

**MINUTES**  
Regular Meeting of the Mayor and Council  
Monday, March 6, 2017  
7:00 P.M.

**CALL THE MEETING TO ORDER –**

Mayor Mignone called the meeting to order at 7:05 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 Former Freeholder John Felice 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, Councilwoman Busteded, Councilman Chinigo, Councilwoman Davis, Councilman Papaleo and Mayor Mignone were present; Councilman Bartelloni was absent.

**APPROVAL OF MINUTES –**

The motion by Councilman Papaleo, seconded by Councilwoman Busteded to approve the minutes of the Mayor and Council February 21, 2017 Regular Meeting was unanimously approved.

**PROCLAMATIONS & AWARDS –**

Mayor Mignone invited Former Councilman and Freeholder John Felice to come up as he read the proclamation recognizing him into the record as follows:

***PROCLAMATION***

*WHEREAS, John A. Felice and his wife Janet have been long time residents of River Edge where they chose to raise their three children Nicholas, Cassandra and Austin; and*

*WHEREAS, as John’s father was a former Mayor of the Borough of Fair Lawn and New Jersey Assemblyman, John was inspired and aspired to serve his community as a volunteer and through public service; and*

*WHEREAS, John has served as a member and Chairman of the River Edge Planning board before being appointed to the Borough Council in 2005; and*

*WHEREAS, John won a bid for election and served a full term as Councilman from 2006 through 2008; and*

*WHEREAS, John was elected to the Bergen County Board of Chosen Freeholders in 2010, re-elected in 2013 and after serving two terms, chose not to run for re-election in 2016; and*

*WHEREAS, John was elected Chairman Pro Tempore of the Bergen County Board of Chosen Freeholders for four consecutive years (2013-2016) and appointed Budget Chairman for 2015 and 2016 by his Democratic colleague majority; and*

***WHEREAS,** John cites his proudest accomplishments as Freeholder as delivering fair and common-sense budgets; advocating and supporting the consolidation of the Bergen County Police and Sheriff's Department; providing professional insight and recommendations regarding the future of Bergen Regional Hospital; staunchly supporting causes of local importance such as preserving the Blauvelt Mansion and the former United Water waterworks site; improvements to Historic New Bridge Landing; supporting the lowering of the speed limit on Kinderkamack Road and addressing quality-of-life concerns for River Edge residents who live adjacent to Van Saun Park; and*

***WHEREAS,** John has always represented River Edge with the highest degree of dignity and integrity and whose input and contributions were sought, respected and incorporated into public policy regardless his serving in a political majority or political minority ; and*

***WHEREAS,** John has always been a distinguished citizen and a valuable asset to our community outside of public service especially through his extensive volunteer efforts on behalf of River Edge Boy Scout Troop 184; his personal support and advocacy for the chronically ill; and his love for his family, friends and the Borough of River Edge.*

***NOW, THEREFORE,** I, Edward J. Mignone, Mayor of the Borough of River Edge on behalf of the Borough Council and all our residents do Honor, Thank and Commend **John A. Felice** for his many years of dedicated service and his legacy of accomplishments and contributions improving the lives of the residents of River Edge and the residents of Bergen County. We also offer and extend our best wishes to him for good health and future successes.*

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*Mayor Edward J. Mignone*

*March 6, 2017*

John Felice-thanked the Mayor, Council members, friends and others who attended the meeting this evening. He said that this is a wonderful town where he raised his family and you couldn't ask for nicer neighbors and community spirit that exists here. He told the Mayor and Council that what they do here will affect the lives of people that you may never meet and encouraged them to enjoy what they do because it will be over before you know it. He said that it's a great feeling to see things continue that he was instrumental in starting. He thanked everyone for this incredible honor and recognition.

**OPEN PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA –**

Motion by Councilman Papaleo, seconded by Councilman Chinigo 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, motion by Councilman Papaleo, seconded by Councilman Chinigo to close public comments on any issue on the agenda was unanimously approved.

**APPOINTMENTS & PERSONNEL CHANGES – NONE**

**CORRESPONDENCE –**

Letter	-	Menlo Engineering, Associates– 2/21/17 Re: Freshwater Wetlands Letter of Interpretation Application for Block 1304, Lot 2 – Bergen County Historical Society
Notice	-	River Edge Board of Education – 2/27/17 Re: Meeting Notice – 3/1/17
Letter	-	Excel Environmental Resources, Inc. – 2/27/17

Re: Discharge to Ground Water Proposal –  
Former Huffman Koos  
Report - User Friendly Budget – 2017

**MONTHLY REPORTS –**

Tax Collector - 2016 Annual Statement of Receipts  
Historic Commission - January 2017  
Tax Collector - January 2017

**ORDINANCES – 1<sup>ST</sup> READING –**

Stephanie Evans, Borough Clerk read the title of Ordinance #17-10 into the record as follows:

Ordinance #17-10 AN ORDINANCE APPROPRIATING \$20,000.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE PURCHASE OF EQUIPMENT, IMPROVEMENT OF BOROUGH BUILDINGS AND GROUNDS

*Description - \$20,000 from the General Capital Fund to purchase equipment for the Fire Department, a sidewalk pilot program and Police pistol range improvements*

The motion by Councilman Papaleo, seconded by Councilwoman Davis to introduce Ordinance #17-10 was unanimously approved.

AN ORDINANCE APPROPRIATING \$20,000.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE PURCHASE OF EQUIPMENT, IMPROVEMENT OF BOROUGH BUILDINGS AND GROUNDS

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 purchase of equipment for improvements desired in Section 2 of this ordinance are hereby authorized as improvements and purchases to be made by the Borough of River Edge, New Jersey for the purpose of the purchase of said equipment and the making of said improvements, there are hereby appropriated the sum of \$20,000.00 of which \$20,000.00 is from the General Capital Fund Balance.

SECTION 2. The improvement and purchases are authorized as follows:

- a. Repairs and improvement to public buildings and grounds.
- b. Purchase of equipment for the Department of: Fire.

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.

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Mayor Edward J. Mignone

Attest:

Stephanie Evans, Borough Clerk

Dated:

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**ORDINANCE – 2<sup>ND</sup> READING –**

Stephanie Evans, Borough Clerk read the title of Ordinance #17-7 into the record as follows:

Ordinance #17-7 – AN ORDINANCE AMENDING ORDINANCE #1454 CREATING AND ESTABLISHING THE RIVER EDGE BEAUTIFICATION COMMITTEE

Ordinance #17-7 was introduced by Councilman Papaleo, seconded by Councilman Chinigo and unanimously approved at the February 21, 2017 meeting as follows:

AN ORDINANCE AMENDING ORDINANCE #1454 CREATING AND ESTABLISHING THE RIVER EDGE BEAUTIFICATION COMMITTEE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, State of New Jersey that Chapter 15-1 Establishment; membership of the Beautification Committee of the Code of the Borough of River Edge shall be amended as follows:

SECTION I:

Delete:

Eight members shall constitute a quorum.

Add:

Five members shall constitute a quorum.

SECTION II:

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

SECTION III:

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

SECTION IV:

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

\_\_\_\_\_  
Edward J. Mignone, Mayor

Attest:

\_\_\_\_\_  
Stephanie Evans, Borough Clerk

Dated:

**OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #17-7**

Motion by Councilman Acquafredda, seconded by Councilwoman Davis to open public hearing on Ordinance #17-7 was approved unanimously.

**CLOSE PUBLIC HEARING ON THE ORDINANCE –Ordinance #17-7**

There being no comments by the public, motion by Councilman Papaleo, seconded by Councilman Chinigo to close public hearing on Ordinance #17-7 was approved unanimously.

**ADOPTION – Ordinance #17-7**

Motion by Councilman Acquafredda, seconded by Councilman Papaleo to adopt ordinance #17-7 was unanimously approved.

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Stephanie Evans, Borough Clerk read the title of Ordinance #17-8 into the record as follows:

Ordinance #17-8 AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION

N.J.S.A. 40A:4-53

Ordinance #17-8 was introduced by Councilwoman Davis, seconded by Councilman Bartelloni and unanimously approved at the February 21, 2017 meeting as follows:

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

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, County of Bergen and State of New Jersey, that pursuant to N.J.S.A. 40A:4-53 (Chapter 48, P.L. 1956 and Chapter 38, P.L. 1969) the sum of \$3,400.00 is hereby appropriated for the

- A. Preparation of a revision and codification of ordinances.

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

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

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

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Mayor Edward J. Mignone

Attest:

\_\_\_\_\_  
Stephanie Evans, Borough Clerk

Dated:

**OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #17-8**

Motion by Councilman Chinigo, seconded by Councilwoman Davis to open public hearing on Ordinance #17-8 was unanimously approved.

**CLOSE PUBLIC HEARING ON THE ORDINANCE –Ordinance #17-8**

There being no comments by the public, motion by Councilman Chinigo, seconded by Councilwoman Davis to close public hearing on Ordinance #17-8 was unanimously approved.

**ADOPTION – Ordinance #17-8**

Motion by Councilman Acquafredda, seconded by Councilman Papaleo to adopt Ordinance #17-8 was unanimously approved.

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Stephanie Evans, Borough Clerk read the title of Ordinance #17-9 into the record as follows:

Ordinance #17-9 - AN ORDINANCE TO AMEND ORDINANCE #17-2 TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2017

Ordinance #17-9 was introduced by Councilman Chinigo, seconded by Councilman Bartelloni and unanimously approved at the February 21, 2017 meeting as follows:

AN ORDINANCE TO AMEND ORDINANCE #17-2 TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2017

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

Section 1: The compensation for the part-time positions and officers of the Borough of River Edge for the year 2017 shall be as follows:

	<u>2017</u>	
	<u>Hourly</u>	<u>Annually</u>
Library Page	\$8.44 - \$12.25	

Section 2: This ordinance shall take effect immediately after the first publication after final passage as provided by law.

\_\_\_\_\_  
Edward J. Mignone, Mayor

Attest:  
Stephanie Evans, Borough Clerk  
Dated:

**OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #17-9**

Motion by Councilman Chinigo, seconded by Councilwoman Davis to open public hearing on Ordinance #17-9 was unanimously approved.

**CLOSE PUBLIC HEARING ON THE ORDINANCE –Ordinance #17-9**

There being no comments by the public, motion by Councilwoman Busteded, seconded by Councilman Papaleo to close hearing of the public on Ordinance #17-9 was unanimously approved.

**ADOPTION – Ordinance #17-9**

Motion by Councilman Papaleo, seconded by Councilman Chinigo to adopt Ordinance #17-9 was unanimously approved.

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**RESOLUTIONS - By Consent**

Motion by Councilman Papaleo, seconded by Councilwoman Davis to approve resolution #17-103 through #17-113 and #17-115 through #17-124 was approved unanimously.

#17-103 Resolution to Go Into Closed Session and Exclude Public

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

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

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

1. That the public shall be excluded from the March 20, 2017 work session session meeting and the April 3, 2017 regular meeting and discussion of the hereinafter specified subject matter:

Closed Session Statutory <u>Docket #</u>	<u>Item Title or Description</u>	<u>Reference</u>
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To be determined by reference to the Borough Clerk’s Agenda for the above meeting.

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

3. This resolution shall take effect immediately.

March 6, 2017

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#17-104 Forfeit of Construction Bond for Shade Trees at 380 The Fenway, River Edge, New Jersey 07661

WHEREAS, Camille Chamoun, 380 The Fenway deposited a cash construction bond for shade trees adjacent to the property located at 380 The Fenway in the amount of \$2,016.27 on November 25, 2013; 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 the original bond amount of \$2,016.27 be used to remove and replace the tree; and

WHEREAS, the Borough will remove the tree, grind the stump and plant a replacement tree.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to transfer \$2,016.27 from the Trust Other-Performance Bonds-Shade Tree Account to the Trust Other-Donations Shade Tree Commission Account.

BE IT FURTHER RESOLVED that the Shade Tree Commission recommends that the bond in the amount of \$2,016.27 be forfeited and the Chief Financial Officer shall adjust his records accordingly.

March 6, 2017

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#17-105 Endorse Municipal Open Space 9/11 Memorial Plan

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #12-200 on June 4, 2012; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 6, 2012; and

WHEREAS, a public hearing was held on February 21, 2017 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the 9/11 Memorial representatives of the Borough of River Edge submitted at the public hearing a plan for a 9/11 Memorial, a copy of which is on file with the Borough Clerk, not to exceed \$3,750.00; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the 9/11 Memorial Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2017 of \$3,750.00 (Other Expenses) for the Maintenance of Lands for Recreation and Conservation purposes is hereby approved.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send

a copy of this resolution to the 9/11 representatives, the Library Board and the Library Director.

March 6, 2017

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#17-106 Endorse Municipal Open Space Shade Tree Commission

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #12-200 on June 4, 2012; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 6, 2012; and

WHEREAS, a public hearing was held on February 21, 2017 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the Shade Tree Commission of the Borough of River Edge submitted at the public hearing a plan for the maintenance of municipal parks for the Borough, a copy of which is on file with the Borough Clerk, not to exceed \$19,285.00; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the Shade Tree Commission Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2017 of \$14,285.00 (Other Expenses) and \$5,000.00 (Salary and Wages) for the Maintenance of Lands is hereby approved.

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

March 6, 2017

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#17-107 Endorse Municipal Open Space Beautification Committee

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #12-200 on June 4, 2012; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 6, 2012; and

WHEREAS, a public hearing was held on February 21, 2017 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the Beautification Committee of the Borough of River Edge submitted at the public hearing a plan for the maintenance of various parks for the Borough, a copy of which is on file with the Borough Clerk, not to exceed \$3,500.00; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the Beautification Committee Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2017 of \$3,500.00 (Other Expenses) for the Maintenance of Lands for Recreation and Conservation purposes is hereby approved.

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

March 6, 2017

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#17-108 Endorse Municipal Open Space Department of Public Works

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #12-200 on June 4, 2012; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 6, 2012; and

WHEREAS, a public hearing was held on February 21, 2017 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the Department of Public Works of the Borough of River Edge submitted at the public hearing a plan for the maintenance of recreational parks for the Borough, a copy of which is on file with the Borough Clerk, not to exceed \$9,500.00 and \$7,500.00 to maintain Mulhare and Kenneth B. George Parks by purchasing “hot boxes”; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the Department of Public Works Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2017 of \$17,000.00 (Other Expenses) for the Maintenance of Lands for Recreation and Conservation purposes is hereby approved.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to the Department of Public Works.

March 6, 2017

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#17-109 Endorse Municipal Open Space Recreation Commission Plan

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #12-200 on June 4, 2012; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 6, 2012; and

WHEREAS, a public hearing was held on February 21, 2017 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the Recreation Commission of the Borough of River Edge submitted at the public hearing a plan for the maintenance of recreational parks for the Borough, a copy of which is on file with the Borough Clerk, not to exceed \$79,551.00; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the Recreation Commission Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2017 of \$75,551.00 (Other Expenses) and \$4,000.00 (Salary and Wages) for the Maintenance of Lands is hereby approved.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send

a copy of this resolution to the Recreation Commission and Recreation Director.

March 6, 2017

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#17-110 Resolution to Refund Planning Board Escrow Money to NJ Tortilla, Inc., Block 1404, Lot 3.01

WHEREAS, the following application has been made to the Planning Board for Site Plan approvals and has since received such approval; and

WHEREAS, all professionals have been paid.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized to refund the following to:

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Amount</u>
1404/3.01	NJ Tortilla, Inc. c/o Thomas Barrett, Esq. 912 Kinderkamack Road River Edge, NJ 07661	\$1,510.00

March 6, 2017

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#17-111 Enter Into Agreement with Anthony Suarez, Esq., Werner, Suarez, Moran, 2 University Plaza, Suite 109, Hackensack, New Jersey 07601 for Professional Services as Special Counsel for COAH

WHEREAS, there exists a need for Special Counsel for legal services related to COAH; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-172 of the Current Fund not to exceed \$2,500.00; 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, Anthony Suarez, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Anthony Suarez, 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 Anthony Suarez, Esq. 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 \$125.00 per hour, for 20 hours as Borough Special Counsel for COAH; 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

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Anthony Suarez, Esq., Werner, Suarez, Moran, 2 University Plaza, Suite 109, Hackensack, New Jersey 07601 in the amount not to exceed \$2,500.00 retroactive to January 1, 2017; and

2. The Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and

3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law to Anthony Suarez, Esq., 2 University Plaza, Suite 109, Hackensack, New Jersey 07601.

4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

BE IT FURTHER RESOLVED that this contract is retroactive to January 1, 2017 for work that has already been performed.

March 6, 2017

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#17-112 Authorize Cancellation of Accounts Payable

WHEREAS, there exists various accounts payable on the books of the Current Fund; and

WHEREAS, the various purchase orders and contracts creating these accounts payable have been investigated and it has been determined that these should be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the following accounts payable in the following amounts are hereby cancelled.

<u>P.O. #</u>	<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
26349	Phillips Preiss	\$ 2,675.00	Redevelopment Planner
28367	Robert Costa	\$ 250.00	Design Howland Ave., Section 6
30221	Capital Alternatives	\$ 6,000.00	Grant Consulting Services
28872	Capital Alternatives	\$ 1,000.00	Grant Consulting Services
25957	Capital Alternatives	\$15,000.00	Grant Consulting Services
26352	Capital Alternatives	\$10,000.00	Grant Consulting Services

March 6, 2017

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#17-113 Enter Into Agreement with Let It Grow, 52 Ackerson Street, River Edge, New Jersey 07661 for Leaf, Grass and Yard Waste Recycling

WHEREAS, the Borough of River Edge has included the collection of leaf, grass and yard waste as part of its recycling program in an effort to reduce solid waste; and

WHEREAS, Let It Grow, 52 Ackerson Street, River Edge, New Jersey has agreed to enter into a contract with the Borough of River Edge for the purchase and disposal of compost; 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 be authorized to enter into an agreement with Let It Grow, 52 Ackerson Street, River Edge, New Jersey 07661 at a price of four dollars (\$4.00) per cubic yard of ground compost material sold.

March 6, 2017

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Motion by Councilman Papaleo, seconded by Councilwoman Busteded was approved on the following roll call:

Councilman Acquafredda, Councilwoman Busteded, Councilman Chinigo and Councilman

Papaleo voted yes; Councilwoman Davis abstained and Councilman Bartelloni was absent.

#17-114 Resolution Authorizing the Mayor to Execute a Developer’s Agreement with Schlomac, LLC for Major Subdivision of the Property Located at 800 Sixth Avenue, Block 303, Lot 24

WHEREAS, by resolution dated October 27, 2016 the River Edge Planning Board granted site plan approval and major soil movement to Schlomac, LLC for the property located on Block 303, Lot 24 of the Borough tax map and more commonly known as 800 Sixth Avenue; and

WHEREAS, among the conditions of said approval was a requirement that the Developer enter into a Developer’s Agreement with the Borough of River Edge to provide for among other things, a schedule of improvements, a time for completion of the development, performance guarantee and indemnification of the Borough; and

WHEREAS, the Planning Board has received three (3) checks; # 220 in the amount of \$4,080.00 which represents the cash portion of the 10% bond requirement for the development located at 794 Sixth Avenue, #221 in the amount of \$4,080.00 which represents the cash portion of the 10% bond requirement for the development located at 800 Sixth Avenue and check #223 in the amount of \$270.00 which represents the fee for a monument marker; and

WHEREAS, a Developer’s Agreement has been prepared and reviewed by the Borough and the Planning Board Attorney, both of whom has expressed satisfaction and approve of the agreement.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that the Mayor is hereby authorized to execute the Developer’s Agreement on behalf of the Borough.

March 6, 2017

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#17-115 Transfer of Funds in the Budget Appropriation Reserve

WHEREAS, various 2016 bills have been presented for payment this year, which bills were not covered by a purchase order number and/or recorded at the time of transfer between the 2016 Budget Appropriation Reserve in the last two months of 2016; and

WHEREAS, N.J.S. 40A4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months on the succeeding year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borouh of River Edge that the transfer in the amount of \$15,000.00 be made between the 2016 Budget Appropriation Reserves as follows:

FROM: Municipal Court S/W	43-4901-011	\$ 5,000.00
TO: Police Department O/E	25-2402-036	\$ 5,000.00
FROM: Recycling S/W	26-3051-011	\$10,000.00
TO: Public Repair Maintenance O/E	26-2902-178	\$10,000.00

March 6, 2017

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#17-116 Emergency Temporary Budget

WHEREAS, an emergency condition has arisen with respect to the items below and no adequate provision has been made in the 2016 temporary budget for the aforesaid purposes, and N.J.S. 40A:4-2 provides for the creation of an emergency temporary appropriation for the purposes mentioned above; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2016 equals \$0.00; and

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

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

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

TEMPORARY APPROPRIATION - 2016

<u>General Appropriation</u>	<u>Operations Within CAPS</u>	<u>Operations Excluded CAPS</u>
General Administration		
Salaries & Wages 20-1001-011	\$ 10,000	
Other Expenses 20-1002-036	\$ 5,000	
Mayor & Council		
Other Expenses 20-1102-036	\$ 4,000	
Municipal Clerk		
Salaries & Wages 20-1201-011	\$ 20,000	
Other Expenses 20-1202-036	\$ 25,000	
Public Information OE		
Cable Borough Hall 20-1012-139	\$ 2,000	
Audit Services OE		
Other General Group 20-1352-166	\$ 23,000	
Insurance		
Liability 23-2102-090	\$ 45,000	
Recycling Tax OE		
Other Expenses 10-8010-100	\$ 6,000	
Revenue Administration		
Salaries & Wages 20-1451-011	\$ 12,000	
Financial Administration		
Salaries & Wages 20-1301-011	\$ 30,000	
Other Expenses 20-1302-036	\$ 15,000	
Engineering Services		
Other Expenses 20-1652-100	\$ 40,000	
Legal Services		
Other Expenses 20-1552-028	\$ 50,000	
Public Repair Maint OE		
Office Supplies 26-2902-036	\$ 55,000	
Public Buildings & Grounds		
Salaries & Wages 26-3101-011	\$ 25,500	
Vehicle Maintenance		
Salaries & Wages 26-3151-011	\$ 6,500	
Other Expenses 26-3152-124	\$ 42,000	
Public Defender OE		

Other Expenses 43-4952-100	\$ 1,500	
Other Code Enforcement		
Salaries & Wages 22-2001-011	\$ 7,000	
Uniform Fire Safety		
Salaries & Wages 25-2651-011	\$ 5,500	
Bergen County Utilities Authority		
Other Expenses 31-4552-100		\$500,000
Animal Welfare		
Other Expenses 27-3402-100	\$ 10,500	
Bus		
Salaries & Wages 27-3311-011	\$ 16,000	
Other General Group 27-3312-100	\$ 200	
Maintenance of Parks		
Salaries & Wages 28-3751-011	\$ 70,000	
Other Expenses 28-3752-181	\$ 300	
Aid to SR. Citizens OE		
Other General Group 27-3602-100	\$ 15,500	
Utilities		
Petroleum 31-4472-166	\$ 17,000	
Electricity 31-4482-120	\$ 80,000	
Pub Lib Telephone 31-4403-076		\$ 500
Pub Lib Water 31-4453-177		\$ 2,900
Pub Lib Gas 31-4463-177		\$ 2,500
Pub Lib Elec 31-4302-174		\$ 9,000
Public Library OE		
Other General Group 29-3902-100		\$ 35,000
Municipal Court		
Salaries & Wages 43-4901-011	\$ 36,000	
Interest on Notes OE		
Interest 45-9352-103	\$ 1,000	
Other Public Works OE		
Public Works Function 26-3002-042	\$ 4,500	
Social Security System		
Other Expenses 36-4722-100	\$ 90,000	
Police Communications		
Other Expenses 25-2502-143		\$ 8,000
Total Operations Including		
Contingent Within "CAPS"	\$ 771,000.00	
Total Other Operations		
Excluded from "CAPS"		\$557,900.00
Total Temporary General		
Appropriations	\$1,328,900.00	

March 1, 2017

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Councilwoman Busted-explained that this is the first out of two agreements that need to be signed to allow for the recently purchased AEDs and their installation at two schools and two public properties and wanted to make sure that the Council knew we are moving forward. Councilwoman Busted said

that April is the target installation date and Mr. Sarlo will help us finalize the lease agreement so we can move forward.

Mayor Mignone said that this resolution, entering into the agreement with the Board of Ed is the first step and he expects that the Board of Ed will consider this at their next meeting in March. He said that it's been a long time coming and is happy to see that they're almost there.

Councilwoman Busted reported that April 5<sup>th</sup> is the scheduled in service training and on or about April 14<sup>th</sup> is the target date for installation.

#17-117 Enter into an Agreement with the River Edge Board of Education for the Placement of AED's of Board of Education Property

WHEREAS, the Borough, through its Recreation Commission, is desirous of purchasing Automatic External Defibrillators (hereinafter referred to as "AEDs") pursuant to N.J.S.A. 2A:62A-25; and

WHEREAS, the River Edge Board of Education is the owner of property located at 410 Bogert Road, River Edge, New Jersey, known as Cherry Hill Elementary School, and 711 Summit Avenue, River Edge, New Jersey known as the Roosevelt Elementary School (hereinafter collectively referred to as the "Schools"); and

WHEREAS, the Borough is desirous of installing one AED at each of the Schools for use by authorized persons as defined by N.J.S.A. 2A:62A-25(a) at Recreation Commission sponsored events; and

WHEREAS, the Board is desirous of granting permission to the Borough to place the AEDs, upon certain terms and conditions; and

WHEREAS, the Board is desirous of entering into an Agreement concerning the placement of the AEDs on Board property; and

WHEREAS, the Governing Body of the Borough of River Edge have discussed this matter at their work session meeting on February 6, 2017 and are in favor of the Borough's participation in the agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute said agreement and forward a certified copy of this resolution to the River Edge Board of Education.

March 7, 2017

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#17-118 Resolution to Amend Fee Schedule for Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey 07675 for Professional Services as Certified Municipal Planner and Planning Services Related to Redevelopment

WHEREAS, the Governing Body of the Borough of River Edge adopted resolution #17-13 dated January 2, 2017 awarding a contract to Burgis Associates, Inc., for Professional Planning Services Related to Redevelopment; and

WHEREAS, the Governing Body of the Borough of River Edge adopted resolution #17-59 dated January 17, 2017 awarding a contract to Burgis Associates, Inc., for Professional Services as a Certified Municipal Planner; and

WHEREAS, Burgis Associates, Inc., had provided a proposal with Associates and Employee fees that were not reflected in these resolutions and contracts.

NOW, THEREFORE BE IT RESOLVED that resolutions #17-13 and #17-59 and respective contracts are amended as follows:

Principal	\$145.00/hour
Senior Associates	\$135.00/hour
Associate	\$125.00/hour
Project Planner	\$100.00/hour
GIS Technician	\$ 75.00/hour

Draftsperson/CADD	\$ 75.00/hour
Reprographics	At cost
Meeting Attendance	\$200/meeting

March 6, 2017

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#17-119 Authorize Tax Collector to Transfer a 1st Quarter 2017 Tax Overpayment to the 2<sup>nd</sup> Quarter 2017 Taxes

WHEREAS, the tax office has received a 1<sup>st</sup> quarter 2017 tax overpayment on the following property; and

WHEREAS, a written request was received from the homeowner, who made the overpayment, to transfer the overpayment to the next quarter due.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector adjust her records by transferring the 1<sup>st</sup> quarter 2017 tax overpayment to the 2<sup>nd</sup> quarter 2017 taxes as follows:

<u>Block/Lot</u>	<u>Owner/Property</u>	<u>from 1<sup>st</sup> Qtr. 2017</u>	<u>to 2<sup>nd</sup> Qtr. 2017</u>
808/12	Dorothy Takosh 365 Windsor Road River Edge, NJ	66.78	66.78

March 6, 2017

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#17-120 Authorize Tax Collector to Refund 2017 1<sup>st</sup> Quarter Tax Overpayments

WHEREAS, the tax office has received duplicate and/or tax overpayments for the 1<sup>st</sup> Quarter 2017 taxes on the following properties; and

WHEREAS, a written request was received from their mortgage company to refund the overpaid amount directly to the mortgage company.

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

<u>BLOCK/LOT</u>	<u>HOMEOWNER/ADDRESS</u>	<u>TYPE</u>	<u>AMOUNT</u>
113/18	<b>RODRIGUEZ, AMADOR</b> 219 Woodland Avenue	duplicate	2,526.84
115/3	<b>CAVANAUGH, GARY</b> 311 Woodland Avenue	duplicate	2,502.29
305/29	<b>VENINO, FRANCESCA</b> 739 Elm Avenue	AA overpay	55.04
305/61	<b>HENNIG-ROSHONG, VANESSA</b> 804 Millbrook Road	duplicate	2,402.00
506/10	<b>KANG, HYOSUK</b> 219 Adams Avenue	AA overpay	1,095.88
508/11	<b>GEWIRTZ, JEFFREY</b> 213 Jefferson Avenue	duplicate	3,939.92
813/13	<b>SCHWABIK, KENNETH J.</b> 140 Wayne Avenue	duplicate	2,741.35
814/10	<b>MALKI, JAMES</b> 473 Windsor Road	duplicate	2,584.38
907/1	<b>NAPOLEON-SUESS, MARY</b> 247 Wayne Avenue	overpay	7.80
1002/66	<b>WILSON, KEIT</b> 432 The Fenway	duplicate	3,852.84

Total: \$21,708.34

Make check payable to: CORE LOGIC TAX SERVICES  
Mail Code: DFW 1-3  
One Corelogic Drive  
Westlake, TX 76262  
Attn: Tax Refunds

March 6, 2017

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#17-121 Authorize Tax Collector to Refund a 1st Quarter 2017 Duplicate Tax Payment

WHEREAS, a 1<sup>st</sup> Quarter 2017 duplicate payment was received on a property known as Block: 804 Lot: 19 located at 440 Kinderkamack Road from the Law Firm of Kim, Choi & Kim, P.C., representing the buyer, Chan/Kim; and

WHEREAS, the tax office has received a written request to refund the overpaid amount to Law firm of Kim, Choi & Kim, P.C.

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

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Refund Amount</u>
804/19	Halabi, Nadim 440 Kinderkamack Road	2,807.07

Make check payable to:

Law Firm of Kim, Choi & Kim, P.C.  
460 Bergen Boulevard, Suite 206  
Palisades Park, NJ 07650

March 6, 2017

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#17-122 Authorize Tax Collector to Cancel 2016 Tax Balances Under \$10.00

WHEREAS, N.J.S.A. 40A-17.1 provides that the Governing Body of the Municipality may, by resolution, authorize cancellation of property taxes up to \$10.00; and

WHEREAS, the following properties are showing open balances in the 2016 tax year for the following amounts.

THEREFORE BE IT RESOLVED that the Tax Collector is authorized to cancel the following balances and adjust her records accordingly.

<u>Block/Lot</u>	<u>To Cancel Delinquent</u>	<u>To Cancel Overpaid</u>
311/6	.01	
401/21	.09	
405/13	.04	
409/14	.01	
409/32	.04	
409/35/C0026	.02	
501/34	.10	
617/18	.06	
802/16	1.00	
809/31	.01	
810/2	.97	
909/28	.01	
1106/21	.03	
1107/25	.01	

1108/27	.01	
1207/32	.01	
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Total:	2.42	0.00

March 6, 2017

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#17-123 Authorize Tax Collector to Refund a 1<sup>st</sup> Quarter 2017 Tax Overpayment

WHEREAS, a 1<sup>st</sup> Quarter 2017 overpayment was received on a property known as Block: 611 Lot: 4 located at 147 Concord Drive from Residential Commercial Title Agency, LLC, the closing agent of the property owned by Talty, Michael & Ann; and

WHEREAS, the tax office has received a written request to refund the overpaid amount to Residential Commercial Title Agency, LLC.

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

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Refund Amount</u>
611/4	Talty, Michael & Ann 147 Concord Drive	500.00

Make check payable to: Residential Commercial Title Agency, LLC  
986 McBride Avenue  
Woodland Park, NJ 07424

March 6, 2017

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#17-124 Authorize Tax Collector to Refund a 1st Quarter 2017 Duplicate Tax Payment

WHEREAS, a 1<sup>st</sup> Quarter 2017 duplicate payment was received on a property known as Block: 118 Lot: 8 located at 190 Wales Avenue from The Kleister Law Group, representing the buyer; and

WHEREAS, the tax office has received a written request to refund the overpaid amount to The Kleister Law Group.

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

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Refund Amount</u>
118/18	Gotimer, Timothy & Mervat 190 Wales Avenue River Edge, NJ	3,428.94

Make check payable to: The Kleister Law Group  
85 East Main Street  
Washingtonville, NY 10992-1279

March 6, 2017

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Councilwoman Davis read resolution #17-125 into the record.

Motion by Councilwoman Davis, seconded by Councilman Papaleo to approve resolution #17-125 was unanimously approved.

#17-125 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	\$809,900.12
CAPITAL ACCOUNT	\$185,479.63
ANIMAL WELFARE ACCOUNT	\$ 164.40
TRUST OTHER ACCOUNT	\$ 33,524.23
TRUST OTHER DEVELOPERS ACCOUNT	\$ 9,865.00

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

March 6, 2017

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**OPEN HEARING OF THE PUBLIC –**

Motion by Councilman Papaleo, seconded by Councilman Chinigo to open hearing of the public was unanimously approved.

**CLOSE HEARING OF THE PUBLIC –**

There being no comments by the public, motion by Councilman Papaleo, seconded by Councilman Chinigo was unanimously approved.

**COUNCIL COMMENTS –**

Councilman Chinigo-commented that this past Saturday he attended a symposium on grants that was sponsored by newly elected Representative Josh Gottheimer. The impetus behind the symposium is that he has hired a staff member whose sole purpose is to work with municipalities to help them identify grants that may be available, help them with the applications and guide them when necessary. Mr. Gottheimer will write correspondence in support of these grant applications. During the symposium there was a discussion that we here in Bergen County get back about \$.33 on the dollar for every dollar that we send to the federal government. The New Jersey state average is \$.68 so we get less than half of the state average. Mr. Gottheimer gave an example that states such as West Virginia get as much as \$4.00 back for every dollar spent so we're on the very low end. Councilman Chinigo gave the name of the contact person and also informed everyone that Mr. Gottheimer will be sending out, on a regular basis, packets to the town Administrator who will forward to the Council for review and identify if there is anything that we can target to help with our tax burden. Councilman Chinigo will be meeting with the Library tomorrow and on Wednesday, he will be attending the Historic Commission meeting. Members of the Historic Commission had asked him to inquire as to whether the Master Plan had been finalized and what that status is.

Mayor Mignone-said that he believed that Mr. Chewcaskie had given them a written opinion but he doesn't know for sure.

Councilman Chinigo-said that they had told him that they haven't received anything.

Mayor Mignone-said that he would reach out to Mr. Chewcaskie to see where it stands.

Councilwoman Davis-reported that she attended a SCORE meeting on Monday where she spoke about the at risk resident program. Carol Mah told her that membership is dwindling because of sickness and broken limbs and asked for some ideas on how to promote the organization. Councilwoman Davis spoke with Natalie, the Farmer's Market Manager who will be coming in to Health Department

tomorrow to put finishing touches on the vendor application packets which will be sent out shortly thereafter. She will be attending Fire Company #1's awards dinner where they will be honoring Neal Carroll and Duncan MacRae for 50 years of service as well as other members for their service.

Councilman Acquafredda said that most of his committees don't meet for lack of action but on a serious note, he feels that it's time for the Governing Body to consider invigorating both the Planning and Zoning Boards by possibly combining them. He was a staunch supporter of both boards but feels that the facts speak for themselves; we just don't have adequate applications in the town to support both boards. He suggested that a sub-committee be established to do a study of this proposal and see if it's doable. He stated that we wouldn't be the first to do it and explained that many municipalities in the state have done it already.

Councilman Papaleo had nothing to report regarding his committees but said that he too will be attending the awards ceremony for Fire Company #1.

Councilwoman Busted was happy to report that the lights have been installed at KBG a little ahead of schedule and encouraged everyone to go take a look. She commended the Recreation Commission for doing a great job and also thanked this Council and previous Council's for supporting this effort. She looks forward to the first game and seeing the light go on. Recreation is also anxious to have some follow-up conversation with the Board of Ed regarding their response to the installation of equipment at Roosevelt. She knows that the Mayor is working on that and hopes that it will keep moving along. Councilwoman Busted addressed some recent press regarding contaminants being found along the Hackensack Riverbed and said that Congressmen Gottheimer and Pascrell are calling for the EPA to designate the Hackensack River as a superfund site. She said that Oradell and Hackensack have passed resolutions supporting this and she would like our Council to do the same. Councilwoman Busted would like to see River Edge pass a resolution strongly supporting the Hackensack Riverkeeper, who has taken this call up for many, many years to have superfund status. She provided the Borough Clerk with the resolution from Oradell as well as background information to be circulated. She asked that the matter be placed on the work session agenda for March 20<sup>th</sup> for discussion and have a resolution prepared if we're ready to act on it.

Councilman Papaleo said that he would support that.

Mayor Mignone stated that he was trying to get some additional data by looking into their report because he was trying to correlate the sample locations with their findings but didn't find a report that showed that. He thinks that most of the issues are downstream from us.

Councilwoman Busted agreed, but felt that even if we are not directly impacted, because we border the Hackensack River, we should show support for those towns. If we do pass a resolution, they will be forwarded to County Executive Tedesco and the State DEP.

Mayor Mignone said that he wants to be careful with who gets identified as Primary Responsible Parties (PRP) because we do own land along the Hackensack River. The Mayor informed everyone that he will be joining Councilwoman Davis and Councilman Papaleo at the awards dinner on the 18th. He thanked Councilwoman Busted for her advocacy in getting the AEDs addressed because it's something that they've been trying to do for many years and we're just about there and thanked her for following it through because he knows it wasn't easy. He is happy to hear that the lighting project went smoother than anticipated because it didn't seem that it was going that way for many years. The Mayor had planned on but was unable to attend the symposium on Saturday but feels that it's a great initiative in identifying grants that we're not aware of. The Mayor said that we're all aware of the larger grants such as DOT but feels that the key is identifying smaller grants where we may get \$5,000 or \$10,000.

Councilwoman Davis said that he did send out the grant information for the Fire Department the last time, so she assumes that that's how they will continue to receive information.

Councilman Chinigo stated that he was told that it will be a weekly thing where they identify and send grant information to us.

Councilwoman Davis stated that the grant that they sent to the Fire Department didn't apply.

Mayor Mignone stated that 9 times out of 10 grants don't apply, but at least we're aware of them. The Mayor stated that his main criteria is that it has to apply to something that we had already planned on doing not something that will be a fraction of the cost, which is something that we've encountered in the past. To spend \$100,000 on an unplanned project and getting a \$10,000 grant just doesn't make sense. Again, he said that he feels it's a good initiative and looks forward to receiving a few small grants. He reported that he did attend the Planning Board work session meeting but there were no applications pending.

Councilman Papaleo asked that Councilman Acquafredda's suggestion of combining the Zoning and Planning Boards be listed on the agenda for the 20<sup>th</sup>, as well as the fence at Cherry Blossom Park, the snowflakes and Community Center.

Mayor Mignone replied, yes.

Tom Sarlo, Esq. explained that he had experienced the same situation a few years ago in his own town and suggested that it would be helpful to look at the data ahead of time to see how many applications were heard during the last five years, broken down per month for each board.

Councilman Acquafredda-said that he will not be able to attend the meeting on the 20<sup>th</sup>.

Mayor Mignone-explained that since the meeting on the 20<sup>th</sup> is a work session there will only be a discussion.

#### **ADJOURNMENT – 7:33 P.M.**

Motion by Councilwoman Busted, seconded by Councilman Acquafredda was unanimously approved.

#### **RE-OPEN HEARING OF THE PUBLIC – 7:33 P.M.**

Motion by Councilman Papaleo, seconded by Councilman Chinigo to re-open the public meeting at 7:33 p.m.

Eugene Getter-880 5<sup>th</sup> Avenue-explained his concerns regarding a foreclosed home at 72 Kenwood Road. He stated that this home has been foreclosed since 2015 and he had contacted Senator Gordon's office to see if there was any state protocol as to what rights a resident has for foreclosed homes. His concern is that because this house has not been opened in two years, that there's there a mold problem. He doesn't know whether the heat has been on and complained that there are paint cans in the yard and rats have been seen in the yard as well. He said that his neighbors have brought this issue up to the Board of Health but doesn't know what else can be done. He said that someone does come to landscape but he asked the Council, that as a resident, does he have any rights for a foreclosed home?

Mayor Mignone-said that he will refer this to the Borough Attorney, but asked if the Code Enforcement Officer has been notified about this problem?

Eugene Getter-said that he doesn't know.

Mayor Mignone-explained that usually the first step is to contact DeRosa who is very aggressive in trying to track things down.

Eugene Getter-asked if he was part of the Board of Health?

Mayor Mignone-replied, no he's affiliated with the Building/Code Enforcement Department. The Mayor said that he will follow-up with Mr. DeRosa to make sure he knows about this and assured Mr. Getter that he is very good at getting through to the proper representatives.

Eugene Getter-asked if the Board of Health would communicate with him?

Mayor Mignone-explained that they generally do but they both have different authorities and different ways to approach this.

Eugene Getter-asked if something like this has happened before?

Mayor Mignone-replied yes, this has happened many times and explained that they have drafted an ordinance regarding abandoned properties which basically would give us the authority to go in and remediate these situations. The Mayor explained that many towns have experienced this, particularly during the financial crisis where there were a lot of foreclosures. The Mayor explained that they have drafted and discussed this ordinance but as of right now, they haven't adopted it.

Eugene Getter-asked if there is a reason why they haven't adopted it?

Mayor Mignone-said that there were questions regarding some of the language in the ordinance and they were trying to separate what would be considered abandoned versus what may be long term vacant such as someone who goes to Florida for a while and doesn't maintain their property.

Eugene Getter-asked if this particular ordinance encompasses everything or just specifically abandoned properties? He said that the people that owned the home left because they weren't paying their mortgage.

Mayor Mignone-replied that foreclosure would be considered abandoned.

Tom Sarlo, Esq.-asked Mr. Getter specifically, what rights is he looking to obtain?

Eugene Getter-said that basically he's concerned about the inside condition of the home and how it may affect the surrounding neighbors.

Mayor Mignone-wondered if they went for a demo permit, if they actually would make you certify it, but if there was lead paint they would have to abate it if they wanted to demolish it.

Tom Sarlo, Esq.-doesn't know if that would be the case for mold.

Eugene Getter-said that it would seem to him that if the bank owns the property, it would be in the best interest to open up the windows to get some air circulating.

Mayor Mignone-understands his concerns and assured him that he will contact Mr. DeRosa to find out if he's aware of this problem and if he is, what is being done.

Eugene Getter-asked how he can contact him?

Mayor Mignone-explained that he works odd hours but is sure that Mr. DeRosa will get back to him if he leaves a message. The Mayor again said that he will reach out to Art and also the Board of Health to see what they have on this property and/or what is being done. He explained that they

will discuss the ordinance again at the next work session meeting on March 20<sup>th</sup>.

Tom Sarlo, Esq.-explained that sometimes the problem is that there is no communication with the foreclosure company because they're not actively involved and don't know what's going on with the property. He feels that if Mr. DeRosa or the Board of Health finds that there are safety or health issues and start issuing summonses, they'll have to come in and remediate it. The problem is getting inside the house because Mr. DeRosa doesn't have the ability to get inside the house to do the inspection. However, he believes that the revised draft of the ordinance would allow him the ability to get inside. Mr. Sarlo feels that if Mr. DeRosa can contact the foreclosure company letting them know that there are a lot of complaints, they'll come down and do an inspection.

Eugene Getter-asked if the Borough has any authority over the bank or does the bank hold all the cards?

Mayor Mignone-said that he can issue violations and they would have to come to court to answer them.

Tom Sarlo, Esq.-explained that they are homeowners like everyone else is right now so they are held to the same standards that everybody else is.

Eugene Getter-thanked the Mayor and Council for hearing his concerns and said that he will follow-up with Mr. DeRosa.

Mayor Mignone-suggested that he follow-up on his end and the Council will follow-up on their end and they will also try to address it globally by taking the steps to correct and enact the ordinance.

#### **ADJOURNMENT – 7:42 P.M.**

Motion by Councilman Papaleo, seconded by Councilman Chinigo to adjourn the meeting at 7:42 p.m. was unanimously approved.

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Mayor Edward J. Mignone

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Stephanie Evans, Borough Clerk

Dated: