

## MINUTES

Regular Meeting of the Mayor and Council  
Monday, June 5, 2017  
6:00 P.M.

### CALL THE MEETING TO ORDER –

Council President Thomas Papaleo called the meeting to order at 6:30 p.m. in the Council Chambers of the Borough Hall.

### SILENT PRAYER – FLAG SALUTE

Council President Thomas Papaleo called for a moment of silent prayer and asked everyone to remember the people in the United Kingdom and throughout the world who have been victims of terrorist attacks. Council President Papaleo asked Councilman Bartelloni to lead the salute to the flag.

### SUNSHINE STATEMENT -

Council President Thomas Papaleo 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 Busteded, Councilman Chinigo, Councilwoman Davis and Councilman Papaleo were present; Mayor Mignone was absent.

Council President Papaleo stated that they’re going to address things a little out of order this evening by taking open public comments first, skipping appointments and personnel changes and go right to Ordinance #17-16. He explained that the Borough Attorney is under the weather and he wants to afford him the ability to leave early.

### 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.

Joseph Zemaites-PBA President, Local 201-read the following statement:

Disheartened, disenfranchised, and disappointed. These are the three words that come to mind for the PBA when thinking about the process that has occurred over the last several months. As PBA President, I am here once again to speak on behalf of our membership. The PBA has continued to express to the Mayor and Council our sentiments on the proposed change to the table of organization. The PBA’s sentiments have not garnished any comments from this body on its latest introduction, one way or another. What occurred was simply a vote of yes or no, and then move on to the next order of business. When the labor union, and the superior officers association, who have well over 250 years of combined law enforcement experience expresses repeated concern about something, we expect our Mayor and Council to take pause, ask questions and explore problems. Unfortunately that has not happened in this case. The PBA has offered a variety of reasons for justifying why removing the Captain’s position would not be appropriate for the Department including the chain of command, continuity of supervision, working out of rank, contractual violations and morale. The PBA has offered examples of how organizations in government, businesses, and yes other police departments, have a clearly defined second in command, with a rank to distinguish it. The PBA has cited excerpts from literature for the promotional exams, and most importantly recent unpublished rules and regulations that were in our very own document management system. That unpublished rules and regulations document speaks of a Captain’s position and defines the position’s role and responsibility. This was information cited within the history of this very Department. Speaking of history, I would like to provide you with a memo from 1995 written by then Chief Quinn to Alan Negreann, where he specifically outlined the Captain’s functionalities that once existed. Unfortunately over the years, titles and responsibilities have shifted due to not only man power issues but also due to the Chief’s prerogative. In the nine years I have been employed as a

police officer for this Department-and the four years prior as a dispatcher, the title and responsibility shift has not caused things to run more efficiently. If the Chief of Police felt that we needed the Captain position in 1995, it would only make sense that now in 2017 we need it too. Here we are 22 years later and we have an increase in population, an increase in calls for service, an increase in the types of calls, and an increase in job responsibilities for members of this department. We have events occurring worldwide, such as what just occurred in England, and we have soft targets that exist in our very own 2 square mile town. Typically when things become more complex over time, most organizations seek to compensate the complexity with efficiency. Why then in 2017, is the Mayor and Council recommending removing the one position in our table of organization that can ensure we operate as fluidly, continuously, and efficiently as a Police Department should?

The PBA has provided evidence to you the Council, to help you make an informed decision based on history. A few of the Council responses have been that the budget is already crafted and only the allotted money for a Sergeants position is available. The PBA has proposed an alternative solution to that by suggesting that you forego promotions in 2017, test for every position, and plan to promote in 2018. This would make the most sense given the last list should have expired based on past practice, with three new people eligible, but was actually extended to accommodate the possibility of an ordinance change.

The PBA has been trying to take a proactive approach to the situation but has been turned away at every offering. Ultimately it is up to each and every one of you sitting on the dais, to make the decision that you think is best for the town and best for your employees. Yes your employees. You are our bosses and not only do we have a responsibility to you, we believe there is a responsibility that each of you have to us as well. Your responsibility to not only the members of the PBA, but to all the borough employees, volunteers, and residents of this town is to listen to the concerns that are raised, ask your questions, do your due diligence, and then most importantly take action to make things better, more effective and more efficient on the issue that was raised. The PBA hopes that tonight before this vote, each of you takes pause and thinks that if a group, with over 250 years of law enforcement experience is saying that this is **not** what is in the best interest of the Department, maybe things need to be re-examined.

Edward Meller- 184 Jefferson Avenue-spoke with regard to removing the Captains position, and feels that in any Police Department you need rank and file. If you keep pushing all of the responsibility to the Sergeants, you'll have to pay him for the work that he's doing so you'll end up paying the money anyway. Mr. Meller was a Police Officer in Moonachie and found that when things happen, you need the rank. He agrees with the PBA that you need continuity especially with everything that's going on in the world. He feels that people move into town and pay extraordinary taxes because the Police Department does a great job with keeping us safe. He doesn't understand why the Mayor and Council want to mess with it.

Daniel Sansevere-564 Elm Avenue-was a Police Officer in Wood-Ridge and is currently employed with Bergen County Bureau of Police Services Sheriff's Department which has gone through recent merging and title changes. He found that even from a logistic stand point for big events that happen, the Chief is there to be a buffer between the media, Mayor and Council and residents. You need the Captains position to be able to give direction to the Lieutenants and Sergeants. Through his personal working experience, he feels that the Captains position is important just to give a stable continuous order because a lot of times the Chief is involved in other things. If at all possible, he suggested putting it up for referendum for the residents to vote on because they are the ones who are paying the salaries. He has worked with some of the members of the Police Department and commends them for doing a great job and feels there's no finer department in the County.

Chief Cariddi-said that he wanted to address a few final points. They've cited unpublished resolutions which are just drafts from the 80's that weren't put into effect and ignored the fact that it's the Chief's prerogative in every agency covered under Title 40 to set the assignments, duties and responsibilities of the members of the Police department. Thirdly, there is nothing that he would undertake that would compromise the safety, security and well-being of any of the residents or officers in the Borough of River Edge. To suggest otherwise is completely unfounded. The position of having a Sergeant assigned to support functions within the department in and of itself, provides at least 20% more supervisory time for the Lieutenants and are capable of running each of their divisions divided as patrol and investigations. He has the utmost confidence in them as well as all of the other men and women of the department. These same Lieutenants are tasked with other functions that fall under support services take time away from their primary responsibility which is supervising the subordinates under them, guiding, directing and controlling their personnel. By having these functions unified under one individual assigned to support services or support division would immediately add supervision. He didn't come to the Mayor and Council and ask for a Captains position to be made because he couldn't justify or support it. There hasn't been one in the department in over 21 years but there has been

a need for someone to help in support services. It's not a job that requires a Captains position. The position was outlined to the Mayor and Council in the past and does not require supervision of anyone of a higher rank. There is no time when the sergeant assigned to that function would be supervising other lieutenants, there isn't going to be anything out of title or any violation of the chain of command. With one promotion rather than three, it will help him with the management of the Police Department.

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

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

Councilwoman Davis- recused herself and left the Council Chambers at 7:49 p.m.

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

Stephanie Evans, Borough Clerk read the title of Ordinance #17-16 into the record as follows:

**Ordinance #17-16 AN ORDINANCE AMENDING AN ORDINANCE ENTITLED ‘POLICE DEPARTMENT’ OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY**

*Description: Amend Police Department Table of Organization*

Ordinance #17-16 was introduced by Councilman Acquafredda, seconded by Councilman Bartelloni and approved at the May 1, 2017 meeting as follows:

BOROUGH OF RIVER EDGE  
STATE OF NEW JERSEY  
ORDINANCE NO. 17-16

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED ‘POLICE DEPARTMENT’ OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY**

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, that Chapter 71 Section 1 Subsection B. 1. entitled “Police Department” of the Ordinances of the Borough of River Edge, is hereby amended and that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged:

**71-1 Establishment; composition; Table of Organization**

B. Table of Organization.

(1) Table.

<b>Rank/Position</b>	<b>Number</b>
Police Chief	1
Police Captains	0
Police Lieutenants	2
Police Sergeants	6
Police Officers	17

**REPEALER**

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SEVERABILITY**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

### **EFFECTIVE DATE**

This ordinance shall take effect upon passage and publication as provided by law.

**ATTEST:**

**BOROUGH OF RIVER EDGE**

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

\_\_\_\_\_  
Edward Mignone, Mayor

### **OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #17-16**

On motion by Councilman Acquafredda, seconded by Councilman Bartelloni to open public hearing on Ordinance #17-16 was unanimously approved.

Joseph Zemaites-stated that it's evident by the Chief's remarks that clearly the Chief and the Union are in agreement that we need a position to be filled. The question that falls on the Mayor and Council is what rank should that position be. We need someone to fulfill those duties, we need the leadership within the Police Department. Who then becomes responsible for that? Should it be a Captain or should it be a Sergeant which is ultimately the question that the Mayor and Council need to answer. As much as the Chief referenced that the position hasn't been filled in 20 years, former Chief Starace filled the position with a civilian which the Chief and PBA agree wasn't the best use of resources. That's why we need a sworn person in there. While a Sergeant can afford the town some supervisory capacity, a Captain could also do Lieutenant and Sergeants work. A Sergeant can only do Sergeant work. He hopes that they will take into consideration the public comments that were made about chain of command by other residents with law enforcement backgrounds.

### **CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #17-16**

On motion by Councilman Acquafredda, seconded by Councilwoman Busted to close public hearing on Ordinance #17-16.

Councilman Bartelloni-said that the comment was made that we haven't debated it and we haven't talked about it. This is the second go around of this ordinance and it was debated, questioned and talked about at length the first time. The last time it came up for a first vote, we knew that it was debated and talked about at length before hand. The question that he has is that the PBA is not just advocating for the position to remain in the Table of Organization, they are advocating that the position be filled as well. Correct?

Joseph Zemaites-replied, correct.

Council President Papaleo-asked that Councilman Bartelloni not address comments to the public at this time. He doesn't feel that there is a strong convincing argument to remove the Captains position from the Table of Organization. He had stated that on the first go around when it was defeated and before it was revised. He stands by what he said previously.

Councilman Acquafredda-stated that when this odyssey started in January, it was clear to him that something was wrong that went well beyond the Table of Organization. By living with it and through it over the last five months, it has proven to be correct. He said "it's a Table of Organization guys, we can bring it back, especially the people who would vote for it, can bring it back at any time with adjustments made to it". Back in January, he and Councilman Bartelloni made a comment that they would like to see a change on a one year trial basis. There are issues that he's not willing to discuss in public, but is thoroughly convinced that this will be the catalyst to have our Police Department begin to work in unison. It seems to him that the Chief came to the Council, the PBA came to the Council but wonders if the Chief and PBA came to each other. He doesn't think so and is not convinced of that. Be that as it may, he stands by the proposal he made and will vote for it.

Councilman Bartelloni-echoed some of Councilman Acquafredda's comments and said that this is a Table of Organization not the Constitution of the United States that we're looking to amend. It's something that can be changed depending on what future circumstances may arise. It's an ordinance, you introduce it and have a second reading. At this point, and if we remember going back to the first

iteration of this, the Table of Organization of proposed changes was for a Sergeant and Lieutenant. The purpose was to examine whether or not a Sergeant was the applicable change or to leave open the possibility that if it wasn't a Sergeant, to amend possibly next year to add a Lieutenant as opposed to that Sergeant. That compromise was not acceptable to the PBA and it was a Captain or nothing. We have our Chief who has made recommendations, who's the individual we've trusted to run our Police Department and this does nothing more than codify what the practice has been over the last two decades of not having a Captain. In terms of the thought process, his thought process is to maintain a structure of 25 officers and not add additional positions throughout the Table of Organization and rather and try and keep it at that number. If you look over the last few years you would see a concerted effort on the part of the Council to add officers which they have done almost every year. He feels that this Council has been very generous with the Police Department in terms of contract negotiations and whatever supplies or anything that they need. He feels that they know this contract was far and above anything they would have ever gotten if they went to arbitration. This Council has been very fair and what they're looking to do is codify existing practice, nothing more. It is the first additional rank position in over two decades and doesn't think that it should be pushed aside. There's not a sitting Captain now so they aren't eliminating a position. You have to question how did the department operate for the last 21 years without this position.

Councilman Papaleo-again stated that at this time, he doesn't want to open for debate.

Councilman Bartelloni-stated that he would like to hear what they have to say.

On motion by Councilman Chinigo, seconded by Councilman Bartelloni to open public hearing on Ordinance #17-16 was unanimously approved.

Joseph Zemaites-stated that with all due respect to Councilman Bartelloni's comments, that was because the prior Council, which he was a part of, pillaged the contract. They lost 4 members to other departments and we're losing another one because of what the prior Council did during contract negotiations. So yes, you may have done something to make things a little better, we're still working on it and we have a ways to go especially when you look at other departments are doing throughout the County. So we appreciate what the Mayor and Council did, the position you took and the effort to retain employees but don't sit here and tell us that we helped you out and that's enough. Frankly a starting salary of \$28,000 to be in charge of taking somebody's life is unfathomable to him. Question 2 is, the position was filled with a civilian employee that Chief Starace elected to appoint because he didn't want to fight with the Council to get another Captain. Why the PBA didn't do anything at that point, he wasn't around so he has no idea. All he can say is that he, the PBA and the current Chief agree that the position was not effective and that's why we're in the position that we are. We've had a Captain before, the duties and responsibilities that the Chief has outlined all point to the direction and responsibility that the Captain once had. What has changed, why now does it become a Sergeant, who's been performing those duties? The two Lieutenants and the Police Secretary have been performing those duties and have been working out of rank and title. The PBA, in the past, has had several conversations with several Council members in an effort to get that position filled and it has fallen on deaf ears because no one wants to touch it. Now we're at a point we're you're looking to remove it from the Table and that's why we are where we are. He's said it before, the Captains position is in their contract and by removing it from the Table, it needs to be examined whether it is a violation of their contract for duties and responsibility and if it is, we'll proceed in the direction that we need to.

Councilman Bartelloni-said that the starting salary is no longer \$28,000.

Joseph Zemaites- replied "right but it was, Councilman".

Councilman Bartelloni-said "but it's not now", and feels that Joe knows very well that if that contract was not renegotiated there would not be additional ranks and there were furloughs at that time. Many of you were furloughed for two weeks at a time and if that wasn't done and the contract wasn't renegotiated, which your PBA passed, you may have killed your young to sacrifice your current members but you voted on it.

Joseph Zemaites-said that there was a threat of 4 layoffs if we didn't accept it and were given 24 hours to make a decision.

Councilman Bartelloni-said he doesn't want to get into the negotiations.

Joseph Zemaites- said it's all fair game if you bring it up.

Councilman Bartelloni-replied you signed it and you agreed to it.

Council President Papaleo-interrupted and asked Mr. Zemaite has any further comments to not to direct them to a specific Council person.

Joseph Zemaites-said that he was trying to answer the questions at hand and while they appreciate the expansion of ranks, what goes along with additional people is more supervision. You need to have supervision in the Police Department and when you have a lack of supervision it causes problems which is where they started on day 1 when they first came to the Council and expressed their concerns. He said that he is more than willing to discuss and answer any questions anyone may have.

Sergeant Curt Wilhelm-President SOA-stated that he's been an employee of the Borough for 28 years and has seen a lot of things but has never seen a Mayor and Council deviate on amending a list for promotions.

Council President Papaleo-asked Sergeant Wilhelm is he is speaking about the possible promotion if this ordinance is passed?

Sergeant Wilhelm-replied, exactly.

Council President Papaleo-explained that he cannot bring up because that's not what Ordinance #17-16 is about. We cannot entertain that right now.

Sergeant Wilhelm-said that they opened it up for comments.

Council President Papaleo-explained that he could have brought it up earlier when they opened it up for public comment on any item on the agenda but not at this time when they're specifically talking about the ordinance.

Sergeant Wilhelm-said there were questions brought back about comments Councilman Bartelloni made to the PBA and feels that they are relevant.

Council President Papaleo-asked the Borough Attorney if he thinks this is relevant.

Thomas Sarlo, Esq. – if you want to give him the courtesy....

Councilman Bartelloni-said, give him the courtesy.

Thomas Sarlo, Esq. - said that although he agrees with Council President Papaleo, he's in the full right but let's just give him some leeway.

Sergeant Wilhelm-said that he has tried to speak about this at a prior meeting and continued to say that they're going through the younger officers like we go through laundry. It's frustrating because they spend the time training and nurturing them and then they leave. He spoke about the last Sergeants test and how there were three patrol officers, who are minorities, that missed the cut-off by a day or two. Officer Lee, Sanches and Roman do not live in town and aren't home grown but are here and minorities. He asked if there is a reason why we don't open up a new test to minorities? It is puzzling to him why we're not giving another test to give others opportunities that in the past we have. We've never deviated from that but now we are and feels that it's a serious problem in River Edge that needs to be addressed by the Council. He said that the PBA can't address it because they answer to the Council and they control them. Why the Captains position was never filled is the Council's decision not theirs because the Mayor and Council are the ones who approve the promotions. Everyday they come to work and do their jobs to the best of their ability but the Mayor and Council control them. He appreciates them giving him the time.

Joseph Zemaites-addressed Councilman Acquafredda's comment about the PBA and Chief not having a conversation which he stated that they did.

Councilman Acquafredda-said "we didn't know that".

Joseph Zemaites-said "well I'm telling you".

Councilman Acquafredda-said it's your word now, now I have to listen to the Chief to see what he says. His opinion and perception is that it's not an adjusted triangle, it's a disconnected triangle. Read between the lines and lets all of us get our act together because it goes well beyond a chart of organization as far as he's concerned. He feels that it's like a broken record since January and everyone will be held accountable. Us first of all because you get to vote for us and they as the individuals who make up our great Police force. He said that at the proper time if we need to bring back the Captain, rest assured there will be a Captain. He said that maybe he'll be the one to make the motion since he's making the motion to take it away.

Joseph Zemaites- said "understood".

Council President Papaleo-asked if the Council wishes to leave it open for continued comments beyond why we originally opened it?

All ayes.

Edward Meller-said you're lucky that you have a great department and once you put a civilian in and everything went down hill. You had good men who picked up the slack and made the job look easy because it's not. He doesn't understand why they're wasting so much time removing the position from the ordinance when they're not planning on filling it. He feels they should just leave it alone and if they chose to fill it, they fill it and if they don't, they don't. It's there if you want it and if you don't want it you don't fill it. He feels that all that's its doing is hurting the morale of the people in the town and the members of the Police Department. He said that we have a great Police Department and if you look at other departments with the grievances and this and that, you would go insane. You have guys who pick up slack and work very hard and are there whenever you need them and doesn't understand why they are wasting time on this. He feels that they should leave it alone.

Michael Varrecchia-Delegate for the PBA-addressed the comments about having a trial period or changing things down the road. He said that this is their livelihood, these are our jobs and they need stability. The Mayor and Council make the decision one way or the other and they rely on them to look at all the facts and make the right decision. Not, we're going to try this because maybe it sounds

okay or change it, and he also said that they can't demote someone because that will open up lawsuits which might come anyway. What they're asking for and what the Chief's asking for is either a Captain or a Sergeant. They both know they need somebody. There is a need to take over responsibility as a supervisor and doesn't think it's fair to say that they'll try something when there are people who depend on that stability. They put their lives on the line and that stability is what keeps them going not a try out and see how it works things. One of the thing that he's noticed is that everyone who has been up to speak, one person, the Chief, says he can do it with a Sergeant and everyone else who has come up and commented has said that we need a Captain and asked that it be left in. He said if they want to end it tonight and stop the continuing problem, they should make a Captain. The Chief gets someone who can supervise and do all of the things that he's said and more because he can do what a Captain and Lieutenant can do. Make a Captain and it all ends tonight.

#### **CLOSE PUBLIC HEARING ON ORDINANCE #17-16**

On motion by Councilman Acquafredda, seconded by Councilman Chinigo to close the hearing on Ordinance #17-16 was unanimously approved.

Councilman Bartelloni-doesn't like getting into back and forths with Joe but he feels you can sense frustration on his part. He feels that it's portrayed in the audience, that if you vote for it you're anti-cop, anti-Police and don't support the PBA which is the biggest lie and couldn't be further from the truth. He grew up in a Police house and his father was a narcotics detective in the Essex County Sheriffs Department and understands the life, he understands the families and what they go through better than anyone possibly could. So to say that he's not a supporter of the Police because on this one issue he has a difference of opinion is just wrong. He said that just because you disagree over one issue, doesn't change how you feel about the department and the people who are in it. You can have a difference of opinion and that's all this is. There are so many issues that as Councilman Acquafredda brought up that they don't discuss publically that go into this decision that the public will never know. This has been a reasoned thought process that has been discussed and debated and said that whatever way the vote comes down, it's not a reflection on how they feel about the department in any way, shape or form.

Councilwoman Busted-feels that it's important that she reiterate her comments the first time this vote came through. She believed the Chief made a compelling case for the advancement of another Sergeant to take over these responsibilities. She echoes what Councilman Acquafredda said that she's not convinced that there's been a cooperation among the PBA and the Chief to try and work certain problems out which is not up for public discussion at this point. She added that similar to what Councilman Bartelloni has said, we may have a difference of opinion but that does not change the utmost respect that she has for the members of the Police Department and the work that they do to keep our residents safe. They all recognize that the number one priority is to make sure that the residents are kept safe and does agree that we have the best department in Bergen County. She thanks them everyday for the work that they do so asked them again to not take this disagreement in opinion as a reflection that they don't have the utmost respect for the men and women of the River Edge Police Department and always will.

Councilman Chinigo-said that he doesn't see any reason to touch this chart at this time and feels that it's a mistake to have this conversation right now. Maybe in the future there may be a need for a Police Captain but to him it makes sense to him to have an organizational chart with a Captain in it even if one isn't currently assigned that doesn't mean in the future we can't. He understands that we can do the whole ordinance thing which would take about two months and again doesn't see any reason to get rid of it right now. He said that's the reason his vote will be no.

Council President Papaleo- asked for a motion for the adoption of Ordinance #17-16.

#### **ADOPTION – Ordinance #17-16**

On motion by Councilman Acquafredda, seconded by Councilman Bartelloni to adopt Ordinance #17-16 was approved on the following roll call.

ROLL CALL VOTE: Councilman Acquafredda, Councilman Bartelloni and Councilwoman Busted voted yes; Councilman Chinigo and Councilman Papaleo voted no and Councilwoman Davis recused herself.

Council President Papaleo- announced that Ordinance #17-16 passes with a vote of 3 to 2.

Councilwoman Davis- returned to the meeting at 7:20 p.m.

Thomas Sarlo, Esq.-exited the meeting at 7:20 p.m.

## **APPROVAL OF MINUTES –**

On motion by Councilwoman Busted, seconded by Councilman Acquafredda the minutes of the Mayor and Council Regular Meeting of May 1, 2017 and the Work Session Meeting of May 15, 2017 were unanimously approved.

## **PROCLAMATIONS & AWARDS – NONE**

## **APPOINTMENTS & PERSONNEL CHANGES –**

On motion by Councilman Chinigo, seconded by Councilwoman Busted to approve the appointment of Micah Gibson to the River Edge Volunteer Fire Department, effective June 5, 2017 was unanimously approved.

On motion by Councilman Chinigo, seconded by Councilwoman Davis to approve the appointment of Andrew Slane to the River Edge Volunteer Fire Department, effective June 5, 2017 was unanimously approved.

On motion by Councilman Chinigo, seconded by Councilwoman Davis to approve the appointment of Griffin Dunn to the River Edge Volunteer Fire Department, effective June 5, 2017 was unanimously approved.

Council President Papaleo – administered the Oath of Office to Micah Gibson and Griffin Dunn.

On motion by Councilwoman Busted, seconded by Councilman Chinigo to approve the separation of Francis Quara as part-time Park Attendant, effective May 8, 2017 was unanimously approved.

On motion by Councilman Chinigo, seconded by Councilwoman Davis to approve the hire of Camp Staff from June 26, 2017 through July 28, 2017 as per the list on file with the Borough Clerk's office was unanimously approved.

On motion by Councilwoman Busted, seconded by Councilman Chinigo to approve the salary change of Kerry Heiser, Accounts Payable Clerk from an hourly Step I rate of 19.51 to Step II - \$20.60, effective June 8, 2017 was approved unanimously.

On motion by Councilwoman Busted, seconded by Councilwoman Davis to approve the salary change of Ralph Leonardi, Fire Inspector from an hourly Step II rate of \$24.21 to Step III - \$25.48, effective June 16, 2017 was approved unanimously.

On motion by Councilman Acquafredda, seconded by Councilwoman Davis to approve the hire of Zachary Ruiz as a part-time seasonal employee in the Department of Public Works, 29 hours per week at an hourly rate of \$14.00, effective June 6, 2017 was approved unanimously.

On motion by Councilman Acquafredda, seconded by Councilwoman Davis to approve the salary change of Nicholas Tarabocchia, Laborer in the Department of Public Works from an annual Laborer II - Step III salary of \$43,489.00 to Laborer II – Step IV - \$43,985.00, effective June 17, 2017 was approved unanimously.

On motion by Councilman Acquafredda, seconded by Councilman Chinigo to approve the salary change of Daniel Dekker, Laborer in the Department of Public Works from an annual Laborer II – Step III salary of \$43,489.00 to Laborer II – Step IV - \$43,985.00, effective June 23, 2017 was approved unanimously.

On motion by Councilwoman Busted, seconded by Councilman Bartelloni to approve the salary change of Anthony Preziuso, Laborer in the Department of Public Works from an annual Laborer II – Step II salary of \$42,991.00 to Laborer II – Step III - \$43,489.00, effective June 17, 2017 was approved unanimously.

On motion by Councilwoman Davis, seconded by Councilman Bartelloni to approve the hire of Victor Fonseca as a Substitute Senior Bus/ Van Driver in at an hourly rate of \$18.37, with a one-year probationary period effective June 6, 2017.

On motion by Councilman Chinigo, seconded Councilwoman Davis to approve the hire of Kevin O’Boyle as a Substitute Senior Bus/Van Driver at an hourly rate of \$18.37, with a one-year probationary period effective June 6, 2017.

On motion by Councilwoman Davis, seconded by Councilwoman Busted to approve the salary change of Jessica Varon, part-time Circulation Assistant, Public Library from an hourly rate of \$11.00 to \$15.00 due to the satisfactory completion of probationary period, effective June 1, 2017 was unanimously approved.

On motion by Councilman Chinigo, seconded by Councilwoman Busted to approve the hire of Michael W. DeSanctis as a seasonal part-time Park Attendant at an hourly rate of \$19.44, effective June 6, 2017.

On motion by Councilwoman Busted, seconded by Councilwoman Davis to approve the resignation of Nicole Florio, Tax Assessor/Planning/Zoning Clerk, effective June 30, 2017 was unanimously approved.

#### **CORRESPONDENCE –**

Letter	-	State of New Jersey, DEP – 5/1/17 Re: Remediation of Contaminated Ground Water at Former Huffman Koos Site
Notice	-	River Edge Board of Ed – 5/1/17 Re: Meeting Notice – 5/3/17
Letter	-	U.S. Dept. of Homeland Security, FEMA - 5/9/17 Re: Revised Flood Study and Maps for Bergen County
Letter	-	Bobbi Conway, Recreation Director – 5/9/17 Re: Resignation of Francis Quara, Park Attendant
Report	-	Alan P. Negreann, Admin/CFO – 5/10/17 Re: Damage to Public Property
Letter	-	Anthony Suarez, Esq. – 5/11/17 Re: Order to Extend Temporary Immunity
Report	-	Alan P. Negreann, Admin/CFO – 5/11/17 Re: Revenue Report
Report	-	River Edge Swim Club – 6/1/17 Re: Financial Statement – 12/31/16
Letter	-	Nicole Florio – 5/22/17 Re: Letter of Resignation

#### **MONTHLY REPORTS –**

Library Board	-	May 2017
Recreation Commission	-	March 2017
Zoning Board of Adjustment	-	March 2016 & October 2016
Zoning Board of Adjustment	-	April 2017
Historic Commission	-	April 2017
Tax Collector	-	April 2017
Shade Tree Commission	-	April 2017
Farmer’s Market Committee	-	May 2017
Planning Board	-	March 2016, April 2016 & February 2017

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

#### **Ordinance #17-17 AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF RIVER EDGE CHAPTER 45 – “INTERLOCAL SERVICES”**

*Description: Establish a reciprocal agreement with each and every municipality within the County for intermunicipal fire assistance for any and all emergencies*

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

BOROUGH OF RIVER EDGE  
ORDINANCE #17-17

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH  
OF RIVER EDGE CHAPTER 45 – “INTERLOCAL SERVICES”

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

SECTION I:

Chapter 45 of the Code of the Borough of River Edge is hereby amended and supplemented by the addition and changes thereto of the following which shall be added or changed to the list of fees and charges on file with the Borough Clerk.

Amend Article I as follows:

Add: New Section **45-4. Establishment:**

The Borough of River Edge hereby establishes, pursuant to the provisions of **N.J.S.A. 40A:14-156 et seq.**, a reciprocal agreement with each and every municipality within the County of Bergen, for Intermunicipal Fire assistance at time of any and all emergencies.

This Chapter shall become effective as to each and every municipality within Bergen County at such time or times that said municipalities has in the past or may in the future adopt an Ordinance providing the same terms and conditions set forth herein and including the Borough of River Edge within its coverage.

Add: New Section **45-5. Expenses:**

The Borough of River Edge agrees to bear all reasonable expenses incurred by members of its Fire Department for emergency assistance rendered within or without the boundaries of this community. The Borough of River Edge shall make no claim for reimbursement from any municipality, adopting an Ordinance providing the same terms and conditions set forth herein, for damages, injuries, wages and the like in connection with aid rendered by the members, of its Fire Department through any other municipality adopting such Ordinance.

Add: New Section **45-6. Intermunicipal Authority:**

A. Intermunicipal Fire Authority. In accordance with the provisions of **N.J.S.A. 40A:14-156.2**, the members of the Fire Department of the Borough of River Edge and any other municipality shall have the same powers, authority and immunities as do the members of the Fire Department of the municipality in which such assistance is being rendered.

Add: New Section **45-7. Senior Ranking Officer:**

At such times that an emergency may occur and Intermunicipal aid is requested, the Chief of the Fire Department of the municipality wherein the said emergency exists shall be the Senior Ranking Officer.

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.

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

Attest:

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

Dated:

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Stephanie Evans, Borough Clerk read the title of Ordinance #17-18 as follows:

**Ordinance #17-18 AN ORDINANCE APPROPRIATING \$12,000.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE ACQUISITION OF NEW INFORMATION TECHNOLOGY AND COMMUNICATION EQUIPMENT CONSISTING OF COMPUTER EQUIPMENT AND ITS INSTALLATION FOR USE OF VARIOUS BOROUGH DEPARTMENTS, OFFICES AND AGENCIES**

*Description: Acquisition and installation of new technology, communication and computer equipment for various Borough departments and agencies*

On motion by Councilwoman Busted, Councilman Bartelloni to approve the first reading of Ordinance #17-18 was unanimously approved as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #17-18

**AN ORDINANCE APPROPRIATING \$12,000.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE ACQUISITION OF NEW INFORMATION TECHNOLOGY AND COMMUNICATION EQUIPMENT CONSISTING OF COMPUTER EQUIPMENT AND ITS INSTALLATION FOR USE OF VARIOUS BOROUGH DEPARTMENTS, OFFICES AND AGENCIES**

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 acquisition of information technology communication equipment and its installation 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 equipment and its installation, there is hereby appropriated the sum of \$12,000.00 of which \$12,000.00 is from the General Capital Fund Balance.

SECTION 2. The purchases are authorized as follows:

- a. Acquisition of new information technology and communication equipment consisting of computer equipment and its installation for use of various Borough departments, offices and agencies.

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.

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

Attest:

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

Dated:

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## RESOLUTIONS - By Consent

On motion by Councilwoman Busteded, seconded by Councilman Bartelloni to approve resolution #17-189 through #17-197, #17-199 through #17-205 and #17-207 through #17-222 were approved unanimously.

On motion by Councilman Bartelloni, seconded by Councilman Chinigo to approve resolution #17-188 was unanimously approved.

### #17-188 Approve the Re-Appointment of the Municipal Clerk

WHEREAS, the Borough of River Edge is a municipality created under the laws of the State of New Jersey; and

WHEREAS, the provisions of N.J.S.A. 40A:9-133(a) mandate that every municipality shall have a Municipal Clerk who shall be appointed for a three year term; and

WHEREAS, Stephanie Evans, was duly appointed and confirmed to the position of Municipal Clerk on April 21, 2014 and a resolution for this appointment should have been placed on the agenda at the same time for a three (3) year term in accordance with N.J.S.A. 40A:9-133, et seq.; and

WHEREAS, Stephanie Evans is and has been certified as a Registered Municipal Clerk, Certificate No. C-1608 since October 10, 2010 and has satisfied the continuing education requirements for said certification; and

WHEREAS, the appoint authority of the Borough of River Edge is desirous of reappointing Stephanie Evans, RMC as Municipal Clerk for the Borough of River Edge; and

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

1. Stephanie Evans, RMC is hereby reappointed to the position of Municipal Clerk in the Borough of River Edge; and
2. Stephanie Evans, RMC is and has upon this reappoint attained tenure pursuant to N.J.S.A. 40A:9-133, et. seq.

June 5, 2017

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### #17-189 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Madison Avenue

WHEREAS, on or about June 5, 2017, the Borough of River Edge granted permission to Rosa DiStefano-Amapani, 249 Madison Avenue, River Edge, New Jersey, to hold a block party on Madison Avenue between Fifth Avenue and Elm Avenue on Saturday, July 22, 2017 (rain date Sunday, July 23<sup>rd</sup>) starting at 3:00 p.m. in accordance with Borough Ordinance #1678; and

WHEREAS, Rosa DiStefano-Amapani has requested that the possession and consumption of alcoholic beverages be permitted in connection with said block party; and

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

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

June 5, 2017

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#17-190 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

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.

June 5, 2017

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#17-191 Authorize the Petty Cash Reimbursement for the Recreation Camp Program

WHEREAS, N.J.S.A. 40A:5-2l authorizes the establishment of Petty Cash Fund for the Office of the Chief Financial Officer of the Borough of River Edge; and

WHEREAS, said the petty cash fund was established by resolution dated January 3, 1983 by the Mayor and Council of the Borough of River Edge as amended by Resolution #90-149 dated August 6, 1990; and

WHEREAS, Resolution #87-169, dated August 3, 1987, established that the maximum amount of a single draw down on the Petty Cash Fund shall not exceed \$35.00; and

WHEREAS, Resolution #99-188, dated June 7, 1999 increased the maximum amount of a single draw limit to \$50.00; and

WHEREAS, the purpose of having a Petty Cash Fund is to eliminate staff time and paper work for small purchases which could be handled more cost effectively through a Petty

Cash Fund; and

WHEREAS, the Recreation Commission of the Borough of River Edge operates a camp for its residents and has a unique need to purchase supplies for programs, activities and projects for the children of the camp on a daily basis; and

WHEREAS, the Mayor and Council recognize that the unique nature of a camp operation does not always lend itself to advance planning and there is an immediate need to purchase items such as first aid supplies, food and drink, and arts and crafts materials and the Governing Body considered this at their work session of May 15, 2017

NOW, THEREFORE, BE IT RESOLVED that Geeta Birnbaum, Custodian of the Petty Cash Fund, is hereby authorized to reimburse the Recreation Director up to a single draw down limit of \$50.00 per slip and said authorization to initiate the day the Borough of River Edge camp opens and expire on the last day of camp operation, and as long as the Recreation Director complies with all other policies and procedures in effect for the Borough of River Edge with regard to the maintenance of its Petty Cash Funds.

June 5, 2017

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#17-192 Appointment of Representatives to the Community Development Regional Committee

WHEREAS, the Borough of River Edge has entered into a three year cooperative agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40a:8A-1 et seq. and Title I of the Housing and Community Development Act of 1994; and

WHEREAS, said Agreement requires that one municipal representative and alternate be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1st through June 30th.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body hereby appoints James Arakelian as the representative to participate on the Community Development Regional Committee and Mayor Edward Mignone as Alternate #2.

June 5, 2017

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#17-193 Appointment of Representatives to the Open Space Trust Fund Committee

WHEREAS, the Borough of River Edge has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Trust Fund; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Open Space Trust Regional Committee for the term of one year coinciding with the fiscal year July 1, 2017 through June 30, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Governing body of the Borough of River Edge hereby appoints Mayor Edward Mignone and Ellen Busteded as Alternate #1 as its representatives to participate on the Open Space Trust Regional Committee.

June 5, 2017

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#17-194 Authorize Issuance of an RFP for Utility Audit of Communication Services

WHEREAS, the Borough of River Edge desires to solicit Request for Proposals for a Utility Audit of its Communication Services.

NOW, THEREFORE, BE IT RESOLVED that the Clerk be authorized to

advertise in THE RECORD for the purpose for providing said service.

June 5, 2017

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#17-195 Enter Into Agreement with Valley Health Medical Group, 15 Essex Road, 5<sup>th</sup> Floor, Paramus, New Jersey, 07652 for Drug and Alcohol Testing & Administrative Services

WHEREAS, there exists a need for expert services related to Drugs and Alcohol Testing & Administrative Service; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1002-182 of the Current Fund not to exceed \$1,250.00 from July 1, 2017 to December 31, 2017 and from Account #01-2010-20-1002-182 of the Current Fund in the amount of \$1,250.00 from January 1, 2018 to June 30, 2018 not to exceed a total of \$2,500.00 contingent upon the Governing Body passing and including an appropriation in the current fund budget and subject to all of the requirements of N.J.A.C. 5:34-5.3 with respect to multi-year contracts; 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 rate of pay shall not exceed as follows:

- \$ 67.00 per DOT Drug Test
- \$ 65.00 per Non-DOT Drug Test
- \$ 50.00 per Observed Drug Test
- \$ 55.00 per DOT Alcohol Test
- \$100.00 per DOT Physical
- \$ 40.00 per DOT Follow-up Physical
- \$160.00 per Split Sample Test
- \$180.00 per Post Accident On-Site Service
- \$600.00 Annual Administrative Fee

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 Valley Health Medical Group, 15 Essex Road, 5<sup>th</sup> Floor, Paramus, New Jersey in the amount not to exceed \$2,500.00; and
2. 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.
3. That a copy of this resolution be forwarded to THE RIDGEWOOD NEWS for publication.

June 5, 2017

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#17-196 Enter into a Shared Services Agreement for the Sharing of County Owned Emergency and Non-Emergency Equipment

WHEREAS, the County of Bergen owns certain vehicles and equipment (the “Equipment”) that it could make available to the local municipalities within Bergen County, subject to the operational needs of the County; and

WHEREAS, due to emergencies, mechanical breakdowns or budgetary restrictions, the need arises occasionally for which the Borough of River Edge does not possess the required equipment; and

WHEREAS, there is often insufficient time to execute formal agreements to enable the sharing of Equipment under such circumstances; and

WHEREAS, by entering into written agreements governing the terms for the sharing of County owned Equipment in advance of the actual need, the County will be able to facilitate the prompt availability of such Equipment at such time as the Borough of River Edge has a need to utilize same; and

WHEREAS, the Governing Body of the Borough of River Edge feels that this agreement is in the best interest of the residents of River Edge; and

WHEREAS, this shared services agreement is established in accordance with the Uniform Shared Services and Consolidation Act, P.L. 2007, c.63 (C.40A:65-1, *et. seq.*).

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that the Mayor and Borough Clerk are hereby authorized to enter into an agreement with the County of Bergen for the Sharing of County Owned Emergency and Non-Emergency Equipment for short term use.

BE IT FURTHER RESOLVED that the Borough Clerk forward a copy of this resolution and the Agreement to the County of Bergen.

June 5, 2017

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#17-197 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Manchester Road

WHEREAS, on or about June 5, 2017, the Borough of River Edge granted permission to Jamie Cerelli, 163 Manchester Road, River Edge, New Jersey, to hold a block party on Manchester Road between Elm Avenue and Oak Avenue on Saturday, June 10, 2017 starting at 2:00 p.m. (rain date June 17<sup>th</sup>) in accordance with Borough Ordinance #1678; and

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

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

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

June 5, 2017

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On motion by Councilman Chinigo, seconded by Councilman Bartelloni to approve resolution #17-198 was approved on the following roll call:

Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilman Chinigo and Councilman Papaleo voted yes; Councilwoman Davis abstained.

#17-198 Promote Patrol Officer Michael McGinty to the Rank of Sergeant

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

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

WHEREAS, the Mayor and Council at the work session meeting on May 15, 2017 conducted a document review of the testing and evaluation results.

WHEREAS, the Chief of the River Edge Police Department has reported that Patrol Officer McGinty has been performing proficiently in his assignments and remains in good standing with respect to promotion to the rank of Sergeant; and

WHEREAS, the Governing Body of the Borough of River Edge established an eligibility list for promotion in the Police Department for the rank of Sergeant via resolution #15-125 dated March 16, 2015; amended via resolution #16-145 dated March 21, 2016 and via resolution #17-88 dated February 21, 2017; and

WHEREAS, Patrol Officer Michael McGinty is currently first on the Sergeant promotional list since February 21, 2017.

NOW, THEREFORE, BE IT RESOLVED, that Patrol Officer Michael McGinty is hereby promoted to the rank of Sergeant in the River Edge Police Department effective

June 5, 2017

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#17-199 Resolution Authorizing the Municipal Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, c.72

WHEREAS, the Borough of River Edge has adopted its budget on April 13, 2017 and the County Board of Taxation is unable to certify the tax rate at this time and the municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the municipal Tax Collector in consultation with the municipal Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54-4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Governing Body requests the Director of the Division of Local Government Services to approve the estimated tax levy if exceeding 105% listed below. Approval will enable the municipality to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey on this 5<sup>th</sup> day of June 2017, as follows:

1. The municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the municipality for the third installment of 2017 taxes. The Tax Collector shall proceed upon approval from the director and take such actions as permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2017 is hereby set at \$48,981,191.77.
3. In accordance with law the third installment of 2017 taxes shall not be subject to interest until the later of; the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

June 5, 2017

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#17-200 Resolution Authorizing Inclusion in the Bergen County Community Development Program

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by June 12, 2017, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Borough of River Edge and its residents to participate in said Programs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the

Borough of River Edge hereby notifies the Bergen County Division of Community Development of its decision to be include as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, 2020 (July 1, 2018 – June 30, 2021).

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Bergen County Division of Community Development no later than June 12, 2017.

June 5, 2017

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#17-201 Resolution Authorizing Execution of an Agreement with the County of Bergen to Supersede the Cooperative Agreement Dated July 1, 2000 and Amendments Thereto Establishing the Bergen County Community Development Program

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

WHEREAS, an Agreement has been proposed under which the Borough of River Edge and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 *et seq.*; and

WHEREAS, it is in the best interest of the Borough of River Edge to enter into such an Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough of River Edge that the Agreement entitled “Three Year Cooperative Agreement” (an Agreement superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003) to clarify the planning and implementation procedures and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, and 2020 (July 1, 2018 – June 30, 2021) be executed by the Mayor and Municipal Clerk in accordance with the provision of law.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately in accordance with law.

June 5, 2017

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#17-202 Authorize the Accounts Supervisor to Reimburse a Homeowner \$250.00

WHEREAS, the following homeowner received approval on October 13, 2016 from the Tax Assessor to have his Veteran Deduction reinstated in the amount of \$250.00 for the year 2016 after reviewing the homeowner’s Revocable Living Trust established July 30, 2014; and

WHEREAS, based on this approval, Resolution #16-401 was passed on November 6, 2016 and a refund of \$250.00 was issued; and

WHEREAS, Risa Rohrberger, Esq. submitted a written request on behalf of Mr. Turner seeking reimbursement from the Borough of River Edge in the amount of \$250.00, the amount for the 2015 Veteran Deduction where the deduction had been removed from the property; and

WHEREAS, at the meeting of the Governing Body on May 15, 2017 after reviewing information submitted by both the Tax Assessor and Risa Rohrberger Esq., this request was approved.

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

hereby authorized to refund \$250.00 to:

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Year/Deduction</u>	<u>Refund</u>
1209/31	Howard Turner 185 Howland Avenue	2015 Veteran	250.00

Total: 250.00

Make check payable to: Howard Turner  
185 Howland Avenue  
River Edge, NJ 07661

BE IT FURTHER RESOLVED, that the Chief Financial Officer record this refund against the Borough’s operations account and the Tax Collector is absolved from recording this on the Borough’s tax records since the time for appeal before the Bergen County Board of Taxation had elapsed.

June 5, 2017

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#17-203 Authorize Issuance of an RFP for the Acquisition of a Cafeteria Plan Benefit (Flexible Spending Arrangement)

WHEREAS, the Borough of River Edge desires to solicit Request for Proposals for the acquisition of a Cafeteria Plan Benefit (Flexible Spending Arrangement).

NOW, THEREFORE, BE IT RESOLVED that the Clerk be authorized to advertise in the RIDGEWOOD NEWS for the purpose of providing said service.

June 5, 2017

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#17-204 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>
29729	McNerney & Associates	\$ 2,500.00	Tax Appeal Appraisal – B 1005, L 6.01, Resolution #14-383
30910	Lincoln National Insurance	\$ 9,180.00	LOSAP – Fire
30911	Lincoln National Insurance	\$20,400.00	LOSAP - Ambulance

June 5, 2017

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#17-205 Approve Renewal of Liquor Licenses

WHEREAS, application for renewal of liquor licenses have been filed with the Clerk of the Borough of River Edge by the following licenses; and

WHEREAS, reports have been received from the Police Department, Fire Prevention Official and the Department of Health that the following premises holding liquor licenses in the Borough have been found in order in accordance with the rules and regulations of this Borough and the required fees have been received.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Borough of River Edge that the following licenses be issued for the premises described for a period of one (1)

year commencing July 1, 2017; and

BE IT FURTHER RESOLVED that Stephanie Evans, Borough Clerk, be directed to sign and deliver said licenses on behalf of the Borough of River Edge.

**PLENARY CONSUMPTION LICENSES**

0252-33-004-001	Sayat Nova Restaurant, Inc. T/A Feathers, 77 Kinderkamack Road. River Edge, New Jersey 07661	\$2,500.00
0252-33-001-005	PEJA Corp. T/A Rugova 259 Johnson Avenue. River Edge, New Jersey 07661	\$2,500.00

**PLENARY RETAIL DISTRIBUTION LICENSES**

0252-44-005-003	E.G. Holding Corporation, T/A Total Wine & More, 1001 Main Street, Store 303 River Edge, New Jersey 07661	\$2,500.00
0252-44-003-003	River Edge Liquor and Convenience Store, Inc., T/A River Edge Wine and Liquors, 504 Kinderkamack Road River Edge, New Jersey 07661	\$2,500.00
0252-44-002-011	Shah and Sheth Liquors Inc., T/A Classic Wine & Spirits, 842 Kinderkamack Road River Edge, New Jersey 07661	\$2,500.00

**PLENARY RETAIL CONSUMPTION LICENSE W/BROAD PACKAGE PRIVILEGE**

0252-32-006-008	River Edge Inc, T/A River Edge Diner & Restaurant 516 Kinderkamack Road River Edge, New Jersey 07661	\$2,500.00
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**CLUB LICENSES**

0252-31-008-001	Knights of Columbus The Columbian Club, T/A River Edge Columbian Club, 770 Kinderkamack Road River Edge, New Jersey 07661	\$ 50.00
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On motion by Councilman Bartelloni, seconded by Councilwoman Busted to approve resolution #17-206 was approved on the following roll call:

Councilman Acquafredda, Councilman Bartelloni, Councilwoman Busted, Councilman Chinigo and Councilman Papaleo voted yes; Councilwoman Davis abstained.

#17-206 Resolution Authorizing the Mayor to Execute an Assignment of Subdivision Approval and Assumption Agreement Between Schlomac, LLC and Carl Lodge and Denzel Lodge, for Property Located at Block 303, Lot 24.01, More Commonly Known as 800 Sixth Avenue, River Edge, New Jersey

WHEREAS, Schlomac, LLC (the "Assignor") has agreed to sell to Carl Lodge and Denzel Lodge (the "Assignees") certain property it owns (the "Property") pursuant to a certain Contract of Sale dated April 24, 2017; and

WHEREAS, the Property is the northerly lot of a two (2) lot subdivision approved on November 10, 2016; and

WHEREAS, the Assignor has executed a Developer's Agreement with the Borough of River Edge; and

WHEREAS, the Assignor has purchased a Performance Surety Bond, posted a cash Performance Bond, and deposited sums for professional services into an escrow account in the amounts set forth on Schedule A annexed hereto; and

WHEREAS, the parties wish to enter into an Assignment of Subdivision Approval and Assumption Agreement; and

WHEREAS, the Mayor and Council of the Borough of River Edge have approved this Assignment of Subdivision Approval and Assumption Agreement and consent to same.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that it consents to the entry of the Assignment of Subdivision approval and Assumption Agreement between Schlomac, LLC and Carl Lodge and Denzel Lodge.

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized to execute the Assignment of Subdivision Approval and Assumption Agreement on behalf of the Borough.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided to: (i) Borough of River Edge Chief Financial Officer; (ii) River Edge Construction Code Official; (iii) Schlomac, LLC, the Developer; (iv) Brian M. Chewcaskie, Planning Board Attorney.

June 5, 2017

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#17-207 Resolution Authorizing the Mayor to Execute an Agreement for Development with 10 Route 4, LLC for the Property Located at 10 Route 4 West, Block 1403, Lot 9, River Edge, New Jersey 07661 for Site Plan Approval

WHEREAS, by resolution dated July 28, 2016 the River Edge Planning Board granted site plan approval to 10 Route 4, LLC for the property located on Block 1403, Lot 9 of the Borough Tax map and more commonly known as 10 Route 4 West; and

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

WHEREAS, the Agreement for Development has been executed by 10 Route 4, LLC and all other documentation required in accordance with the provisions of the Agreement for Development has been reviewed and approved by the Planning Board Attorney.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the Mayor be and is hereby authorized to execute the Agreement for Development on behalf of the Borough.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be provided to: (i) Borough of River Edge Chief Financial Officer; (ii) River Edge Construction Code Official; (iii) 10 Route 4 LLC, the Developer; (iv) Brian M. Chewcaskie, Land Use Board Attorney.

June 5, 2017

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#17-208 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Dorchester Road

WHEREAS, on or about June 5, 2017, the Borough of River Edge granted permission to Johnny Porco, 183 Dorchester Road, River Edge, New Jersey, to hold a block party on Dorchester Road between Elm Avenue and Oak Avenue on Saturday, July 22, 2017 starting at 11:00 a.m. to 12 midnight (rain date July 23<sup>rd</sup>) in accordance with Borough Ordinance #1678; and

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

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

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

June 5, 2017

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#17-209 Authorize Tax Collector to Refund 2017 2<sup>nd</sup> Quarter Tax Overpayments

WHEREAS, the tax office has received duplicate and/or tax overpayments for the 2<sup>nd</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	RODRIGUEZ, AMADOR 219 Woodland Avenue	Overpay	.10
613/14	MONIZ, JOHN 656 Bogert Road	Overpay	13.75
707/19	LEAVY, THOMAS 206 Kensington Road	Overpay	10.45
911/16	SHANMAN, KEVIN 284 Howland Avenue	Duplicate	3,023.94
1102/14	KOHANE, DAVID 13 Eastbrook Drive	Duplicate	4,459.92
1103/58	DONG JOON YEO 70 Eastbrook Drive	Duplicate	4,723.62
		Total:	12,231.78

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

June 5, 2017

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#17-210 Authorize Tax Collector to Refund a 2017 2<sup>nd</sup> Quarter Tax Overpayment due to the 2014 Homestead Benefit Credit

WHEREAS, the Tax Office has received a duplicate and/or tax overpayment for the 2<sup>nd</sup> Quarter 2017 taxes on the following property due to the 2014 Homestead Rebate Credit; 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>Name &amp; Address</u>	<u>Refund Amount</u>
701/30	Huggett, Donald & Dorothy 283 Voorhis Avenue	796.70
	Total:	796.70

Make check payable to: Visions Federal Credit Union  
24 McKinley Avenue  
Endicott, NY 13760-5491

June 5, 2017

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#17-211 Authorize Tax Collector to Refund a 2nd Quarter 2017 Tax Overpayment due to the 2014 Homestead Benefit Credit

WHEREAS, the tax office has received a duplicate and/or tax overpayment for the 2<sup>nd</sup> Quarter 2017 taxes on the following property due to the 2014 Homestead Rebate credit; 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>Name &amp; Address</u>	<u>Refund Amount</u>
103/3	Ye, Wei & Lu, Yi 284 Midland Avenue	471.04
	Total:	471.04

Make check payable to: Boiling Springs Savings Bank  
25 Orient Way  
Rutherford, NJ 07070

June 5, 2017

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#17-212 Authorize Tax Collector to Refund 2<sup>nd</sup> Quarter Tax Overpayments due to the 2014 Homestead Benefit Credit

WHEREAS, the 2014 Homestead Benefit Credits were received and revised billing for the 2<sup>nd</sup> Quarter 2017 was issued; and

WHEREAS, taxpayers paid the original 2<sup>nd</sup> Quarter tax amount billed creating an overpayment in the 2<sup>nd</sup> Quarter; and

WHEREAS, the tax office has received written requests from the following homeowners to refund the overpaid taxes directly to the homeowner.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to refund the following tax amounts and adjust her records accordingly.

<u>Block/Lot</u>	<u>Name/Address</u>	<u>Amount</u>
108/9	Bergman, Grant & DeWhurst, Susan 212 Midland Avenue River Edge, NJ 07661	1,000.00

806/15	Zarate, Ricardo & Clyde 180 Kensington Road River Edge, NJ 07661	851.67
814/11	Vander Ploeg, Robert 469 Windsor Road River Edge, NJ 07661	833.15
1103/35	Loeb, Ronald & Judith 199 Valley Road River Edge, NJ 07661	467.99

June 5, 2017

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#17-213 Authorize Tax Collector to Transfer the 2014 Homestead Rebate Credit Amounts from the 2<sup>nd</sup> Quarter 2017 to the 3<sup>rd</sup> Quarter 2017

WHEREAS, the 2014 Homestead Rebate Credits were received and revised billing for the 2<sup>nd</sup> Quarter 2017 was issued; and

WHEREAS, taxpayers paid the original 2<sup>nd</sup> Quarter Tax amount billed creating an overpayment in the 2<sup>nd</sup> Quarter; and

WHEREAS, the tax office has received written requests from the following homeowners and/or their mortgage companies to transfer the credit amounts to the 3<sup>rd</sup> Quarter 2017.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to transfer the following amounts and adjust her records accordingly.

<u>Block/Lot</u>	<u>Name/Address</u>	<u>Amount</u>
209/13	Hoffman, Richard & Shirley 54 Bloomfield Avenue	649.28
303/13	O'Sullivan, Irene & Patrick 769 Fifth Avenue	697.43
306/21	Pinto, Joseph & Diane 790 Elm Avenue	500.00
310/6	Schrieber, Ronald 741 Fifth Avenue	969.13
312/8	Burke, James 729 Oak Avenue	395.74
903/9	Pestrichelli, John & Anelle 369 Valley Road	456.35
1004/17	Gramkow, Nancy 10 June Court	902.83
	Total:	4,570.76

June 5, 2017

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#17-214 Authorize Tax Collector to Adjust 4<sup>th</sup> Quarter 2017 Taxes for a Senior Citizen Deduction Disallowed

WHEREAS, the following homeowner was disallowed the \$250.00 Senior Deduction because they exceeded the \$10,000.00 income requirement to qualify for the Senior Citizen Tax Deduction for the year 2017 and/or has requested in writing to remove the deduction and/or has passed away in 2016 and the property no longer qualifies for the deduction and/or the property was sold in 2017; and

WHEREAS, the deduction is listed in the 2017 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to disallow the 2017 Senior Deduction and adjust the 4<sup>th</sup> quarter taxes for the following amount.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Adjusted Amount</u>
601/21	Ogden, Kevin & Denise 192 Adams Avenue	199.32
	Total:	199.32

June 5, 2017

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#17-215 Authorize Tax Collector to Bill \$250.00 for a Senior Citizen Deduction Disallowed for 2016

WHEREAS, the following homeowners received a \$250.00 Senior Citizen Tax Deduction for the year 2016; and

WHEREAS, the following properties were either sold or the homeowners exceeded the \$10,000 income requirements to qualify for the Senior Citizen Tax Deduction for the year 2016.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to disallow the 2016 Senior Deductions and bill the homeowners for the following amounts.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Adjusted Amount</u>
105/12	Romano (Etals), Jerald 254 Midland Avenue	250.00
209/18	Koblenzer, Patricia 74 Bloomfield Avenue	250.00
406/16	Schwitzer, Pamela 738 Summit Avenue	113.69
412/5	Krokus, Paul & Marguerite 690 Center Avenue	250.00
607/4	Heyden, Donald & Gloria 669 Bogert Road	250.00
611/4	Talty, Michael & Ann 147 Concord Drive	208.32
612/2	Becker, Marvin & Deborah 125 Tenney Avenue	250.00
813/6	Soares, Alfredo 493 The Fenway	174.66
	Total:	1,746.67

June 5, 2017

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#17-216 Authorize Tax Collector to Adjust 4<sup>th</sup> Quarter 2017 Taxes for a Veteran Deduction Allowed

WHEREAS, the following homeowner(s) filed a Veteran Application for a deduction in the amount of \$250.00 and was approved by the Tax Assessor for the year 2017; and

WHEREAS, the deduction was not listed in the 2017 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust/credit the 4<sup>th</sup> quarter final tax billing for the \$250.00 deduction.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Deduction</u>	<u>Adjusted</u>
802/19	John Sarafian 144 Voorhis Avenue	Veteran	250.00

June 5, 2017

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#17-217 Authorize Tax Collector to Adjust the 4<sup>th</sup> Quarter 2017 Taxes for a Senior Deduction Allowed

WHEREAS, the following homeowner filed a Senior Application for a deduction in the amount of \$250.00 and was approved by the Tax Assessor for the year 2017; and

WHEREAS, the deduction was not listed in the 2017 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4<sup>th</sup> Quarter final tax billing for the \$250.00 deduction.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Deduction</u>	<u>Adjusted Amount</u>
801/9	Siv Goldstein 160 Voorhis Avenue	Senior	250.00

June 5, 2017

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#17-218 Authorize Tax Collector to Bill Senior Citizen Deductions for 2013 and 2014 due to State Audit Conducted in 2017

WHEREAS, in March 2017 the Division of Taxation, Property Administration Branch, conducted an audit of the Senior Citizen/Disabled Person/Surviving Spouse Property Tax Deductions for the Years 2013 and 2014; and,

WHEREAS, the following list indicates those taxpayer(s) that the Division has determined as being over the \$10,000 income limit for said year.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4<sup>th</sup> quarter on each year listed on the following properties and bill the \$250.00 deduction.

<u>Block/Lot</u>	<u>Deduction</u>	<u>Name/Address</u>	<u>Year</u>	<u>Amount</u>
506/4	Disabled	Conners, Kevin & Deborah 259 Adams Avenue	2013	250.00
			2014	250.00
706/16	Senior	Panunzio, Faith 199 Manning Avenue	2013	250.00
			2014	250.00
1103/38	Senior	Fanelli, John & Nancy 187 Valley Road	2013	250.00
			2014	250.00
Total Prior Year Billing:				1,500.00

June 5, 2017

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#17-219 Resolution Authorizing the Mayor to Execute a Developer’s Agreement between New Bridge Landing Apartments, LLC, the Borough of River Edge, and the Planning Board of the Borough of River Edge, for Property Located at Block 1302, Lot 3, More Commonly Known as 230 Kinderkamack Road, River Edge, NJ

WHEREAS, New Bridge Landing Apartments, LLC (the “Developer”) is the owner of property as shown on the tax map of the Borough of River Edge and located at Block 1302, Lot, more commonly known as 230 Kinderkamack Road, River Edge, NJ (the “Property”); and

WHEREAS, the Developer received preliminary and final major site plan approval pursuant to a Resolution adopted by the Planning Board on February 11, 2016 and major soil movement application approval pursuant to a Resolution adopted by the Planning Board on June 9, 2016; and

WHEREAS, the Developer is required to post Performance Guarantees pursuant to the terms of the Resolution as adopted by the Planning Board; and

WHEREAS, the Developer is desirous of entering into a Developer's Agreement with the Borough and the Board as to said Property in view of the provisions of the Borough's Ordinances which, among other things, requires that prior to the granting of a building permit, the Developer shall have installed or shall have furnished performance guarantees for the ultimate installation of the several improvements therein mentioned, and that no final plat shall be approved by the Board until the completion of all such required improvements has been certified to the Board by the Borough Engineer, unless satisfactory performance guarantees to cover the cost of all such improvements or the incomplete portions thereof and deposits for Borough professional costs are filed by the Developer; and

WHEREAS, it is mutually desired by the parties hereto that the Property shown on the plan as aforesaid shall be improved and developed in such a manner as will insure protection to the surrounding and neighboring properties, as well as the public roads in and about said area to the end that said development shall result in a desirable development within the Borough of River Edge; and

WHEREAS, the parties wish to enter into a Developer's Agreement and Amendment thereto; and

WHEREAS, the Mayor and Council of the Borough of River Edge have approved this Developer's Agreement and Amendment and consent to same.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that it consents to the entry of the Developer's Agreement and Amendment between New Bridge Landing Apartments, LLC, the Borough of River Edge, and the Planning Board of the Borough of River Edge.

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized to execute the Developer's Agreement and Amendment on behalf of the Borough.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided to: (i) Borough of River Edge Chief Financial Officer; (ii) River Edge Construction Code Official; (iii) New Bridge Landing Apartments, LLC, the Developer; (iv) Brian M. Chewcaskie, Planning Board Attorney.

June 5, 2017

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#17-220 Enter Into Agreement with Brian Chewcaskie, Esq., Gittleman, Muhlstock, Chewcaskie, 2200 Fletcher Avenue #16, Fort Lee, New Jersey 07024 for Legal Services Pertaining to the Transition of the Zoning Board Applications

WHEREAS, there exists a need to retain legal services pertaining to the transition of the Zoning Board applications; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-164 from the Current Fund not to exceed \$2,000.00; 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, Brian Chewcaskie, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Brian Chewcaskie, 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 Brian Chewcaskie, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the rate of pay shall not exceed \$125.00 per hour as Land Use Board Attorney; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive

bids and the contract itself must be available for public inspection; and

WHEREAS, this contract will be retroactive to May 1, 2017.

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 Brian Chewcaskie, Esq., Gittleman, Muhlstock, Chewcaskie, 2200 Fletcher Avenue #16, Fort Lee, New Jersey 07024 in the amount not to exceed \$2,000.00.
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 Brian Chewcaskie, Esq., Gittleman, Muhlstock, Chewcaskie, 2200 Fletcher Avenue #16, Fort Lee, NJ 07024.
4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

June 5, 2017

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#17-221 Voided

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#17-222 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 a Reserve for Clean Communities Grant Unappropriated in the amount of \$20,362.01.

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

Clean Communities Grant.....\$20,362.01

BE IT FURTHER RESOLVED that the like sum of \$20,362.01 and the same is hereby appropriated under the caption of:

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

Clean Communities Grant.....\$20,362.01

BE IT FURTHER RESOLVED that the Borough forward one (1) copy of this resolution to the Director of Local Government Services.

June 5, 2017

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Councilman Bartelloni read resolution #17-223 into the record.

On motion by Councilman Bartelloni, seconded by Councilman Chinigo to approve resolution #17-223 was unanimously approved.

#17-223 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	\$406,337.92
CAPITAL ACCOUNT	\$ 34,338.59
RECREATION ACCOUNT	\$ 3,437.85
TRUST OTHER ACCOUNT	\$ 5,283.67
OPEN SPACE ACCOUNT	\$ 16,534.67
TRUST OTHER DEVELOPERS ACCOUNT	\$ 1,392.50

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.

June 5, 2017

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**OPEN HEARING OF THE PUBLIC –**

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

Paolo Cilia-685 5<sup>th</sup> Avenue-said that he has reviewed the budget as adopted and felt there were a few things that stood out to him that he felt were excessive. He doesn't understand why we have such a large surplus because many residents in town are complaining about property taxes and felt that it could provide relief to taxpayers. He also asked for an explanation regarding accumulated absences and what that includes.

Councilman Bartelloni-stated that he has noticed many comments on Facebook where people are complaining about taxes in River Edge. The River Edge portion of municipal taxes is approximately 25% and the other 75% is schools, county and open space. For that 25% which comes out to about \$3,000 per household, you get services from Police, Fire and DPW, you get your garbage picked up, you get sewers and various insurances that we have to maintain. He feels that this is a wide range of services which most people enjoy for that \$3,000.

Council President Papaleo-said that also includes road repairs, etc.

Councilman Bartelloni-said that for that \$3,000 you get an amazing range of services and this years increase was about \$54.00 on the average home which compromises about 75% of the homes in town. He explained that they have a surplus policy in place to deal with various creditors such as Moody's and Standards & Poor. It is a recommendation that you put aside a percentage of your yearly budget for unforeseen expenses such as road or sewer collapses, etc. which amounts to roughly one quarter of our yearly expenditures. The positive of that is two-fold. One, it has increased our credit rating which makes it easier for us to borrow money and saves taxpayers money long term and also there would be no need go out for short term notes to meet expenditures because we have cash on hand. It's a fiscally prudent move to have that money in place and it does save money in borrowing and various interest costs. In terms of unused sick days, the Borough does not have sick day accumulation, we have a free flow allowing employees to have the time they need as long as they provide the required documentation from their physicians. There is no accumulated sick time so if and when they retire, there is no sick time payment. We don't accumulate sick days but employees do accumulate vacation time. Will he speak with specific employees? No he's won't. He explained that you have to look whole picture when you're putting together a budget.

Alan Negreann, Administrator/CFO-explained that the accumulated leave calculation is an analysis of the outstanding vacation time that might be due at separation. If there are personal days that are allowed under contracts and policy, those are accounted as well. Social Security is part of the calculation and it was correctly stated that sick time leave, if not in the contract, is not calculated. In addition, we have bonus payment as stated in Ordinance #585 which is made upon separation and that would be included as well. Although it has been negotiated out of the bargaining unit contracts and by ordinance has been limited to those employees who are grandfathered beyond that ordinance. He wanted to explain the \$5 and the \$18,000. Because we've had very difficult budgets over the years, we have not put an amount of money in there to diffuse accumulated absences. We have done is maintain the line for \$5 and if funds are available during the permitted time of transfers, we've moved money into that line and paid it over so that's why you see the \$18,000 moving over. It comes out of unspent funds towards the end of the fiscal year.

Paolo Cilia-had additional comments and questions regarding the budget which were addressed by Councilman Bartelloni and Councilman Acquafredda.

Council President Papaleo-thanked Mr. Cilia for his comments and questions and stated that he and any other Council member would be glad to speak with him to continue the conversation after the meeting.

Paolo Cilia-replied, yes. He said that after listening to the comments made by the Police Department this evening, he does understand that the Mayor and Council have a difficult job and have to make difficult decisions. He doesn't envy them but wants to encourage them to do a better job with taxes.

Peter Dunsay – 446 Oak Avenue – was here to represent the Cultural Center. He said that the main fundraiser for the Cultural Center is the car show and the car show raises approximately 80% of funds that they need to do various events. He mentioned some of the upcoming exhibits that they will be sponsoring. He continued to say that he made application in January for the closing of Continental and Elm. They received permission to close Continental but were denied permission to close Elm. In addition, they were told that we were not permitted to park on lawn of the Cultural Center.

Councilman Bartelloni-asked Mr. Dunsay who denied your application to park on the Cultural Center lawn?

Peter Dunsay-replied, the Police.

Councilman Bartelloni-they said you can't park on the lawn?

Peter Dunsay- right.

Councilman Acquafredda-asked what was the reason for the denial?

Peter Dunsay-said that there's a Borough ordinance that says we're not allowed to park there. He thought it was incorrect because he thought the ordinance was restricted to an "R zoning" and not to the zoning that they are in.

Council President Papaleo-said that they will ask Mr. Negreann to look into it and call Mr. Dunsay back.

Peter Dunsay-said that's fine. We don't want to park on the grass, quite frankly if we don't have to but it's our overflow. We would like to park on Elm starting at 10:00 and naturally at the end of the show the street would be reopened. We know that the traffic on Elm on a Sunday in the summer is somewhat sparse so we're asking permission to reconsider the request to use Elm between Continental and Adams. He explained that there's only 1 house in that stretch that actually faces Elm. They feel it would have minimal impact. It would allow for extra parking so that don't have to overfill the Library lot.

Council President Papaleo-asked Mr. Dunsay that on Continental, are any residents personal driveways in the area that is closed.

Peter Dunsay-replied, yes.

Councilman Papaleo - So we already have a practice to do this. He said that if the Council doesn't object, he would like Alan to ask the Chief to offer an explanation and have Mr. Dunsay and the Chief attend the next meeting on June 20<sup>th</sup>. If the Council is in agreement, and those are the two issues that he would like them to address we can't do anything right now without information. He told Mr. Dunsay that we will look into it and hopefully we can do something more but cannot make any promises.

## **CLOSE HEARING OF THE PUBLIC -**

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

## **COUNCIL COMMENTS –**

Councilwoman Davis-announced that the Farmer's Market is opening tomorrow rain or shine from 2 p.m. to 7 p.m. She gave the names of two anchor vendors, Andersen Farms and Big Papa Smoke'm

who will be participating. There are 7 vendors returning and 4 new ones so they're looking forward to a great season. She announced that at SCORE on June 19th, our nurse Arlene Faustini will be making a fun summer Olympics presentation.

Councilwoman Busted updated the Council and the public on the 4 AED units. They are here in town along with the cases, have been inspected and locations have been confirmed. The work order went to DPW on June 1<sup>st</sup> and should be installed in the near future. She thanked the Police Department, the River Edge schools and St. Peter Academy for inviting them to the LEAD culmination event last week. She said that it's always a great event to listen to the award winning essays of the fifth graders and hear how much this program meant to them. The River Edge Police Department spends a tremendous amount of time to successfully bring this program to the River Edge community and knows that they all had a great time at the after party. She again thanked the River Edge Police Department. She attended the Exalted Exhibit at the Cultural Center which features work from River Edge residents and encouraged everyone to see it. She reported that on Friday night, the second annual Ladies Kickball Tournament was held and over \$2,600 was raised for a family in need in the borough. It was a great showing of community that really demonstrates what a fabulous place this is to live and raise a family. She thanked everyone who participated.

Councilman Acquafredda reported that on June 22<sup>nd</sup> the River Dell High School will hold their graduation exercises beginning at 5 p.m. He said that a formal invitation will be coming from Superintendent Fletcher but he also wanted to invite all of the Council members to attend.

Unfortunately he will be out of the country and will not be able to attend.

Councilman Bartelloni reported that this Friday, at 1:50 the third graders from Roosevelt School are coming to Borough Hall for a tour and invited anyone who is available to come and help out. They will also be given a tour of the Police station afterwards. Last week he met with Superintendent Tova Ben Dov, Mr. Hensel and Stan the new Head of Grounds regarding the placement of the shed and batting cages at Roosevelt field. They agreed on the locations and now it's just a matter of the attorneys getting involved and ironing out agreements regarding maintenance and who will do what. He feels that they are definitely making some progress. He stated that he's happy to talk about the municipal budget any time so if anyone has a question, please feel free to email him or stop him at any time.

Councilman Chinigo reported that the Library had their first high tea event a few weeks ago which was very successful and announced that the second event will occur this Saturday. He believes that there are a few tickets left so if anyone is interested, they should contact the Library. Councilman Chinigo again said that the event was very successful, very well liked and a great thing for our town.

Council President Papaleo reported that the Beautification Committee has been doing an outstanding job of weeding, planting and revitalizing our borough gardens especially at the Borough Hall and Library. He stated that they will be working on placing pots along Kinderkamack Road to beautify our business area and thanked Michele Cariddi and other Beautification members for the hours of hard work that they do. He reported that Shade Tree has been working very hard on the Emerald Ash Bore problem in trying to sustain and protect our ash tree population. He wanted to continue to thank John Lynch and his crew for continuing to do a great job. He wanted to end the meeting by thanking the Council and feels they do a great job and is very proud to be part of it. Council President Papaleo said that they rarely disagree but if they do, they always respect each others opinions. He said that everyone on this Council spends a tremendous amount of time educating themselves on issues. He stated that democracy is about choosing and he knows that everyone takes that responsibility very seriously. He thanked Stephanie and Alan for all of the work they do behind the scenes as well as our Police Chief, Fire Chief, DPW, the Ambulance Corp and all of our other departments.

#### **ADJOURNMENT – 8:14 P.M.**

On motion by Councilman Acquafredda, seconded by Councilman Bartelloni to adjourn the meeting at 8:14 p.m. was approved unanimously.

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Mayor Edward J. Mignone

Attest:

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Stephanie Evans, Borough Clerk

Dated: