

M I N U T E S  
Meeting of the Mayor and Council  
Monday, August 2, 2010  
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

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

STATEMENT -

Mayor Watkins read the statement under the Sunshine Law and asked the Clerk to put it into the minutes. "Adequate Notice of this meeting has been made by sending notice on December 18, 2009 to THE RECORD and THE RIDGEWOOD NEWSPAPER, by positioning on the bulletin board in the lobby of the Borough Hall, and filing a Notice of the same with the Municipal Clerk".

ROLL CALL - Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cannon, Councilman Cordts and Mayor Watkins were present, Councilwoman Walker was absent.

APPROVAL OF MINUTES - By Consent

Motion by Councilman Smith, seconded by Councilman Cannon to approve the minutes of the Mayor and Council work session and regular meeting of July 6, 2010.

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

Motion by Councilman Smith, seconded by Councilwoman Rush to approve the minutes of the Mayor and Council special meeting of July 26, 2010.

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

Motion by Councilman Smith, seconded by Councilman Cordts to approve the minutes of the Mayor and Council work session meeting of July 26, 2010.

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

PROCLAMATION & AWARDS - NONE

APPOINTMENTS & PERSONNEL CHANGES

Motion by Councilman Smith, seconded by Councilman Cannon to approve the reappointment of James Anzevino, Tax Assessor to July 31, 2014.

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

Motion by Councilman Smith, seconded by Councilwoman Rush to approve the resignation of Joseph Clementi, Code Enforcement Officer, effective August 31, 2010.

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

Motion by Councilman Cannon, seconded by Councilman Smith to approve the retirement of Elizabeth Biggar, Crossing Guard, effective June 30, 2010.

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

Motion by Councilwoman Rush, seconded by Councilman Smith to approve the appointment of Brendan Cariddi to the Junior and Fire Auxiliary Squad in the Volunteer Fire Department, effective immediately.

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

Motion by Councilman Cannon, seconded by Councilman Smith to approve the salary increase of Marc DeYoung, Patrolman in the Police Department from an annual salary of \$112,938.40 to \$115,110.29 due to an increase in longevity from 6% to 8% effective July 15, 2010.

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

Motion by Councilman Cannon, seconded by Councilman Smith to approve the salary increase of Michael McGinty, Patrolman in the Police Department from an annual salary of \$112,938.40 to \$115,110.29 due to an increase in longevity from 6% to 8% effective July 15, 2010.

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

Motion by Councilman Smith, seconded by Councilman Cannon to approve the promotion of Jason Milito, to Equipment Operator in the Department of Public Works at an annual salary of \$55,946.00, effective September 1, 2010.

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

CORRESPONDENCE -

Letter	-	State of New Jersey, Public Utilities - 7/6/10
		Re: Cablevision of Oakland
Letter	-	State of New Jersey, DEP - 7/6/10
		Re: Potable Well Analysis, 47 Kinderkamack Rd
Letter	-	Kenneth Hoffman - 7/12/10
		Re: Dissolution of the Borough of Teterboro
Letter	-	Board of Chosen Freeholders - 7/14/10
		Re: Ordinances Adopted
Letter	-	Board of Chosen Freeholders - 7/14/10
		Re: Ordinances Adopted
Letter	-	Joseph Clementi - 7/14/10
		Re: Letter of Resignation
Letter	-	Bergen County Sheriff - 7/19/10
		Re: Thank you
Notice	-	River Edge Board of Education-7/22/10
		Re: Meeting on July 26, 2010
Letter	-	State of New Jersey - 7/26/10
		Re: Underground Tank - 234 Wales
Letter	-	County of Bergen - 7/26/10
		Re: Open Space Funds Available
Notice	-	River Edge Board of Education - 7/27/10
		Re: Meeting on July 28, 2010
Letter	-	Cablevision - 7/27/10
		Re: Channel Addition
Letter	-	R.E.G.A.L - 7/28/10
		Re: Thank you
Letter	-	County of Bergen - 7/28/10
		Re: Senior Picnic - 9/14/10

MONTHLY REPORTS -

Building Department	-	June 2010
Beautification Committee	-	June 2010
Fire Prevention	-	April - June 2010
Board of Health	-	June 2010
Tax Department	-	June 2010
Police Department	-	June 2010

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

Denise Dondiego, Borough Clerk read the title of Ordinance #1713 as follows:

Ordinance #1713 - AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE CHAPTER 400 "VEHICLES & TRAFFIC", ARTICLE IV, "SCHEDULE", SECTION 27, "SCHEDULE I: PARKING PROHIBITED AT ALL TIMES"

Motion by Councilman Cannon, seconded by Councilman Smith to approve the first reading of Ordinance #1713 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1713

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE CHAPTER 400 "VEHICLES & TRAFFIC", ARTICLE IV, "SCHEDULE", SECTION 27, "SCHEDULE I; PARKING PROHIBITED AT ALL TIMES"

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, County of Bergen and State of New Jersey, that chapter 400 "Vehicles & Traffic" of the Revised General Ordinances of the borough of River Edge is hereby amended and supplemented as follows:

Section I. chapter 400, Article IV, Section 27, Schedule I Parking Prohibited at All Times shall be supplemented to reflect the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
A. Delete in its entirety:		
Tenney Avenue	South	From Kinderkamack Road to Center Avenue
B. Replace with the following:		
Tenney Avenue	South	From the East curb line of Kinderkamack Road to Riverside Way
C. Add:		
<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Tenney Avenue	North	From the East curb line of Center Avenue To Riverside Way
Riverside Way	West	From the South curb line of Tenney Avenue To a point 620 feet south there from
Riverside Way	East	From the North curb line of Tenney Avenue to a Point 920 feet south there from.

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

Section II:

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

Section III:

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

Mayor Margaret Falahee Watkins

ATTEST:

Denise A. Dondiego, Borough Clerk  
Dated:

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

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Denise Dondiego, Borough Clerk read the title of Ordinance #1714 as follows:

Ordinance #1714 - AN ORDINANCE AMENDING CHAPTER 362 "STREETS AND SIDEWALKS" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Motion by Councilman Cannon, seconded by Councilman Smith to approve the first reading of Ordinance #1714 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1714

AN ORDINANCE AMENDING CHAPTER 362 "STREETS AND SIDEWALKS" OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge that Chapter 362 of the Code of the Borough of River Edge is hereby amended as follows:

Section I: Section 362-22 "Permit required" change "Borough Clerk" to "Construction Official"

Section II: Section 362-23 "Application information" change "Borough Clerk" to "Construction Official"; Paragraph (F) change "Clerk" to "Construction Official"

Section III: Section 362-24 "Specifications", Paragraph (A) change "Borough Clerk" to "Construction Official".

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

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

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

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated:

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

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ORDINANCES - 2<sup>nd</sup> Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1711 as follows:

Ordinance #1711 - AN ORDINANCE ADOPTING THE "BOROUGH OF RIVER EDGE KINDERKAMACK REDEVELOPMENT AREA" PLAN

Ordinance #1711 was introduced by Councilman Smith, seconded by Councilman Cannon at the July 6, 2010 meeting as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1711

AN ORDINANCE ADOPTING THE "BOROUGH OF RIVER EDGE KINDERKAMACK REDEVELOPMENT AREA" PLAN

WHEREAS, on December 4, 2006 the Mayor and Council of the Borough of River Edge adopted resolution #06-357 designating Block 1413, Lots 1, 2.01, 4 and 5 ("Subject Property") as an area in need of redevelopment under the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq; and

WHEREAS, the Governing Body retained the services of A. Nelessen Associates, Inc., 49 River Road, Belle Meade, New Jersey to draft a Redevelopment Plan for the Subject Property; and

WHEREAS, A. Nelessen Associates, Inc. prepared a Redevelopment Plan which has been reviewed by the River Edge Planning Board and other agencies and departments of the Borough and by the Mayor and Council who approve of the

Redevelopment Plan as revised.

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

Section I:

The Governing Body hereby adopts the "Borough Of River Edge Kinderkamack Redevelopment Area" Plan dated April 27, 2010 a copy of which is annexed hereto, as the Redevelopment Plan for the Subject Property, Block 1413, Lots 1, 2.01, 4 and 5.

Section II:

The Redevelopment Plan shall supersede all provisions of Chapter 416 "Zoning" of the Code of the Borough of River Edge. In all situations where zoning issues are not addressed in the Redevelopment Plan, Chapter 416 of the Borough Code shall remain in full force and effect.

Section III:

Pursuant to N.J.S.A. 40A:12A-7(c) the Zoning Map of the Borough of River Edge is hereby amended to identify the redevelopment area in the manner depicted in the "Borough Of River Edge Kinderkamack Redevelopment Area" Plan

Section IV:

If any provision of this ordinance shall be held invalid by any court of competent jurisdiction, the same shall not effect the other provisions of this ordinance, except so far as the provision so declared invalid shall be inseparable from the remainder of any portion thereof.

Section V:

This ordinance shall take effect upon passage and publication as required by law and upon filing with the Bergen County Planning Board.

Margaret Falahee Watkins, Mayor

Attest:

Denise A. Dondiego, Borough Clerk

OPEN HEARING OF THE PUBLIC - Ordinance #1711

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

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

Joseph Dunsay-151 Concord Drive-feels that there are flaws in our zoning laws and that if they were done correctly to begin with there would be no need for redevelopment.

CLOSE HEARING OF THE PUBLIC - Ordinance #1711

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

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

ADOPTION - Ordinance #1711

Motion by Councilwoman Rush, seconded by Councilman Cannon to adopt Ordinance #1711.

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

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Denise Dondiego, Borough Clerk read the title of Ordinance #1712 as follows:

Ordinance #1712 - AN ORDINANCE AMENDING CHAPTER 206 "FEES" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Ordinance #1712 was introduced by Councilwoman Rush, seconded by Councilman Smith at the July 6, 2010 meeting as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1712

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

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey, that Chapter 206 "Fees" of the Code of the Borough of River Edge be and hereby is amended as follows:

Section I \$206-K Tax sale notice mailing fee amended as follows:

Add:

- a) Tax Sale Certificate-redemption calculation - two redemption calculations in a calendar year for any party that holds interest in the property - no charge.
- b) each subsequent calculation requested of the Tax Collector -\$50.00.
- c) Redemption calculation requested by a lien holder on a certificate they own - \$50.00.

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

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

Section IV This ordinance shall take effect immediately upon passage and publication according to law.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1712

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

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

CLOSE HEARING OF THE PUBLIC - Ordinance #1712

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

ROLL CALL VOTE: Councilwoman Rush, Councilman Smith, Councilman Cannon

and Councilman Cordts voted yes, Councilwoman Walker and Councilman Porco were absent.

ADOPTION - Ordinance #1712

Motion by Councilman Smith, seconded by Councilman Cannon to adopt Ordinance #1712.

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

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RESOLUTIONS - By Consent

Motion by Councilman Smith, seconded by Councilman Cannon to approve resolution #10-287 through #10-298 and resolution #10-300 through #10-303.

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

#10-287 Establish a Bid and Quotation Threshold for the Borough of River Edge

WHEREAS, the Public Laws of 1999, Chapter 440, changed the Local Public Law and was effective April 17, 2000; and

WHEREAS, a Local Finance Notice (LFN 2010-13) from the State of New Jersey, Division of Local Government Services have been received which announces an adjustment to the public bidding threshold effective July 1, 2010; and

WHEREAS, the Mayor and Council at a work session held on July 6, 2010 have indicated their desire to establish a new bid and quotation threshold for the Borough effective August 2, 2010.

NOW, THEREFORE, BE IT RESOLVED that the bid threshold for the Borough of River Edge, effective August 2, 2010 will be \$36,000.00.

BE IT FURTHER RESOLVED that the quotation threshold for the Borough of River Edge, effective August 2, 2010 will be \$5,400.00.

BE IT FURTHER RESOLVED, that three quotations whether informal or written shall be solicited and attached to the Borough's requisition.

BE IT FURTHER RESOLVED that the Borough's Policy and Procedure Manual on Purchasing is hereby amended to reflect this change.

August 2, 2010

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#10-288 Release Statement for the Kinderkamack Road Regional Revitalization (Phase 1B) Project

WHEREAS, the State of New Jersey, Department of Transportation authorized a grant to the Borough of River Edge for the project entitled "Kinderkamack Road Regional Revitalization (Phase 1B)"; and

WHEREAS, the Borough of River Edge executed agreement number 2009-DT-BLA-211; and

WHEREAS, the Borough Engineer has certified to the Governing Body that the Kinderkamack Road Regional Revitalization (Phase 1B) project has been completed in a satisfactory manner; and

WHEREAS, a release statement from the agreement for federal aid is required.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council are hereby authorized to execute the release statement from the agreement for federal aid.

August 2, 2010

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#10-289 Resolution Permitting the Possession and Consumption of Alcoholic

Beverages at a Block Party on The Fenway

WHEREAS, on or about July 20, 2010, the Borough of River Edge granted permission to Michael Corcoran, 1 Fenway Court, River Edge, New Jersey, to hold a block party on The Fenway between Lee Avenue and Fenway Court on September 4, 2010 in accordance with Borough Ordinance #1678; and

WHEREAS, Mr. Corcoran 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.

August 2, 2010

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#10-290 Amend Agreement with Robert Costa, Borough Engineer, for Professional Services to Design and Inspect Outfall Locations

WHEREAS, there exists a need for expert professional engineering services for Design and Inspection of Outfall Locations; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Bob Costa, Borough Engineer via resolution #08-486 dated December 29, 2008 in the amount of \$8,000.00 for Professional Services for Design and Inspection of Outfall Locations; and

WHEREAS, additional funding is required for professional services for Design and Inspection of Outfall Locations; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-173 of the Current Fund in the amount not to exceed \$13,000.00; and

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

WHEREAS, 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.

August 2, 2010

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#10-291 Rescind Resolution #10-280 Authorizing the Mayor and Clerk to Sign an Interlocal Services Agreement with the Borough of New Milford for the Use of the River Edge Compost Facility

WHEREAS, the Mayor and Council approved resolution #10-280 at their meeting of July 6, 2010 authorizing and Interlocal Agreement with the Borough of New Milford for the use of the River Edge Compost Facility; and

WHEREAS, the Borough of New Milford currently has a contract for this service.

NOW, THEREFORE, BE IT RESOLVED that resolution #10-280 dated July 6, 2010 is hereby rescinded.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to change her records accordingly.

August 2, 2010

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#10-292 Amend 2010 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 Over the Limit Under Arrest in the amount of \$4,400.00; and

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 Over the Limit Under Arrest  
Grant.....\$4,400.00

BE IT FURTHER RESOLVED that the like sum of \$4,400.00 and the same is hereby appropriated under the caption of:

General Appropriations

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

Over the Limit Under Arrest Grant.....\$4,400.00

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

August 2, 2010

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#10-293 Grant Raffle License to HSA St. Peter Academy

BE IT RESOLVED that the following license to conduct an On Premise "Nite at the Races", Tricky Tray Prize Raffle to be issued to the HAS St. Peter Academy, 431 Fifth Avenue, River Edge, New Jersey, 07661, License #622, I.D. 423-5-31194 to take place at 431 Fifth Avenue, River Edge, New Jersey on October 16, 2010 from 9:00 p.m. to 11:00 p.m..

The Clerk reporting all in order.

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control of the State of New Jersey.

August 2, 2010

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#10-294 Authorize Tax Collector to Refund Duplicate Third Quarter 2010 Tax Payments

WHEREAS, the tax office has received a duplicate tax payment for the third quarter 2010 taxes on the following property; 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 a refund check in the following amount and the Tax Collector to adjust her records accordingly.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Refund Amount</u>
1202/20	CHAKKAPPAN, JOY V. 118 Davis Drive River Edge, NJ 07661	\$246.11

August 2, 2010

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#10-295 Authorize Refund of 2009 Taxes Due to New Jersey Tax Court Judgment

WHEREAS, a Tax Court Judgment was entered on 5/21/2010 and the same was received by the tax office reducing the Assessed Value on Block 1105, Lot 8, property known as 3 Warwick Court, owner, Chandrika Kulatilleki; and

WHEREAS, taxes for the year 2009 were paid in full.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor to refund the property owner \$1,221.00 and the Tax Collector to adjust her records accordingly.

<u>Tax Year</u>	<u>Old Value</u>	<u>New Value</u>	<u>Adjusted</u>	<u>Refund</u>
2009	507,600	457,600	\$1,221.00	\$1,221.00

Total Refund Amount: \$1,221.00

Make check payable to: Chandrika Kulatilleki  
3 Warwick Court  
River Edge, NJ 07661

August 2, 2010

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#10-296 Authorize Refund of 2009 Taxes Due to New Jersey Tax Court Judgment

WHEREAS, a Tax Court Judgment was entered on 5/21/2010 and the same was received by the tax office reducing the Assessed Value on Block 1103, Lot 12, property known as 371 Howland Avenue, owner, Kim, Wookyung.

WHEREAS, taxes for the year 2009 were paid in full.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor to refund the property owner \$1,221.00 and the Tax Collector to adjust her records accordingly.

<u>Tax Year</u>	<u>Old Value</u>	<u>New Value</u>	<u>Adjusted</u>	<u>Refund</u>
2009	502,500	452,500	\$1,221.00	\$1,221.00

Total Refund Amount: \$1,221.00

Make check payable to: Wookyung Kim  
371 Howland Ave.  
River Edge, NJ 07661

August 2, 2010

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#10-297 Authorize Refund of 2006, 2007, 2008 Taxes Due to New Jersey Tax Court Judgment

WHEREAS, a Tax Court Judgment was entered on 6/30/2010 and the same was received by the tax office for Great Outdoors, Inc. reducing the Assessed

Value on the following Properties:

<u>B/L</u>	<u>Property</u>	<u>Old Value</u>	<u>New Value</u>
1418/2	278 Johnson Ave.	354,000	250,000
1418/3	11 Rt. 4 East	924,000	150,000
1418/3.01	62 Madison St.	500,600	350,000
1418/4	62 Madison St.	984,500	75,000

WHEREAS, taxes for the years 2006, 2007, and 2008 were paid in full.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor refund the following amounts and the Tax Collector to adjust her records accordingly.

<u>B/L</u>	<u>2006 Refund</u>	<u>2007 Refund</u>	<u>2008 Refund</u>
1418/2	\$ 2,173.60	\$ 2,308.80	\$ 2,408.64
1418/3	\$16,176.60	\$17,182.80	\$17,925.84
1418/3.01	\$ 3,147.54	\$ 3,343.32	\$ 3,487.90
1418/4	\$19,008.55	\$20,190.90	\$21,064.02
	\$40,506.29	\$43,025.82	\$44,886.40

Total Refund Amount: \$128,418.51

Make check payable to: Great Outdoors, Inc.  
P.O. Box 618  
Montvale, NJ 07645

August 2, 2010

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#10-298 Authorize Refund from Recreation Dedicated Account

WHEREAS, a resident had signed up for the Summer Playground and was unable to participate; and

WHEREAS, they had paid in full for the Summer Playground Program; and

WHEREAS, a refund will be made to the following:

Jennifer Darmochwal  
770 Millbrook Road  
River Edge, NJ 07661

NOW, THEREFORE, BE IT RESOLVED that a total of \$70.00 be refunded from the Recreation Dedicated Account to the above listed resident.

August 2, 2010

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Councilwoman Rush read resolution #10-299 into the record.

Motion by Councilwoman Rush, seconded by Councilman Cannon to approve resolution #10-299.

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

#10-299 Payment of Bills

WHEREAS, vouchers for the payment of goods and services rendered to the Borough of River Edge have been received; and

WHEREAS, each bill has been checked by the receiving department, approved by the Chief Financial Officer and Borough Clerk and reviewed by the three members of the Finance Committee.

NOW, THEREFORE, BE IT RESOLVED that bills as listed now be confirmed for payment from the appropriate funds as follows:

CURRENT ACCOUNT TOTAL	\$6,962,090.38
CAPITAL ACCOUNT	\$ 83,858.10
RECREATION ACCOUNT	\$ 6,164.00

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.

August 2, 2010

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#10-300 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 August 2, 2010 meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
10-8/2-2	Potential Litigation - Claim for Tree Damage - Stream Stabilization Project	N.J.S.A. 10:4-12(7)

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

3. This resolution shall take effect immediately.

August 2, 2010

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#10-300 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 August 2, 2010 meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
10-8/2-2	Potential Litigation - Claim for Tree Damage - Stream Stabilization Project	N.J.S.A. 10:4-12(7)

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

3. This resolution shall take effect immediately.

August 2, 2010

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#10-301 Resolution to Enter into a Grant Agreement with the County of Bergen  
for the Purpose of Using Community Development Block Grant Funds

BE IT RESOLVED that the Mayor and Council of the Borough of River Edge wishes to enter into an agreement with the County of Bergen for the purpose of using \$4,300.00 in 2010 Community Development Block Grant funds for the Senior Bus Dispatcher(s) in the Borough of River Edge; and

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

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

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

August 2, 2010

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#10-302 Resolution to Enter into a Grant Agreement with the County of Bergen  
for the Purpose of Using Community Development Block Grant Funds

BE IT RESOLVED that the Mayor and Council of the Borough of River Edge wishes to enter into an agreement with the County of Bergen for the purpose of using \$14,500.00 in 2010 Community Development Block Grant funds for the Senior Bus Driver(s) in the Borough of River Edge; and

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

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

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

August 2, 2010

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#10-303 Resolution to Enter into a Grant Agreement with the County of Bergen  
for the Purpose of Using Community Development Block Grant Funds

BE IT RESOLVED that the Mayor and Council of the Borough of River Edge wishes to enter into an agreement with the County of Bergen for the purpose of using \$23,500.00 in 2010 Community Development Block Grant funds for the Public Library ADA Service Desk in the Borough of River Edge; and

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

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

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

August 2, 2010

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OPEN HEARING OF THE PUBLIC -

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

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

Casey Connors-259 Adams Avenue-asked the Mayor and Council to prioritize making the entrances of the Borough Hall ADA accessible and also asked why they are putting money into making the American Legion Building handicapped accessible when the building itself can't be used. (CDBG money discussed at work session)

Mayor Watkins-explained that they will have to investigate to see what the costs will be because any funding will have to come from open space or community development block grants.

Bill Lindsley-explained that the grant money is not just to make the building ADA compliant, its to make the building useable including ADA compliance.

Mayor Watkins-explained that you can't do any work without making it ADA compliant.

Peggy White - 741 Center Avenue- asked if Ordinance #1713 means that there is no parking on both sides of Tenney Avenue from Kinderkamack Road down?

Bill Lindsley-replied, yes.

Peggy White-stated that parking has been allowed on the north side and asked who recommended this change.

Bill Lindsley-stated that the ordinance came from the Police Department and he wasn't sure if they had anyone contact them.

Mayor Watkins-suggested that Councilman Cannon, the Police Department liaison to ask the Chief if all of the residents have been notified that this ordinance is going into affect.

Councilman Cannon-stated that this ordinance specifically talks about Mrs. White's question pertaining to the south of Center Avenue which had been investigated by Lieutenant Curran. He stated that he will review it again and speak to the Chief as well.

Casey Connors-asked what it costs to bond for \$1,000,000.

Alan Negreann-replied, 1 or 2% depending on what type of bonding or borrowing we're going to do.

Casey Connors-asked where that money will come from?

Alan Negreann-stated that it would come out of the operating budget or tax dollars.

Casey Connors-stated that many residents are having trouble paying their taxes now.

Alan Negreann-stated that we may not have to go out and do temporary borrowing depending on the cash flow from the County. He continued by saying that there is a realistic possibility that they will provide most of the money up front.

Casey Connors-asked if there is any guarantee that this money is coming from the County?

Alan Negreann-explained that we currently have an interlocal agreement and we're looking at amending that agreement with this decision tonight.

Mayor Watkins-stated that is very likely that we will be getting the money. The Mayor also explained that we might be getting up to 75% of the funds before the work is started.

Alan Negreann-stated that we will have to supply copies of all invoices and engineering certifications.

Mayor Watkins-agreed with Casey Connors that this project has been taking quite a long time to get going.

Joseph Dunsay-151 Concord Drive-suggested that since the Borough is short of funds they should sell the air rights to each unit on the Pocket Park property that we purchased. He suggested building a third floor.

Bill Lindsley-explained that our zoning ordinance does not allow for a third story in residential areas and that the buildings that are there will be taken down. He also stated that he's not aware of any development rights being sold on buildings that are demolished or not being used.

Joseph Dunsay-suggested that we change our zoning laws to allow a third level.

Mayor Watkins-asked the Borough Attorney to look into that.

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS -

Councilwoman Rush-stated that the Mayor and Council have adopted a third property

in the redevelopment area which will hopefully help in our economic recovery and will result in a tax benefit for our residents by bringing in ratables. She also stated that Colin Quinn previously reported that when New Jersey Transit went out for expressions of interest, over 145 firms responded and six of those who responded were from significant developers on the east coast. Councilwoman Rush feels that we are setting ourselves up to be in a position, when things do come around, to be ready to move forward in redevelopment.

Councilman Smith congratulated Mallory Coyman, Jackie Curran and Reena Mishory who are members of the Fire Department for making the Deans List at college.

Councilman Cannon echoed Councilwoman Rush's' comments and is happy that Ordinance #1711 was passed because it is a step in the right direction toward redevelopment. He hopes that this project can get going sooner rather than later.

Councilman Cordts had no comment.

Mayor Watkins stated that she hopes Councilman Cannon will keep the Mayor and Council up to date on the applicants for the New Jersey Transit project. The Mayor attended the last day of camp and congratulated Bobbi Conway and the Camp Counselors for making this year's playground program a great success. The Mayor also congratulated the Cultural Center for another sponsoring their annual car show for all to enjoy.

ADJOURNMENT - 8:25 P.M.

Motion by Councilman Smith, seconded by Councilwoman Rush to adjourn the meeting at 8:25 p.m.

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

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated: