 22, 2011 from Appraisal Systems in the amount of \$174,060.00; and

WHEREAS, the RFP's were reviewed by the Tax Assessor and Borough Attorney; and

WHEREAS, this matter was discussed at the Mayor and Council work session meeting of August 22, 2011

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2743-55-6523 of the Current Fund in the amount not to exceed \$174,060.00.

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Appraisal Systems, Inc., 110 S. Jefferson Road, Suite 300, Whippany, New Jersey 07981.
2. 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.
3. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

September 6, 2011

#11-304 Authorize Clerk to Go Out for Bid

WHEREAS, the Borough of River Edge desires to go out for bid for painting and carpeting in the free public library.

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

September 6, 2011

#11-305 Amend Access Agreement with Excel Environmental Resources for the Proposed Monitoring Wells Installation at 1025-1077 Main Street

WHEREAS, Route 4 Main Street LLC, the property owner of the Former Huffman Koos, is completing an environmental investigation under the direct supervision of the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, in order to complete the groundwater investigation at this property, monitoring wells and temporary well points are required; and

WHEREAS, the Borough of River Edge had previously entered into an Access Agreement with Excel Environmental Resources via resolution #11-62 dated January 18, 2011 and amended via resolution #11-141 dated March 28, 2011; and

WHEREAS, Excel Environmental Resources has requested authorization to place six (6) additional monitoring well points on the property; and

WHEREAS, the Borough Attorney has revised this Access License Agreement with Excel Environmental Resources.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council approve the installation of an additional six (6) monitoring wells.

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

1. The Mayor is hereby authorized and directed to execute the Amended Right of Way Agreement with Excel Environmental Resources, Inc.

September 6, 2011

Bob Costa, Borough Engineer-explained that two years ago when they tv'd the pipes, one had a belly or sag in it and the recommendation at that time was to have the pipe tv'd again before the release of the maintenance bond. He stated that during the two years he hasn't heard of any problems or issues and is asking the Council whether they want to waive that stipulation and give the money back or ask that they tv it again. Councilman Porco-asked who would be responsible for doing this work and is there a possibility that down the road the town could be liable. Bob Costa-stated that it would be their responsibility and to the best of his knowledge there has been no maintenance issues in the past two years.

Motion by Councilman Bartelloni, seconded by Councilman Cannon to approve resolution #11-306.

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

#11-306 Authorize the Release of a Maintenance Bond for Newman-Kahn Realty, LLC, 47 River Edge Road, River Edge, for 782-788 Kinderkamack Road, Block 409, Lots 49 & 50

WHEREAS, the Borough of River Edge entered into a developer's agreement dated December 18, 2006 with Newman-Kahn Realty, LLC with offices at 47 River Edge Road, River Edge, N.J. 077660 for the property located at 782-788 Kinderkamack Road, Block 409, Lots 49 and 50; and

WHEREAS, the Developers Agreement paragraph 21 states that the developer agrees to provide the Borough with a maintenance bond to run for a period of two years from the date of acceptance, for all public improvements and facilities abutting the project; and

WHEREAS, the Borough currently has in its possession a Maintenance Bond in the amount of \$38,854.73 for the above subject property; and

WHEREAS, a work session was held before the Mayor and Council of the Borough of River Edge on September 6, 2011 at which time a review of the project took place; and

WHEREAS, the Borough Engineer and the Borough Attorney have recommended that the bond be released.

NOW, THEREFORE, BE IT RESOLVED that the Maintenance Bond on file with the Borough of River Edge in the amount of \$38,854.73 be released to Newman-Kahn Realty, LLC, 47 River Edge Road, River Edge, New Jersey 07661.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to Newman-Kahn Realty, LLC, 47 River Edge Road, River Edge, New Jersey 07661.

September 6, 2011

#11-307 Authorize Release of a Performance Bond and Surety Bond for AAA
Emergency Supply Company

WHEREAS, the Borough of River Edge received a cashier's check in the amount of \$3,754.00 in lieu of a Surety Bond and a cashier's check in the amount of \$37,540.00 in lieu of a Performance Bond for the bid that was awarded to AAA Emergency Supply Company for the purchase of fifty eight (58) Rit Pocket Pack P.R.E.S.S. Al Systems; and

WHEREAS, the Deputy Chief of the Fire Department has certified that AAA Emergency Supply Company has fulfilled their obligations as the vendor and all work associated with the bid requirements has been completed; and

WHEREAS, this matter was discussed at the Mayor and Council work session meeting of September 6, 2011; and

WHEREAS, the Chief Financial Officer has certified that funds are available from the Trust Other Fund in the amount not to exceed \$41,294.00.

NOW, THEREFORE, BE IT RESOLVED, that the Performance Bond and Surety Bond for AAA Emergency Supply Company, be released and the Accounts Supervisor is hereby authorized to release a check in the amount of \$41,294.00 to AAA Emergency Supply Company, 635 North Broadway, White Plains, New York, 10603.

September 6, 2011

#11-308 Resolution to Amend the Eligibility List for Promotion to the Police
Department for the Rank of Sergeant

WHEREAS, the Governing Body of the Borough of River Edge established a Police Promotional and Recruitment Policy via Ordinance #1332 dated April 16, 2001; and

WHEREAS, the Mayor and Council of the Borough of River Edge established a promotional list for the position of Sergeant in the Police Department via resolution #10-356 dated October 4, 2011; and

WHEREAS, this promotional list was effective until October 4, 2011, midnight; and

WHEREAS, the Mayor and Council wish to amend this promotional list to extend the effective date to October 4, 2012; and

WHEREAS, this matter was discussed at the work session of the Mayor and Council on August 22, 2011.

NOW, THEREFORE, BE IT RESOLVED that the promotional list for the position of Sergeant in the Police Department of the Borough of River Edge and is hereby established from the candidates who participated and passed the promotional procedures, and that this promotional list shall be effective until October 4, 2012 midnight.

BE IT FURTHER RESOLVED that the candidates shall be offered the position of Sergeant in the following order:

1. Police Officer Gary Faustini
2. Police Officer Marc Abate
3. Police Officer Joseph Starost

September 6, 2011

Councilman Moscaritolo-stated that this is not an emergency appropriation and feels that spending \$230,000 for a reassessment is a waste of money.

Motion by Councilman Bartelloni, seconded by Councilman Cordts to approve resolution #11-309.

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

#11-309 Special Emergency Resolution N.J.S. 40A:4-53

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, by reason of a Reassessment Program; and

WHEREAS, N.J.S. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth or one-third of the amount authorized pursuant to this act.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-55:

1. An emergency appropriation be and the same is hereby made for a Reassessment Program in the total amount of \$230,000.00.
2. That said emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$46,000.00 in each of the next succeeding annual budgets.
3. That an "Emergency Note" not in excess of the amount authorized pursuant to law, be provided.
4. That such note shall be executed by Mayor Margaret Falahee Watkins, Alan P. Negreann, Chief Financial Officer and Denise A. Dondiego, Borough Clerk.
5. That said note shall be dated February 15, 2012, may be renewed from time provided that such note and any renewals thereof shall mature and be paid in the amount of not less than one-fifth or one-third of the total amount appropriated by this resolution in each year after the authorization thereof.
6. That the statement required by the Local Finance Board has been filed with the Clerk.

September 6, 2011

#11-310 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the 2011 Howland Avenue Improvements Project, Phase 3 (DOT Sec 6)

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2012-River Edge Borough-00330 to the New Jersey Department of Transportation on behalf of the Borough of River Edge.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of River Edge and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

September 6, 2011

Councilman Porco-stated that the Shade Tree Commission was not aware of the tree removals and asked that they be included in the process in the future.

Motion by Councilman Cordts, seconded by Councilman Porco to approve resolution #11-311.

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

voted yes.

#11-311 Change Order #2 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 and amended via resolution #11-263 in the amount of \$5,295.00 dated August 1, 2011; and

WHEREAS Change Order #2 reflects removal of two (2) additional trees in the amount not to exceed \$4,000.00; and

WHEREAS, the Mayor and Council have reviewed this matter at their work session of September 6, 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 \$4,000.00.

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 #2 in the amount not to exceed \$4,000.00.

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 #2.

September 6, 2011

#11-312 Change Order #1 Approval and Amendatory Contract for Frank Lurch Demolition Company, LLC for Professional Services Related to the Demolition of the Building in the Bogert Road Pocket Park

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 September 6, 2011 via resolution #11-297 to Frank Lurch Demolition Company, LLC, 515 Main Street, P.O. Box 42, Avon by the Sea, New Jersey 07717 in the amount of \$35,900.00; and

WHEREAS Change Order #1 reflects removal of additional asbestos roofing in the amount not to exceed \$3,177.00; and

WHEREAS, the Mayor and Council have reviewed this matter at their work session of September 6, 2011; and

WHEREAS, the Borough Engineer has recommended the above change.

WHEREAS, The Chief Financial Office has certified that funds are available from Account #04-2150-55-1654-300 of the Capital Fund in the amount not to exceed \$3,177.00.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with Frank Lurch Demolition Company, LLC, for Change Order #1 in the amount not to exceed \$3,177.00.

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 #2.

September 6, 2011

Councilman Moscaritolo-asked what the nature of these emergency purchases are. Denise Dondiego-replied that Alan had asked the departments that had storm related emergency purchases to fill out the required Emergency Certification forms.

Motion by Councilman Cannon, seconded by Councilman Bartelloni to

approve resolution #11-313.

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

#11-313 Acknowledge Receipt of Certification of Request for Emergency Purchases in the Department of Public Works, Police Department, Office of Emergency Management, Recreation Commission and Fire Department

WHEREAS, the Borough Engineer has certified that an emergency condition exists in the Borough of River Edge; and

WHEREAS, the condition constitutes an emergency affecting the health, safety and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby confirm and acknowledge the receipt of the Certification of Request for Emergency Purchases in the Department of Public Works, Police Department, Office of Emergency Management, Recreation Commission and Fire Department for this emergency.

September 6, 2011

#11-314 Borough of River Edge Joining the National Moment of Remembrance of the 10th Anniversary of September 11th

WHEREAS, the Governing Body of the Borough of River Edge expresses their support of the United State's Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m. the west wall of the Pentagon was hit by hijacked United Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania and in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people

around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harms way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13, 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009 and September 11, 2010 respectively as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of River Edge:

1. recognized September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001 and a day to come together as a Nation; and
2. offers its deepest and most sincere condolences to the families, friends and loved ones of the innocent victims of the September 11, 2001 terrorist attacks; and
3. honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers and countless others who aided the innocent victims of those attacks and in doing so, bravely risked and often gave their own lives; and
4. recognizes the valiant service, actions and sacrifices of United State personnel, including members of the United States Armed Forces, the United State intelligence agencies, the United State diplomatic services, homeland security and law enforcement personnel and their families, who have given so much, including their lives and wellbeing to support the cause of freedom and defend the security of the United States; and
5. reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001 and will work tirelessly to defeat those who attacked the United States.

BE IT FURTHER RESOLVED, that on the 10th anniversary of this tragic day in United States history, the Governing Body of the Borough of River Edge calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets, (ii) houses of worship, (iii) military organizations, (iv) veterans organizations, (v) airlines, (vi) airports, (vii) railroads, (viii) sports teams, (ix) the Federal Government, (x) State and Local governments, (xi) police, fire and other public institutions, (xii) educational institutions, (xiii) businesses, and (xiv) other public and private institutions.

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of River Edge encourages the observance of the moment of remembrance to last for one (1) minute beginning at 1:00 p.m. Eastern Daylight time by, to the maximum extend practicable ceasing all work or other activity and marking the moment in an appropriate manner, including by ringing bells, blowing whistles or sounding sirens.

September 6, 2011

#11-315 Resolution to Go Into Closed Session and Exclude Public on September 19, 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 September 19, 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>
11-9/19-1	Personnel - Accounts Payable Position	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.

September 6, 2011

#11-316 Ratification of a Declaration of an Emergency with Respect to
Hurricane Irene

WHEREAS, pursuant to the powers vested by Chapter 251 of the laws of 1942, as amended and supplemented, N.J.S.A. App. A:9-30 et seq.; N.J.S.A. 40:48-1(6); N.J.S.A. 2C:33-1 et seq., whichever law or laws apply, a local disaster emergency is declared to exist within the boundaries of the Borough of River Edge; and

WHEREAS, the aforesaid laws authorize the promulgation of such orders, rules and regulations as are necessary to meet the various problems which have or may occur due to such emergency; and

WHEREAS, by reason of the conditions which did and currently exists in certain areas of the Borough of River Edge, which may affect the health, safety and welfare of the people of the Borough of River Edge; and

WHEREAS, on August 27th - 28th the Borough of River Edge was subject to Hurricane Irene; and

WHEREAS, it was necessary to ratify and provide for emergency purchasing and emergency actions by the appointed officials, employees and professionals of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, that the period of August 27th - 28th is hereby ratified as a State of Emergency for the Borough of River Edge.

BE IT FURTHER RESOLVED that the appointed officials, employees and professionals of the Borough are hereby granted ratification of their activities taken during the State of Emergency and purchases made during to and after the State of Emergency related thereto, are ratified as authorized subject to the Emergency Purchasing Procedures of the Borough.

BE IT FURTHER RESOLVED that the Mayor, the Borough Administrator, the Emergency Management Coordinator and Borough Clerk are authorized to supply information and file for insurance reimbursement, any and all Federal Emergency Management Agency assistance for the Borough, its public property and residents.

September 6, 2011

#11-317 Borough of River Edge Joining the National Moment of Remembrance of
the 10th Anniversary of September 11th

WHEREAS, the Governing Body of the Borough of River Edge expresses their support of the United State's Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m. the west wall of the Pentagon was hit by hijacked United Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania and in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harms way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13, 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009 and September 11, 2010 respectively as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of River Edge:

1. recognized September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001 and a day to come together as a Nation; and
2. offers its deepest and most sincere condolences to the families, friends and loved ones of the innocent victims of the September 11, 2001 terrorist attacks; and
3. honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers and countless others who aided the innocent victims of those attacks and in doing so, bravely risked and often gave their own lives; and
4. recognizes the valiant service, actions and sacrifices of United State personnel, including members of the United States Armed Forces, the United State intelligence agencies, the United State diplomatic services, homeland security and law enforcement personnel and their families, who have given so much, including their lives and wellbeing to

- support the cause of freedom and defend the security of the United States; and
5. reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001 and will work tirelessly to defeat those who attacked the United States.

BE IT FURTHER RESOLVED, that on the 10th anniversary of this tragic day in United States history, the Governing Body of the Borough of River Edge calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets, (ii) houses of worship, (iii) military organizations, (iv) veterans organizations, (v) airlines, (vi) airports, (vii) railroads, (viii) sports teams, (ix) the Federal Government, (x) State and Local governments, (xi) police, fire and other public institutions, (xii) educational institutions, (xiii) businesses, and (xiv) other public and private institutions.

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of River Edge encourages the observance of the moment of remembrance to last for one (1) minute beginning at 1:00 p.m. Eastern Daylight time by, to the maximum extend practicable ceasing all work or other activity and marking the moment in an appropriate manner, including by ringing bells, blowing whistles or sounding sirens.

September 6, 2011

#11-318 Under 3% Emergency Resolution (N.J.S.A. 40A:4-48)

WHEREAS, an emergency has arisen with respect to Hurricane Irene and the subsequent declarations of emergency by the Borough of River Edge and Governor Christie (Executing Order #73) and no adequate provision was made in the CCYY budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of emergency appropriation(s) created including this appropriation to be created by this resolution is \$97,000.00 and three percent (3%) of the total operations in the budget for the year 2011 is \$325,363.62.

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

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

Emergency Hurricane Irene Related Costs	
Public Works Repair & Maintenance, Salaries & Wages	\$23,000.00
Emergency Hurricane Irene Related Costs	
Police Salaries & Wages	\$ 4,000.00
Emergency Hurricane Irene Related Costs - Other Expenses	\$70,000.00

2. That said emergency appropriation shall be provided in full in the 2012 budget.
3. That the Chief Financial Office has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of Local Government Services.

September 6, 2011

#11-319 Amend Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the 2009 Howland Avenue and Kinderkamack Road Intersection Improvement Project (Howland Avenue Traffic Light Design & Inspection)

WHEREAS, there exists a need for expert professional engineering services for the 2009 Howland Avenue and Kinderkamack Road Intersection Improvement Project (Howland Avenue Traffic Light Design & Inspection); and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #08-94 dated February 19, 2008 in the amount of \$25,000.00, amended via resolution #08-459 dated December 15, 2008 in the amount of \$25,000.000, amended via resolution #10-113 dated March 1, 2010 in the amount of \$7,100.00, amended via resolution #10-423 dated December 6, 2010 in the amount of \$14,000.00 and amended via resolution #11-272 dated August 1, 2011 in the amount of \$50,000.00; and

WHEREAS, additional funding is required for professional services for the 2009 Howland Avenue and Kinderkamack Road Intersection Improvement Project (Howland Avenue Traffic Light Design & Inspection); and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1728-100 of the Capital Fund in the amount not to exceed \$32,874.23; 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 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, Robert Costa has completed and submitted a Business Entity Disclosure Certification which certifies that Robert Costa has not made any reportable contributions to a political or candidate committee in the Borough of River Edge Governing Body in the previous one year, and that the contract will prohibit Robert Costa from making any reportable contributions through the term of the contract; and

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

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 327 South River Street, Suite 302, Hackensack, New Jersey 07601; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

September 6, 2011

Councilman Porco read resolution #11-320 into the record.

Motion by Councilman Porco, seconded by Councilman Cordts to approve resolution #11-320.

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

#11-320 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	\$337,559.83
CAPITAL ACCOUNT	\$ 200.00
RECREATION ACCOUNT	\$ 4,720.84

TRUST OTHER ACCOUNT

\$ 460.00

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

September 6, 2011

#11-321 Authorize Tax Collector to Refund Duplicate 3rd Quarter 2011 Tax Payments

WHEREAS, the tax office has received duplicate tax payments for the 3rd Quarter 2011 taxes on the following property; and

WHEREAS, a written request was received from their mortgage company to refund the overpaid amount directly to the mortgage company.

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

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Refund Amount</u>
1205/4	GORN, MICHAEL & JULIE 182 Oak Avenue River Edge, NJ 07661	\$3,283.02
	TOTAL:	\$3,283.02

Make check payable to:

CORE LOGIC TAX SERVICES
Mail Code: DFW 1-3
One Corelogic Drive
Westlake, TX 76262
Attn: Tax Refunds

September 6, 2011

#11-322 Authorize Tax Collector to Refund Duplicate 2011 3rd Quarter Tax Payments

WHEREAS, the tax office has received duplicate tax payments for the 3rd Quarter 2011 taxes on the following properties; and

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

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

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Refund Amount</u>
405/9	William & Irene Lindsley 736 Bogert Road River Edge, NJ 07661	\$1,960.70
506/28	Ge Hu and Guangze Wang 628 5 th Avenue River Edge, NJ 07661	\$3,375.00

September 6, 2011

#11-323 Authorize Tax Collector to Refund Duplicate 3rd Quarter 2011 Tax Payment

WHEREAS, a duplicate 3rd Quarter 2011 payment was received on 498 The Fenway from Fong Joe Hou, LLC, closing attorney for buyer LeJiang & Yu Qian; and

WHEREAS, the tax office has received a written request to refund the overpaid amount to Fong Joe Hou, LLC.

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

<u>Block/Lot</u>	<u>Name Address</u>	<u>Refund Amount</u>
814/40	Mattalian, Richard & Amanda 498 The Fenway River Edge, NJ 07661	\$2,651.56

Make check payable to:

Fong Joe Hou, LLC
Attorneys at Law
15 Bryant Avenue, #5
Clark, NJ 07066

#11-324 Authorize Tax Collector to Refund a Duplicate 3rd Quarter 2011 Tax Payment

WHEREAS, the tax office has received a duplicate tax payment for the 3rd quarter 2011 taxes on the following property; and

WHEREAS, a written request was received from their mortgage company to refund the overpaid amount directly to the mortgage company.

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

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Refund Amount</u>
1406/5	C&S MALKI LLC (ETAL) 111 Kinderkamack Road River Edge, NJ 07661	\$7,387.68

TOTAL: \$7,387.68

Make check payable to:

Oritani Bank
Mortgage Department
370 Pascack Road
Township of Washington, NJ 07676-1329

September 6, 2011

OPEN HEARING OF THE PUBLIC -

Motion by Councilman Cordts, 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.

Sergeant Curt Wilhelm-informed the Mayor and Council that PBA Local 201 will be obtaining a steel beam from the World Trade Center site. He continued by saying that they are spearheading the cost of setting up a memorial as well as getting a landscape designer who would donate his services. He noted that this is in the beginning stages and encouraged anyone to contact him or Mike Varrecchia with any questions or comments.

Fire Chief Bill Sanders-674 Millbrook Road-read his report on the Fire Departments operations during Hurricane Irene. He explained that the Chief Officers started planning their strategy on the Wednesday before the storm. Under the direction of Deputy Chief Cariddi they started to remove items from the ground floor at Company #2 and under the direction of Assistant Chief Mauthe, Company #1 rearranged vehicles and prepared the second floor for the crews who would be housed there during the storm. He stated that on Friday, the Fire Department Chief Officers met with other Department Heads along with the OEM Coordinator to discuss operations during the storm. The Chief stated

that he received the majority of the storm updates and information from Oradell's OEM Coordinator, Derek Kahill. The Chief called for a stand-by at 11 p.m. on Saturday and as conditions worsened, Company #2 was forced to evacuate to Company #1. The Chief explained the different types of calls that the department responded to including boat rescues in Rochelle Park and New Milford. He explained that after the storm on Monday, Company #2 had substantial water damage and several firefighters and their wives assisted in the clean-up. He stated that storm totals for Saturday night until Monday night were; 52 dispatches, over 1,500 man hours and 38 members on duty. The Chief commented that the fire sirens were essential because they were not able to charge the pagers due to the power outages and the sirens were the primary means of notification. He also commented that he was disappointed that only one Council member, Councilman Moscaritolo, came down to Company #2 to inspect or evaluate the damage. He understands that many people were dealing with their own situations, but noted that the firemen also had things going on but still responded to the emergencies.

Joanna Lamneck-148 Voorhis Avenue & Kara O'Donnell-150 Voorhis-explained that the residents of Voorhis Avenue have formed a Voorhis Block Association and asked the members to stand up and be recognized by the Council. Ms. Lamneck read a proposal that the VBA is proposing to the Mayor and Council. They are requesting that the Mayor and Council correct the severely flawed storm drain issue that has plagued the Voorhis Avenue residents for many years. Ms. Lamneck made reference to a letter she sent to the Mayor and Council outlining the four feet of flooding that occurred during a fifteen minute rainfall on August 19th. Ms. Lamneck requested that members of the VBA be allowed to attend Sewer Sub-Committee meetings to discuss their proposal. The VBA believes that they need additional storm drains and/or pipes to adequately remove water from the streets and they feel that there are four streets that are beading water onto their section on Voorhis which are Kensington, Bogert, Manning and Elm. Ms. Lamneck read the VBA's list of requests and asked for a response within 30 days.

Mayor Watkins-thanked Ms. Lamneck for her comments and invited them to the next Sewer Sub-committee meeting. The Mayor stated that she did travel to Voorhis Avenue after that Friday storm and acknowledged the severe flooding in that area. Councilman Moscaritolo-suggested that Bob Costa give a historic overview of that area.

Peggy White-741 Center Avenue-stated that there are several homes on her street who get a tremendous amount of water running down from Kinderkamack Road and feels that it is coming from the wells on the Knights of Columbus property. Mayor Watkins-informed Peggy that the Sewer Sub-Committee can also address that. Bob Costa-stated that historically there was a problem on the Voorhis Avenue area during Hurricane Floyd but he doesn't recall any federal money being spent on Manning Avenue.

Resident-stated that she was told by Manning Avenue residents that additional storm drains were put in but doesn't know if there is any documentation on that.

Mayor Watkins-explained that since she's been here, she has never heard of anything being done on Manning. The Mayor also stated that many years ago the Army Corp of Engineers came in regarding flooding issues and the only thing she knows of is that they redirected the Oak Avenue ditch.

Bob Costa-suggested that the issue should be brought up at the Sewer Sub-Committee and agreed to meet with the residents, explore some options and come back to the Council with a recommendation.

Tim O'Donnell-150 Voorhis Avenue-feels that the problem is the creek which runs between Voorhis to Kensington Road because when it fills up it creates a wall of water running throughout the area.

Liz Anievas-142 Voorhis Avenue-stated that it used to be an open brook and by closing it, there's no where for the water to go.

New Resident-874 5th Avenue-stated that he is planning to put an addition on his home and wanted to know when the Borough will be going back to its previous ordinance with regard to a variance for a second story addition.

Sam Cereste, Esq.-explained that Mark Skerbetz had indicated the Borough that there have been many variances going before the Zoning Board for this very issue. He explained that people who were building up over an existing footprint had to go before the Board because they violated one of the bulk requirements, typically a side yard variance. The matter was referred to the Planning Board who drafted a proposed language to cover this situation so that residents would not have to go before the Board as long as they stayed within the existing footprint. He also explained that the Zoning Board looked at the recommended language that was drafted by the Planning Board Attorney because he felt that they should have input since they are dealing with the applications as they come in. The Zoning Board felt that the language which would allow construction over an existing footprint would be a good thing for the town. Mr. Cereste sent it over to Mark Skerbetz for a last look at the language and would incorporate any additional comments he might have. He advised the resident to wait a month or so for the ordinance to be adopted by the Mayor and Council.

Neal Carroll-321 Wales Avenue-asked if a plaque will be given to the landscaper who donated his services and plants for the 9/11 Memorial.

Councilman Bartelloni-explained that he had asked the 9/11 Committee whether or not it was possible for Let It Grow to donate their services and at that time they told him that wasn't going to happen because he has donated enough and they were against a plaque or anything like that.

Neal Carroll-stated that as the Mayor and Council are well aware, he has brought

up the topic of the Police Department needing an emergency generator several times over the years and was told that the Police Department did in fact have a working generator. He explained that during the storm he received a phone call from the OEM Coordinator informing him that they were carrying boxes with radio equipment down to the Library to use their generator and there was the possibility of bringing a generator in on a trailer. Over the years he has also spoken about the importance of continuation of government and feels that that did not happen during the storm because phone lines were down at Borough Hall due to power outages. He stated that the Borough had planned on getting a new architect to design the system but had already previously paid another architect for the same service. He understood that the problem was that it was too expensive and instead of going with the existing plan, we're going to start all over again. He stated that a portable generator did not work and there many problems that could have been avoided if they had the proper generator. He feels that the Borough should resurrect the original three bidders that bid on the original generator and add the additional load of the air conditioning for Borough Hall and pursue what we've already done instead of starting all over again.

Kathleen Murphy-741 Williams Avenue-stated that she noticed on the Borough message board that the VFW is celebrating its 75th anniversary and asked if the Borough was doing anything.

Mayor Watkins-stated that the Borough has not received any information from the VFW but she thinks that something has been done on a national level and they did do something at the VFW dinner. The Mayor stated that there has not been anything else mentioned or asked about.

CLOSE HEARING OF THE PUBLIC -

Motion by Councilman Bartelloni, seconded by Councilman Cordts 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 -

Councilman Moscaritolo-feels that the drainage problem on Voorhis Avenue should be explored by the Sewer Sub-Committee. He continued by saying that he doesn't know whether the Sewer Sub-Committee has met recently because he hasn't read any minutes and would like to be put on that committee. He feels that Bob Costa should review the engineering and have the lines tv'd and the Mayor and Council should study it and come up with some type of solution. Councilman Moscaritolo feels that the Mayor and Council have dropped the ball with the emergency generator and wants to move forward and get things done. He feels that the \$230,000 that we're spending on the reassessment could have been used towards the generator for the Police Department so that lines of communication are open in case of major emergencies. Councilman Moscaritolo thanked John Lynch, Chief Cariddi, Chief Sanders and their departments, all of the emergency service people who came out and pitched in and went above and beyond the call of duty during the storm.

Mayor Watkins-informed Councilman Moscaritolo that the Sewer Sub-Committee meets monthly and the minutes are sent out to the entire Mayor and Council.

Councilman Porco-thanked all of the departments for their hard work during the storm. He continued by saying that as much as we try to prepare, there will always be something that needs to be improved upon. He stated that he agrees that the situation on Voorhis Avenue needs to be addressed by the Sewer Sub-Committee but also reminded everyone of the serious budget battle that they're up against. He stated that although things don't happen overnight they need to sit down and come up with a plan and tackle those obstacles.

Councilman Mignone-congratulated Chris Cheevers on his promotion and the other officers who were recognized this evening for going above the call of duty. He also thanked all of the emergency personnel for their response during the storm and commended them for all of the time and effort that they put in. Councilman Mignone explained that there are issues with the generator such as the size and maintenance. As far as capacity, he feels that we could rent a generator three times the size and pay for it for twenty years for the amount of the generator that was proposed to us to buy previously. Councilman Mignone had not received the design report from the engineer but did receive an e-mail saying that they looked at PSE&G bills and doubled the amount and came up with a number. In his opinion, he doesn't feel that that is satisfactory design criteria to spend \$350,000.00. He feels that they need a load analysis in order to make an educated decision to get something that is appropriate for our needs.

Councilman Cannon-also congratulated and thanked all of the departments who worked so hard to get us through the storm over the weekend. He congratulated Chris Cheevers on his promotion and to the officers who received commendations. Councilman Cannon feels that there needs to be better communication and is glad they are going to look into it because many times things become very political which doesn't help the residents. He feels instead of looking back and being critical, we need to learn from the shortfalls that happened during the storm and move forward to improve communication to our residents. With regard to the generator, Councilman Cannon agreed with Councilman Mignone and feels that they

need to look into what our needs are and move forward in getting it done. Councilman Cordts-feels that the current Mayor and Council are working together pretty well and is sorry that people didn't see him around town during the storm but stated that he was out there. He also stated that the Sewer Sub-Committee meets monthly to address many concerns that are happening in town and told Councilman Moscaritolo that the Mayor and Council receive minutes immediately after the meeting informing them of what was discussed. He appreciates all of the hard work by the DPW, Police, OEM and Fire Department during the storm. Councilman Bartelloni-thanked EMS 'along with the Fire Department, DPW, Police and also Bob Costa who made sure that the work at Howland and Kinderkamack Road had progressed so that there weren't any incidents. He noted that everyone did a fantastic job and understands that many residents were frustrated with the power outages and flooding. Councilman Bartelloni commented on statement that Councilman Cannon made regarding politics and feels that his statement was hypocritical because at the height of the storm and recovery members of the Democratic Party were posting negative comments on their website. He stated that he did visit Company #2 on Sunday and saw the flooding and also noted that before the storm he had e-mailed Chief Sanders along with the two other Chief's to ask if they needed anything and received no response from anyone. He agrees that there is politics being played and stressed the importance that we step up communications because people need to know what is going on. He stated that he received most of his information from the Patch. He felt that information was out there, though it could've been better, and people were working very hard and doing what they could. He again agreed that politics shouldn't play a part in this.

Mayor Watkins-thanked everyone for coming up this evening. The Mayor praised all of the emergency services, the Police Department, DPW, OEM and Fire Department for their outstanding efforts during the storm. The Mayor stated that she and Dick Berry went to Bergen Community College to assess the needs of the 17 residents that were housed over there during the storm. The Mayor drove around town with Councilman Cordts, stopped several times at Borough Hall and the Police station during storm. The Mayor agreed that unfortunately, there was a lack of communication and that is something that they need to work on. The Mayor thanked the many residents who assisted each other in sharing their generators or helping to bail each other out. The Mayor commented that it took over ten years to get the traffic light project going on Howland and Kinderkamack Road and stressed to the Voorhis Avenue residents that they shouldn't expect that a solution will be forthcoming immediately. The Mayor stated that because there are money restrictions, they may have to look into grants or federal funding but assured them that this matter will be discussed and they will be invited to any meetings when this topic will be discussed. The Mayor congratulated Chris Cheevers on his promotion.

ADJOURNMENT - 9:20 P.M.

Motion by Councilman Cordts, seconded by Councilman Bartelloni to adjourn the meeting at 9:20 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: