

M I N U T E S
Meeting of the Mayor and Council
Monday, October 4, 2010
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

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

STATEMENT -

Mayor Watkins read the statement under the Sunshine Law and asked the Clerk to put it into the minutes. "Adequate Notice of this meeting has been made by sending notice on December 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, Councilman Porco, Councilman Smith, Councilman Cannon and Mayor Watkins were present, Councilwoman Rush and Councilman Cordts were absent.

APPROVAL OF MINUTES - By Consent

Motion by Councilman Smith, seconded by Councilman Porco to approve the minutes of the Mayor and Council work session and regular meeting of September 20, 2010.

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

Motion by Councilman Smith, seconded by Councilman Porco to approve the minutes of the work session meeting of September 27, 2010.

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

PROCLAMATION & AWARDS -

Mayor Watkins read the Proclamation Declaring October 3 - 9, 2010 as Fire Prevention Week into the record as follows:

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

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

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

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

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

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

WHEREAS, the Fire Prevention Week 2010 theme, "Smoke Alarms: A Sound You Can Live With" teaches the public how to prevent cooking, heating, and electrical fires, and encourages people to develop a home fire escape plan that includes working smoke alarms; and

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

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

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

October 3 - 9 2010,

as Fire Prevention Week

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

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

Margaret Falahee Watkins, Mayor

Dated: October 4, 2010

Mayor Watkins read the Proclamation Declaring October 2010 as National Breast Cancer Awareness Month into the record as follows:

PROCLAMATION

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

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

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

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

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

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

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

OCTOBER 2010

as

NATIONAL BREAST CANCER AWARENESS MONTH

Mayor Margaret Falahee Watkins

Dated: October 4, 2010

Mayor Watkins read the Proclamation Declaring October 17 - 23, 2010 as New Jersey State Federation of Women's Clubs Membership Week into the record as follows:

PROCLAMATION

WHEREAS, the New Jersey State Federation of Women's Clubs of GFWC was organized November 16, 1894 and has continued to exist as one of the largest and oldest nondenominational service organizations of volunteer women in the State of New Jersey, with more than 10,000 members in 275 local clubs; and

WHEREAS, members of the New Jersey State Federation of Women's Clubs of GFWC have worked in their communities to assist in activities such as founding New Jersey College for Woman (Douglas College); Preserving the Palisades; Saving the New Jersey Highlands; supporting The Community Food Bank of New Jersey; providing annual funding for Special Olympics, Operation Smile, CARE, and UNICEF.

WHEREAS, the Woman's Club of River Edge, Inc., a member of the New Jersey State Federation of Women's Clubs of GFWC is celebrating 79 years of service to this community through scholarships for our High School; as well as our Library, Police and Fire Departments, Ambulance Corp, Girl and Boy Scouts, 4th of July activities and River Edge Day; and

WHEREAS, the New Jersey State Federation of Women's Clubs of GFWC provides organizational structure and sponsored programming to enable women in their communities to have excellent resource materials in order to accomplish goals through volunteer service.

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

The Week of October 17 - 23, 2010

New Jersey State Federation of Women's Clubs

MEMBERSHIP WEEK

in recognition of the many hours of service to this community and others.

Mayor Margaret Falahee Watkins

Dated: October 4, 2010

Mayor Watkins presented the proclamation to Marge Garofalo.

APPOINTMENTS & PERSONNEL CHANGES

Motion by Councilman Smith, seconded by Councilman Porco to approve the separation of Clay Marcoux, Fire Inspector, Code Enforcement Inspector, effective September 30, 2010.

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

absent.

Motion by Councilman Cannon, seconded by Councilman Smith to approve the promotion of Curt Wilhelm to Sergeant in the Police Department at an annual salary of \$108,518.00 effective, October 4, 2010.

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

Mayor Watkins administered the Oath of Office to Curt Wilhelm.

Motion by Councilman Cannon, seconded by Councilman Smith to approve the promotion of Robert Naprstek to Sergeant in the Police Department from an annual salary of \$108,518.00 effective, October 4, 2010.

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

Mayor Watkins administered the Oath of Office to Robert Naprstek.

Motion by Councilwoman Walker, seconded by Councilman Porco to approve the resignation of Elizabeth McGurn as a Library Page, effective September 17, 2010.

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

Motion by Councilwoman Walker, seconded by Councilman Cannon to approve the hire of Alison Kress, 870 Elm Avenue, as a Library Page, at an hourly salary of \$7.25, 10 hours per week, effective September 21, 2010.

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

Motion by Councilwoman Walker, seconded by Councilman Porco to approve the resignation of Louise Mellusi, Senior Bus Dispatcher/Coordinator as of September 1, 2010.

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

Motion by Councilman Cannon, seconded by Councilman Smith to approve the salary change of Gary Faustini, Patrolman, Police Department from an annual salary of \$108,518.00 to \$100,479.00 due to a reduction from Acting Sergeants pay to Patrolmans pay, effective October 5, 2010.

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

Motion by Councilman Smith, seconded by Councilman Porco to approve the resignation of Kathleen Sandberg from the River Edge Volunteer Fire Department, effective August 24, 2010.

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

Motion by Councilman Smith, seconded by Councilwoman Walker to approve the resignation of David Finklestein from the River Edge Volunteer Fire Department, effective August 24, 2010.

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

CORRESPONDENCE -

Letter	-	U.S. Census - 9/20/10 Re: Completed 2010 Field Operations, Local Offices Closing
Notice	-	River Edge Board of Education - 9/20/10 Re: Meeting Notice for 9/22/10
Letter	-	County of Bergen - 9/22/10

Re: County Resolution Implementing Shared Service Agreement with Riverside Cooperative Board of Chosen Freeholders - 9/27/10
 Letter -
 Re: Adopted Ordinance
 Letter - Cablevision - 9/29/10
 Re: Tariffs
 Letter - To Division of Local Gov't Services - 9/29/10
 Re: Best Practices Checklist
 Letter - Patricia Fitzpatrick - 9/29/10
 Re: Garbage from sporting events left in residents garbage container
 Letter - Fire Company #2 - 9/30/2010
 Re: Resignation of Dave Finklestein & Kathleen Sandberg
 Letter - Cablevision
 RE: Digital Transition
 Letter - Project Graduation 2010
 RE: Profound thanks to Officer Abate and R.E. Police Dept./Drug Alliance for their time & service.

MONTHLY REPORTS -

Police Department - August 2010
 Planning Board - May 20, 2010
 Planning Board - June 17, 2010
 Zoning Board - June 9, 2010
 Zoning Board - July 14, 2010
 Library Board - September 21, 2010
 Tax Collector - July 2010
 Tax Collector - August 2010

ORDINANCES - 1st Reading

Judy O'Connell, Deputy Borough Clerk read the title of Ordinance #1715 as follows:

Ordinance #1715 - AN ORDINANCE AMENDING CHAPTER 416 "ZONING" ARTICLE VII, ACCESSORY USES SECTION 416-29 "FENCES" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Motion by Councilman Cannon, seconded by Councilman Porco to approve the first reading of Ordinance #1715 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1715

AN ORDINANCE AMENDING CHAPTER 416 "ZONING" ARTICLE VII, ACCESSORY USES SECTION 416-29 "FENCES" 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 416 "Zoning" Section 416-29 be and hereby is amended as follows:

Section I: Section 416-29(3) hereby amended to read as follows:

"Fences between the front building line and the rear line of the building shall not exceed six feet in height above ground level"

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 portion shall not affect 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:

ROLL CALL VOTE: Councilman Porco and Councilman Cannon voted yes, Councilwoman Walker and Councilman Smith voted no, Councilwoman Rush and Councilman Cordts were absent.

ORDINANCES - 2nd Reading - NONE

RESOLUTIONS - By Consent

Motion by Councilman Cannon, seconded by Councilman Smith to approve resolution #10-356.

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

#10-356 Resolution to Establish Eligibility List for Promotion to the Police Department for the Rank of Sergeant

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

WHEREAS, a series of examinations and evaluations were conducted in accordance with the above said policy among candidates in the Borough of River Edge Police force seeking the position of Sergeant; and

WHEREAS, the Mayor and Council at work session meetings of August 23, 2010 and September 7, 2010, reviewed the testing and evaluation results.

NOW, THEREFORE, BE IT RESOLVED that the promotional list for the position of Sergeant in the Police Department of the Borough of River Edge is hereby established from the candidates who participated and passed the promotional procedures, and that this promotional list shall be effective until October 4, 2011 Midnight.

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

1. Police Officer Curt Wilhelm
2. Police Officer Robert Naprstek
3. Police Officer Christopher Cheevers
4. Police Officer Gary Faustini
5. Police Officer Marc Abate
6. Police Officer Joseph Starost

October 4, 2010

Motion by Councilman Cannon, seconded by Councilman Smith to approve resolution #10-357 through #10-375 and #10-377.

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

#10-357 Change in Personnel Policy & Procedure Manual - Section III, Subject 4, Benefits-Medical Insurance Plan

WHEREAS, the Borough of River Edge adopted a Personnel Policy & Procedure Manual on March 7, 1983 via resolution #83-58; and

WHEREAS, the Mayor and Council of the Borough of River Edge desire to change Section III, Subject 4 with regards to Benefits-Medical Insurance Plan; and

WHEREAS, the Mayor and Council considered at their work session of September 20, 2010 making those changes to the Personnel Policy & Procedure Manual.

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

1. Add the following paragraph to Section III, Benefits, Subject 4 Medical Insurance Plan:

WAIVER

Policy - Employees eligible for the Medical Insurance Plan Benefit may waive it upon meeting the requirements of N.J.S.A. 40A:10-16 et. seq. and the filing of the Borough of River Edge Waiver Reinstatement form on file with the Borough Clerk.

In consideration of the waiver, the Borough will pay the employee according to a schedule on file with the Borough Clerk not to exceed the smaller of 25% of the cost of coverage or \$5,000.00 as a cash bonus through payroll with all appropriate deductions taken at the last pay of the year. The consideration will be prorated based on the effective date of the waiver and the number of months in effect for the borough's fiscal year.

The effective date of the waiver shall be the first of the month upon filing and acceptance of the waiver reinstatement for by the Governing Body.

October 4, 2010

#10-358 Authorize Alan P. Spiniello, Esq. to Enter Into a Stipulation of Settlement-Nicholas & Joyce Ignazzi v. Borough of River Edge, Block 701.01, Lot 19.15

WHEREAS, Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey will handle the litigation of Nicholas & Joyce Ignazzi v. Borough of River Edge, Block 701.01, Lot 19.15, 501 Manning Court, River Edge; and

WHEREAS, Alan Spiniello, Esq. has recommended stipulation in the above stated matters; and

WHEREAS, the Mayor and Council have considered these recommendations at their work session of October 4, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby authorize Alan Spiniello, Esq. to enter into a Stipulation of Settlement with a total assessment of \$774,600 for calendar year 2010 for Block 701.01, Lot 19.15.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to forward a copy of this resolution to James Anzevino, the Borough's Tax Assessor and Alan Spiniello, Esq.

October 4, 2010

#10-359 Authorize Alan P. Spiniello, Esq. to Enter Into a Stipulation of Settlement - Joseph E. Gassib v. Borough of River Edge, Block 207, Lot 1

WHEREAS, Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey will handle the litigation of Joseph E. Gassib v. Borough of River Edge, Block 207, Lot 1, 960-966 Kinderkamack Road, River Edge; and

WHEREAS, Alan Spiniello, Esq. has recommended stipulation in the above stated matters; and

WHEREAS, the Mayor and Council have considered these recommendations at their work session of October 4, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby authorize Alan Spiniello, Esq. to enter into a Stipulation of Settlement with a total assessment of \$657,000 for calendar year 2009 and 2010 for Block 207, Lot 1.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to forward a copy of this resolution to James Anzevino, the Borough's Tax Assessor and Alan Spiniello, Esq.

October 4, 2010

#10-360 Authorize the Sale of Surplus Borough property No Longer Needed for Public Use on an Online Auction Website

WHEREAS, the Borough of River Edge is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough of River Edge is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, be it RESOLVED by the Mayor and Council in the Borough of River Edge, County of Bergen as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk of the Borough of River Edge.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

A list of the surplus property to be sold is as follows: Nine(9) used boys and girls bicycles various makes and sizes.

The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

The Borough of River Edge reserves the right to accept or reject any bid submitted.

October 4, 2010

#10-361 Award Bid for the Purchase of Fifty Eight (58) RIT POCKET PACK P.R.E.S.S. AL SYSTEMS for the Fire Department

WHEREAS, on September 22, 2010 one (1) sealed bid was received for the Purchase of Fifty Eight (58) RIT POCKET PACK P.R.E.S.S. AL SYSTEMS; and

WHEREAS, the lowest base bid was received from AAA emergency Supply Company, 635 North Broadway, White Plains, New York, 10603 in the amount of \$37,540.00; and

WHEREAS, the bid has been reviewed by the Deputy Chief of the Fire Department and the Borough Attorney; and

WHEREAS, the Mayor and Council have discussed this matter at a work session on October 4, 2010; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-213R-40-7260 of the Current Fund in an amount not to exceed \$37,540.00; and

NOW, THEREFORE, BE IT RESOLVED that the bid is hereby awarded to AAA Emergency Supply Company, 635 North Broadway, White Plains, New York, 10603 in the amount not to exceed \$37,540.00 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

October 4, 2010

#10-362 Resolution to Go Into Closed Session and Exclude Public

WHEREAS, the Open Public Meetings Act, N.J.S.A.10:4-12, permits the exclusion of the public from a meeting in certain enumerated circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. That the public shall be excluded from the October 4, 2010 meeting and discussion of the hereinafter specified subject matter:

Closed Session Docket #	Item Title or Description	Statutory Reference
10-10/4-1	Personnel - PBA/SOA Negotiations	N.J.S.A. 10:4-12(8)
10-10/4-2	Personnel - DPW Negotiations	N.J.S.A. 10:4-12(8)

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

3. This resolution shall take effect immediately.

October 4, 2010

#10-363 Endorse Municipal Open Space Recreation Commission Modified Plan

WHEREAS, the Governing Body of the Borough of River Edge adopted resolution #06-234 on August 7, 2006; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 7, 2006; and

WHEREAS, a public hearing was held on January 19, 2010 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the Governing Body of the Borough of River Edge approved this plan via resolution #10-104, dated March 1, 2010; and

WHEREAS, the Recreation Commission desires to modify this plan to provide additional funds required for the Reconstruction of the Tennis Courts at Veteran's Memorial Park transferring \$2,300.00 from Account #09-96 MOE to #09-106 MOE; and

WHEREAS, the Recreation Commission desires to modify this plan to provide additional funds required for the Stream Stabilization Project at Veteran's Memorial Park transferring \$1,600.00 from Account #09-96 MOE to #09-105 MOE; and

WHEREAS, this matter was discussed at a work session of the Governing Body on October 4, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that the Recreation Commission Plan as modified by this resolution and is on file with the Borough Clerk, is hereby approved; and

BE IT FURTHER RESOLVED that the Governing Body approves the transfer of \$2,300.00 from Account #09-96 MOE to Account #09-106 MOE; and \$1,600 from Account #09-96 MOE to Account #09-105 MOE; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to the Recreation Commission.

October 4, 2010

#10-364 Amend Agreement with Environmental Resolutions, Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, New Jersey, 08054-3415 as Clerk of the Works for the Reconstruction of the Tennis Courts at Veteran's Memorial Park

WHEREAS, there exists a need for expert engineering services related to the construction management services for the Reconstruction of the Tennis Courts at Veteran's Memorial Park; and

WHEREAS, the Borough of river Edge has previously awarded a contract to Environmental Resolutions, Inc. via resolution #10-150 dated April 5, 2010 in the amount not to exceed \$12,500.00; and

WHEREAS, additional funding is required for trench drain modifications, color coating system review and approval, pipes to stream coordination, tree falling and trimming issues, paving inspection and quantity resolution, conduit for gate control system/electrical, delaminating issues in the amount not to exceed \$2,300.00; 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, Environmental Resolutions, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Environmental Resolutions, Inc. 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 Environmental Resolutions, Inc. 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 October 4, 2010; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #09-106 MOE of the Municipal Open Space Fund not to exceed \$2,300.00 and

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 Environmental Resolutions, Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, New Jersey 08054-3415 in the amount not to exceed \$2,300.00.
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.

October 4, 2010

#10-365 A Resolution Requesting Permission for the Dedication by Rider for Donations to the Borough of River Edge Green Team

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, the Green Team was created by the Governing Body of the Borough of River Edge in June of 2009 with its purpose to work with the Mayor and Council, other Borough Committees and citizens to promote a vital and beneficial community through the implementation of environmental practices and initiatives. The intension of these initiatives is to enhance the Borough's sustainable practices and quality of life. The Green Team members are committed to identifying and sharing innovative methods, offering policy recommendations and encouraging citizens to incorporate green practices where possible; and

WHEREAS, donations from interested parties would be solicited to promote the work of the Green Team; and

WHEREAS, these revenues are not subject to an accurate estimate in advance; and

WHEREAS, the Borough of River Edge desires to include in its budget a Dedicated by Rider item entitled Green Team; and

WHEREAS, the work of the Green Team will benefit the entire River Edge Community; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider.

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

1. The Borough Council does hereby request permission from the Director of the Division of Local Government Services to pay expenditures of the Green Team received from donations.
2. That such income received by the Borough is to be placed in a Specific Trust Fund and such Trust Fund shall be considered a "Dedication by Rider" to be the budget of the Local Unit per N.J.S.A. 40A:4-39 for the sole purpose stated above.

3. The Borough Clerk of the Borough of River Edge is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

October 4, 2010

#10-366 Amend Agreement with Environmental Resolutions, Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, New Jersey, 08054-3415 as Clerk of the Works for the Stream Stabilization Project at Veteran's Memorial Park

WHEREAS, there exists a need for expert engineering services related to the construction management services for the Stream Stabilization Project at Veteran's Memorial Park; and

WHEREAS, the Borough of river Edge has previously awarded a contract to Environmental Resolutions, Inc. via resolution #10-119 dated March 15, 2010 in the amount not to exceed \$8,000.00; and

WHEREAS, additional funding is required for Shade Tree settlement, outfall reconfiguration, removal of additional vegetation/trees, contractor issues (pipe to courts, soil erosion, benches at library) and resetting of TRM in the amount not to exceed \$1,600.00; 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, Environmental Resolutions, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Environmental Resolutions, Inc. 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 Environmental Resolutions, Inc. 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 October 4, 2010; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #09-105 MOE of the Municipal Open Space Fund not to exceed \$1,600.00 and

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 Environmental Resolutions, Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, New Jersey 08054-3415 in the amount not to exceed \$1,600.00.
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.

October 4, 2010

#10-367 Enter Into Agreement with Michael Lev, 117 Tenney Avenue, Block 612, Lot 4 for Right-of-Way on Borough Property

WHEREAS, Michael Lev has requested a right-of-way to cross over Borough property to allow movement of equipment necessary for the removal of a tree in the rear of their residence on Block 612, Lot 4; and

WHEREAS, the Borough Attorney has drawn up a license agreement for ingress and egress over the portion of Block 612, Lot 5 abutting the Licensee's property for the purpose of gaining access to move equipment for the removal of a tree in the rear of the property on Block 612, Lot 4; and

WHEREAS, there is a required deposit of \$1,000.00 upon execution of agreement as a performance bond.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are authorized to execute the License Agreement with Michael Lev.

October 4, 2010

#10-368 Authorize Refund from Trust Other Account

WHEREAS, the First Congregational Church made application to use Memorial Park for a church picnic; and

WHEREAS, they had paid the full \$50.00 application fee; and

WHEREAS, the event was cancelled due to inclement weather; and

WHEREAS, a refund will be made to the following:

First Congregational Church of River Edge \$50.00
109 Continental Avenue
River Edge, NJ 07661

NOW, THEREFORE, BE IT RESOLVED that a total of \$50.00 be refunded from the Trust Other Account to the above listed organization.

October 4, 2010

#10-369 Confirm Endorsement of Community Development Project

WHEREAS, a Bergen County Community Development Grant of \$23,000.00 has been proposed by the Borough of River Edge for the River Edge Public Building Doors in the municipality of River Edge; and

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

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

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

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

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

October 4, 2010

#10-370 Authorize Tax Collector to Transfer 2010 Payments Made on a Combined Property

WHEREAS, property known as 830 Park Avenue, Block 213 Lot 13 was Combined with 834 Park Avenue, Block 213, Lot 12 in the 2010 tax duplicate; and

WHEREAS, both properties we paid for the 1st & 2nd quarters 2010.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby Authorized to transfer the 2010 payments from Lot 13 to Lot 12 in the amount of \$3,037.85 and to adjust her records accordingly.

October 4, 2010

#10-371 Authorize Tax Collector to Cancel Taxes for 2010 and 2011 Preliminary Billed on Tax Exempt Property

WHEREAS, Hope Presbyterian Church has qualified for a tax exemption status for Block 505, Lot 2 also known as 301 Adams Avenue as of 2009.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector to cancel the 2010 final billing and 2011 preliminary billing on the above property and to adjust her records accordingly.

<u>Tax Year</u>	<u>To Cancel</u>	
2010	7,765.63	3 rd & 4 th quarters
2011	7,410.29	1 st & 2 nd quarters

October 4, 2010

#10-372 Authorize Tax Collector to Transfer 2010 Payments Made on a Sub-divided Property

WHEREAS, property known as 388 Lee Avenue Block 1002, Lot 57 was sub-divided into Lots 57.01 and 57.02 in the 2010 tax duplicate; and

WHEREAS, tax payment for the 1st & 2nd quarters 2010 were made on the original Lot 57 before the sub-division.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to transfer the following amounts from the original lot to the new sub-division and to adjust her records accordingly.

<u>From Block/Lot</u>	<u>To Block/Lot</u>	<u>Transfer Amount</u>
1002/57	1002/57.01	\$2,954.21
1002/57	1002/57.02	\$2,954.21
	Total:	\$5,908.42

October 4, 2010

#10-373 Authorize Tax Collector to Transfer 2010 Payments Made on a Sub-divided Property

Whereas, property known as 788 Kinderkamack Rd. block: 409 Lot: 50 was sub-divided into Lots: 50 Qualifiers: C0101, C0102, C0103, C0104, C0201, C0202, C0203, C0204 in the 2010 tax duplicate.

Whereas, tax payment for the 1st & 2nd quarters 2010 were made under the original lot: 50 before the Sub-division.

Now therefore be it resolved, that the tax collector is hereby authorized to transfer the following amounts from the original lot to the new sub-divisions and to adjust her records accordingly.

<u>From Block/Lot</u>	<u>To Block/Lot</u>	<u>Transfer Amount</u>
409/50	409/50/C0101	\$4,988.46
409/50	409/50/C0102	\$4,100.00
409/50	409/50/C0103	\$4,100.00
409/50	409/50/C0104	\$4,988.46
409/50	409/50/C0201	\$4,988.46
409/50	409/50/C0202	\$4,100.00
409/50	409/50/C0203	\$4,100.00
409/50	409/50/C0204	\$4,988.46
	TOTAL	\$36,353.84

October 4, 2010

#10-374 Confirm Endorsement of Community Development Project

WHEREAS, a Bergen County Community Development Grant of \$180,000.00 has been proposed by the Borough of River Edge for the River Edge Local Board of Education for barrier free improvements for two(2) toilet facilities for the Cherry Hill School of River Edge; and

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

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

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

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

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

October 4, 2010

#10-375 Confirm Endorsement of Community Development Project

WHEREAS, a Bergen County Community Development Grant of \$271,200.00 has been proposed by the Borough of River Edge for the ADA Building Improvements Senior Center in the Municipality of River Edge; and

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

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

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

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

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

October 4, 2010

Councilman Smith read resolution #0-376 into the record.

Motion by Councilman Smith, seconded by Councilman Cannon to approve resolution #10-376.

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

#10-376 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	\$523,831.35
Capital Account Total	\$ 6,715.10
Recreation Account Total	\$ 2,603.64

Trust Other Developers Account Total	\$ 1,000.00
Animal Welfare Account Total	\$ 4.80
Trust Other Account Total	\$ 53,758.46
Open Space Account Total	\$ 7,713.35

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

October 4, 2010

#10-377 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Wayne Avenue

WHEREAS, on or about September 20, 2010, the Borough of River Edge granted permission to Barbara Mastroddi-Lackey, 44 Wayne Avenue, River Edge, New Jersey, to hold a block party on Wayne Avenue on October 9, 2010 in accordance with Borough Ordinance #1678; and

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

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

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

October 4, 2010

OPEN HEARING OF THE PUBLIC -

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

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

Joseph Dunsay-151 Concord Drive-informed the Mayor and Council that he will be making a presentation to the Bergen County Freeholders proposing road widening from Kinderkamack Road at Main Street up to Howland Avenue, a bike path and an apple orchard at Von Steuben property. He asked the Mayor and Council for feedback.

Mayor Watkins-stated that years ago we asked PSE&G why they do not want to put cables underground and the answer came back that it is a flood area and it was very costly to do so. The Mayor continued to say that if they are considering encroaching on private property, we have to buy that property and right now there is no money to do that. The Mayor doesn't think that a bike path for bikes going north and south on the same side of the street would be a good idea. She doesn't see a problem with him making a proposal but if there is a cost factor to the Borough there are no funds available.

Joseph Dunsay-stated that because it is a County road it should be a County project.

Councilman Porco-stated that he would be concerned that pedestrians would have difficulty crossing the street if the road was widened. He continued by stating that eventually the plan is to build up stores in that area so that people can walk instead of driving.

Mayor Watkins-stated that she doesn't think most people would want to walk on Kinderkamack Road because the speed limit is 35 mph.

Peggy White-741 Center Avenue-stated that in one of the resolutions an ADA building was mentioned. She asked what that means.

Mayor Watkins-explained that ADA is the American's with Disabilities Act and she is sure that it is referring to the American Legion property.

Bill Lindsley-explained that it's the application for grant money to help make that building comply with the American's with Disabilities Act.
Mayor Watkins-asked that Bob Levine, who is our representative for the ADA, be contacted so that he can be included in any plans when doing the applications.

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS -

Councilwoman Walker-congratulated Rob Naprstek and Curt Wilhelm on their promotions to Sergeant.
Councilman Porco-also congratulated Rob and Curt and acknowledged how long the process is to move up in the ranks. Councilman Porco asked when the Department Heads will be coming before the Council to discuss their budgets.
Mayor Watkins-advised him that they will be coming to the work session of October 25th.

Councilman Smith-also congratulated Rob and Curt on their promotions. On a sad note, Councilman Smith informed everyone that Dan Biggar who was a Police Sergeant for many years passed away over the weekend and extended his condolences to his family. He further stated that Kathleen Sandberg and Dave Finkelstein resigned from the Fire Department and were made life members by Company #2 at their last meeting. He thanked them for their many years of dedication and service to the town.

Councilman Cannon-echoed everyone's sentiments in congratulating Curt and Rob and looks forward to continued good service to our town.
Mayor Watkins-also congratulated Rob and Curt and is glad that everyone was very happy with the decision for these promotions. The Mayor also stated that Dan Biggar was also our alternate Senior Bus driver and informed everyone that services will be at Beaugard's on Tuesday from 2 to 4 and 7 to 9. The Mayor also extended condolences to his family during this difficult time.

ADJOURNMENT - 8:50 P.M.

Motion by Councilman Smith, seconded by Councilman Cannon to adjourn the meeting at 8:50 p.m.

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

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, Borough Clerk

Dated: