

M I N U T E S  
Meeting of the Mayor and Council  
Monday, May 17, 2010  
7:00 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 Councilwoman Rush 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 Walker, Councilwoman Rush, Councilman Porco, Councilman Smith, Councilman Cordts and Mayor Watkins were present, Councilman Cannon was absent.

OPEN HEARING ON AMENDMENT TO THE 2010 BUDGET

Motion by Councilwoman Walker, seconded by Councilman Smith to open hearing on amendment to the 2010 budget.

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

CLOSE HEARING ON AMENDMENT TO THE 2010 BUDGET

Motion by Councilwoman Walker, seconded by Councilman Smith to close hearing on amendment to the 2010 budget.

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

APPROVAL OF MINUTES - By Consent

Motion by Councilman Smith, seconded by Councilwoman Walker to approve the minutes of the Mayor and Council work session and regular meeting of May 3, 2010.

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

PROCLAMATION & AWARDS - NONE

APPOINTMENTS & PERSONNEL CHANGES

Motion by Councilman Smith, seconded by Councilman Porco to approve the salary change of Michael Marion, as an Inspector for the Department of Public Works and Code Enforcement, from \$208.00 semi-monthly not to exceed \$5,000.00 per year to \$381.10 semi-monthly not to exceed \$6,100.00 per year, retroactive to May 1, 2010.

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

CORRESPONDENCE -

Notice	-	River Edge Board of Education - 5/4/10 Re: Meeting May 5, 2010
Agreement	-	Green Acres Program - 5/11/10 Re: Agreement - Bogert Road Pocket Park
Letter	-	Bergen County Police - 5/11/10

Letter - Re: Disaster Recovery Centers  
Cablevision - 5/12/10  
Re: Conversion

MONTHLY REPORTS -

Millennium Strategies	-	April 2010
Building Department	-	April 2010
Code Enforcement/Property Maintenance	-	April 2010
Zoning Board of Adjustment	-	April 2010
Historic Commission	-	April 2010

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

Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1705 as follows:

Ordinance #1705 - AN ORDINANCE AMENDING CHAPTER 354 "SOIL REMOVAL" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Motion by Councilwoman Rush, seconded by Councilman Smith to approve the first reading of Ordinance #1705 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1705

AN ORDINANCE AMENDING CHAPTER 354 "SOIL REMOVAL" 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 354 "SOIL REMOVAL" of the Code of the Borough of River Edge is hereby amended as follows:

Section I: Section 354-2 "permit required" add:  
"D. This Chapter shall be enforced by the Borough Engineer"

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

Section III: 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 IV: 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 Walker, Councilwoman Rush, Councilman Porco, Councilman Smith and Councilman Cordts voted yes, Councilman Cannon was absent.

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Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1706 as follows:

Ordinance #1706 - BOND ORDINANCE TO AMEND SECTIONS 4 AND 10 OF THE BOND ORDINANCE (ORD. NO. 1693) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$510,000 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 APRIL 5, 2010.

Motion by Councilman Porto, seconded by Councilman Smith to approve the first reading of Ordinance #1706 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1706

BOND ORDINANCE TO AMEND SECTIONS 4 AND 10 OF THE BOND ORDINANCE (ORD. NO. 1693) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$510,000 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 APRIL 5, 2010.

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 of Ordinance No. 1693 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$510,000 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, New Jersey (the "Borough") on April 5, 2010 (the "Prior Ordinance") is hereby amended to (A) (i) increase the appropriation and estimated cost in Section 4.C. from \$229,000 to \$237,000 (an increase of \$8,000); (ii) increase the down payment appropriated in Section 4.C. from \$11,450 to \$11,850 (an increase of \$400); and (iii) increase the bonds and notes authorized in Section 4.C. from \$217,550 to \$225,150 (an increase of \$7,600); and (B) (i) decrease the appropriation and estimated cost in Section 4.D. from \$50,000 to \$42,000 (a decrease of \$8,000); (ii) decrease the down payment appropriated in Section 4.D. from \$2,500 to \$2,100 (a decrease of \$400); and (iii) decrease the bonds and notes authorized in Section 4.D. from \$47,500 to \$39,900 (a decrease of \$7,600); and shall hereafter read as follows:

"Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Acquisition of new additional or replacement equipment and machinery consisting of a copier for the use of the Office of the Borough Clerk.

Appropriation and Estimated Cost	\$ 12,000
Down Payment Appropriated	\$ 600
Bonds and Notes Authorized	\$ 11,400
Period of Usefulness	5 years

B. Installation of smoke detector upgrades at various public buildings.

Appropriation and Estimated Cost	\$ 14,000
Down Payment Appropriated	\$ 700
Bonds and Notes Authorized	\$ 13,300
Period of Usefulness	5 years

C. Acquisition of a new automotive vehicle, including original apparatus and equipment, and new additional or replacement equipment and machinery for the use of the Department of Public Works ("DPW") consisting of (i) a dump truck and (ii) a small utility vehicle.

Appropriation and Estimated Cost	\$237,000
Down Payment Appropriated	\$ 11,850
Bonds and Notes Authorized	\$225,150
Period of Usefulness	5 years

D. Acquisition of new additional or replacement equipment and machinery consisting of a chipper for the use of the DPW.

Appropriation and Estimated Cost	\$ 42,000
Down Payment Appropriated	\$ 2,100
Bonds and Notes Authorized	\$ 39,900
Period of Usefulness	15 years

E. Acquisition of new additional or replacement equipment and machinery for the use of the Fire Department consisting of (i) turnout gear, (ii) gas meters and (iii) air packs. Depending upon contract prices and other exigent circumstances, and upon approval of the Borough Council, there may be additions to or deletions from the preceding list.

Appropriation and Estimated Cost	\$ 38,000
Down Payment Appropriated	\$ 1,900
Bonds and Notes Authorized	\$ 36,100
Period of Usefulness	5 years

F. Undertaking the 2010 Road Resurfacing and Improvement Program (including curbing and sidewalk improvements, where necessary) in, by and for the Borough, as set forth on a list prepared by the Borough Engineer and approved by the Borough Council and directed to be placed on file in the Office of the Borough Clerk and made available for public inspection during normal business hours. It is hereby determined and stated that (i) the Borough Council may, by resolution, amend such list from time to time within the appropriation made hereby and (ii) such roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$159,800
Down Payment Appropriated	\$ 8,490
Bonds and Notes Authorized	\$151,310
Period of Usefulness	10 years

G. Acquisition of new information technology equipment consisting of a patrol car mobile computer for the use of the Police Department.

Appropriation and Estimated Cost	\$ 7,200
Down Payment Appropriated	\$ 360
Bonds and Notes Authorized	\$ 6,840
Period of Usefulness	7 years

Aggregate Appropriation and Estimated Cost	\$510,000
Aggregate Down Payment Appropriated	\$ 26,000
Aggregate Amount of Bonds and Notes Authorized	\$484,000."

Section 2. Section 10 of the Prior Ordinance is hereby amended to decrease the average period of usefulness of the purposes authorized from 7.57 years to 7.41 years (a decrease of 0.16 years), and shall hereafter read as follows:

"Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 7.41 years computed from the date of said bonds."

Section 3. 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 4. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk  
Dated:

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

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Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1707 as follows:

Ordinance #1707 - AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF RIVER EDGE CHAPTER 400 "VEHICLES & TRAFFIC", ARTICLE IV, SECTION 27, "SCHEDULE I: PARKING PROHIBITED AT ALL TIMES AND CHAPTER 400 "VEHICLES & TRAFFIC" ARTICLE IV, SECTION 28, "SCHEDULE II: PARKING PROHIBITED DURING CERTAIN HOURS"

Motion by Councilman Smith, seconded by Councilwoman Walker to approve the first reading of Ordinance #1707 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1707

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF RIVER EDGE CHAPTER 400 "VEHICLES & TRAFFIC", ARTICLE IV, SECTION 27, "SCHEDULE I: PARKING PROHIBITED AT ALL TIMES AND CHAPTER 400 "VEHICLES & TRAFFIC" ARTICLE IV, SECTION 28, "SCHEDULE II: PARKING PROHIBITED DURING CERTAIN HOURS"

BE IT ORDAINED by the Mayor and Council of the borough of River Edge, County of Bergen, 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 change:

A. Delete in its entirety:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Kinderkamack Road	East	From Tenney Avenue to a point 200 feet north of Continental Avenue.

B. Replace with the following:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Kinderkamack Road	East	From Tenney Avenue north to the beginning of River Edge Road.

Section II. Chapter 400, Article IV, Section 28, Schedule II: Parking Prohibited During Certain Hours, shall be supplemented to reflect the following change:

A. Delete in its entirety:

<u>Name of Street</u>	<u>Sides</u>	<u>Days/Hours</u>	<u>Location</u>
Kinderkamack Road East		Monday thru Friday 7:00 a.m. To 6:00 p.m.	From 200 feet north of the Curbline of Continental Ave. To the north side of Kinderkamack Road/Webb Avenue Intersection

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 Walker, Councilwoman Rush, Councilman Porco, Councilman Smith and Councilman Cordts voted yes, Councilman Cannon was absent.

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Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1708 as follows:

Ordinance #1708 - AN ORDINANCE AMENDING CHAPTER 416 "ZONING" ARTICLE VII "ACCESSORY USES" THE CODE OF THE BOROUGH OF RIVER EDGE, ENTITLED TO IMPLEMENT N.J.S.A. 40:48-2.60 et seq. REGARDING THE REGULATION OF DONATION CLOTHING BINS

Motion by Councilman Smith, seconded by Councilwoman Walker to approve the first reading of Ordinance #1708 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1708

AN ORDINANCE AMENDING CHAPTER 416 "ZONING" ARTICLE VII "ACCESSORY USES" OF THE CODE OF THE BOROUGH OF RIVER EDGE, ENTITLED TO IMPLEMENT N.J.S.A. 40:48-2.60 et seq. REGARDING THE REGULATION OF DONATION CLOTHING BINS

WHEREAS, the Mayor and Council believe that donation clothing bins should be subject to regulation in accordance with N.J.S.A. 40:48-2.60 et seq.

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

**SECTION 1:** Chapter 416 Article VII of the Code of the Borough of River Edge is hereby amended as follows:

1. Add: Section 416-35 entitled "Donation Clothing Bins" as follows:

Definition.

- A. "Solicitation" or "Solicit" means the request, directly or indirectly, for money, credit property financial assistance, or other thing of any kind or value. Solicitation shall include, but not be limited to, the use or employment of canisters, cards, receptacles or similar devices for the collection of money or other thing of value. A solicitation shall take place whether or not the person making the solicitation received any contribution.

Requirements for placement, use of clothing bin for solicitation purposes.

- B. Notwithstanding any other provision of law to the contrary, no person shall place, use, or empty a donation clothing bin, for solicitation purposes, unless all of the following requirements are met:

- (1) The person has obtained a permit, valid for a twelve (12) month period of time, from the Borough's Zoning Officer, in accordance with the following:

- (a) the location where the bin would be situated, as precisely as possible;
- (b) the manner in which the person anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed and the method by which the proceeds of collected donations would be allocated or spent;
- (c) the name and telephone number of the bona fide office required

- pursuant to subsection 7 of this section, of any entity which may share or profit from any clothing or other donations collected via the bin; and
- (d) written consent from the property owner to place the bin on his property.
- (2) The Zoning Office shall not grant an application for a permit to place, use, or employ a donation clothing bin if it determines that the placement of the bin could constitute a safety hazard. Such hazards shall include, but not be limited to, the placement of a donation clothing bin within 100 yards of any place which stores large amounts of, or sell, fuel or other flammable liquids or gases;
- (3) The Zoning Officer shall impose a fee for such application, not to exceed \$25.00 to offset the costs involved in enforcing this Ordinance;
- (4) An expiring permit for a donation clothing bin may be renewed upon application for renewal and payment of any fee imposed by the Zoning Officer for such renewal, not to exceed \$25.00 annually, to offset the costs involved in enforcing this Ordinance. Such application for renewal shall include all the information required by this Section for an initial application;
- (5) The permit number and its date of expiration shall be clearly and conspicuously displayed on the exterior of the donation clothing bin, in addition to the information required pursuant to subsection 7 of this section;
- (6) The person, and any other entity which may share of profit from any clothing or other donations collected via the bin, maintains a bona fide office whether a representative of the person or other entity, respectively, can be reached at a telephone information line during normal business hours for the purpose of offering information concerning the person or other entity. For the purposes of this subsection, an answering machine or service unrelated to the person does not constitute a bona fide; and
- (7) The following information is clearly and conspicuously displayed on the exterior of the donation clothing bin:
- (a) The name and address of the registered person that owns the bin, and of any other entity which may share or profit from any clothing or other donations collected via the bin;
  - (b) The telephone number of the person's bona fide office and if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected via the bin;
  - (c) In cases when the entity other than the person who owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating that clothing or other donations collected via the bin, their proceeds, or both, may be shared or given entirely to an entity other than the person who owns the bin, and identifying all such entities which may share or profit from such donations; and
  - (d) A statement, consistent with the information provided to the appropriate municipal agency in the most recent permit or renewal application, indicating the manner in which the person anticipates any clothing or any donations collected via the bin would be used, sold, or dispersed and the method by which the proceeds of collected donations would be allocated or spent.

C. Receipt, investigation of complaints relative to donation clothing bin

The Zoning Officer shall receive and investigate, within 30 days any complaints from the public regarding a bin. Whenever it appears to the Zoning Office that a person has engaged in or is engaging in any act or practice in violation of Section B hereof, the person who placed the bin shall be issued a warning, stating that if the violation is not rectified or a hearing with the Zoning Officer is not requested within 45 days, the bin will be seized or removed at the expense of the person who placed the bin, and any clothing or other donations collected via the bin will be sold at public auction or otherwise disposed of. In addition to any other means used to notify the person who placed the bin, such warning shall be affixed to the exterior of the bin itself.

In the event that the person who placed the bin does not rectify the violation or request, a hearing within 45 days of the posting of the warning, the Zoning Officer may seize the bin, remove it, or have it removed at the expense of the person who placed the bin, and sell at

public auction or otherwise dispose of any clothing or other donations collected via the bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the Chief Financial Officer of the municipality.

D. Additional Penalties, Remedies

In addition to any other penalties or remedies authorized by the laws of this State, any person who violates any provision of this Ordinance which results in seizure of the donation clothing bin shall be:

- (a) Subject to a penalty of up to \$20,000.00 for each violation. The Zoning Officer may bring this action in the municipal court of Superior Court as a summary proceeding under the "Penalty Enforcement Law of 1999", P.L. 1999, c.274 (C2A:58-10 et seq.), and any penalty monies collected shall be paid to the Chief Financial Officer of the municipality; and
- (b) Deemed ineligible to place, use or employ a donation clothing bin for solicitation purposes pursuant to Section B hereof. A person disqualified from placing, using, or employing a donation clothing bin by violating the provisions of this Ordinance may apply to the Zoning Office to have that person's eligibility restored. The Zoning Office may restore the eligibility of a person who:
  - (1) Acts within the public interest; and
  - (2) Demonstrates that he or she made a good faith effort to comply with the provisions of this Ordinance and all other applicable laws and regulations, or had no fraudulent intentions.

**SECTION 2:** Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections and the holding of any section or part thereto to be unconstitutional, void, or ineffective or any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

**SECTION 3:** All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

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

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk  
Dated:

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

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

Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1704 as follows:

Ordinance #1704 - AN ORDINANCE AMENDING CHAPTER 384 "TREES" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Ordinance #1704 was introduced by Councilman Smith, seconded by Councilman Cannon at the May 3, 2010 meeting as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1704

AN ORDINANCE AMENDING CHAPTER 384 "TREES" OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge Chapter 384 "TREES", Article I "Shade Tree Commission" be and hereby is amended as follows:

Section I: Add to 384-6(C): "Whenever the Department of Public Works Superintendent, or his designee, shall determine that a tree, or a part thereof, creates an imminent danger to public safety, the Department of Public Works may remove said tree, or part thereof, to eliminate the dangerous condition, without prior approval from the Shade Tree Commission. The Department of Public Works Superintendent, or his designee, shall make every reasonable effort practicable under the circumstances to communicate and consult with the Shade Tree Commission before removing a tree or a part thereof"

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

Section III: 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 IV: 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 #1704

Motion by Councilwoman Walker, seconded by Councilman Smith to open hearing of the public.

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

CLOSE HEARING OF THE PUBLIC - Ordinance #1704

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

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

ADOPTION - Ordinance #1704

Motion by Councilwoman Walker, seconded by Councilman Porco to adopt Ordinance #1704.

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

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RESOLUTIONS - By Consent

Motion by Councilwoman Walker, seconded by Councilman Porco to approve resolution #10-205 through #10-217 and #10-219.

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

#10-205 Amend Agreement with Matthew Giacobbe, Esq., Scarinci Hollenbeck, LLC, 1100 Valley Brook Avenue, P.O. Box 790, Lyndhurst, New Jersey, 07071-3877 for Professional Services as Labor Attorney for the Borough

WHEREAS, there exists a need to retain legal services for the purpose of Labor and Employment Services; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Matthew Giacobbe, Esq., Scarinci Hollenbeck, LLC, 1100 Valley Brook Avenue, P.O. Box 790, Lyndhurst, New Jersey, 07071-3877 on January 4, 2010 via resolution #10-25 in the amount of \$3,000.00; and

WHEREAS, additional funding is required for legal services; 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, Matthew Giacobbe, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Matthew Giacobbe, 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 Matthew Giacobbe, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Mayor and Council have reviewed this matter at a work session on May 17, 2010; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-168 of the Current Fund in an amount not to exceed \$ 14,000.00.

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 to execute an amended agreement with Matthew Giacobbe, Esq., Scarinci Hollenbeck, LLC, 1100 Valley Brook Avenue, P.O. Box 790, Lyndhurst, New Jersey, 07071-3877.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

May 17, 2010

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#10-206 Amend Agreement with Robert Costa, Borough Engineer, for Professional Services for the Design of 2009 Kinderkamack Road North Phase 1B to Include Inspection

WHEREAS, there exists a need for expert professional engineering services for Design & Inspection of the 2009 Kinderkamack Road North Phase 1B; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Bob Costa, Borough Engineer via resolution #08-461 dated December 15, 2008 in the amount of \$25,000.00 for Professional Services to Design 2009 Kinderkamack Road North Phase 1B; and

WHEREAS, the Borough of River Edge desires to include inspection to the scope of service for this contract; and

WHEREAS, additional funding is required for professional services for Design and Inspection of 2009 Kinderkamack Road North Phase 1B; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1507-100 of the Capital Fund in the amount not to exceed \$12,500.00; 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, this matter was discussed at the March 15, 2010 work session; 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.

May 17, 2010

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#10-207 Amendment to the Approved Budget of 2010

WHEREAS, the local municipal budget for the year 2010 was approved on the 29<sup>th</sup> day of March, 2010; and

WHEREAS, the public hearing on said budget was held as advertised on May 3, 2010; and

WHEREAS, it is desired to amend said approved budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge in the County of Bergen that the following amendments to the approved budget for 2010 be made:

	FROM	TO
<b>General Revenues</b>		
Miscellaneous Revenues - Section F: Special Items of Revenue Anticipated with Prior Written Consent of the Director-Public and Private Revenues Offset with Appropriations:		
Body Armor Grant -	\$ 0.00	\$ 1,037.19
Municipal Alliance on Alcoholism And Drug Abuse	\$ 0.00	\$ 10,356.00
Clean Communities Program	\$ 0.00	\$ 16,790.37
FEMA Assistance to Firefighters Grant	\$ 0.00	\$ 44,080.00
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of the Director-Public and Private Revenues Offset with Appropriations:	\$ 15,057.00	\$ 87,320.56
<b>Summary of Revenues</b>		
3. Miscellaneous Revenues:		
Total Section F:	\$ 15,057.00	\$ 87,320.56
Total Miscellaneous Revenues	\$ 1,799,101.91	\$ 1,871,365.47
Subtotal General Revenues 7.	\$ 3,498,101.91	\$ 3,570,365.47

Total General Revenues	\$13,976,031.91	\$14,048,295.47
General Appropriations		
(A) Operations - Within "CAPS"		
Public Safety		
Fire	\$ 113,500.00	\$ 111,180.00
Other Expenses		
Total Operations Within "CAPS"	\$ 8,895,573.00	\$ 8,893,253.00
Total Operations Including Contingent Within "CAPS"	\$ 8,895,583.00	\$ 8,893,263.00
Detail: Other Expenses	\$ 3,773,249.00	\$ 3,770,929.00
(H-1) Total General Appropriations for Municipal Purposes Within "CAPS"	\$ 9,626,408.92	\$ 9,624,088.92
General Appropriations		
(A) Operations - Excluded from "CAPS"		
Public and Private Programs Offset by Revenues		
Body Armor Grant -	\$ 0.00	\$ 1,037.19
Municipal Alliance on Alcoholism and Drug Abuse	\$ 0.00	\$ 10,356.00
Clean Communities Program	\$ 0.00	\$ 16,790.37
FEMA Assistance to Firefighters Grant	\$ 0.00	\$ 44,080.00
FEMA Assistance to Firefighters Grant-Local Match	\$ 0.00	\$ 2,320.00
Total Public and Private Programs Offset By Revenue	\$ 15,057.00	\$ 89,640.56
Total Operations - Excluded "CAPS"	\$ 2,378,053.35	\$ 2,452,636.91
Detail: Other Expenses	\$ 1,915,735.35	\$ 1,990,318.91
(H-2) Total General Appropriations - Excluded "CAPS"	\$ 3,928,129.35	\$ 4,002,712.91
(O) Total General Appropriations - Excluded "CAPS"	\$ 3,928,129.35	\$ 4,002,712.91
(L) Subtotal General Appropriations (Items (H-1) and (O))	\$13,554,538.27	\$13,626,801.83
9. Total General Appropriations	\$13,976,031.91	\$14,048,295.47
8. General Appropriations		
Summary of Appropriations		
(A) Operations - Excluded from "CAPS"		
Public and Private Programs Offset by Revenue	\$ 15,057.00	\$ 89,640.56
Total Operations-Excluded "CAPS"	\$ 2,378,053.35	\$ 2,452,636.91
Total General Appropriations	\$13,976,031.91	\$14,048,295.47

BE IT FURTHER RESOLVED, that the Governing Body of The Borough of River Edge does hereby approve this amendment to the approved budget for the year 2010.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the 2010 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this resolution shall be advertised in THE RECORD on May 11, 2010 and that a hearing will be held on this amendment on May 17, 2010 at Borough Hall at 8:00 P.M.

It is hereby certified that the approved Budget Amendment annexed hereto is an

exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof and the total of anticipated revenues equals the total of appropriations.

Certified by me, this                      day of                      , 2010.

\_\_\_\_\_  
Steven D. Wielkocz  
Registered Municipal Accountant

\_\_\_\_\_  
Judy O'Connell, Deputy Borough Clerk

Mayor  
Dated:

May 17, 2010

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#10-208 Authorize Refund of 2009 Taxes Due to N.J. Tax Court Judgment

WHEREAS, a Tax Court Judgment was entered on 4/9/2010 and the same was received by the tax office reducing the Assessed Value on Block 804, Lot 7.01 Property Known as 518-532 Kinderkamack Road, Owner, Rte 17 Essex St. LLC; and

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

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor refund the property owner in the amount of \$5,347.98 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	3,219,000	3,000,000	5,347.98	5,347.98

Total Refund Amount:      5,347.98

Please Make Check Payable to:

Rte 17 Essex St LLC c/o Bruce J. Stavitsky, Esq.  
341 Broad Street  
Clifton, NJ 07013

May 17, 2010

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#10-209 Authorize Billing of 2006 Taxes Due to County Board Judgment

WHEREAS, The Tax Office received a County Board Judgment Reducing the added assessments on the following property for the year 2006 and correcting the prorated months from 5 months to 10 months.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector bill the following homeowner for the difference and to adjust her records accordingly.

<u>Block/Lot</u>	<u>Name/Address</u>	<u>Added Value</u>	<u>New Value</u>	<u>Billed</u>
1203/18	Gottlieb, Norma 150 Valley Road	7,300	4,000	\$6.09

May 17, 2010

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#10-210 Authorize Release of a Performance Bond for D & D Development, Block 1005, Lot 6.03

WHEREAS, the Borough of River Edge received a cash bond from D & D Development for the property located at Block 1005, Lot 6.03; and

WHEREAS, the amount of the Performance Bond was for \$15,000.00; and

WHEREAS, the Mayor and Council have reviewed this matter at their work session on May 17, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the above referenced Performance Bond be and hereby released and the Accounts Supervisor is hereby authorized to release a check

in the amount of \$15,000.00 to David Watkins, Esq. - Trust Account, 285 Closter Dock Road, Closter, New Jersey, 07624.

May 17, 2010

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#10-211 Authorize Tax Collector to Refund 2010 Tax Over Payment

WHEREAS, the following homeowner's attorney and their mortgage company both made a payment for the 1<sup>st</sup> quarter 2010 taxes on the following property; and

WHEREAS, the tax office have received written requests from the homeowners to refund the overpaid amount to them.

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

Block/Lot	Owner/Property	Refund Due:
1002/3	Anthony & Vivian Petrosino 91 Wayne Ave. River Edge, NJ 07661	\$2,833.33

May 17, 2010

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#10-212 Emergency Temporary Budget

WHEREAS, N.J.S. 40A:4-19 provides that (where any contract, commitments or payments are to be made prior to the final adoption of the 2010 budget) temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the total emergency temporary resolution adopted in the year 2010 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$3,087,236.33.

WHEREAS, the line items and appropriation amounts listed below have been included in the budget as approved on introduction and will be included in the budget as finally adopted.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S. 40:4-2:

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

TEMPORARY APPROPRIATION - 2010

<u>General Appropriation</u>	<u>Operations Within CAPS</u>	<u>Operations Excluded CAPS</u>
General Administration		
Salaries & Wages 20-1001-011	\$ 1,267.00	
Mayor and Council		
Salaries & Wages 20-1101-011	\$ 5,000.00	
Municipal Clerk		
Salaries & Wages 20-1201-011	\$ 11,000.00	
Financial Administration		
Salaries & Wages 20-1301-011	\$ 30,000.00	
Other Expenses 20-1302-036	\$ 5,000.00	
Revenue Administration		
Salaries & Wages 201-1451-011	\$ 5,000.00	
Other Expenses 20-1452-036	\$ 3,000.00	
Legal Services		
Salaries & Wages 20-1551-011	\$ 1,700.00	
Other Expenses 20-1552-028	\$ 50,000.00	
Public Information - Stormwater		
Other Expenses 20-5106-100		\$ 600.00

Planning Board			
Salaries & Wages 21-1801-011	\$	1,000.00	
Construction Official			
Salaries & Wages 22-1951-011	\$	10,000.00	
Group Insurance Plan			
Other Expenses 23-2202-090	\$	75,000.00	
Emergency Management Services			
Salaries & Wages 25-2521-011	\$	600.00	
Other Expenses 25-2522-036	\$	500.00	
Fire Department			
Other Expenses 25-2552-036	\$	15,000.00	
Uniform Fire Safety			
Salaries & Wages 25-2651-011	\$	3,400.00	
Other Expenses 25-2652-036	\$	500.00	
Municipal Prosecutor			
Salaries & Wages 25-2751-011	\$	1,000.00	
Public Works Repair			
Salaries & Wages 26-2901-011	\$	100,000.00	
Other Public Works			
Other Expenses 26-3002-042	\$	2,000.00	
Garbage & Trash - Apts.			
Other Expenses 26-3050-100	\$	25,000.00	
Recycling			
Salaries & Wages 26-3051-011	\$	18,000.00	
Garbage & Trash - Apts.			
Other Expenses 26-3053-100	\$	18,000.00	
Buildings & Grounds			
Salaries & Wages 26-3101-011	\$	2,000.00	
Other Expenses 26-3102-029	\$	20,000.00	
Vehicle Maintenance			
Salaries & Wages 26-3151-011	\$	13,000.00	
Other Expenses 26-3152-124	\$	10,000.00	
Public health Services Contractual			
Other Expenses 27-3303-166	\$	2,000.00	
Admin. of Social Services			
Salaries & Wages 27-3451-011	\$	1,000.00	
Recreation			
Salaries & Wages 28-3701-011	\$	10,000.00	
Other Expenses 28-3702-036	\$	1,000.00	
Maintenance of Parks			
Salaries & Wages 28-3751-011	\$	5,300.00	
Other Expenses 28-3752-179	\$	8,000.00	
Maintenance of Free Public Library			\$ 50,000.00
Salaries & Wages 29-3901-011			\$ 15,000.00
Other Expenses 29-3902-101			
Maintenance of Free Public Library			\$ 4,000.00
Electric 31-4302-174			\$ 800.00
Water 31-4453-177			\$ 100.00
Telephone 31-4403-076			\$ 1,000.00
Gas 31-4463-177			
Fire Hydrant Services			
Other Expenses 31-4452-100	\$	30,000.00	
Electric & Natural Gas			
Other Expenses 31-4482-126	\$	40,000.00	
Hackensack/Paramus			\$ 39,000.00
Other Expenses 31-4553-100			
Sewer System			

Salaries & Wages 31-4551-011	\$	500.00
Other Expenses 31-4554-100	\$	6,000.00
Bergen County Utilities Authority		
Other Expenses 31-4552-100		\$202,000.00
Municipal Court		
Salaries & Wages 43-4901-011	\$	10,000.00
Capital Improvement Fund		
Other Expenses 44-9012-100	\$	10.00
Total Operations Including Contingent Within "CAPS"	\$	540,767.00
Total Other Operations Excluded from "CAPS"		\$312,510.00
Total Temporary General Appropriations	\$	853,277.00

May 17, 2010

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#10-213 2010 Salary Resolution

BE IT RESOLVED that the following officers and employees of the Borough of River Edge be compensated for the year 2010 in accordance with Ordinance #1701 and a signed contract between the Borough of River Edge and the Borough of River Edge PBA Local #201 and the River Edge Superior Officers Association effective January 1, 2010 as follows:

<u>Police Department</u>		<u>2010 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
Acting Sergeant	Faustini, G.	\$108,518
Acting 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 to 3/31
Patrolman 1	Dzoba, J.	\$100,479
Patrolman 1	McGinty, M.	\$100,479
Patrolman 1	Naprstek, R.	\$100,479
Patrolman 1	Shouldis, M.	\$100,479
Patrolman 1	Starost, J.	\$100,479
Patrolman 1	Varrecchia, M.	\$ 80,810 to 9/18
Patrolman 3	Griffith, D.	\$ 90,348 from 9/19
Patrolman 2	Griffith, D.	\$ 54,108 to 9/15
Patrolman 6	Zemaites, J.	\$ 63,382 from 9/16
Patrolman 5	Zemaites, J.	\$ 44,834 to 2/2
Probationary Patrolman 2	Lee, D.	\$ 54,108 from 2/3
Patrolman 6	Lee, D.	

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, 2010 is hereby ratified.

May 17, 2010

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#10-214 Authorize Mayor to Sign Agreement with the River Edge PBA Local 201 to Resolve Work Schedule ULP

WHEREAS, the Borough of River Edge has reached an agreement with the River Edge PBA Local 201 to resolve a work schedule ULP.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign said agreement.

May 17, 2010

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#10-215 Enter Into Agreement with Public Service Electric & Gas for Public Safety Building Generator Electric Relocation

WHEREAS, there exists a need to retain Public Service Electric & Gas services for the relocation of an electrical service related to a new emergency generator for the Public Safety Building; and

WHEREAS, this matter was reviewed by the Mayor and Council at a work session on May 17, 2010; and

WHEREAS, the Borough Engineer has recommended the agreement and it has been reviewed by the Borough Attorney; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1613-200 of the Capital Fund in the amount not to exceed \$5,063.36.

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

1. The contract is awarded without competitive bidding as an exception in accordance with 40A:11-5(1)(f) of the Local Public Contracts Law because the service performed is the purchase of electricity by a contracting unit engaged in the generation of electricity.
2. The Chief Financial Officer is authorized to issue a purchase order to Public Service Electric & Gas as the contract.

May 17, 2010

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#10-216 Adopting 2010 Municipal Budget as Amended

WHEREAS, the 2010 Municipal Budget was approved by Resolution #10-133 on March 29, 2010; and

WHEREAS, in accordance with N.J.S.A. 40A:4-6, was advertised in THE RIDGEWOOD NEWSPAPER on April 23, 2010; and

WHEREAS, a public hearing on the budget was held on May 3, 2010; and

WHEREAS, the budget was amended on May 17, 2010 via resolution #10-207, advertised on May 11, 2010 in THE RECORD with a hearing on May 17, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Local Municipal Budget as Amended appropriating \$14,048,295.47 be hereby adopted for the fiscal year 2010.

May 17, 2010

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#10-217 Authorize Clerk to Go Out for Bid for the 2010 Howland Avenue Improvement Project Phase 2

WHEREAS, the Borough of River Edge desires to go out for bid for the 2010 Howland Avenue Improvement Project Phase 2; and

WHEREAS, the Borough Engineer has submitted plans and specifications for the project entitled 2010 Howland Avenue Improvement Project Phase 2 to the Mayor and Council of the Borough of River Edge; and

WHEREAS, these plans and specifications have been reviewed by the Borough Engineer and Borough Attorney at a work session held on May 17, 2010; and

WHEREAS, the Mayor and Council of the Borough of River Edge desire to memorialize their approval of the plans and specifications and the design elements contained therein for the project entitled 2010 Howland Avenue Improvement Project Phase 2.

NOW, THEREFORE, BE IT RESOLVED that the plans and specifications for the project entitled 2010 Howland Avenue Improvement Project Phase 2 are hereby accepted and approved by the Governing Body of the Borough of River Edge.

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

May 17, 2010

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Councilwoman Rush read resolution #10-218 in to the record.

Motion by Councilwoman Rush, seconded by Councilman Smith to approve resolution #10-218.

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

#10-218 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	\$245,073.32
CAPITAL ACCOUNT	\$ 11,315.18
RECREATION ACCOUNT	\$ 2,120.93
ANIMAL WELFARE ACCOUNT	\$ 590.40
TRUST OTHER ACCOUNT	\$ 16,627.77
SELF INSURANCE ACCOUNT	\$ 50.00
TRUST OTHER - DEVELOPERS ACCOUNT	\$ 3,792.00
ACCUMULATED ABSENCES ACCOUNT	\$ 25.00

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.

May 17, 2010

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#10-219 Award Contract to BCUA

WHEREAS, the Borough of River Edge is need of a facility to dispose of its solid waste; and

WHEREAS, the BCUA has developed a cooperative marketing program for the processing, transport, and disposal of solid waste; and

WHEREAS, the Borough of River Edge and the BCUA are desirous of entering into an agreement, a copy of which is on file with the Borough Clerk; and

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as the BCUA, and the Borough of River Edge to enter into contracts for the services contemplated herein without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(2); and

WHEREAS, this contract is awarded on a unit price basis and maybe considered an "Open Ended Contract" under N.J.A.C. 5:34-5.3, in which case

certification of funds is not required until such time as the services are ordered and prior to incurring the liability by placing the order, certification of availability of funds will be made by the Chief Financial Officer, and it shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds from the Chief Financial Officer as appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized to enter into a contract with the BCUA for the disposal of the Borough of River Edge's solid waste for a term of three (3) years from June 1, 2010 through May 31, 2013.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to forward a copy of this resolution to the BCUA, and Suburban Disposal, Inc.

May 17, 2010

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OPEN HEARING OF THE PUBLIC -

Motion by Councilman Smith, seconded by Councilwoman Walker to open hearing of the public.

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

Pat Brunje-9 June Court- asked if anything is happening with the Pocket Park. She also stated that a few weeks ago she heard voices coming from that property and thought it was odd because she didn't think anyone should be there.

Bill Lindsley-told Mrs. Brunje that the only people that would have been there were the surveyors.

Pat Brunje-commented that they must work late because it was around 7:30 at night.

Alan Negreann-stated that the Borough has received the agreement from Green Acres. He further stated that now that they have the agreement, they will start to seek reimbursement and take the necessary steps to move forward.

Peggy White-741 Center Avenue-expressed her concern with the traffic pattern exiting the Yeshiva and asked for assurance that they won't be permitted to do it permanently.

Bill Lindsley-explained that once the road work has been completed on Kinderkamack Road they would have to go before the Planning Board if they wanted a change.

Casey Connors-stated that he isn't able to hear what the Mayor and Council are saying and asked if the microphones could be checked. He also asked why the Council bonds for so many things instead of using the money on hand.

Alan Negreann-explained that by amending a bond ordinance they are able to move funds from one ordinance to another.

Councilwoman Rush-stated that they bond for long term purchases for large equipment, vehicles etc. so that they can keep the tax rate even and avoid an unfair burden on taxpayers. Councilwoman Rush also explained that by bonding, the purchases benefit all of us in the town and it is the only way municipal governments can operate.

Casey Connors-feels that they are purchasing on a wish list and not necessities.

Councilwoman Rush-invited Mr. Connors to attend budget meetings so he would have a better understanding of what's involved. She also stated that the Mayor and Council made tremendous cuts to bring the budget down to the bare bones.

Mayor Watkins-agreed that bonding is necessary to keep up our sewer system and make road improvements also.

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS -

Councilwoman Walker-informed everyone that she has spoken with the grant writers and they've told her that there is a lot funding available on the federal level and is hopeful that we will be able to secure more grants. She stated that many of our departments, committees and commissions have been communicating with the grant writers. Councilwoman Walker asked what is happening with the Nixle system because she feels that it would benefit our residents if we can keep them updated

on traffic issues so that they aren't cutting down our side streets.  
Alan Negrann-advised Councilwoman Walker that Chief Cariddi will be speaking to the department heads tomorrow about how the system will work.  
Councilwoman Walker-feels that this is a great tool and she hopes that we're not waiting for other departments to get it up and running.

Councilwoman Rush-had no comment.

Councilman Porco-stated that he's excited to get started with the new web-site and also thinks the Nixle system is a good idea.

Councilman Smith-stated that there has never been a year that the Borough hasn't received grants and for many years we've received multiple grants. He further stated that over the past 15 years, we've received 7.5 million dollars in grants and a very large percentage of them were not matching grants. With regard to bonding, Councilman Smith explained that a good example of what the Borough bonds for would be the Wayne Avenue Pump Station which is about 75 years old. He further explained that they received a rate of approximately 2.65% which will be paid off in about twelve years and many of our residents will benefit from it for years to come. He explained that the Mayor and Council have never bonded because it's an easy way out. He encouraged everyone to take a look at our audit reports which would explain every bond, what was purchased, the purchase price, the rate and duration. He stated that the amount of money that the Borough bonds for is very low in terms of what is allowed. He informed everyone that the brook portion of the tennis court project is approximately 99% complete. He stated that the next phase will be the tennis courts which will start around the 20<sup>th</sup> and hopefully be completed by September or October.

Councilman Porco-had no comment.

Mayor Watkins-invited everyone to attend the ribbon cutting ceremony for the new Asian market on Friday, May 21<sup>st</sup> at 12:00 to 3:00 p.m. The Mayor attended an awards ceremony for River Edge resident Robert Levine who received the French Foreign Legion Medal of Honor for his service during D-Day. The ceremony was held at the French Consulate and was an enjoyable evening. The Mayor also attended the ceremony at the County for Historic Preservation where Phyllis Angelo and John Del Colle received awards for their work on the restoration of the River Edge Road Train Station. The Mayor attended the Eagle Scout Ceremony over the weekend as well as a ceremony to welcome the new pastor at the First Congregational Church.

ADJOURNMENT - 8:40 P.M.

Motion by Councilwoman Walker, seconded by Councilman Smith to adjourn the meeting at 8:40 p.m.

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

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated: