

MINUTES

Regular Meeting of the Mayor and Council
Monday, November 6, 2017
Immediately Following Special Work Session

CALL THE MEETING TO ORDER –

Mayor Mignone called the meeting to order at 8:40 p.m. in the Council Chambers of the Borough Hall.

SILENT PRAYER – FLAG SALUTE

Mayor Mignone called for a moment of silent prayer and asked that everyone remember the victims of the shootings in Texas, the victims of the New York attack, Vivian Felice, mother of former Councilman and County Freeholder, John Felice, Harry Shaner, long time DPW employee and Bill Watkins, husband of former Mayor Peg Watkins. Mayor Mignone asked Councilman Papaleo to lead the salute to the flag.

SUNSHINE STATEMENT –

Mayor Mignone 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 23, 2016 to THE RECORD NEWSPAPER, by positioning on the bulletin board in the lobby of the Borough Hall and filing a Notice of the same with the Municipal Clerk”.

ROLL CALL – Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilman Chinigo, Councilwoman Davis, Councilman Papaleo and Mayor Mignone were present.

APPROVAL OF MINUTES –

On motion by Councilwoman Davis, seconded by Councilman Bartelloni to approve the minutes of the Mayor and Council Regular Meeting of October 2, 2017 were approved on the following roll call: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilman Chinigo and Councilwoman Davis voted yes; Councilman Papaleo abstained.

On motion by Councilman Bartelloni, seconded by Councilwoman Davis to approve the minutes of the Work Session Meeting of October 17, 2017 were approved on the following roll call: Councilman Acquafredda, Councilman Bartelloni, Councilman Chinigo and Councilwoman Davis voted yes; Councilwoman Busted and Councilman Papaleo abstained.

PROCLAMATIONS & AWARDS – NONE

OPEN PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA –

On motion by Councilman Chinigo, seconded by Councilwoman Davis to open public comments on any issue on the agenda was unanimously approved.

CLOSE PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA –

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilman Bartelloni to close public comments on any issue on the agenda was unanimously approved.

APPOINTMENTS & PERSONNEL CHANGES –

On motion by Councilwoman Busted, seconded by Councilman Chinigo to approve the retirement of Barbara Conway, Recreation Director effective December 31, 2017 was unanimously approved.

On motion by Councilman Chinigo, seconded by Councilman Papaleo to approve the salary increase of Dr. Jay Buchholz, Veterinarian for the Annual Rabies Clinic from an hourly rate of \$75.00 to \$100.00 per hour, retroactive to October 14, 2017 was unanimously approved.

On motion by Councilman Bartelloni, seconded by Councilman Papaleo to approve the salary increase of Andrew Sova, Animal Assistant for the Annual Rabies Clinic from \$37.50 to \$50.00 per hour, retroactive to October 14, 2017 was unanimously approved.

On motion by Councilwoman Busted, seconded by Councilman Chinigo to approve the salary increase of Brenton Prisenorf, Patrol Officer from an annual salary of \$55,074.00 to Patrol Officer 16th grade salary of \$63,335.00, effective November 3, 2017 was unanimously approved.

On motion by Councilman Papaleo, seconded by Councilman Chinigo to approve the salary increase of Jason DeCarlo, Laborer II in the Department of Public Works from an annual Step III salary of \$43,489.00 to Step IV - \$43,985.00, effective November 5, 2017 was unanimously approved.

On motion by Councilman Papaleo, seconded by Councilwoman Davis to approve the resignation of Nick Tarabocchia, Laborer in the Department of Public Works, effective October 25, 2017 was unanimously approved.

On motion by Councilman Papaleo, seconded by Councilwoman Davis to approve the salary increase of Kenneth Morse, Tree Trimmer II in the Department of Public Works from an annual salary of \$60,883.00 to \$61,363.00 due to an increase in longevity from \$480.00 to \$960.00, effective November 5, 2017.

On motion by Councilwoman Busted, seconded by Councilman Bartelloni to approve the internship of Daniel Schwartz to the Recreation Commission through the end of January 2018, once a week, 4 hours a day, effective October 18, 2017 was unanimously approved.

On motion by Councilman Papaleo, seconded by Councilwoman Davis to approve the appointment of Kenneth Krautheim, Albert Ruhlmann, Anthony Barbary, Constantin Cracusescu, Theresa Esposito and Anthony Arturi to the 2018 Citizen's Budget Committee, effective November 2, 2017 was unanimously approved.

On motion by Councilwoman Busted, seconded by Councilman Bartelloni the salary increase of John Francin, part-time Police Dispatcher from an hourly Step I salary of \$19.35 to Step II - \$20.43 effective December 28, 2017 was unanimously approved.

On motion by Councilwoman Davis, seconded by Councilman Chinigo to approve the salary increase of Natalie Chape, Farmer's Market Manager from an hourly Step I salary of \$18.36 to Step II - \$19.38 effective December 1, 2017 was unanimously approved.

On motion by Councilman Papaleo, seconded by Councilman Chinigo the salary change of Thomas Dekker, Laborer II from Step V - \$44,484.00 to Step VI - \$44,978.00, effective November 26, 2017 was unanimously approved.

On motion by Councilwoman Davis, seconded by Councilman Bartelloni the appointment of Vincent Ciccolella as a member of the River Edge Volunteer Fire Department Junior Fire Auxiliary Squad, effective November 7, 2017 was unanimously approved.

CORRESPONDENCE –

Letter	-	Bobbi Conway, Recreation Director – 9/28/17 Re: Letter of Retirement
Statement	-	Alan P. Negreann, Admin/CFO – 10/4/17 Re: Borough of River Edge 2017 Official Statement
Letter	-	State of New Jersey-Attorney General – 10/4/17 Re: Approve Borough's OEM Plan
Notice	-	River Edge Board of Education – 10/10/17 Re: Meeting Notice – October 11, 2017
Report	-	Alan P. Negreann, Administrator/CFO – 10/10/17 Re: Damage to Public Property Report
Report	-	Alan P. Negreann, Administrator/CFO – 10/10/17 Re: Farmer's Market Monthly Report
Letter	-	S & P Global Ratings – 10/14/17 Re: Ratings Direct - Summary: R.E. General Obligation

- Report - Alan P. Negreann, Administrator/CFO – 10/16/17
Re: Revenue Report
- Notice - River Edge Board of Ed – 10/17/17
Re: Meeting Notice for 10/18/17
- Report - Certification by Alan P. Negreann, Administrator/CFO
Re: Bond Sale – October 18, 2017
- Notice - River Edge Board of Education – 10/30/17
Re: Meeting Notice – November 1, 2017
- Letter - BCUA – 11/3/17
Re: Hearing for Proposed Amendment to B.C. District
Solid Waste Management Plan

MONTHLY REPORTS –

- Recreation Commission - August 2017
- Fire Prevention - July-September 2017
- Tax Collector - September 2017
- Historic Commission - September & October 2017
- Library Board - October 2017
- Beautification Committee - October 2017
- Recreation Commission - September 2017
- Land Use Board - September 14 & 28, 2017

ORDINANCES – 1ST READING –

Judy O’Connell, Deputy Clerk read the title of Ordinance #17-25 into the record as follows:

Ordinance #17-25 AN ORDINANCE APPROPRIATING \$257,000.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE SUPPLEMENTAL FUNDING FOR THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO THE RIVER EDGE SENIOR/COMMUNITY CENTER

On motion by Councilman Acquafredda, seconded by Councilman Bartelloni, the first reading of Ordinance #17-25 was approved unanimously as follows:

ORDINANCE #17-25
BOROUGH OF RIVER EDGE

AN ORDINANCE APPROPRIATING \$257,000.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE SUPPLEMENTAL FUNDING FOR THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO THE RIVER EDGE SENIOR/COMMUNITY CENTER

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

SECTION 1. The supplemental funding for the undertaking of various improvements to the River Edge Senior/Community Center desired in Section 2 of this ordinance is hereby authorized as purchases to be made by the Borough of River Edge, New Jersey for the purpose of the purchase of said various improvements, there is hereby appropriated the sum of \$257,000.00 of which \$257,000.00 is from the General Capital Fund Balance.

SECTION 2. The purchases are authorized as follows:

- a. Supplemental funding for the undertaking of various improvements to the River Edge Senior/Community Center.

SECTION 3. The appropriation shall be made from the General Capital Fund and no debt is authorized.

SECTION 4. This ordinance shall take effect immediately after the first publication after final passage as provided by law.

Attest:
Stephanie Evans, Borough Clerk

Dated:

Judy O'Connell, Deputy Clerk read the title of Ordinance #17-26 into the record as follows:

Ordinance #17-26 BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF STORM AND SANITARY SEWER REPLACEMENT ON KINDERKAMACK ROAD (FROM WEBB AVENUE TO RIVER EDGE ROAD) IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 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.

On motion by Councilwoman Busteded, seconded by Councilman Bartelloni, the first reading of Ordinance #17-26 was approved unanimously as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #17-26

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF STORM AND SANITARY SEWER REPLACEMENT ON KINDERKAMACK ROAD (FROM WEBB AVENUE TO RIVER EDGE ROAD) IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of River Edge, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake storm and sanitary sewer replacement on Kinderkamack Road (from Webb Avenue to River Edge Road) in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$300,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the total estimated cost of said purpose is \$300,000, and (4) \$15,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$285,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$40,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$15,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$15,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$285,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$285,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$285,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this 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 12. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Edward J. Mignone, Mayor

ATTEST

Stephanie Evans, Borough Clerk

Judy O’Connell, Deputy Clerk read the title of Ordinance #17-27 into the record as follows:

Ordinance #17-27 AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 206, OF THE RIVER EDGE BOROUGH CODE ENTITLED “FEES”.

On motion by Councilman Acquafredda, seconded by Councilman Bartelloni, the first reading of Ordinance #17-27 was unanimously approved as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #17-27

AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 206, OF THE RIVER EDGE BOROUGH CODE ENTITLED “FEES”.

BE IT RESOLVED by the Mayor and Council of the Borough of River Edge, County of Bergen and State of New Jersey that Chapter 206 of the Code of the Borough of River Edge, entitled “Fees” shall be amended and supplemented as follows:

SECTION 1. §206, “Fees” is hereby amended and supplemented by the addition of the following, which shall be added to the list of fees on file with the Borough Clerk.

Secondhand Dealers.

Initial Application and License	\$300.00
Annual Renewal Fee	\$300.00

SECTION 2. Except as set forth in Section 1, the balance of Chapter 206 shall not be affected by this Ordinance.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. This Ordinance shall become effective immediately upon adoption and publication according to law.

ATTEST:

APPROVED:

Stephanie Evans
Borough Clerk

Edward Mignone
Mayor

Judy O’Connell, Deputy Clerk read the title of Ordinance #17-28 into the record as follows:

ORDINANCE #17-28 A CAPITAL ORDINANCE OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AUTHORIZING THE CONSTRUCTION OF STREET, CURB AND SIDEWALK IMPROVEMENTS PHASE III IN SAID BOROUGH, AND APPROPRIATING THE SUM OF \$65,000.00 FROM BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT PROGRAM FUNDS TO PAY THE COST THEREOF

On motion by Councilwoman Busted, seconded by Councilman Bartelloni to approve the first reading of Ordinance #17-28 was unanimously approved as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #17-28

A CAPITAL ORDINANCE OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AUTHORIZING THE CONSTRUCTION OF STREET, CURB AND SIDEWALK IMPROVEMENTS PHASE III IN SAID BOROUGH, AND APPROPRIATING THE SUM OF \$65,000.00 FROM BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT PROGRAM FUNDS TO PAY THE COST THEREOF

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. The Borough of River Edge shall construct street, curb and sidewalk improvements on Oxford Terrace and Rutgers Place. Such improvements shall include all work and appurtenances necessary and suitable for the use and purpose thereof. Such improvements shall be made in accordance with plans to be prepared thereof by the Borough and herein authorized to be made.

SECTION 2. The Borough shall expend \$65,000.00 for the improvement authorized in Section 1. hereof. Said sum of \$65,000.00 is a grant from the 2017 Community Development Block Grant Funds, County of Bergen and is appropriated by the Borough by special rider in budgets hereinbefore authorized.

SECTION 3. Such improvement is hereby determined and declared to be a capital improvement which the Borough may lawfully make pursuant to law.

SECTION 4. This ordinance shall take effect at the time and in the manner provided by law.

Mayor Edward J. Mignone Attest:

Stephanie Evans, Borough Clerk

Dated:

Judy O'Connell, Deputy Clerk read the title of Ordinance #17-29 into the record as follows:

Ordinance #17-29 AN ORDINANCE TO REPEAL CHAPTER 79 OF THE CODE OF THE BOROUGH OF RIVER EDGE, "BOARD OF RECREATION COMMISSIONERS," AND REPLACE IT IN ITS ENTIRETY WITH CHAPTER 79, "DEPARTMENT OF RECREATION AND CULTURAL AFFAIRS."

On motion by Councilman Acquafredda, seconded by Councilwoman Davis, the first reading of Ordinance #17-29 was approved on the following roll call: Councilman Acquafredda, Councilman Bartelloni, Councilwoman Davis and Mayor Mignone voted yes; Councilwoman Busted, Councilman Chinigo and Councilman Papaleo voted no.

Mayor Mignone- stated that he's voting yes for this ordinance. He feels that people will have the opportunity between now and the second reading to offer constructive comments on the details of the ordinance. If there is a way to keep both sides happy, they will do so.

**BOROUGH OF RIVER EDGE
ORDINANCE #17-29**

AN ORDINANCE TO REPEAL CHAPTER 79 OF THE CODE OF THE BOROUGH OF RIVER EDGE, "BOARD OF RECREATION COMMISSIONERS," AND REPLACE IT IN ITS ENTIRETY WITH CHAPTER 79, "DEPARTMENT OF RECREATION AND

CULTURAL AFFAIRS.”

WHEREAS, it is the desire of the Mayor and Council of the Borough of River Edge to provide for the recreational needs of all citizens of the Borough; and

WHEREAS, the Mayor and Council has in the past entrusted that important task to the Board of Recreation Commissioners heretofore established pursuant to N.J.S.A. 40_12-1 *et seq*; *and*

WHEREAS, the Mayor and Council has determined that the residents of the Borough of River Edge would be best served by abolishing the Board of Recreation Commissioners and by transferring its duties and responsibilities to Department of Recreation and Cultural Affairs under the supervision of the Mayor and Council and Borough Administrator; and

WHEREAS, the power to abolish the Board of Recreation Commissioners is derived pursuant to the statutes of the State of New Jersey, and as affirmed by Board of Recreation Commissioners of the Borough of Rutherford v. Borough of Rutherford, 166 N.J. Super. 476 (App. Div. 1979); now, therefore,

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

SECTION 1.

That Chapter 79, Recreation Commissioners, of the Revised Ordinances of the Borough of River Edge is hereby repealed, and the Recreation Commission, created and continued thereby is hereby abolished and any all functions and duties of the Board of Recreation Commissioners are hereby transferred to the Department of Recreation and Cultural Affairs.

SECTION 2.

The existing Chapter 79, Board of Recreation Commissioners, of the Borough Code is repealed in its entirety, and the following new Chapter 79 is adopted in its place and stead as follows:

CHAPTER 79, DEPARTMENT OF RECREATION AND CULTURAL AFFAIRS.

79-1 Establishment

- A. There is hereby established in and for the Borough of River Edge a Department of Recreation and Cultural Affairs (The Department) to maintain, promote, operate and facilitate the use of Borough owned or leased park, playgrounds and recreational facilities. The Department shall design, provide, coordinate, and administer existing and new recreation and cultural programs with the assistance of the Recreation and Cultural Affairs Advisory Committee (The Committee).

79-2 Powers and Duties of the Department of Recreation and Cultural Affairs Department

- A. Administer, operate, and have jurisdiction over the use of municipal parks, playgrounds and playfields, facilities for indoor and outdoor sports, recreational and cultural programs.
- B. Develop and administer recreational and cultural programs and related activities; regular and special public events in cooperation with other public and private agencies and organizations or as recommended by the Recreation and Cultural Affairs Advisory Committee or at the direction of the Governing Body.
- C. Maintain and repair the playfields, playgrounds and recreational areas. The exception being the regulation, planting and care of shade and ornamental trees and shrubbery now located, or which may hereafter be planted, including trimming, spraying, care and protection thereof is subject to the requirements of Chapter 384-6(A)(C).

No tree or shrubbery shall be planted in or removed from any Borough park, playground, recreational area, or other area under the jurisdiction of the Borough or Department without the consent of the Director and the River Edge Shade Tree Commission. Should the Director and Shade Tree Commission not be able to agree on a planting or removal,

the final determination shall be made by the Governing Body in accordance with Chapter 384-6(A).

The Department of Public Works Superintendent, or his designee, may direct the removal of a tree, or part thereof, if the Superintendent or designee determines that there is an imminent danger to public safety in accordance with Chapter 384-6(C).

The Department is not responsible for the maintenance and/or repair of any physical structure.

- D. Enforce Borough ordinances, rules, regulations and policies pertaining to the use of recreational/cultural facilities and programs.
- E. Authority to establish, charge and collect a reasonable fee for use of the Borough's recreational and cultural facilities and programs or activities subject to favorable recommendation of the Recreation and Cultural Affairs Advisory Committee and approval by the Mayor and Council.
- F. Authority to solicit sponsorships and accept donations in strict accordance with Borough standards, procedures and applicable statutes.
- G. Determine, in consultation other Borough Departments, scope, description, manpower and materials costs necessary for the proper maintenance of the Borough's parks, playgrounds, playfields and other facilities.

The Department of Public Works shall have the authority to determine the schedule and assignment of manpower for any work conducted on behalf of the Department.

- H. Provide advisory opinions to governing body and Borough departments.

79-3 Director of Recreation and Cultural Affairs

The office of Director of Recreation and Cultural Affairs (Director) is hereby created.

- A. The Director shall serve as Department head and be responsible for the overall efficient administration, maintenance, direction and development of the Departments. The Director may recommend that the Mayor and Council create ordinate offices and positions that may be necessary and if such funds area appropriated.
- B. Subject to the general oversight by the Mayor and Council, the Director shall be supervised by the Borough Administrator and operate the Department under the auspices of same. Compensation shall be in accordance with policies and procedures for all non-contractual personnel.
- C. The Director shall be appointed by the Mayor with the advice and consent of the Council for a term of for one, two or three years ending on December 31 of any year. At the end of an initial term, a duly appointed Director shall be eligible for succeeding terms subject to the recommendation of the Borough Administrator with due consideration of the recommendation of the Committee. Prior to appointment, the Director shall be qualified by training and experience in the field of public recreation.

Any vacancy in this office shall be filled by appointment of the Mayor and Council for the balance of any unexpired term and is eligible for reappointment in accordance with this section.

- D. The Director shall collaborate with the Recreation and Cultural Affairs Advisory Committee and seek the advice and consent of same as may be required in this Chapter.

79-4 Powers and Duties of the Director of Recreation and Cultural Affairs

- A. Administer, plan, supervise, inspect and conduct program and activities of the Borough's public playgrounds, athletic fields, recreation, cultural facilities and other recreational facilities, regular and special public events, in consult and cooperation with other public

and private agencies and organizations if necessary and or as recommended by the Recreation and Cultural Affairs Advisory Committee or at the direction of the Governing Body.

- B. Manage, inspect, maintain all recreational facilities, recreational equipment and services for any properties owned, leased or controlled by the Borough.
- C. Develop routine maintenance needs for all playfields, playgrounds and other recreational areas; and a schedule thereof.
- D. Work with the Superintendent of Public Works to determine the scope of work that be conducted by the Department of Public Works and personnel and manpower; materials or outside services and required schedule of tasks. The Department must request sufficient funding in the Department's budget to ensure adequately operating funds are available.
- E. Supervise and manage any subordinate offices or positions employed under the auspices of the Department.
- F. Responsible for the development, implementation and oversight of a master schedule, in consultation with and consideration of recommendations of the Committee, to apportion available time for use of Borough recreational facilities, parks or other Borough properties, including leased property or property subject of an inter-local agreement with the River Edge Board of Education or other entity.
- G. Determine specific criteria, in consultation with the Committee, to which sports organizations are deemed as being under the auspices of the Department; similarly for any other group, organization or program.
- H. Expend departmental funds in accordance with budget appropriations and ordinances.
- I. Authority with the advice and consent of the Committee to arrange and provide for the giving of exhibitions, plays, concerts, games and contests, and may use and employ such playgrounds or recreation places for the purpose of giving thereon exhibitions, plays, concerts, games and contests to provide the funds, in whole or in part, necessary to improve, maintain and police the playgrounds or recreation places under the Department's control.
- J. Authority to charge and collect a reasonable admission fee for each person entering such playground or recreation place as a spectator during the time or times when the same is being used or employed for such purposes.
- K. Authority to charge and collect a reasonable service charge from persons using, as participants, special areas and facilities, which require special maintenance and the use of which is restricted to relatively few people, in order to assist in the meeting of the operating costs thereof in whole or in part.
- L. Pay over all moneys received by the Department to the Chief Financial Officer. These monies will be kept in a dedicated fund used only for the purpose of defraying the expenses of improving, maintaining or policing the playground and recreation places. In order to expend the funding for any of these purposes, the Director, subject to the advice and consent of the Committee, may expend funds from the dedicated account. Any such funds authorized shall be expended in accordance with applicable state and local rules and regulations for public purchasing.
- M. Recommend with the advice and consent of the Committee and request allocations of available monies that may be available through the Borough's Open Space tax, for the term if and when authorized.
- N. Recommend to the Governing Body in consultation with the Committee, establishment and collection of fees and/or other admission or entry charges for registration, enrollment or admission to the recreation or cultural programs, courses of instruction and activities of the Borough.
- O. Prepare and submit a proposed operating and capital budget annually to the Governing Body. The budget may include recommended salary budgets for the proper and efficient operation of the Department for each calendar year.
- P. Request for appropriation for professional services, vendors and on-going maintenance contracts must also be included.
- Q. Prepare proposals for additional personnel should provide a job description, rationale, recommended work hours and recommended compensation for the position(s) sought to the Borough Administrator. The employment request will be subject to the Borough's personnel hiring procedure.
- R. Prepare a recommended 5-year capital improvement plan in consultation with the Committee identifying replacement or upgrades to existing outdoor/recreation areas/facilities and/or purchase of new equipment and respective estimated costs.
- S. Investigate and report on any recreational grant opportunities from private, non-profit and/or public sources and prepare applications regarding same.
- T. Apply for and maintain membership in the New Jersey Recreation and Parks Association.

- U. Develop and disseminate promotional materials and inform residents of all available programs.
- V. Recommend and screen all potential program directors, league directors and coaches for the approval by the Committee.
- W. Prepare agenda, prepare minutes and unless excused for cause, attend all meeting of the Committee.
- X. Establish rules and regulations applicable in programming and use of parks and recreational facilities in consultation and with the advice and consent of the Committee; and furthermore subject to the approval of the Mayor and Council if so required by law.
- Y. Ensure all program and volunteers are in compliance with background checks, credential programs and required training.
- Z. Attend meetings of the Governing Body from time-to-time to provide periodic reports regarding the activities of the Department or upon request.
- AA. Prepare with the assistance of the Committee and submit an annual report to the Mayor and Council in accordance with Chapter 79-5.
- BB. Any other duty as directed by the Governing Body or recommended duties as recommended by the Committee, subject to the approval of the Governing Body.

79-5 Recreation and Cultural Affairs Advisory Committee

A. Creation and Composition

There shall be a Recreation and Cultural Affairs Advisory Committee shall be comprised of the Director of Recreation and Cultural Affairs; three (3) mandatory non-voting members; and nine (9) voting members in accordance with the following:

1. Non-Voting Members:

- a. The Director of River Edge Library or his/her designee
- b. A representative of the River Edge School District, Board of Education and/or Parent-Teacher Organization
- c. A representative of a River Edge Cultural Center or any successor organization or local organization dedicated to cultural activities or someone with expressed knowledge and interest in same.
 - i. Non-voting members shall serve one (1) calendar year and eligible for successive reappointment.
 - ii. Non-Voting members need not be residents of the Borough
 - iii. Any or all three (3) designated non-voting members may be changed by Resolution of the Mayor and Council on an annual basis.

2. Voting Members:

- a. No less than one (1) senior citizen who may or may not be a member of a recognized local senior citizens organization
- b. No less than one (1) member who will represent the authorized youth sports leagues under the auspices of the Department
- c. Seven (7) at-large members

All voting members shall be residents of the Borough of River Edge, not employed by the Borough and currently not serving on any other Borough Board, Committee or Commission.

All members shall serve with no compensation.

3. Two (2) Alternates who shall be eligible as voting members.

Alternates may attend and participate in all regular meetings or subcommittees.

Upon appointment one alternate will be designated as Alternate No. 1 and one alternate will be designated as Alternate No 2

At the start of the meeting the Chair shall announce if there are any absent members and that Alternate 1 shall be seated as a voting member. In case of two absences or disqualifications Alternate 2 shall be seated in place if there is a second absence or disqualification at the start of the same meeting.

A vote may not be delayed in order that a regular member is available to vote instead of an alternate member.

4. The Mayor or/his designee and one member of the Council, so chosen by a majority of the full membership of the Council, shall serve as liaisons for each calendar year.

B. Appointment of Members

The Mayor shall nominate and appoint, with the advice and consent of the Council, all regular voting and alternate members of the Recreation and Cultural Affairs Advisory Committee.

C. Terms of Members and Alternate Members

All voting members of the Committee, including alternate members shall be appointed for a period of three years, and until their successors are duly appointed and qualified.

Upon adoption of this Chapter, the terms for initially appointed regular voting members shall be staggered; three members shall be appointed for a period of three years; three members shall be appointed for a period of two years; and three members shall be appointed for one year to establish rotating vacancies.

The terms of the initially appointed alternate members shall likewise be staggered. One alternate shall initially be appointed for one year and one alternate shall initially be appointed for two years. Alternates shall be designated as Alternate #1 and Alternate #2.

Subsequent terms for all regular members shall be three years and three years for alternate members. Regular members shall no more than two consecutive terms unless otherwise approved by the Governing Body.

Upon the adoption of this Chapter and for the initial appointments to the Committee, the terms of the 7 at-large voting members and 2 alternates of the Committee are to be offered to the sitting members and designated alternates of the previous River Edge Recreation Commission. The length of terms for the re-appointments shall be staggered in accordance with the requirements.

D. Vacancies

Should a vacancy occur otherwise than by expiration of term for either a regular voting member or an alternate member, the Mayor shall appoint subject to the advice and consent of the Council a qualified successor to serve for the balance of the unexpired term only.

79-6 Organization of the Recreation and Cultural Affairs Advisory Committee

1. The Committee shall develop and adopt bylaws annually. Bylaws can be amended subject to the approval of 2/3 of the regular voting membership.

The bylaws must include: definition of the number of members required for a quorum; a schedule of regular meetings for each calendar year; and an attendance policy no stricter than what is permitted by State Statute or Borough requirement, whichever is more restrictive.

2. The Committee shall meet no less than a quarterly basis. At least 30 days prior to the end of a calendar year, the Committee shall provide the Borough Clerk with a calendar of meetings for the next year.
3. Meetings shall be in accordance with the Open Public Meetings Act (OPMA) and the Committee shall comply with the requirements of the Open Public Records Act (OPRA).
4. The Committee shall annually elect a chairperson; a vice chairperson and recording secretary as well as other such officers it deems necessary to carry out its powers and duties.
5. The Director shall not be responsible for the administration of the Recreation and Cultural Affairs Advisory Committee.

79-7 Powers and Duties of the Recreation and Cultural Affairs Advisory Committee

- A. Advise the Director in the coordination of recreation programs, the development of new initiatives, and the management of existing programs and events.
- B. Advise the Director in the preparation of the annual operating and capital budgets for the Department.
- C. Advise the Director and consent to allocation of trust funds.
- D. Recommendations to the Director as to the establishment of new staff positions if deemed necessary or review requests of same from the Director. The responsibility for authorizing hiring and appropriating funds for such employees is with the approval of the Mayor and Council.
- E. Advise and give consents to the Director to arrange and provide for the giving of exhibitions, plays, concerts, games and contests, and may use and employ such playgrounds or recreation places for the purpose of giving thereon exhibitions, plays, concerts, games and contests to provide the funds, in whole or in part, necessary to improve, maintain and police the playgrounds or recreation places under the Department's control.
- F. Advise and recommend to the Director reasonable admission fees for each person entering such playground or recreation place as a spectator during the time or times when the same is being used or employed for such purposes.
- G. Advise and recommend to the Director a reasonable service charge from persons using, as participants, special areas and facilities, which require special maintenance and the use of which is restricted to relatively few people, in order to assist in the meeting of the operating costs thereof in whole or in part.
- H. Assist the Director in the identification and prioritization of short- intermediate and long-term capital improvements.
- I. Conduct studies or provide recommendations to the Mayor and Council or to the Director regarding any such matters referred to the Committee and report in writing findings and conclusions as soon as reasonably possible.
- J. Recommend to the Director guidelines for the recreational use of playgrounds and recreational facilities in the Borough, consistent with rules governing the use thereof. Such guidelines shall be reviewed on a periodic basis and updated as necessary.
- K. Advise and give consent to any guidelines or policies developed by the Director.
- L. Recommend to the Director recreation and/or cultural programs, activities, functions and improvements which will economically and effectively promote the cause of recreation and for all residents of all age groups in the Borough including special needs programs and programs for seniors, teens and families
- M. Recommend to and/or assist the Director as requested to formulate policies; codes of conduct; and rules and regulations for the purpose of carrying out the objectives of the Borough's recreation and cultural affairs programming.
- N. Promote volunteerism for recreation and park programs
- O. Assist the Director in disseminating information to the public to advertise existing or new programs or activities and soliciting public comments and feedback in return.
- P. Assist the Director in determining specific criteria for designating an organization, league or program as a "youth sports organization."
- Q. Create any subcommittee of Committee members or an advisory committee consisting of representatives from each of the Borough's youth sports organizations or league; organization must operate under the auspices and authority of the Department.
- R. Provide input and provide assistance to the Director as requested to the preparation of Recreation and Cultural Affairs Department's annual report to the Governing Body in accordance with Section 79-10 Annual Report

§ 79-8 Annual Report

- A. The Director shall submit, not less than annually, a report to the Governing Body as to the activities of the Department. The Committee shall assist to any reasonable request from the Director, and subject to the approval of a majority of the Committee, to assist in the development and preparation of the report and/or any element required therein.
- B. The report shall include, but not limited to:
 - 1. A summary of recreational and cultural programs offered under the auspices of the Department that should also include number of participants.

2. A summary of routine or special maintenance activities undertaken and the cost(s) thereof for Borough recreation facilities or equipment and replacement for the calendar year.
3. A summary table of revenue and expenditures for events, programs and events sponsored or conducted under the auspices of the Department.
4. A program of routine and periodic maintenance necessary to physically maintain the recreational facilities and improvements located within the Borough of River Edge and subject to the jurisdiction thereto.
5. Recommendations to expand modify or eliminate existing recreational and/or cultural programming or recommendations for new programming.
6. An inventory of all Borough property owned, leased or subject of an inter-local agreement with the River Edge Board of Education or any other entity and equipment as well as detail of the state thereof.
7. An assessment by the Director of the adequacy of the facilities and to what extent the needs of the public are being met.
8. Should it be determined that a leased property or property subject of an inter-local agreement with the River Edge Board of Education is determined to no longer adequately meet the needs of the public provide alternatives and cost estimates for consideration by the Mayor and Council shall be included.
9. An assessment of the effectiveness of maintenance programs to maintain and care for the recreational facilities and parks of the Borough of River Edge and recommendations and cost estimates for consideration by the Mayor and Council.
10. 5-year capital plan with recommendations for improvements of recreational facilities and the cost(s) thereof.

79-9 Continuance of Existing Regulations, Policies and Codes

Any rules, regulations, policies, code of conduct previously adopted and enforced by the Recreation Commission and Director prior to the date of adoption of this chapter shall remain and continue in full force and effect until further order by the appropriate jurisdiction.

SECTION 3.

All references in the Revised Ordinances of the Borough of River Edge to the Recreation Commission or the Board of Recreation Commissioners shall be deemed to refer to the refer to the Department of Recreation and Cultural Affairs.

SECTION 4.

All ordinances or parts of ordinances which are inconsistent with any provisions of this Chapter are hereby repealed as to the extent of such inconsistencies.

SECTION 5.

If any provision of this Chapter, or the application, of any such provision to any person or circumstance, shall be held invalid, the remainder of this Chapter to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provision of this Chapter is severed.

SECTION 6.

The ordinance shall take effect immediately upon passage.

ATTEST:

BOROUGH OF RIVER EDGE

Stephanie Evans, Clerk

Edward Mignone, Mayor

ORDINANCE – 2ND READING –

Judy O’Connell, Deputy Clerk read the title of Ordinance #17-23 into the record as follows:

Ordinance #17-23 AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 400, OF THE RIVER EDGE BOROUGH CODE ENTITLED “VEHICLES AND TRAFFIC”.

BOROUGH OF RIVER EDGE
ORDINANCE #17-23

AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 400, OF THE RIVER EDGE BOROUGH CODE ENTITLED “VEHICLES AND TRAFFIC”.

WHEREAS, based upon the advice of the Chief of Police and the Borough’s Traffic and Safety Committee, the Governing Body has deemed it in the best interest of the public health, safety and welfare to supplement, amend and revise its Vehicles and Traffic Ordinance as codified in Chapter 400 of the River Edge Borough Code:

WHEREAS, Article II, §400-7, entitled “Parking prohibited during certain hours” provides that “No person shall park a vehicle between the hours specified on any day, except Sundays and public holidays, upon any of the streets or parts of streets described in Schedule II (§400-28), attached to and made a part of this chapter.” and

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

SECTION 1. §400-28. Schedule II: Parking Prohibited During Certain Hours is hereby amended to add certain streets as follows:

§400-28. Schedule II: Parking Prohibited During Certain Hours

In accordance with the provisions of §400-7, no person shall park a vehicle between the hours specified upon any of the following described streets or parts of streets:

<u>Name of Street</u>	<u>Sides</u>	<u>Days/Hours</u>	<u>Location</u>
Continental Avenue	South	8:00 a.m. to 4:00 p.m. school days except to pick up and discharge students only	From a point 56 feet west of Bogert Road to a point 282 feet west of Bogert Road

SECTION 2. Except as set forth in Sections 1, the balance of Chapter 400 shall not be affected by this Ordinance.

SECTION 3. This chapter is intended to supplement existing ordinances and other laws pertaining to Chapter 400, entitled “Vehicles and Traffic” of the River Edge Borough Code and shall not be construed to excuse any person from complying with such other ordinances and laws.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any part, sections, provisions, or total of any of the aforementioned sections are held to be invalid or unenforceable by any court, the findings or judgments of which court are applicable in the State of New Jersey, that the balance and remainder of such sections shall remain in full force and effect as an Ordinance of the Borough of River Edge.

SECTION 6. This Ordinance shall become effective immediately upon adoption and publication according to law.

Mayor Edward J. Mignone

Attest:

Stephanie Evans, Borough Clerk
Dated:

On motion by Councilman Chinigo, seconded by Councilman Bartelloni to open the public hearing on Ordinance #17-23 was unanimously approved.

CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #17-23

There being no comments by the public, the motion by Councilman Bartelloni, seconded by Councilman Papaleo to close the public hearing on Ordinance #17-23 was unanimously approved.

ADOPTION - Ordinance #17-23

On motion by Councilman Bartelloni, seconded by Councilman Papaleo to adopt Ordinance #17-23 was unanimously approved.

Judy O’Connell, Deputy Clerk read the title of Ordinance #17-24 into the record as follows:

Ordinance #17-24 – AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 382 OF THE RIVER EDGE BOROUGH CODE ENTITLED “TOWING”

THE BOROUGH OF RIVER EDGE
ORDINANCE #17-24

AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 382, OF THE RIVER EDGE BOROUGH CODE ENTITLED “TOWING”.

WHEREAS, Chapter 382 of the Code of the Borough of River Edge entitled “Towing” provides standards, regulations and rates for all police-requested towing and roadside repair services on roadways with the Borough of River Edge; and

WHEREAS, upon the recommendation of the Chief of Police of the Borough of River Edge, the Mayor and Council deems it in the best interest of the health, safety and welfare of the Borough and its residents to amend Chapter 382 of the Code of the Borough of River Edge entitled “Towers”, specifically §382-8. Fees.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby amend §382-8 of the Borough Code as follows:

SECTION 1.

The fees permitted by the following fee schedules are promulgated in accordance with N.J.S.A. 40:48-2.49 and N.J.A.C. 11:3-38. The maximum fees permitted by this chapter will be the same as allowed by the statute and regulation, as they may be amended. This chapter will be interpreted to provide for the same maximum fees, as said statute and regulation will permit, without further amendment hereof. The following is the fee schedule for basic automobile towing services pursuant to N.J.S.A. 40:48-2.49:

A. Vehicles under 6,000 pounds:

Description	Fee
Towing	\$125.00
Mileage (out of town or not to yard (within N.J.), per mile rate	\$5.00
Road Service	\$60.00
Storage (per calendar day)	\$40.00
Winching/recovery (beyond right of way)	\$150.00

The fees set forth above are the maximum charges that shall apply to private passenger automobiles for basic towing services. There shall be no additional charges other than those provided herein, including but not limited to, flatbedding, waiting time, winching (except as described below) and additional labor when only basic towing services are required.

B.	Vehicles 6,001 pounds to 10,000 pounds:	
	Description	Fee
	Towing (per hour)	\$175.00
	Road Service	\$75.00
	Storage (per calendar day)	\$75.00
	Winching/recovery (per hour, per truck)	\$200.00
C.	Vehicles over 10,001 pounds:	
	Description	Fee
	Towing (per hour)	\$325.00
	Road Service	\$100.00
	Storage (per calendar day)	\$100.00
	Winching/recovery (per hour, per truck)	\$425.00
D.	Clean-up:	
	Description	Fee
	Clean-up at accident scene	\$35.00
	Speedi-Dri (per bag)	\$15.00
	Description	Fee
	Crash wrap (front, rear)	\$40.00
	Crash wrap (side)	\$25.00

Waiting time (initial 30 minutes on arrival, no charge; thereafter \$100.00 billed at 30 minute increments at a per hourly rate)

E. Release of vehicles.

(1) The towing operator must have, at a minimum, the following hours for releasing of vehicles: Monday through Friday, 8:00 a.m. to 6:00 p.m.; Saturday 8:00 a.m. to 1:00 p.m.

Winching service charges: Winching is described as the process of moving a motor vehicle by the use of the cable from a position that is not accessible for direct hook up by conventional means for loading onto a tow vehicle. Winching shall not include the pulling a vehicle onto a tilt bed or carrier nor lifting a motor vehicle with a conventional sling. There will be no additional charge for winching to facilitate the tow. Winching service charges apply to, but are not limited to, vehicle that are positioned in embankments, overturned or position in such a precarious manner that normal winching to facilitate the tow is unsuitable.

Storage charges: Storage charges shall not be charged if the vehicle owner is on site at the storage facility and can perform all acts necessary to retrieve the vehicle within the first three hours of the tow. The fees set forth on the schedule for storage fees are the maximum storage charges per twenty-four (24) hour period or a part thereof that shall apply to a vehicle that is stored. A new twenty-four hour period begins at 12:01 a.m.

Additional storage shall not accrue if the vehicle has been released by the River Edge Police Department but the towing operator is not available to release it. The towing operator shall assume and be solely responsible for all costs incident to moving vehicles from one storage area to another storage area owned and operated by the towing operator.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any part, sections, provisions, or total of any of the aforementioned sections are held to be invalid or unenforceable by any court, the findings or judgments of which court are applicable in the State of New Jersey, that the balance and remainder of such sections shall remain in full force and effect as an Ordinance of the Borough of River Edge.

SECTION 4. This Ordinance shall become effective immediately upon adoption and publication according to law.

ATTEST:

APPROVED:

Stephanie Evans
Borough Clerk

Edward Mignone
Mayor

OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #17-24

On motion by Councilman Acquafredda, seconded by Councilman Chinigo to open the public hearing on Ordinance #17-24 was unanimously approved.

CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #17-24

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilman Bartelloni to close the public hearing on Ordinance #17-24 was unanimously approved.

ADOPTION – Ordinance #17-24

On motion by Councilman Bartelloni, seconded by Councilwoman Busted to adopt Ordinance #17-24 was unanimously approved.

RESOLUTIONS - By Consent

On motion by Councilman Papaleo, seconded by Councilman Bartelloni to approve resolution #17-340 through #17-367 and resolution #17-370 through #17-379 were unanimously approved.

#17-340 Refund of Construction Bond for Shade Trees to Venture Capital Group for the Property Located at 330 Taft Road, River Edge, New Jersey

WHEREAS, Venture Capital Group, deposited a cash construction bond for shade trees adjacent to the property located at 330 Taft Road in the amount of \$1,500.00 on August 21, 2014; and

WHEREAS, the Shade Tree Commission has performed an inspection and has determined that the trees at this location were not affected by construction activity; and

WHEREAS, the Shade Tree Commission recommends that the bond in the amount of \$1,500.00 be released.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund of \$1,500.00 from the Trust Other Account to:

Venture Capital Group
1465 Union Valley Road
West Milford, New Jersey 07480

November 6, 2017

#17-341 Refund of Construction Bond for Shade Trees to Quality Construction for the Property Located at 290 Olympia Drive, River Edge, New Jersey

WHEREAS, Venture Capital Group, deposited a cash construction bond for shade trees adjacent to the property located at 290 Olympia Drive in the amount of \$1,300.00 on August 21, 2014; and

WHEREAS, the Shade Tree Commission has performed an inspection and has determined that the trees at this location were not affected by construction activity; and

WHEREAS, the Shade Tree Commission recommends that the bond in the amount of \$1,300.00 be released.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is

authorized to make the following refund of \$1,300.00 from the Trust Other Account to:

Venture Capital Group
1465 Union Valley Road
West Milford, New Jersey 07480

November 6, 2017

#17-342 Refund of Construction Bond for Shade Trees to George Dorizas for the Property Located at 223 Berkeley Road, River Edge, New Jersey

WHEREAS, George Dorizas, deposited a cash construction bond for shade trees adjacent to the property located at 223 Berkeley Road in the amount of \$1,402.98 on December 15, 2014; and

WHEREAS, the Shade Tree Commission has performed an inspection and has determined that the trees at this location were not affected by construction activity; and

WHEREAS, the Shade Tree Commission recommends that the bond in the amount of \$1,402.98 be released.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund of \$1,402.98 from the Trust Other Account to:

George Dorizas
140 Duncan Avenue, B1
Jersey City, NJ 07306

November 6, 2017

#17-343 Refund of Construction Bond for Shade Trees to Quality Construction for the Property Located at 275 Cleveland Place, River Edge, New Jersey

WHEREAS, Quality Construction, deposited a cash construction bond for shade trees adjacent to the property located at 275 Cleveland Place in the amount of \$4,533.20 on March 23, 2015; and

WHEREAS, the Shade Tree Commission has performed an inspection and has determined that the trees at this location were not affected by construction activity; and

WHEREAS, the Shade Tree Commission recommends that the bond in the amount of \$4,533.20 be released.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund of \$4,533.20 from the Trust Other Account to:

Quality Construction
P.O. Box 3353
Fort Lee, NJ 07024

November 6, 2017

#17-344 Refund of Construction for Shade Tree to 430 The Fenway LLC

WHEREAS, 430 The Fenway, LLC, deposited a cash construction bond for shade trees adjacent to the property located at 430 The Fenway in the amount of \$5,896.00 on August 28, 2014; and

WHEREAS, the Shade Tree Commission has performed an inspection and has determined that the Borough needs to remove and replace one of the trees due to severe stress and decline as a result of the construction activity; and

WHEREAS, the Shade Tree Commission recommends that \$1,002.50 of the

original bond amount be used to remove and replace the tree; and

WHEREAS, the Shade Tree Commission has determined that the other tree at the same location was not affected by the construction activity and recommends that the balance of \$4,893.50.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund of \$4,893.50 from the Trust Other Account to:

430 The Fenway LLC
1347 Teaneck Road
Teaneck, NJ 07666

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to transfer \$1,002.50 from the Trust Other-Performance Bonds-Shade Tree Account to the Trust Other-Donations Shade Tree Commission Account.

November 6, 2017

#17-345 Refund of Construction Bond for Shade Trees to Marcello Petrozzella for the Property Located at 269 Adams Avenue, River Edge, New Jersey

WHEREAS, Quality Construction LLC, deposited a cash construction bond for shade trees adjacent to the property located at 303 Olympia Drive in the amount of \$6,410.72 on December 11, 2012; and

WHEREAS, the Shade Tree Commission has performed an inspection and has determined that the Borough needs to remove and replace one of the trees due to severe stress and decline as a result of the construction activity; and

WHEREAS, the Shade Tree Commission recommends that \$4,194.43 of the original bond amount be used to remove and replace the tree; and

WHEREAS, the Shade Tree Commission has determined that the other tree at the same location was not affected by the construction activity and recommends that the balance of \$2,216.29 be released; and

WHEREAS, the Mayor and Council have discussed this matter at work sessions on September 21, 2015 and October 19, 2015.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund of \$2,216.29 from the Trust Other Account to:

Quality Construction Services LLC
P.O. Box 3353
Fort Lee, NJ 07024

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to transfer \$4,194.43 from the Trust Other-Performance Bonds-Shade Tree Account to the Trust Other-Donations Shade Tree Commission Account.

November 6, 2017

#17-346 Authorize Refund from Recreation Dedicated Account

WHEREAS, a resident signed up for the 2017 Holiday Musical Revue and Dinner; and

WHEREAS, the resident had paid in full for three (3) tickets at \$93.00 per ticket; and

WHEREAS, the resident has notified the Recreation Commission that they will not be able to attend and has requested a refund; and

WHEREAS, a refund will be made to the following:

Anne Duggan
83 Kenwood Road
River Edge, NJ 07661

NOW, THEREFORE, BE IT RESOLVED that a total of \$279.00 be refunded from the Recreation Dedicated Account to the above listed resident.

November 6, 2017

#17-347 Amend 2017 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item for an equal amount; and

WHEREAS, the Borough has received a grant for Body Armor in the amount of \$2,347.94.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

3. Miscellaneous Revenue – Section F

Unappropriated Reserve for Body Armor Grant.....\$2,347.94

BE IT FURTHER RESOLVED that the like sum of \$2,347.94 and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from the “CAPS”

Unappropriated Reserve for Body Armor Grant.....\$2,347.94

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

November 6, 2017

#17-348 Refund of Construction Bond for Shade Trees to Laurel Antal for the Property Located at 42 Lincoln Avenue, River Edge, New Jersey

WHEREAS, Laura Antal deposited a cash construction bond for shade trees adjacent to the property located at 42 Lincoln Avenue in the amount of \$1,154.64 on November 19, 2013; and

WHEREAS, the Shade Tree Commission has performed an inspection and has determined that the trees at this location were not affected by construction activity; and

WHEREAS, the Shade Tree Commission recommends that the bond in the amount of \$1,154.64 be released.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund of \$1,154.64 from the Trust Other Account to:

Laura Antal
42 Lincoln Avenue
River Edge, NJ 07661

November 6, 2017

#17-349 Release of Data on the Closed Session

WHEREAS, N.J.S.A. 10:4-12 states that the public may be excluded from a portion of a meeting held by a public body when it discusses those matters as defined as an exception by law; and

WHEREAS, N.J.S.A. 10:4-13 states that the closed session information may be discussed if the public body shall first adopt a resolution, at a meeting to which the public shall be admitted; and

WHEREAS, N.J.S.A. 10:4-13(a) states that the resolution shall contain a statement as to the general nature of the subject to be discussed including as precisely as possible, the time when the circumstances under which the discussion was conducted in closed session of the public body can be disclosed to the public; and

WHEREAS, the Mayor and Council have considered the release of the data and information of the below listed item at a work session dated October 17, 2017

NOW, THEREFORE, BE IT RESOLVED, that the below listed items be hereby made available to the public.

<u>Closed Session</u> <u>Docket #</u>	<u>Item Title or Description</u>	<u>Date of</u> <u>Meeting</u>
17-8/15-3	Millbrook Village Townhouse Association - Contract Negotiations	August 15, 2017

November 6, 2017

#17-350 Refund of Construction Bond for Shade Tree to Ashley Lane Properties for the Property Located at 204 Voorhis Avenue, River Edge, New Jersey

WHEREAS, Ashley Lane Properties, deposited a cash construction bond for shade trees adjacent to the property located at 204 Voorhis Avenue in the amount of \$5,281.42 on May 23, 2014; and

WHEREAS, the Shade Tree Commission has performed an inspection and has determined that the trees at this location were not affected by construction activity; and

WHEREAS, the Shade Tree Commission recommends that the bond in the amount of \$5,281.42 be released.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund of \$5,281.42 from the Trust Other Account to:

Ashley Lane Properties
180 W. 20th Street, #10V
New York, NY 10011

November 6, 2017

#17-351 Amend Agreement with Alan Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey for Expert Legal Services Regarding Tax Appeals

WHEREAS, there exists a need for Expert Legal Services for tax appeal representation; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Alan P. Spiniello, Esq. via resolution #17-09 dated January 2, 2017 in the amount of \$5,000.00 and amended via resolution #17-190 dated June 5, 2017 in the amount of \$10,000.00; and

WHEREAS, additional funding is required for Expert Legal Services for tax appeal representation; 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, Alan P. Spiniello, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Alan P. Spiniello, 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 Alan P. Spiniello, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-174 of the Current Fund in the amount not to exceed \$10,000.00.

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

WHEREAS, the rate of pay shall not exceed \$125.00 per hour:

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 Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey, 07601 in the amount not to exceed \$10,000.00.
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 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.

November 6, 2017

#17-352 Cancel Unexpended and Dedicated Balances

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended Balances may be returned to each respective Capital Improvement Fund or credited to Fund Balance and unused debt authorized may be cancelled.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of River Edge that the following unexpended and dedicated balances of General Capital Appropriation be cancelled:

<u>ORDINANCE</u> <u>FUND</u>	<u>UNFUNDED</u> <u>DEFERRED CHARGES</u>	<u>CAPITAL</u> <u>FUND BALANCE</u>	<u>CAPITAL</u> <u>IMPROVEMENT</u>
1656		\$ 219.43	
1762		\$ 33,930.25	
1789		\$ 24,000.00	
1806		\$200,000.00	
1855			\$1,019.23

November 6, 2017

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 October 17, 2017; 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 \$3,000.00.

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., Cleary Giacobbe Alfieri Jacobs, LLC, 169 Ramapo Valley Road, Upper Level 105, Oakland, New Jersey 07436 in the amount not to exceed \$3,000.00.
2. 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.

November 6, 2017

#17-356 Amend Agreement with Cleary Giacobbe Alfieri Jacobs, LLC, 169 Ramapo Valley Road, Upper Level 105, Oakland, New Jersey 07436 for Professional Services as Special Counsel for a Personnel Matter

WHEREAS, there exists a need for Special Counsel for legal services related to a personnel matter in the Borough; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Matthew Giacobbe, Esq., Cleary Giacobbe Alfieri Jacobs, LLC, 69 Ramapo Valley Road, Upper Level 105, Oakland, New Jersey 07436 on June 20, 2017 via resolution #17-232 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 October 17, 2017; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-177 of the Current Fund in an amount not to exceed \$3,000.00.

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., Cleary Giacobbe Alfieri Jacobs, LLC, 169 Ramapo Valley Road, Upper Level 105, Oakland, New Jersey 07436 in the amount not to exceed \$3,000.00.
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 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.

November 6, 2017

#17-357 Transfer of Funds

WHEREAS, N.J.S.A. 49:4-59 permits the transfer of appropriations during the last two months of the fiscal year from accounts showing unexpended balances to accounts in which commitments may exceed the original budgeted appropriations.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be authorized:

FROM: Economic Development O/E	01-2010-20-1742-100	\$ 4,000.00
TO: Telephone & Telegraph	01-2010-31-4402-077	\$ 4,000.00
FROM: Legal Services O/E	01-2010-20-1552-172	\$15,000.00
TO: Planning Board O/E	01-2010-21-1802-028	\$15,000.00
FROM: Legal Services O/E	01-2010-20-1552-172	\$ 5,000.00
TO: Zoning Board O/E	01-2010-21-1852-169	\$ 5,000.00
FROM: Petroleum Products	01-2010-31-4472-168	\$10,000.00
TO: Vehicle Maintenance O/E	01-2010-26-3152-173	\$10,000.00
FROM: General Administration O/E	01-2010-20-1002-182	\$ 2,000.00
TO: Shade Tree Commission O/E	01-2010-26-3022-170	\$ 2,000.00

November 6, 2017

#17-358 Acknowledge Receipt of Certification of Request for Emergency Purchases – Repair of Fire Engine #2

WHEREAS, the Superintendent of Public Works has certified that an emergency condition exists in the Department of Public Works for the emergency repair to a Fire Engine #2 in the amount of \$6,000.00; and

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

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

November 6, 2017

#17-359 Approve to Waive a Portion of the Police Officer Application Fee

WHEREAS, the Governing Body of the Borough of River Edge passed Ordinance #1311 on October 7, 2000 establishing the recruitment and promotional policy for the Borough of River Edge Police Department; and

WHEREAS, resolution #17-312 dated September 5, 2017 was adopted by the Governing Body of the Borough of River Edge which selected the alternate testing and

selection process with no written test and authorized the Borough Administrator, Police Chief and Borough Clerk to implement the above procedure; and

WHEREAS, Ordinance #1866 was adopted on August 8, 2016 which authorized a Police Officer application fee for the year 2017 in the amount of \$152.00; and

WHEREAS, the fee design was based on the traditional recruitment and hiring process and not the alternate process.

NOW, THEREFORE, BE IT RESOLVED that the fee of \$152.00 is reduced to \$75.00 for those applicants between the dates of September 14, 2017 through October 15, 2017.

BE IT FURTHER RESOLVED that the Police Department and the Chief Financial Officer are instructed to adjust their billing accordingly.

November 6, 2017

#17-360 Enter into Agreement with Atlantic Coast Fibers, 101 7th Street, Passaic, New Jersey 07055

WHEREAS, the Borough of River Edge has included the collection of newspaper, mixed news and co-mingled containers as part of its recycling program in an effort to reduce solid waste; and

WHEREAS, Atlantic Coast Fibers has agreed to enter into a three (3) year contract, subject to the waiver of the \$125.00 trucking charge for pulls from the recycling yard and after the first year of the contract, an opt-out clause with the Borough of River Edge for the disposal of newspaper, mixed news and co-mingled containers; and

WHEREAS, N.J.S.A. Section 40A:11-5(1)(s) and N.J.S.A. 40A:11-36 permits the awarding of a contract without competitive bidding for the marketing of recyclables; and

WHEREAS, the Borough Attorney and Superintendent of Public Works have prepared a contract containing the approved terms and conditions of the sale.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are authorized to enter into an agreement with Atlantic Coast Fibers, 101 7th Street, Passaic, New Jersey, 07055.

November 6, 2017

#17-361 Resolution Authorizing the Discontinuance of Appropriating and Disbursement of Monies for the Maintenance and Administration of a Veterans Service Bureau in the Borough of River Edge

WHEREAS, the Veterans' of Foreign Wars post was established circa 1936; and

WHEREAS, N.J.S.A. 40:48-2.15 allows a municipality to appropriate monies for the maintenance and administration of a Veteran's Service Bureau in the municipality; and

WHEREAS, direct donations or contributions may be made only where there is a basis in statute; and

WHEREAS, the Borough of River Edge has had an appropriation in its municipal budgets in the amount of \$475.00 to support the Veterans' of Foreign Wars; and

WHEREAS, the Governing Body of the Borough of River Edge has received notice of the dissolution of the organization named Veterans' of Foreign Wars.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer and Accounts Supervisor are hereby instructed to discontinue the payment of the aid effective 12/31/17 and to adjust their records accordingly.

November 6, 2017

#17-362 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Crosswalk- Kinderkamack and Wayne Avenue Sidewalk

WHEREAS, there exists a need for expert professional engineering services related to the Crosswalk -Kinderkamack Road and Wayne Avenue Sidewalk ; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-170 of the Current Fund in the amount of \$3,000.00; 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 Mayor and Council have examined resumes, biographies, work experience; and

WHEREAS, the Mayor and Council have reviewed price and other factors when considering supporting reasons for awarding this contract; and

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

Principal Engineer.....	\$ 65.00
Principal Land Surveyor.....	\$ 75.00
Survey Field Crew.....	\$150.00
Senior Designer.....	\$ 65.00
Senior Drafter.....	\$ 55.00
Computer Drafting.....	\$ 75.00
Technical/Administrative Assistant.....	\$ 65.00
Field Inspector.....	\$ 80.00

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., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$3,000.00; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

November 6, 2017

#17-363 Cancel Outstanding Checks

WHEREAS, the Borough of River Edge has had on its records outstanding check(s) for a lengthy period of time; and

WHEREAS, the bank upon which these check(s) are drawn considers the check(s) stale—

dated after six months; and

WHEREAS, it is in the best interest of the Borough to keep its records current.

NOW, THEREFORE, BE IT RESOLVED that the following outstanding check(s) be cancelled and that the Chief Financial Officer shall adjust his records accordingly.

<u>Fund</u>	<u>Check #</u>	<u>Date</u>	<u>Amount</u>
Municipal Court Account	2244	10/07/14	\$ 2.00
#8100245474	2259	01/15/15	\$10.00
	2340	04/05/16	\$ 3.00
	2363	08/19/16	\$ 1.00
	2364	08/30/16	\$ 1.00
	2381	11/10/16	\$ 2.00
	2382	12/07/16	\$ 3.00

November 6, 2017

#17-364 Amend 2017 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item for an equal amount; and

WHEREAS, the Borough has received a deposit in its Unappropriated Reserve for Nursing Services for nonpublic Schools Grant in the amount of \$13,195.00.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

- 3. Miscellaneous Revenue – Section F
 - Public & Private Programs Offset by Revenues
 - Nursing Services for Nonpublic Schools.....\$13,195.00

BE IT FURTHER RESOLVED that the like sum of \$13,195.00 and the same is hereby appropriated under the caption of:

- General Appropriations
 - (A) Operations excluded from the “CAPS”
 - Public & Private Programs Offset by Revenues
 - Nursing Services for Nonpublic Schools.....\$13,195.00

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

November 6, 2017

#17-365 Enter into Agreement with Joseph Burgis, Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey 07675 for Professional Planning Services Related to Signage Regulations

WHEREAS, there exists a need to retain professional planning services related to signage regulations; and

WHEREAS, Burgis Associates, Inc. meets the criteria for a professional service contract under N.J.S.A. 40A:11-1; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-21-1852-169 of the Current Fund in the amount not to exceed \$5,000.00; and

WHEREAS, Burgis Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Burgis Associates, 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 Burgis Associates, Inc. from making any reportable contributions through the term of the contract; 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, the per hour rates are as follows:

Principals	\$150.00
Associate	\$130.00
Project Planner	\$100.00
Draftperson/CADD	\$ 80.00
Reprographics	At cost
Meeting Attendance	Hourly rate, minimum \$200/meeting

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 Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey 07675 in the amount not to exceed \$5,000.00.
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 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.
4. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

November 6, 2017

#17-366 Enter into Agreement with Joseph Burgis, Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey 07675 for Professional Planning Services Related to the Housing Element & Fair Share Plan

WHEREAS, there exists a need to retain professional planning services related to the Housing Element & Fair Share Plan; and

WHEREAS, Burgis Associates, Inc. meets the criteria for a professional service contract under N.J.S.A. 40A:11-1; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-028 of the Current Fund in the amount not to exceed \$5,000.00; and

WHEREAS, Burgis Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Burgis Associates, 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 Burgis Associates, Inc. from making any reportable contributions through the term of the contract; 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, the per hour rates are as follows:

Principals	\$150.00
Associate	\$130.00
Project Planner	\$100.00
Draftperson/CADD	\$ 80.00
Reprographics	At cost
Meeting Attendance	Hourly rate, minimum \$200/meeting

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 Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey 07675 in the amount not to exceed \$5,000.00.
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 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.
4. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

November 6, 2017

#17-367 Enter into Agreement with Joseph Burgis, Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey 07675 for Professional Planning Services Related to the Master Plan Re-examination Report

WHEREAS, there exists a need to retain professional planning services related to the Master Plan Re-examination Report; and

WHEREAS, Burgis Associates, Inc. meets the criteria for a professional service contract under N.J.S.A. 40A:11-1; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-21-1802-028 of the Current Fund in the amount not to exceed \$15,000.00; and

WHEREAS, Burgis Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Burgis Associates, 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 Burgis Associates, Inc. from making any reportable contributions through the term of the contract; 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, the per hour rates are as follows:

Principals	\$150.00
Associate	\$140.00
Project Planner	\$110.00
Draftperson/CADD	\$ 80.00
Reprographics	At cost
Meeting Attendance	Hourly rate, minimum \$200/meeting

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 Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey 07675 in the amount not to exceed \$15,000.00.
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 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.
4. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

November 6, 2017

Alan Negreann-explained that resolution #17-368 & 369 represent overtime for the Sheriff's officers and we are vouchering to recoup some of the funds.

Mayor Mignone- explained that when they did the Kinderkamack paving project, it was such a short time frame and such a large scope, that we didn't have enough police officers to man all the locations for traffic control. The County brought people in and we had to pay rather high rates to reimburse them. We're not really happy about it but at least we're getting a partial reimbursement. We have to pay the funds before we get reimbursed and that's why we have to appropriate the money through an emergency appropriation.

Councilman Bartelloni-said that the reason he's bringing it up is to make everyone aware that this money goes into next years budget. While that's fine for now, our surplus policy does allow for the use of surplus funds for emergency situations. He hopes that in next years budget, they focus on adding money from surplus to pay for these expenses instead of passing them off to a possible tax increase next year.

On motion by Councilman Bartelloni, seconded by Councilman Papaleo, resolution #17-368 and #17-369 were unanimously approved.

#17-368 Emergency Appropriation

WHEREAS, an emergency condition has arisen with respect to a payment for the Police Department in the Borough of River Edge and no adequate provision was made in the 2017 budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total emergency appropriation(s) created including the appropriation to be created by this resolution is \$153,206.27 and 3% of the total operations in the budget for the year 2017 is \$394,902.67.

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

1. An emergency appropriation be and the same is hereby made for in the amount of \$60,000.00 to the Police Department Salary & Wages (01-2010-25-2401-010) and \$27,520.00 Other Expenses (01-2010-25-2402-182) line items.
2. That said emergency appropriation shall be provided in full in the 2018 budget.
3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
4. That two (2) certified copies of this resolution be filed with the Director of Local Government Services.

November 6, 2017

#17-369 Emergency Appropriation

WHEREAS, an emergency condition has arisen with respect to a payment in the Borough of River Edge and no adequate provision was made in the 2017 budget for the

aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total emergency appropriation(s) created including the appropriation to be created by this resolution is \$188,706.27 and 3% of the total operations in the budget for the year 2017 is \$394,902.67.

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

1. An emergency appropriation be and the same is hereby made for in the amount of \$35,500.00 to the Sanitation Landfill – Bergen County Contractual (01-2010-32-4652-124) line item.
2. That said emergency appropriation shall be provided in full in the 2018 budget.
3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
4. That two (2) certified copies of this resolution be filed with the Director of Local Government Services.

November 6, 2017

#17-370 Authorize the Release of a Performance Bond for D & L Paving Contractors, Inc., 675 Franklin Avenue, Nutley, New Jersey 07110 for the 2017 Riverside Cooperative Road Improvement Program

WHEREAS, the Borough of River Edge received a Performance Bond from D & L Paving Contractors, Inc., for the 2017 Riverside Cooperative Road Improvement Program dated June 22, 2017; and

WHEREAS, the amount of the Performance Surety Bond was \$270,054.00; and

WHEREAS, the Borough Engineer has certified that the final inspection has been made and approval is given with regard to the 2017 Riverside Cooperative Road Improvement Program and recommends that the Performance Surety Bond be released; and

WHEREAS, the Borough Clerk has received a Maintenance Surety Bond in the amount of \$273,595.00 which will run for a two year period from September 1, 2017 to September 1, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Performance Surety Bond for D & L Paving Contractors, Inc. on file with the Borough of River Edge be released in the amount of \$270,054.00.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to D & L Paving Contractors, Inc., 675 Franklin Avenue, Nutley, New Jersey 07110 and The Selective Insurance Company of America, 40 Wantage Avenue, Branchville, New Jersey 07890.

November 6, 2017

#17-371 Amend 2017 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item for an equal amount; and

WHEREAS, the Borough has received a grant award for Bulletproof Vest

Partnership Grant in the amount of \$1,766.99.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

3. Miscellaneous Revenue – Section F

Unappropriated Reserve for Bulletproof Vest Partnership Grant.....\$1,766.99

BE IT FURTHER RESOLVED that the like sum of \$1,766.99 and the same is hereby appropriated under the caption of:

General Appropriations

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

Bulletproof Vest Partnership Grant.....\$1,766.99

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

November 6, 2017

#17-372 Amend Capital Budget

WHEREAS, the Borough of River Edge, New Jersey desires to amend the Capital Budget of said municipality by inserting thereon or correcting the items therein as shown on such budget for the following reason: Storm and Sanitary Sewer Replacement of Kinderkamack Road (from Webb to River Edge Road).

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

Section 1. The 2017 Capital Budget of the Borough of River Edge is hereby amended by adding thereto a Schedule to read as follows:

AMENDMENT 17-2
CAPITAL BUDGET OF THE BOROUGH OF RIVER EDGE
Projects Scheduled for 2017
Method of Financing

<u>Project</u>	<u>Estimated Cost</u>	<u>Improvement Fund</u>	<u>Bond/Notes Authorized</u>
Storm & Sanitary Sewer Replacement of Kinderkamack Road (from Webb to River Edge Road)	\$300,000.00	\$15,000.00	\$285,000.00

November 6, 2017

#17-373 Amend 2017 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item for an equal amount; and

WHEREAS, the Borough has received a donation for the Memorial Park Bench Program in the Recreation Department in the amount of \$1,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

3. Miscellaneous Revenue – Section F

Donation Memorial Park Bench Program.....\$1,500.00

BE IT FURTHER RESOLVED that the like sum of \$1,500.00 and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from the “CAPS”

Public & Private Programs Offset by Revenues

Donation Memorial Park Bench Program.....\$1,500.00

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

November 6, 2017

#17-374 Resolution to Authorize Submission of the Application for the River Edge Municipal Alliance to Prevent Alcoholism and Drug Abuse Grant for 2019

WHEREAS, the Governor’s council on Alcoholism and Drug Abuse established the Municipal Alliance for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough Council of the Borough of River Edge, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen.

NOW, THEREFORE BE IT that the Borough of River Edge, County of Bergen, State of New Jersey hereby recognizes the following:

- 1. The Borough Council does hereby authorize submission of a strategic plan for the River Edge Municipal Alliance grant for fiscal year 2019 in the amount of:

DEDR	\$9,876.00
Cash Match	\$2,469.00
In Kind	\$7,407.00

- 2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Approved: _____
Edward J. Mignone, Mayor

BE IT FURTHER RESOLVED that the Mayor and Councilwoman Busted are hereby authorized to sign the Municipal Alliance to Prevent Alcoholism and Drug Abuse Grant.

November 6, 2017

#17-375 Amend 2017 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item of appropriation for an equal amount; and

WHEREAS, the Borough has received a grant from the Community Development Block Grant Program for a Senior Bus Dispatcher & Driver Wages Grant in the amount of \$20,153.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

3. Miscellaneous Revenue – Section F

Community Development Block Grant
Senior Bus Dispatcher & Driver Wages.....\$20,153.00

BE IT FURTHER RESOLVED that the like sum of \$20,153.00 and the same is hereby appropriated under the caption of:

General Appropriations
(A) Operations excluded from the “CAPS”
Public & Private Programs Offset by Revenues

Community Development Block Grant
Senior Bus Dispatcher & Driver Wages\$20,153.00

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

November 6, 2017

#17-376 Amend 2017 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item of appropriation for an equal amount; and

WHEREAS, the Borough has received a grant from the Community Development Block Grant Program for a Senior Citizens Activities Grant in the amount of \$1,800.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

3. Miscellaneous Revenue – Section F

Community Development Block Grant
Senior Citizen Activities.....\$1,800.00

BE IT FURTHER RESOLVED that the like sum of \$1,800.00 and the same is hereby

appropriated under the caption of:

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

Community Development Block Grant
Senior Citizen Activities.....\$1,800.00

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

November 6, 2017

#17-377 Amend Agreement with Robert Costa, Borough Engineer for Professional Services Related to the 2017 Riverside Road Resurfacing Program – Inspection

WHEREAS, there exists a need for expert professional engineering services Related to the Riverside Road Resurfacing Program; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #17-76 dated July 11, 2017 in the amount of \$10,000.00 and amended via resolution #17-323 dated October 2, 2017; and

WHEREAS, additional funding is required for professional services related to the 2017 Riverside Road Resurfacing Program; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1712-100 of the Capital Fund in the amount not to exceed \$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, 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 Mayor and Council have examined resumes, biographies, work experience; and

WHEREAS, the Mayor and Council have reviewed price and other factors when considering supporting reasons for awarding this contract; and

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

Principal/Project Engineer.....	\$ 65.00
Principal Land Surveyor.....	\$ 75.00
Survey Field Crew.....	\$150.00
Senior Designer.....	\$ 65.00
Senior Drafter.....	\$ 55.00
Computer Drafting	\$ 75.00
Technical/Administrative Assistant	\$ 65.00
Field Inspector.....	\$ 80.00

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., 325 South

River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$500.00; 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(l)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

November 6, 2017

#17-378 Amend Agreement with Robert Costa, Borough Engineer for Professional Services Related to Fifth Avenue, Section 4 Design & Inspection

WHEREAS, there exists a need for expert professional engineering services related to Fifth Avenue, Section 4 Design & Inspection; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #16-267 dated July 11, 2016 in the amount of \$30,000.00 and amended via resolution #17-284 dated August 15, 2017 in the amount of \$2,000.00 ; and

WHEREAS, additional funding is required for professional services related to Fifth Avenue, Section 4 Design & Inspection; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1865-100 of the Capital Fund in the amount not to exceed \$1,000.00; and

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

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

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

WHEREAS, the Mayor and Council have examined resumes, biographies, work experience; and

WHEREAS, the Mayor and Council have reviewed price and other factors when Considering supporting reasons for awarding this contract; and

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

Principal/Project Engineer.....	\$ 65.00
Principal Land Surveyor.....	\$ 75.00
Survey Field Crew.....	\$150.00
Senior Designer.....	\$ 65.00
Senior Drafter.....	\$ 55.00
Computer Drafting	\$ 75.00
Technical/Administrative Assistant	\$ 65.00
Field Inspector.....	\$ 80.00

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., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$1,000.00; 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.

November 6, 2017

#17-379 Enter into Agreement with Robert Costa, Borough Engineer for Professional Services Related to the DEP Permits for the Compost Facility – Assistance to the Department of Public Works

WHEREAS, there exists a need for expert professional engineering services related to DEP Permits for the Compost Facility – Assistance to the Department of Public Works; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-167 of the Current Fund in the amount of \$5,000.00; 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 Mayor and Council have examined resumes, biographies, work experience; and

WHEREAS, the Mayor and Council have reviewed price and other factors when considering supporting reasons for awarding this contract; and

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

Principal Engineer.....	\$ 65.00
Principal Land Surveyor.....	\$ 75.00
Survey Field Crew.....	\$150.00
Senior Designer.....	\$ 65.00
Senior Drafter.....	\$ 55.00
Computer Drafting.....	\$ 75.00
Technical/Administrative Assistant.....	\$ 65.00
Field Inspector.....	\$ 80.00

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., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$5,000.00; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

November 6, 2017

Councilman Bartelloni read resolution #17-380 into the record.

On motion by Councilman Bartelloni, seconded by Councilman Chinigo, resolution #17-380 was unanimously approved.

#17-380 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	\$8,843,314.92
CAPITAL ACCOUNT	\$ 498,178.26
RECREATION ACCOUNT	\$ 3,775.00
ANIMAL WELFARE ACCOUNT	\$ 769.80
SELF INSURANCE ACCOUNT	\$ 27,274.00
TRUST OTHER ACCOUNT	\$ 35,607.25
OPEN SPACE ACCOUNT	\$ 1,150.08
TRUST OTHER DEVELOPERS ACCOUNT	\$ 11,464.24

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.

November 6, 2017

OPEN HEARING OF THE PUBLIC –

On motion by Councilman Chinigo, seconded by Councilwoman Busted to open hearing of the public was unanimously approved.

CLOSE HEARING OF THE PUBLIC –

There being no comments by the public, the motion by Councilwoman Davis, seconded by Councilman Bartelloni to close hearing of the public was unanimously approved.

COUNCIL COMMENTS –

Councilman Chinigo-reported that the Library has a new website and encouraged everyone to check it out because there's some great information there. He was not able to attend the Historic Commission meeting last month but did attend the SCORE meeting this morning. He feels that although they may not be in complete agreement about the community center, he thinks that it will be a great benefit to the seniors and our community.

Councilwoman Davis-also attended the SCORE meeting today and felt that Councilman Bartelloni did a great job in presenting the proposed community center. She was surprised on how much input they had and they asked a lot of good questions which made it a good meeting. Councilwoman Davis reported that they had a final Farmer's Market meeting and felt that it was a great season. They only missed one day because of the weather and the vendors all seemed to be very happy.

Councilman Papaleo-stated that the DPW reported to him that on October 24 & 30th the Borough

received high winds and rain. 5 trees were uprooted, a total of 26 limbs had fallen, and minor flooding was experienced on the 24th due to storm basins. The basins were cleaned as needed. The Beautification Committee continues to do great work in preparing for winter and the upcoming holidays. Councilman Papaleo thanked Michele & Gregg Cariddi for all of their hard work. Several residents and contractors attended the last Shade Tree meeting where bonding was discussed. He felt that the meeting was very productive and a fair resolution was had by all. He also reported that Shade Tree had a special meeting with regards to the community center and from that meeting they have asked to meet with the sub-committee which will take place on Wednesday.

Councilman Bartelloni-said that he received a nice letter from Sheriff Saudino regarding work that Detective Daniel Lee was doing with the Bergen County Sheriff's office. He participated in a joint task force where they executed 65 chancery warrants and were able to collect \$35,000 in child support arrears. He said that it was a nice letter expressing the Sheriff's appreciation for the efforts of Detective Lee. He encouraged everyone to get out and vote.

Councilwoman Busted – reported that the Recreation met with last week and they are establishing a service contract for the lightning detection system. This will save money because previously, they had to pay each time they had to call out for service and with this service contract that will not happen. They're getting ready to take down and store the AED's. Councilwoman Busted reported on the prescription drop box and had asked Councilman Bartelloni if he would find out how the amount of prescription drugs that had been collected since it's been installed. The Police Department reported that they had collected 215 pounds of medication since November. She thanked the Police Department for making the box available to our residents. She also encouraged everyone to get out and exercise their right to vote.

Mayor Mignone-asked if there has been any problems with the AED's?

Councilwoman Busted-replied no, everything is fine.

Mayor Mignone-thanked Vincent Ciccollella for volunteering as they're always happy to see young people join the Fire Department as they're always searching for new members. The Mayor had received a letter of commendation for the DPW and will have the Borough Clerk scan to everyone. He reported that the Halloween Parade was a success and unfortunately the Girl Scouts couldn't muster enough scarecrows for a contest this year. The Mayor reminded everyone about the Veteran's Day service on Wednesday at Memorial Park starting at 10 a.m. In case of inclement weather the services will be held at Cherry Hill School. The Mayor also reported that at 2 p.m. this Sunday at Temple Avodat Shalom there will be a commemoration of Kristallnacht and Rabbi Jacobson has extended an invitation to the Mayor and Council. The Mayor did attend last years service and felt that it was a very powerful presentation. Mayor Mignone thanked Councilwoman Davis and the Farmer's Market Committee for organizing another successful year and hopes that it will continue to grow in years to come. The Mayor added his thanks and appreciation to the Fire Department members for the work that they did during the house fire on Howland Avenue. As he has said before, it's like an insurance policy to know that if something happens in the middle of the night there are people willing to come out to save your property, possibly your life or bring you to the hospital. He feels that it's something that they can never be too appreciative of and thanked them again. The Mayor wished everyone good luck tomorrow on Election Day and looks forward to working with whomever is back on the dais. The Mayor said that although they made have differences of opinions and may get a little animated at times, he feels that eventually they all come together for the betterment of the town.

ADJOURNMENT - 9:10 P.M.

On motion by Councilwoman Davis, seconded by Councilman Chinigo to adjourn the meeting at 9:10 p.m. was approved unanimously.

Mayor Edward J. Mignone

Attest:

Stephanie Evans, Borough Clerk

Dated: