

M I N U T E S
Meeting of the Mayor and Council
Monday, February 7, 2011
8:00 P.M.

CALL THE MEETING TO ORDER -

Council President Paul Cordts called the meeting to order at 8:00 p.m. in the Council Chambers of the Borough Hall.

SILENT PRAYER - FLAG SALUTE

Council President Cordts called for a moment of silent prayer and asked Councilman Cannon to lead the salute to the flag.

STATEMENT -

Council President Cordts 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 Mignone, Councilman Cannon and Council President Cordts were present, Mayor Watkins and Council Porto were absent.

APPROVAL OF MINUTES - By Consent

Motion by Councilman Bartelloni, seconded by Councilman Cannon to approve the minutes of the Mayor and Council work session and regular meeting of January 18, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve the minutes of the Mayor and Council work session of January 24, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

PROCLAMATION & AWARDS -

Council President Cordts read the Proclamation Endorsing March 2, 2011 as NEA's Read Across America and Read Across America-NJ into the record as follows:

PROCLAMATION

WHEREAS, the citizens of River Edge stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Borough of River Edge has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principal that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's Read Across America, a national celebration of reading, will be conducted on March 2, 2011, which would have been the 107th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, Read Across America-NJ is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, Saturn-UAW, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge calls on the citizens of River Edge to assure that every child is in a safe

place reading together with a caring adult on March 2, 2011.

AND BE IT FURTHER RESOLVED that this Governing Body enthusiastically endorses NEA's Read Across America and Read Across America-NJ, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

Mayor Margaret Falahee Watkins

February 7, 2011

APPOINTMENTS & PERSONNEL CHANGES

Motion by Councilman Bartelloni, seconded by Councilman Moscaritolo to approve the resignation of Annette Farelli from the Library Board, effective immediately.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Motion by Councilman Mignone, seconded by Councilman Cannon to approve the appointment of Jean-Pierre Younis, 191 Bogert Road, River Edge, as a Police Reserve Officer, effective immediately.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Council President Cordts administered the Oath of Office to Jean-Pierre.

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve the appointment of Arthur M. Neiss, Esq., Stein Mcguire Pantages Gigl LLP, 354 Eisenhower Parkway, P.O. Box 460, Livingston, NJ 07039 as Planning Board Attorney, effective January 1, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Motion by Councilman Moscaritolo, seconded by Councilman Cannon to approve the resignation of Scott Mooney, Esq. as Municipal Prosecutor for the Municipal Court, effective January 20, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Motion by Councilman Cannon, seconded by Councilman Bartelloni Approve the hire of Colleen McLoughlin, 472 Elm Avenue as a School Crossing Guard, at the rate of \$16.57/hour, effective starting date contingent upon training and medical examination.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Motion by Councilman Mignone, seconded by Councilman Cannon to approve the retirement of Sergeant Mark Westervelt, River Edge Police Department effective August 1, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Motion by Councilman Cannon, seconded by Councilman Mignone to approve the salary change of Thomas Schick, Road Foreperson, Department of Public Works from an annual salary of \$86,378.60 to \$91,367.21 due to election of a waiver of health benefits as per Section III, Subject IV of the Personnel Policy & Procedure Manual, retroactive to January 1, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Motion by Councilman Mignone, seconded by Councilman Cannon to approve the change in Council Liaison to the River Edge Public Library from Councilman Edward Mignone to Councilman Sandy Moscaritolo, effective immediately.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve the hire of John Talocco, 30 Spring Dell Avenue, Rutherford, New Jersey as a School Crossing Guard, at the rate of \$16.67/hour, effective starting date contingent upon training and medical examination.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve the hire of Elizabeth Biggar, 76 Lakeview Street as a School Crossing Guard, at the rate of \$16.67/hour, effective starting date contingent upon training and medical examination.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve the salary increase of Rose Pagan, Technical Assistant, Building Department from an annual salary of \$54,748.00 to \$55,228.00 due to an increase in longevity from \$480.00 to \$960.00, effective January 16, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

CORRESPONDENCE -

Notice	-	River Edge Board of Education - 1/14/11 Re: Meeting - January 19, 2011
Letter	-	Environmental Resolutions - 1/18/11 Re: Soil Investigation - Proposed Cherry Blossom Community Park
Letter	-	Annette Farelli - 1/19/11 Re: Resignation
Letter	-	Scott Mooney, Esq. - 1/21/11 Re: Resignation
Letter	-	Cablevision - 1/21/11 Re: Launch of New Channel
Letter	-	Cablevision - 1/21/11 Re: Launch of New Channels
Letter	-	State of New Jersey - 1/20/11 Re: Substance Discharge Notification
Letter	-	Cablevision - 1/24/11 Re: Launch of New Channel
Notice	-	River Edge Board of Education - 1/24/11 Re: Meeting 1/29/11
Letter	-	State of New Jersey - 1/25/11 Re: Community Forestry Status Report - 2010
Letter	-	PSE&G - 1/25/11 Re: Petition for Increase in Charges
Letter	-	State of N.J. DEP - 1/28/11 Re: Amendments to Clean Water Plan
Letter	-	State of N.J. DEP - 1/28/11 Re: Proposed Amendments to Drinking Water Plan
Letter	-	Cablevision - 1/28/11 Re: Channel Moves
Notice	-	River Edge Board of Education - 1/31/11 Re: Meeting Notice - 2/2/11
Letter	-	Dr. Gerald Cardinale - 1/31/11 Re: \$150,000 for Howland Avenue Project
Letter	-	John Driscoll, Jr.-BC Freeholders - 1/31/11 Re: Contact Information
Letter	-	Sergeant Mark Westervelt - 2/1/11 Re: Letter of Retirement
Letter	-	State of New Jersey DOT - 2/2/11 Re: \$150,000 in Municipal Aid for Howland Ave

Letter - State of New Jersey DOT - 2/2/11
 Re: No Municipal Aid for Kinderkamack Road
 Letter - River Dell Regional District - 2/4/11
 Re: Thank You to John Lynch and DPW

MONTHLY REPORTS -

2010 Annual Debt Statement - December 2010
 Library Board - December 2010
 Historic Commission - November 2010
 Tax Collector - December 2010
 Tax Collector - January 13, 2011
 Beautification Committee - January 2011
 Building Department - October 21, 2010
 Planning Board - December 16, 2010
 Planning Board -

OPEN PUBLIC HEARING - Local Assessments - 2010 Howland Avenue Improvement Project - Phase 2

Motion by Councilman Moscaritolo, seconded by Councilman Cannon to Open Public Hearing - Local Assessments - 2010 Howland Avenue Improvement Project - Phase 2.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Councilman Moscaritolo-asked if this hearing was advertised and if notification went to the residents. He also asked if this was an added assessment.
 Alan Negreann-stated that the residents were notified and the hearing was advertised. He also explained that this is a special assessment not an added assessment.

CLOSE PUBLIC HEARING - Local Assessments - 2010 Howland Avenue Improvement Project - Phase 2

There being no comments by the public, motion by Councilman Cannon, seconded by Councilman Bartelloni to Close Public Hearing - Local Assessments - 2010 Howland Avenue Improvement Project - Phase 2.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

ORDINANCES - 1st Reading

Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1726 as follows:

Ordinance #1726 - AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2011

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve the first reading of Ordinance #1726 as follows:

BOROUGH OF RIVER EDGE
 ORDINANCE #1726

AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2011

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

Section 1: The compensation for the full-time positions and officers of the Borough of River Edge for the year 2011 shall be as follows:

	2011	
	Hourly	Annually
<u>POLICE</u>		\$100,000 - \$143,900
Chief		\$ 25,000 - \$ 44,900
Secretary		\$ 22,300 - \$ 48,350
Police Dispatcher		\$ 16,150 - \$ 43,250
Records Clerk		

<u>BOROUGH HALL</u>		
Mayor	\$ 1 -	\$ 5,000
Each Council Person	\$ 1 -	\$ 4,000
Borough Administrator	\$ 1 -	\$ 24,500
Chief Financial Officer	\$ 52,000 -	\$ 136,800
Borough Clerk	\$ 16,150 -	\$ 67,450
Deputy Borough Clerk	\$ 16,150 -	\$ 52,600
Clerk/Typist	\$ 16,150 -	\$ 42,750
Accounts Payable Clerk	\$ 16,150 -	\$ 43,250
Secty. to Health Exec. & Board of Health	\$ 16,150 -	\$ 44,900
Registrar of Vital Statistics	\$ 1,400 -	\$ 2,300
Election Official	\$ 350 -	\$ 1,500
Accounts Supervisor	\$ 16,150 -	\$ 66,500
Tax Collector	\$ 16,150 -	\$ 60,580
Assistant Tax Collector	\$ 550 -	\$ 2,030
Construction Code Technical Assistant	\$ 16,150 -	\$ 57,330
Principal Clerk/Typist	\$ 16,150 -	\$ 42,750
Court Administrator	\$ 16,150 -	\$ 57,330
Director of Recreation	\$ 16,150 -	\$ 51,925

<u>DEPARTMENT OF PUBLIC WORKS</u>		
Superintendent of Public Works	\$ 52,000 -	\$ 139,000
Office Manager/Administrative Assistant	\$ 16,150 -	\$ 46,900
General Foreperson	\$ 45,672 -	\$ 100,925
Road Foreperson	\$ 39,444 -	\$ 90,700

<u>LIBRARY</u>		
Director	\$ 46,050 -	\$ 95,000
Reference	\$ 25,000 -	\$ 59,500
Circulation	\$ 25,000 -	\$ 59,500
Children's Librarian	\$ 26,000 -	\$ 64,900
Adults Svs./Reference	\$ 23,900 -	\$ 58,405
Assistant Circulation	\$ 14,500 -	\$ 37,325
Clerical	\$ 14,500 -	\$ 32,125

Section 4. Longevity. In addition to the salaries set forth above, all full time employees holding these positions listed herein shall have added to base pay the following percentage computed on the basis of the prevailing salary:

<u>Date of Employment Pre- 1/1/94</u>	<u>Date of Employment Post - 1/1/94</u>
<u>During:</u>	<u>During:</u>
5 - 8 years of service - 2%	5 - 8 years of service-2%-not to exceed \$480
9 -12 years of service - 4%	9 -12 years of service-4%-not to exceed \$960
13-16 years of service - 6%	13-16 years of service-6%-not to exceed \$1,440
17-20 years of service - 8%	17-20 years of service-10%-not to exceed \$1,920
21 Plus years of service-10%	21 Plus years of service-10%-not to exceed \$2,400

Section 5. Compensation for the following part-time positions and officers of the Borough of River Edge for the year 2011 is hereby supplemented and amended as follows:

<u>Annually</u>	<u>Hourly</u>	
Assessor		\$16,650 - \$ 35,550
Construction Official		\$ 2,750 - \$ 16,125
Building & Sub-Code Officer		\$ 2,750 - \$ 12,075
Fire Code Sub-Code Officer		\$ 2,750 - \$ 12,075
Payroll Clerk		\$16,150 - \$ 43,210
Accounts Receivable Clerk	\$7.00-\$21.05	\$ 2,750 - \$ 14,400
Zoning Officer		\$ 8,000 - \$ 21,550
Building Inspector		\$ 2,750 - \$ 14,400
Plumbing Sub-Code Officer.		\$ 2,750 - \$ 14,400
Electrical Sub-Code Officer		\$ 2,750 - \$ 14,400
Code Enforcer	\$7.00-\$26.75	\$ 2,750 - \$ 12,605
Emergency Management Coord.		\$ 1 - \$ 2,800
Deputy Emergency Management Coord.		
Fire Inspector	\$7.00-\$25.50	\$ 8,550 - \$ 19,000
Fire Official		\$13,950 - \$ 32,900
Assessor/Planning/Zoning Clerk	\$7.00-\$21.05	\$13,950 - \$ 25,675
Custodian/Borough Hall		\$17,100 - \$ 27,150
Borough Attorney		

Director of Soc.Serv. & Welf.	\$7.00-\$25.50	\$ 535 - \$ 8,375
Camp Director(s)		\$ 1,000 - \$ 4,315
Assistant Camp Director		\$ 1,000 - \$ 3,250
Camp Office Manager		\$ 100 - \$ 1,625
Arts & Craft Leader		\$ 100 - \$ 1,625
Unit Leader(s)		\$ 100 - \$ 1,510
Assistant Unit Leaders		\$ 100 - \$ 1,300
Counselors		
Park Attendant KBG	\$ 7.00-\$17.00	\$ 100 - \$ 3,250
Director of Night Recreation		\$ 100 - \$ 2,700
Assistant Dir. of Night Recreation		
School Crossing Guards	\$ 7.00-\$20.25	\$22,250 - \$ 46,500
Health Nurse		
Board of Health Secretary	\$ 7.00-\$21.05	
Deputy Registrar of Vital Statistics	\$ 7.00-\$39.00	\$11,100 - \$ 18,900
Municipal Judge		\$ 3,300 - \$ 7,375
Prosecutor		
Bus/Van Driver	\$ 7.00-\$16.00	
Bus/Van Dispatchers	\$ 7.00-\$16.00	
Deputy Court Administrator	\$ 7.00-\$21.05	
Temp.Clerical Employees	\$ 7.00-\$21.05	
Court Officer	\$ 7.00-\$20.25	
Police Matron	\$ 7.00-\$20.25	
Police Dispatcher	\$ 7.00-\$21.05	
Clerk/Typist	\$ 7.00-\$21.05	
Recycling Caretaker/Litter Enf.	\$ 7.00-\$17.98	\$ 600 - \$ 5,000
Sewer Operator		
Extra Laborers	\$ 6.00-\$23.75	
Temporary Acting Superintendent Of Public Works	\$55.00-\$85.00	
Fire Prev./Fire Dept./Emerg. Management Clerk	\$ 7.00-\$21.05	
Library Page	\$ 5.15-\$12.00	
Reference/Technical Services Librarian	\$ 7.00-\$31.37	
Bookkeeper/Secretary	\$ 7.00-\$21.05	
Circulation Assistant	\$ 7.00-\$21.05	
Adult Services Librarian	\$ 7.00-\$28.00	
Court Cashier/Clerk/Data Entry Operator	\$ 7.00-\$25.50	
Tax Collection Clerk	\$ 7.00-\$21.05	
Assistant Tax Collector	\$ 7.00-\$22.25	
Code Inspector	\$ 7.00-\$21.05	
Temporary Court Administrator	\$ 7.00-\$39.00	
Municipal Certified Recycling Coordinator	\$ 7.00-\$26.23	

Section 6: The compensation for Judges who shall serve in the absence of the Municipal Court Judge, shall be paid whenever required, on a varying scale of ZERO to EIGHTY-FIVE dollars (\$0 - \$85.00) per hour, upon presentation of duly executed voucher as required by law.

Section 7: The compensation for Prosecutors who shall serve in the absence of the Municipal Prosecutor, shall be paid whenever required, on a varying scale of ZERO to EIGHTY-FIVE dollars (\$0 to \$85.00) per hour, upon presentation of duly executed voucher as required by law.

Section 8: In addition to the salaries set forth herein, non-contractual employees of the Borough of River Edge covered under this ordinance shall be entitled to those benefits as specified in the Personnel Policy and Procedure Manual adopted by Resolution #83-58, dated March 7, 1983 as amended.

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

Section 9: In addition to the salaries set forth herein, the Borough Administrator of the Borough of River Edge covered under this ordinance shall be entitled to those benefits as specified in his contract as adopted by Resolution #90-70, dated May 7, 1990, and Ordinance #1348, adopted September 4, 2001.

Section 10: In addition to the salaries set forth herein, Library employees of the Borough of River Edge covered under this ordinance shall be entitled to those benefits as specified in the River Edge Free Public Library

personnel policy.

Any difference in terms between the above policy and ordinance, the policy will be deemed dispositive.

Section 11: The salaries, wages or compensation of all officers and employees shall be paid in twenty-four (24) installments, or upon presentation of duly executed vouchers as required by law.

Section 12: This ordinance shall take effect as of January 1, 2011 when passed and published as required by law.

Margaret F. Watkins, Mayor

ATTEST:

Denise A. Dondiego, Borough Clerk

DATED:

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

ORDINANCES - 2nd Reading

Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1720 as follows:

Ordinance #1720 - BOND ORDINANCE TO AMEND SECTION 4.C OF BOND ORDINANCE #1534 ENTITLED "ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$459,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS".

Ordinance #1720 was introduced by Councilman Cordts, seconded by Councilman Cannon at the January 18, 2011 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1720

BOND ORDINANCE TO AMEND SECTION 4.C OF BOND ORDINANCE #1534 ENTITLED "ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$459,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS".

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

Section 1. Section 4.C of Ordinance #1534 entitled: "ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$459,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS" adopted by the Borough Council of the Borough of River Edge, in the County of Bergen, State of New Jersey on March 20, 2006 is hereby amended to add acquisition and installation of a permanent generator [Section 4.] C. for the Public Safety Building and appurtenances and shall hereafter read as follows:

Appropriation and Estimated Cost	\$206,000
Down payment Appropriated	\$ 10,000
Bonds and Notes Authorized	\$196,000

Period of Usefulness

15 years

Section 2. The capital budget is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 3. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Margaret Falahee Watkins

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1720

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Kathleen Murphy-741 Williams Avenue-stated that it was her understanding that the Borough wasn't going to bond anymore.
Alan Negreann-explained that this bond ordinance is amending an existing bond ordinance to expand the scope of services only and that no additional funds will be bonded.

CLOSE HEARING OF THE PUBLIC - Ordinance #1720

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

ADOPTION - Ordinance #1720

Motion by Councilman Bartelloni, seconded by Councilman Cannon to adopt Ordinance #1720.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1721 as follows:

Ordinance #1721 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR THE CALENDAR YEAR 2011

Ordinance #1721 was introduced by Councilman Cannon, seconded by Councilman Cordts at the January 18, 2011 meeting as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1721

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR THE CALENDAR YEAR 2011

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Governing Body of the Borough of River Edge in the County of Bergen finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Governing Body hereby determines that a 3.5% increase in the budget for said year, amounting to \$336,843.11 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by Governing Body of the Borough of River Edge, in the County of Bergen, a majority of the full authorized membership of this Governing Body affirmatively concurring that, in the CY 2011 budget year, the final appropriations of the Borough of River Edge shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$336,843.11, and that the CY 2011 municipal budget for the Borough of River Edge be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any that amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced by filed with the Director of the division of Local Government Services within 5 days of introduction.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk
Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1721

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1721

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

ADOPTION - Ordinance #1721

Motion by Councilman Bartelloni, seconded by Councilman Cannon to adopt Ordinance #1721.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1722 as follows:

Ordinance #1722 - AN ORDINANCE AMENDING CHAPTER 79 "RECREATION COMMISSIONERS, BOARD OF" - OF THE CODE OF THE BOROUGH OF RIVER EDGE

Ordinance #1722 was introduced by Councilman Cordts, seconded by Councilman Porco at the January 18, 2011 meeting as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1722

AN ORDINANCE AMENDING CHAPTER 79 "RECREATION COMMISSIONERS, BOARD OF" - OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge that Chapter 79 of the Code of the Borough of River Edge be and hereby is amended as follows:

Section I: Section 79-1 to read as follows: § 79-1. Establishment. There is hereby established a Board of Recreation Commissioners to consist of nine residents of the borough. Seven residents shall be designated as regular members and two residents shall be designated as alternate members.

Section II: Section 79-2 change "an alternate member" to "two alternate members"

Section III: Section 79-3(A) change "including the alternate member" to "including alternate members"

Section IV: Section 179-3(D) change "the alternate member" to "alternate members" in both locations.

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

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

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

Margaret Falahee Watkins, Mayor

Attest:

Denise Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1722

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1722

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

ADOPTION - Ordinance #1722

Motion by Councilman Bartelloni, seconded by Councilman Cannon to adopt Ordinance #1722.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1723 as follows:

Ordinance #1723 - AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.A. 40:4-53

Ordinance #1723 was introduced by Councilman Cordts, seconded by Councilman Porco at the January 18, 2011 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1723

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

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, County of Bergen and State of New Jersey, that pursuant to N.J.S.A. 40A:4-53 (Chapter 48, P.L. 1956 as amended by Chapter 144, P.L. 1965 and Chapter 38, P.L. 1969) the sum of \$3,100.00 is hereby appropriated for the

A. Preparation of a revision and codification of ordinances.

And shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A-4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one fifth of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55).

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

Mayor Margaret Falahee Watkins

ATTEST:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1723

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1723

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

ADOPTION - Ordinance #1723

Motion by Councilman Cannon, seconded by Councilman Bartelloni to adopt Ordinance #1723.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1724 as follows:

Ordinance #1724 - AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2011

Ordinance #1724 was introduced by Councilman Cordts, seconded by Councilman Cannon at the January 18, 2011 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1724

AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2011

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

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

Department of Public Works	2011	
	Hourly	Annually
Mechanic I		\$70,287 - \$73,252
General Repairer		\$68,110 - \$70,974
Equipment Operator I		\$63,772 - \$66,450
Tree Trimmer I		\$63,156 - \$65,810
Mechanic II		\$59,259 - \$61,494
General Repairer II		\$57,270 - \$59,618
Equipment Operator II		\$55,946 - \$59,829
Tree Trimmer II		\$51,424 - \$53,768
Laborer I		\$47,624 - \$51,126
Laborer II		\$40,283 - \$44,462

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

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

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

Section 2. Compensation for the following part-time positions and officers of the Borough of River Edge for the year 2011 is hereby supplemented and amended as follows:

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

Section 3: The salaries, wages or compensation of all officers and employees shall be paid in twenty-four (24) installments, or upon presentation of duly executed vouchers as required by law.

Section 4: This ordinance shall take effect as of January 1, 2011 when passed and published as required by law.

Margaret F. Watkins, Mayor

ATTEST:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1724

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1724

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

ADOPTION - Ordinance #1724

Motion by Councilman Bartelloni, seconded by Councilman Cannon to adopt Ordinance #1724.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1725 as follows:

Ordinance #1725 - AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2011

Ordinance #1725 was introduced by Councilman Bartelloni, seconded by Councilman Cordts at the January 18, 2011 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1725

AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2011

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

Section 1: The compensation for the full-time positions and officers of the Borough of River Edge hire before October 1, 2007 for the year 2011 shall be as follows:

	<u>Hourly</u>	<u>2011</u>	<u>Annually</u>
<u>POLICE</u>			
Lieutenant			\$112,421 - \$117,199
Sergeant			\$104,094 - \$108,518
Captain			\$113,691 - \$118,524
Patrolman 1			\$ 96,383 - \$100,479
Patrolman 2			\$ 86,665 - \$ 90,348
Patrolman 3			\$ 77,516 - \$ 80,810
Patrolman 4			\$ 71,796 - \$ 74,847
Patrolman 5			\$ 61,115 - \$ 63,712
Patrolman Probationary (second 6 months)			\$ 45,103 - \$ 47,020
Patrolman Probationary (first 6 months)			\$ 36,234 - \$ 37,774

The compensation for the full-time positions and officers of the Borough of River Edge hired on or after October 1, 2007 for the year 2011 shall be as follows:

Patrolman 1	\$ 96,383 - \$100,479
Patrolman 2	\$ 87,484 - \$ 91,202
Patrolman 3	\$ 78,589 - \$ 81,929

Patrolman 4	\$ 69,693 - \$ 72,655
Patrolman 5	\$ 60,798 - \$ 63,382
Patrolman 6	\$ 51,902 - \$ 54,108
Patrolman Probationary (second 6 months)	\$ 43,006 - \$ 44,834
Patrolman Probationary (first 6 months)	\$ 34,111 - \$ 35,561

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

During: 5 - 8 years of service - 2%
9 -12 years of service - 4%
13-16 years of service - 6%
17-20 years of service - 8%
21 Plus years of service-10%

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

Section 2. The salaries, wages or compensation of all officers and employees shall be paid in twenty-four (24) installments, or upon presentation of duly executed vouchers as required by law.

Section 3. This ordinance shall take effect as of January 1, 2011 when passed and published as required by law.

Margaret F. Watkins, Mayor

ATTEST:

Denise A. Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1725

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1725

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

ADOPTION - Ordinance #1725

Motion by Councilman Bartelloni, seconded by Councilman Cannon to adopt Ordinance #1725.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

RESOLUTIONS - By Consent

Motion by Councilman Moscaritolo, seconded by Councilman Bartelloni to approve resolution #11-67 through #11-72 and #11-82.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve resolution #11-77 through #11-80.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

#11-67 2011 Salary Resolution

BE IT RESOLVED that the following officers and employees of the Borough of River Edge be compensated for the year 2011 in accordance with Ordinance #1724 effective January 1, 2011 as follows:

		<u>2011</u>
		<u>Annual</u> <u>Hourly</u>
<u>Department of Public Works</u>		
Mechanic I	Camera, W.	\$73,252
Mechanic I	Weismann, C.	\$73,252
General Repairer I	Stephen, R.	\$70,974
General Repairer II	Tarpey, R.	\$58,432
Equipment Operator I	Lynch, James	\$66,450
Equipment Operator I	Neglia, M.	\$66,450
Equipment Operator II	Milito, J.	\$55,946
Tree Trimmer II	Ader, S.	\$63,156
Laborer I	Duarte, J.	\$49,571
Laborer I	Gallagher, F.	\$48,495
Laborer I	Cornelio, J.	\$51,126
Laborer I	Fink, G.	\$51,126
Laborer I	Schultz, E.	\$51,126
Laborer I	Szczecina, M.	\$51,126
Laborer II	Morse, K.	\$43,115
Laborer II	Taylor, J.	\$43,115
 <u>Bus Department</u>		
Bus/Van Driver	Noone, J.	\$16.35
	Pribula, R.	\$16.35

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

BE IT FURTHER RESOLVED that the actions of the Chief Financial Officer, Accounts Supervisor and Payroll Clerk to pay these salaries and wages effective January 1, 2011 is hereby ratified.

February 7, 2011

#11-68 2011 Salary Resolution

BE IT RESOLVED that the following officers and employees of the Borough of River Edge be compensated for the year 2011 in accordance with Ordinance #1725 effective January 1, 2011 as follows:

<u>Police Department</u>		<u>2011</u>
		<u>Annual</u>
Lieutenant	Curran, R.	\$117,199
Lieutenant	Walker, M.	\$117,199
Sergeant	Daly, R.	\$108,518
Sergeant	Haggis, W.	\$108,518
Sergeant	Westervelt, M.	\$108,518
Sergeant	Naprstek, R.	\$108,518
Sergeant	Wilhelm, C.	\$108,518
Patrolman 1	Abate, M.	\$100,479
Patrolman 1	Casey, C.	\$100,479
Patrolman 1	Cheevers, C.	\$100,479
Patrolman 1	Connolly, J.	\$100,479
Patrolman 1	DeYoung, M.	\$100,479
Patrolman 1	McGinty, M.	\$100,479
Patrolman 1	Faustini, G.	\$100,479
Patrolman 1	Shouldis, M.	\$100,479
Patrolman 1	Starost, J.	\$100,479
Patrolman 1	Varrecchia, M.	\$100,479
Patrolman 2	Griffith, D.	\$ 90,348 to 9/18

Patrolman 1	Griffith, D.	\$100,479 from 9/19
Patrolman 5	Zemaites, J.	\$ 63,382 to 9/15
Patrolman 4	Zemaites, J.	\$ 72,655 from 9/16
Patrolman 6	Lee, D.	\$ 54,108 to 2/2
Patrolman 5	Lee, D.	\$ 63,382 from 2/3

BE IT FURTHER RESOLVED that the actions of the Chief Financial Officer, Accounts Supervisor and Payroll Clerk to pay these salaries and wages effective January 1, 2011 is hereby ratified.

February 7, 2011

#11-69 Approval of Amusement Machine Licenses

WHEREAS, pursuant to the Borough of River Edge Ordinance #514, it is required that a license shall be issued for Amusement Machines in the Borough of River Edge; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the following be granted an Amusement Machine License commencing on January 1, 2011 and expiring on December 31, 2011 at midnight.

Sayat Nova Restaurant
T/A Feathers
77 Kinderkamack Road

Two Machines (2) \$240.00

February 7, 2011

#11-70 Enter Into Agreement with Arthur M. Neiss, Esq., Stein McGuire Pantages Gigl LLP, 354 Eisenhower Parkway, P.O. Box 460, Livingston, New Jersey 07039 For Professional Services as Planning Board Attorney for the Borough of River Edge

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-166 of the Current Fund not to exceed \$4,500; and

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

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

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

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

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

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Arthur M. Neiss, Esq., Stein McGuire Pantages Gigl LLP, 354 Eisenhower Parkway, P.O. Box 460, Livingston, New Jersey 07039.
2. The Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and

3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law to Arthur M. Neiss, Esq., Stein McGuire Pantages Gigl LLP, 354 Eisenhower Parkway, P.O. Box 460, Livingston, New Jersey 07039.
4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

February 7, 2011

#11-71 Authorize Point of Contact for Site Remediation Program Cherry Blossom Park and Other Matters

WHEREAS, the Borough of River Edge has purchased a parcel of property located at 380 Bogert Road commonly known as the Bogert Road Pocket Park or the proposed Cherry Blossom Community Park; and

WHEREAS, the Borough of River Edge has sought to implement an environmental inspection; and

WHEREAS, the State of New Jersey Department of Environmental Protection requires that under certain circumstances notification and reports are to be filed when environmental issues arise; and

WHEREAS, Environmental Resolutions Inc. has requested the name of an individual authorized to be the point of contact for these reports and correspondence with the State of New Jersey Department of Environmental Protection.

NOW, THEREFORE, BE IT RESOLVED that the Borough Administrator, Alan P. Negreann, is hereby authorized to act in the capacity of a point of contact for the Borough with regard to any environmental notifications or reports to be filed with the State of New Jersey Department of Environmental Protection and submit same where required.

BE IT FURTHER RESOLVED, that a report entitled the LSRP Notification of Retention or Dismissal is required to be filed by the Borough of River Edge and a date of retention of the LSRP is required, that date shall be ratified and confirmed as January 11, 2011 the date of the soil investigation report and the Borough Administrator is so authorized to use the date in the report as the retention date.

February 7, 2011

#11-72 Resolution Supporting a Repeal of Sick Leave Injury

WHEREAS, a recent study by the Municipal Excess Liability Joint Insurance Fund concluded that the cost of employee accident claims against New Jersey municipalities increased 7.7% per year since 2005 and is now \$2520 per full time employee; and

WHEREAS, under 18A:30-2.1 and 11A:6-8 Municipalities and Boards of Education are permitted to adopt Sick Leave Injury (SLI) programs that extended for a period up to one year full pay for workers injured in the course of their employment; and

WHEREAS, recently a similar provision for State workers was repealed; and

WHEREAS, the supposed purpose of this supplement is to make up the difference between the weekly benefit under workers' compensation and the employee's regular earnings; and

WHEREAS, because workers' compensation is not taxed, employees out on workers' compensation and SLI have higher after tax incomes while off the job; and

WHEREAS, SLI provides an incentive for employees to resist coming back to work; and

WHEREAS, SLI programs are not commonly offered in the private sector and to governmental employees in other states; and

WHEREAS, SLI costs New Jersey Municipalities approximately \$500 per full time employee per year.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of River Edge the legislature is urged to amend 18A:30-2.1 and 11A:68 to eliminate SLI programs at all levels of government so that all New Jersey governmental employees are treated in a similar fashion.

BE IT FURTHER RESOLVED, that the Borough Clerk is instructed to send a copy of this resolution to its State Legislative Representatives, the League of Municipalities and the Governor of the State of New Jersey.

February 7, 2011

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve resolution #11-73.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Moscaritolo voted no, Mayor Watkins and Councilman Porco were absent.

#11-73 Resolution Supporting S-2404 Capping Attorney Fees in Litigation Against Public Entities

WHEREAS, Public Officials and Employment practices claims against municipalities have increased dramatically over the past few years; and

WHEREAS, According to a ten year closed claim study recently completed by the Municipal Excess Liability Joint Insurance Fund, the cost of employment practices liability per employee jumped from \$41 in the year 2000 to \$485 in 2010; and

WHEREAS, 65% of these claims are for police and the 2011 projected cost of these claims is \$740 per officer; and

WHEREAS, legal fees historically represent over 70% of the cost; and

WHEREAS, provisions in various laws such as LAD and CEPA providing for fee shifting have encouraged attorneys to make unreasonable demands in otherwise minor cases; and

WHEREAS, John Farmer, Dean of the Rutgers Law School and former NJ Attorney General stated: "Even cases with marginal relevance are now being presented by plaintiffs' counsel as having substantial settlement value"; and

WHEREAS, in a recent case, a NJ court awarded the plaintiff's attorney a fee of \$450,000 even though the jury awarded his client only \$20,000; and

WHEREAS, the explosion of employment practices cases will continue until reasonable caps are placed on legal fee applications.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that the legislature is urged to adopt S-2404 placing a cap on attorney fee awards in fee shifting cases against public entities as follows:

- For awards (compensatory and punitive damages combined) of \$50,000 or less, the maximum fee award should be \$50,000, though a lower fee should be awarded if warranted based on considerations of reasonableness.
- For awards over \$50,000, the fee award should not exceed the verdict, though a lower fee should be awarded if warranted based on considerations of reasonableness.

BE IT FURTHER RESOLVED that the Borough Clerk is instructed to send a copy of this resolution to its State Legislative Representatives, the League of Municipalities and the Governor of the State of New Jersey.

February 7, 2011

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve resolution #11-74.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Moscaritolo voted no, Mayor Watkins and Councilman Porco were absent.

#11-74 Resolution Supporting A3431 to Amend Title 59 by Granting Immunity to Public Entities for Sidewalk Injuries Where the Homeowner is Responsible for Sidewalk Maintenance by Ordinance

WHEREAS, injuries that occur on sidewalks that abut commercial property are the responsibility of the commercial property owner; and

WHEREAS, in *Lodato v. Evesham*, the courts ruled that injuries that occur on sidewalks that abut residential property are not the responsibility of the homeowner even when the homeowner is responsible for the maintenance and repair

of the sidewalk by municipal ordinance; and

WHEREAS, in the same case, the courts ruled that the town, not the homeowner was liable for accidents on defective sidewalks notwithstanding the ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge that the legislature is urged to adopt A3431 amending Title 59 so that a public entity is not responsible for sidewalk injuries where the homeowner is responsible for sidewalk maintenance by ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk is instructed to send a copy of this resolution to its State Legislative Representatives, the League of Municipalities and the Governor of the State of New Jersey.

February 7, 2011

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve resolution #11-75.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Moscaritolo voted no, Mayor Watkins and Councilman Porco were absent.

#11-75 Resolution Supporting A-3430 to Amend Title 59 by Strengthening Weather Immunity

WHEREAS, under the provisions of Title 59 public entities are immune from injury "caused solely by weather" on streets and sidewalks; and

WHEREAS, despite this language, in many cases municipalities and other public entities still have been forced to pay large amounts of money in damages when judges ruled that because other factor contributed to the accident, the immunity didn't apply because the accident was not "solely" caused by weather; and

WHEREAS, municipalities and other public entities have also been forced to pay large amounts of money in damages for accidents occurring on other public property that were substantially caused by weather.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that the legislature is urged to adopt A-3430 amending Title 59 as follows:

1. Changing the word "solely" to "primarily", and
2. Extending this provision to all public property including storm water and waste systems, dams, rivers and streams.

BE IT FURTHER RESOLVED, that the Borough Clerk is instructed to send a copy of this resolution to its State Legislative Representatives, the League of Municipalities and the Governor of the State of New Jersey.

February 7, 2011

Motion by Councilman Cannon, seconded by Councilman Bartelloni to approve resolution #11-76.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Moscaritolo voted no, Mayor Watkins and Councilman Porco were absent.

#11-76 Resolution Supporting S-2333 AND A-3432 to Amend Title 59 to Provide Immunities for Beaches, Boardwalks and Similar Property

WHEREAS, under the provisions of Title public entities are immune from injury "caused by a condition of any unimproved public property, including but not limited to any natural condition of any beach"; and

WHEREAS, despite this language, in many cases municipalities still have been forced to pay large amounts of money in damages for claims by swimmers injured in the ocean; and

WHEREAS, S-2333 would provide that public entities are immune for these accidents regardless of the circumstances under which they occur; and

WHEREAS, public entities have also incurred large costs in defending lawsuits by persons injured while walking on municipal boardwalks; and

WHEREAS, S-2333 provides that a public entity would be immune from such a suit if it can demonstrate that it was operating under an ongoing maintenance plan calling for periodically reviewing and repairing the boardwalk.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that the legislature is urged to amend S-2333 and A-3432 to include piers, wharves, docks and similar public properties and adopt the amended bill.

BE IT FURTHER RESOLVED that the Borough Clerk is instructed to send a copy of this resolution to its State Legislative Representatives, the League of Municipalities and the Governor of the State of New Jersey.

February 7, 2011

#11-77 Authorize Refund of Parking Permit

WHEREAS, a yearly parking permit for the River Edge Road Train Lot was issued and then returned to the Borough of River Edge.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is hereby authorized to issue a pro-rated refund in the amount of \$161.33 for the yearly permit to:

<u>Name/Address</u>	<u>Permit #</u>	<u>Amount</u>
Marie Sudam Pathirana 393 Valley Road River Edge, NJ 0 7661	#015	\$161.33

February 7, 2011

#11-78 Resolution to Confirm Construction of an Approved Plan or Design - Stream Stabilization Project at Veteran's Memorial Park

WHEREAS, N.J.S.A. 59:4-6 provides in pertinent part that neither the public entity nor a public employee is liable for an injury caused by the plan or design of public property or any improvement thereto where the plan or design was approved in advance of construction by the Governing Body of the Borough of River Edge or a public employee exercising discretionary authority on its behalf of where such plan or design was prepared in conformity with standards previously approved by the Governing Body of the Borough of River Edge; and

WHEREAS, the Stream Stabilization Project at Veteran's Memorial Park improvement to public property has been designed by Environmental Resolutions, Inc., 525 Fellowship Road, Mount Laurel, New Jersey 08054; and

WHEREAS, Environmental Resolutions, Inc. has certified that the construction of the Stream Stabilization Project at Veteran's Memorial Park improvement has been done in accordance with the plans and specifications of the project; and

WHEREAS, the Governing Body of the Borough of River Edge wishes to record its confirmation of the construction of said design.

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

1. Plans and specifications entitled "Stream Stabilization Project at Veteran's Memorial Park" prepared by Environmental Resolutions, Inc. dated February 2010 be, and hereby are, approved as constructed.
2. The improvements described herein above have been completed and have been inspected by Environmental Resolutions, Inc. and they have certified to the Governing Body of the Borough of River Edge that said improvement has been constructed in accordance with the above referenced design.

3. The Borough Clerk shall archive this resolution in a manner consistent with the purpose of perpetually documenting governmental immunity in the event of any claim based upon the plan, design or construction of the improvement.

February 7, 2011

#11-79 Authorize Refund of Added Assessment 2010 Taxes Due to County Board Judgment

WHEREAS, the Tax Office has received An Added Assessment County Board Judgment for the year 2010 on the following property protesting the prorated term from 9 months to 5 months, which also reduces the taxable amount from \$5,628.89 to \$3,127.16 as added assessments; and

WHEREAS, the original billed amount of \$5,628.89 has been paid in full by the homeowner's mortgage company.

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

<u>Block/Lot</u>	<u>Property owner</u>	<u>Tax Year</u>	<u>Refund Amount</u>
910/17	Michael J. Lemma & Li Foong Fo 211 Beech Drive S River Edge, NJ	2010	\$2,501.73

February 7, 2011

#11-80 Authorize Refund of 2009, 2010 Taxes Due to N.J. Tax Court Judgment

WHEREAS, a Tax Court Judgment was entered on 12/10/2010 and the same was received by the tax office for Joseph Gassib of 960-966 Kinderkamack Rd. Reducing the Assessed Value on the property as follows; and

<u>Block/Lot</u>	<u>Tax Year</u>	<u>Old Value</u>	<u>New Value</u>	<u>Refund amount</u>
207/1	2009	714,000	657,000	\$1,391.94
	2010	714,000	657,000	<u>\$1,462.05</u>
			Total	\$2,853.99

WHEREAS, taxes for the years 2009 and 2010 were paid in full.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor issue a refund check in the amount of \$2,853.99 and the Tax Collector to adjust her records accordingly.

Make check payable to:

Michael I. Schneck, Trustee for Gassib, Joseph E. Schneck Law Group LLC
301 South Livingston Ave.
Suite 105
Livingston, NJ 07039

February 7, 2011

Motion by Councilman Mignone, seconded by Councilman Cannon to approve resolution #11-81 as amended.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

#11-81 Enter Into Agreement with Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, NJ 07410 For Professional Services for Finance, Accounting and Auditing Services

WHEREAS, there exists a need for financial, accounting and auditing services, such as, rendering an opinion on the financial position of the Borough and to provide comments and recommendations on how to improve the financial system as a non-fair and open contract pursuant to the provisions of

N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

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

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Lerch, Vinci & Higgins, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of River Edge elected officials in the previous one year, which would prohibit the award of this contract and that the contract will prohibit Lerch, Vinci & Higgins, LLP from making any reportable contributions through the term of the contract.

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01/2010/20/1352/166 of the Current Fund not to exceed \$23,000.00.

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

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, NJ 07410 in the amount not to exceed \$23,000.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law.
4. A notice of this action shall be printed once in The RIDGEWOOD NEWS.

February 7, 2011

#11-82 Resolution Endorsing Exception to 2% Levy Cap for Snow Emergencies

WHEREAS, the State of New Jersey has adopted P.L. 2010, c. 44 which mandates a 2% cap on the levy of a municipality; and

WHEREAS, the State of New Jersey had adopted P.L. 1996 c. 68 which mandates a 2% cap on certain appropriations of a municipality; and

WHEREAS, the Borough of River Edge and other municipalities in the State of New Jersey have experienced an unprecedented number of snow events in 2011; and

WHEREAS, these snow events meet the definition of an emergency as contained in law (N.J.S.A. 40A:4-46) to protect or provide for the health, safety and welfare of the general public; and

WHEREAS, only emergencies that are formally declared by the Governor of New Jersey are an exception to the 2% cap on the property tax; and

WHEREAS, municipalities should be allowed to exceed the appropriation caps and raise property taxes in order to cope with the extraordinary snow events and not impact other essential and necessary services.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge requests that in order to maintain essential and necessary services and protect the health and safety of the general public that the legislature adopt legislation to allow all 2011 snow events to be allowed as an exception to P.L. 2010 c. 44 and P.L. 1976 c. 68, or that the Governor through the Commissioner of the Department of Community Affairs provide the exception.

BE IT FURTHER RESOLVED that the Borough Clerk is instructed to send a copy of this resolution to its State Legislative Representatives, the League of Municipalities and the Governor of New Jersey.

February 7, 2011

Councilman Mignone read resolution #11-83 into the record.

Motion by Councilman Cannon, seconded by Councilman Mignone to approve

resolution #11-83.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

#11-83 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	\$236,435.37
CAPITAL ACCOUNT	\$ 6,816.50
RECREATION ACCOUNT	\$ 2,688.27
OPEN SPACE ACCOUNT	\$ 1,553.50
TRUST OTHER - DEVELOPERS ACCOUNT	\$ 1,010.00

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.

February 7, 2011

OPEN HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Peggy White-741 Center Avenue-commended the DPW for a job well done in keeping our roads clear during the recent storms. She complained that the Carol Lane Condo Association never shovels the walkway going from their property down to Center Avenue and in the summer, they never cut the grass. Mrs. White asked if a letter could go out from the town asking them to obey the ordinance. Mrs. White stated that the Code Inspector has gone there several times but they never comply and she feels that if a stronger letter from the town could be sent, maybe they would do something.

Council President Cordts-stated that he will ask John Sarafian to speak with them again.

Councilman Mignone-suggested a summons.

Council President Cordts- stated that they will follow-up.

Tom Smith-288 Manning Avenue-informed the Council that the census data has been coming in gave them the updated figures on our population. He explained that there has been a significant increase in the Asian population as well as those 18 years and over and suggested that the town do what they can to get them registered especially with the referendum question coming up. He asked for a copy of the final report when it comes in because he put a lot of time and effort into it. He congratulated the DPW for keeping our roads clear and the Police Department for getting cars off of the street as it would have been difficult to get emergency vehicles through.

Bill Sanders-674 Millbrook Road-reported on number of calls that the Fire Department has responded to and also on other activities and training that will be taking place. He stated that the Fire Department is reaching out to residents offering help in changing batteries for smoke detectors and c.o. detectors. He thanked the reporter from the Town News for her article on c.o. detectors.

CLOSE HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

COUNCIL COMMENTS -

Councilman Bartelloni-asked everyone to keep Rachel Morgan, the Paramus Police officer in their prayers.

Councilman Moscaritolo-had no comment.

Councilman Mignone-gave an update on the reverse 911 system and encouraged everyone to sign up now that there is a link on the Borough website. He reminded everyone that they shouldn't automatically assume that they are registered. He congratulated Jean-Pierre Younis on his appointment and also congratulated Mark Westervelt on his retirement. He also stated that after learning of the Police Officer that was shot in Paramus, it really hits home and we should all be thankful for those who protect us.

Councilman Cannon-also congratulated Jean-Pierre Younis on his appointment to the Police Reserves and thanked him for giving his time to the community.

Council President Cordts-also congratulated Jean-Pierre and thanked everyone for coming to the meeting.

ADJOURNMENT - 8:45 P.M.

Motion by Councilman Cannon, seconded by Councilman Bartelloni to adjourn the meeting at 8:45 p.m.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Council President Cordts voted yes, Councilman Porco and Mayor Watkins were absent.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated: