

M I N U T E S
Meeting of the Mayor and Council
Monday, August 6, 2012
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

Mayor Moscaritolo called for a moment of silent prayer and asked Councilwoman Murphy to lead the salute to the flag.

MISSION STATEMENT & OPEN PUBLIC MEETINGS -

Mayor Moscaritolo read the Mission Statement into the record as follows:

The New Jersey Open Public Meetings Law was enacted to ensure the right of the public to have advance notice of and attend any meetings of public bodies at which any business effecting their interest is discussed or acted upon.

In accordance with this act the Mayor and Council of the Borough of River Edge have caused notice of this meeting to be published by having the date, time and place thereof posted in the Borough Hall and notices have been sent to the Record and the Ridgewood News.

The mission of this governing body is to provide essential services through the establishment and implementation of public policy that will safeguard our infrastructure, provide honest, courteous and professional services; and establish a sense of trust and accomplishment with our residents. Through research and prudent planning we seek to minimize risks while improving our services. We are sensitive to the needs of our taxpayers while realizing that this governing body cannot be all things to all people within the revenue constraints imposed by state mandates, economic conditions and prevailing attitudes about taxation.

ROLL CALL - Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni, Councilman Papaleo and Mayor Moscaritolo were present.

APPROVAL OF MINUTES -

Motion by Councilman Cordts, seconded by Councilwoman Murphy to approve the minutes of the Mayor and Council closed session meeting of April 16, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilman Cordts, seconded by Councilwoman Murphy to approve the minutes of the Mayor and Council closed session meeting of May 7, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilman Cordts, seconded by Councilwoman Murphy to approve the minutes of the Mayor and Council closed session meeting of May 21, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve the minutes of the Mayor and Council closed session meeting of May 29, 2012..

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve the minutes of the Mayor and Council closed session meeting of June 4, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve the minutes of the Mayor and Council work session and regular meeting of July 2, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cappola, Councilman Mignone, Councilman Bartelloni voted yes; Councilman Cordts and Councilman Papaleo abstained.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve the minutes of the Mayor and Council special meeting and work session of July 23, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

PROCLAMATIONS & AWARDS -

Mayor Moscaritolo presented River Edge resident Jay Orsino a Good Samaritan Certificate of Recognition which read as follows:

*Good Samaritan
Certificate of Recognition
This Certifies that*

Jay Orsino

Is hereby awarded this certificate in recognition for his heroism on Sunday, July 22nd, in assisting in the rescue of a River Edge resident from the Hackensack River without regard to his own personal safety.

Date: August 6, 2012

Sandy Moscaritolo, Mayor

and Council

Bergen County Executive, Kathleen Donovan thanked and congratulated Jay Orsino and presented him with a certificate of commendation which read as follows:

Jay Orsino

In Recognition of Your Courageous and Heroic Efforts While Coming to the Aid of a Fellow Bergen County Resident

~~Jay Orsino thanked everyone for their kind words and stated that he is very appreciative of the overwhelming recognition.~~

Mayor Moscaritolo read the Proclamation Honoring Yoshikazu Aono as follows:

PROCLAMATION

WHEREAS, the late Yoshikazu Aono was born in 1938 and raised in Yokohama, Japan; and

WHEREAS, Yoshikazu cultivated a life long passion for steam locomotives and also became fascinated with all things American through James Dean and John Wayne movies which would shape his personal and professional life; and

WHEREAS, Mr. Aono started his career as a photographer in 1961, assisting foreign photojournalists in Tokyo and early in his career, he won an award as one of Japan's top rookie photographers; He fell in love with Eiko Honjo who became his lifelong partner.

WHEREAS, Mr. Aono came to the United States after helping Life Magazine cover the 1964 Summer Olympics in Tokyo; and

WHEREAS, Mr. Aono made his career as a freelance photographer documenting Woodstock in 1969, Presidential elections and most of all images of the railroad. His photos were published in Life Magazine, Newsweek amongst many others. His work has been exhibited at many art shows; and

WHEREAS, Mr. Aono and his family moved to River Edge in 1975 where he raised his family and enjoyed friends and reconnected to his passion of photographing steam locomotives and serving on the National Railroad Historic Society. He experienced what most people describe as the American dream; and

WHEREAS, Mr. Aono was a member of the River Edge Cultural Center, and served for many years on the Historic Commission. His railroad knowledge was indispensable in the Historic Commission's work to restore the 1902 River Edge Train Station. Mr. Aono was frequently seen around the Borough wearing his ever present railroad hat; and

WHEREAS, Mr. Aono passed away on July 5, 2012. His quiet determination will be missed.

NOW, THEREFORE, I, Sandy Moscaritolo, Mayor of the Borough of River Edge and on behalf of the Borough Council wish to extend their condolences to the family of Yoshikazu Aono, in honor of his memory and to recognize his many years of dedicated service to the community.

Mayor Sandy Moscaritolo

Dated: August 6, 2012

Mayor Moscaritolo presented the proclamation to Eiko Aono.

Mayor Moscaritolo read the proclamation "Drive Sober or Get Pulled Over 2012 Statewide Crackdown" as follows:

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

Whereas, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

and Whereas, 25% of motor vehicle fatalities in New Jersey are alcohol related;

and Whereas, an enforcement crackdown is planned to combat impaired driving;

Whereas, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Drive Sober or Get Pulled Over 2012 Statewide Crackdown; and

Whereas, the project will involve increased impaired driving enforcement from August 17 through September 3, 2012; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, I Sandy Moscaritolo, Mayor of the Borough of River Edge and the Borough Council declares its support for the

Drive Sober or Get Pulled Over 2012 Statewide Crackdown

from August 17 through September 3, 2012 and pledges to increase awareness of the dangers of drinking and driving

Mayor Sandy Moscaritolo

Dated: August 6, 2012

Chief Cariddi presented awards to: Sergeant Curt Wilhelm, Detective Michael McGinty, Officer Michael Varrecchia and Officer Dennis Griffith.

Chief Cariddi presented certificates to Sergeant Curt Wilhelm and Detective Michael McGinty which read as follows:

FOR YOUR INVESTIGATIVE EFFORTS ON JUNE 6, 2012 OF THE HUDSON CITY SAVINGS BANK WHICH RESULTED IN AN ARREST, SUBSEQUENT CONFESSION AND SEIZURE OF ADDITIONAL PHYSICAL EVIDENCE LINKED TO THE ROBBERY, A CRIME OF THE FIRST DEGREE YOU ARE HEREBY AWARDED A COMMENDATION FOR EXCEPTIONAL SERVICE WE ARE EXTREMELY PROUD OF YOUR HARD WORK, IT PAID OFF IN PROVIDING SAFETY AND SECURITY IN THE COMMUNITY YOU SERVE.
CONGRATULATIONS ON A JOB WELL DONE

Chief Carriddi informed everyone that Detective Michael Varrechia who was not present this evening was involved in the same investigation and will be receiving this award when he returns.

Chief Cariddi stated that this investigation was interesting in the respect that it was a real example of cooperative effort in law enforcement. He continued by saying that River Edge investigators along with assistance from the Hackensack, Teaneck, Englewood Police Departments, Bergen County Sheriffs Department as well as the Bergen County Prosecutors Office all assisted in contributing information that lead to an arrest one week to the day following the commission of the crime. He thanked the members of his department as well as members of the other agencies for their perseverance in this investigation.

Bergen County Executive Kathleen Donovan also presented the officers certificates of commendation and thanked them on behalf of all Bergen County residents for the fine work that they do in keep our communities safe.

Chief Cariddi stated that in 2011 our department registered 31 arrests for driving under the influence of alcohol or drugs and Officer Dennis Griffith was responsible for approximately one-third of those arrests. Chief Cariddi awarded Officer Dennis Griffith with a certificate which read as follows:

A CERTIFICATE OF APPRECIATION
FOR HAVING RECORDED THE MOST DWI ARRESTS
IN THE BOROUGH OF RIVER EDGE DURING 2011

Chief Cariddi stated that this certificate is offered through the Division of Highway Safety by the Attorney General

County Executive Kathleen Donovan presented Officer Griffith with a Certification of Commendation and thanked him on behalf of all Bergen County residents for his dedicated service to the community.

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilman Mignone, seconded by Councilman Bartelloni to approve the promotion of Gary Faustini, from Patrol Officer to Sergeant at an annual salary of \$110,688.00 in the Police Department, effective August 1, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Mayor Moscaritolo administered the Oath of Office to Gary Faustini.

Chief Cariddi stated that Gary is a well respected member of the Police Department and feels that he has a reputation for being very thorough and dependable in every job he undertakes. The Chief explained the many areas of

responsibilities that he has as well as being a former Marine and a veteran of the Vietnam War. Chief Cariddi stated that the talents and abilities that Gary has demonstrated so far will be a tremendous asset as he undertakes the role of a supervisor over the patrol squads. The Chief expects great things from him and wished him the best of luck.

Motion by Councilman Cordts, seconded by Councilman Cappola to approve the salary increase of Daragh O'Connor, Library Director, from an annual salary of \$93,749.00 to \$94,229.00 due to an increase in longevity from \$480.00 to \$960.00, effective July 7, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Cordts to approve the changes in the Finance Committee as follows:

Councilman Edward Mignone, Chairman

Councilman Papaleo
Councilman Bartelloni
Alternate #1 - Councilwoman Murphy
Alternate #2 - Councilman Cappola

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilman Cordts, seconded by Councilwoman Murphy to approve the appointment of Councilman Anthony Cappola as Liaison to the Historic Commission.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the salary increase of Joseph Starost, Patrol Officer, from an annual salary of \$117,412.98 to \$119,628.31, due to an increase in longevity from 6% to 8%, effective July 23, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Cordts to approve the salary increase of Chris Cheevers, Sergeant in the Police Department, from an annual salary of \$126,805.88 to \$129,198.44 due to an increase in longevity from 6% to 8%, effective July 30, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilman Cordts, seconded by Councilwoman Murphy to approve the retirement of Sergeant William Haggis effective August 1, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Cordts to approve the resignation of Anthony Cappola from the Recreation Commission effective immediately.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Cordts, to approve the appointment of Jim Teehan, 179 Howland Avenue to the Recreation Commission to finish the unexpired term of Anthony Cappola to December 31, 2016.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the hire of Meaghan Velten, 445 the Fenway, as a Library Page, at an hourly rate of \$7.25, 9 hours per week, effective July 13, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo

Motion by Councilwoman Murphy, seconded by Councilman Cordts to approve the completion of the six-month probationary period for Maureen Murphy, Tax Collector and a change in employment status from part-time salaried employee to permanent part-time salaried employee, effective July 1, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Cordts, to approve the satisfactory completion of the six-month probationary period for Stephen Depken, part-time Building Inspector, effective August 6, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Cordts to approve the satisfactory completion of the six-month probationary period for David Delia, part-time Police Dispatcher, effective August 6, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Motion by Councilwoman Murphy, seconded by Councilman Cordts to approve the satisfactory completion of the six-month probationary period for Giselle Blasco, part-time Accounts Receivable Clerk, effective August 6, 2012.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

CORRESPONDENCE -

Notice - PSE&G - 7/5/12
Re: Additional Charges

Notice - River Edge Board of Education - 7/3/12
Re: Meeting on July 10th

Letter - Anthony Cappola - 7/11/12
Re: Resignation from Recreation Commission

Letter - Township of Woodbridge - 7/11/12
Re: Host 2012 Senior Olympic Games

Letter - State of New Jersey, DEP - 7/11/12
Re: suspected Hazardous Substance Discharge
Notification - 942 Laurel Avenue

Notice - Price, Meese, Shulman & D'Arminio - 7/10/12
Re: Final Site Plan Approval - McDonalds

Notice - Borough of New Milford - 7/9/12
Re: Amendments to Master Plan

Notice - Borough of Paramus - 7/9/12
Re: Planning Board Hearing - 10 Forest Ave

Notice - River Edge Board of Education - 7/3/12
Re: Meeting Notice - July 10, 2012

Notice - PSE&G - 7/5/12
Re: Filing for Approval of Rate Changes

Letter - Sergeant William Haggis - 7/10/12
Re: Retirement

Notice - PSE&G - 7/10/12
Re: Rate Changes

Notice - Bergen County Board of Taxation - 7/12/12
Re: Apportionment of Levies and Rates

Letter - Excel Environmental Resources, LLC - 7/16/12
Re: Engineered System Response Action Report-
Huffman Koos Property

Notice - PSE&G - 7/16/12
Re: Rate Changes

Letter - State of New Jersey - DEP - 7/18/12
Re: Hazardous Substance Discharge Notice -
1080 Main Street

Report - Lerch, Vinci & Higgins - 7/18/12
Re: Annual Audit Report - Municipal Court

Letter - Brinkerhoff Environmental Services - 7/23/12
Re: Phase I Environmental Site Assessment-
American Legion

Letter - Robert Levine - 7/24/12

Notice - Re: Withdrawal as a Council Candidate
 PSE&G - 7/25/12
 Letter - Re: Rate Changes
 Cty. of Bergen Dept. of Planning & Development
 Notice - Re: 2012 Open Space Funding Application-7/26
 River Edge Board of Education
 RE: Meeting 8/1/2012 & 8/8/2012

MONTHLY REPORTS -

Historic Commission - June 2012
 Tax Collector - June 2012
 Fire Prevention - April - June, 2012
 Zoning Board of Adjustment - June 2012
 Board of Health - June 2012
 Planning Board - June 2012

ORDINANCES - 1ST READING -

Denise Dondiego, Borough Clerk read the title of Ordinance #1769 as follows:

Ordinance #1769 AN ORDINANCE AMENDING CHAPTER 400, VEHICLES AND TRAFFIC, ARTICLE III TRAFFIC REGULATIONS, 400-21 "TURNS", ARTICLE II PARKING, STANDING AND STOPPING, 400-9 "NO STOPPING OR STANDING", ARTICLE IV "SCHEDULES", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

Motion by Councilman Bartelloni, seconded by Councilman Mignone to approve the first reading of Ordinance #1769 as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1769

AN ORDINANCE AMENDING CHAPTER 400, VEHICLES AND TRAFFIC, ARTICLE III TRAFFIC REGULATIONS, 400-21 "TURNS", ARTICLE II PARKING, STANDING AND STOPPING, 400-9 "NO STOPPING OR STANDING", ARTICLE IV "SCHEDULES", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

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

Section I: Article III, 400-21 Turns is hereby amended as follows:

B. Left turns: No person shall make a left turn on any of the following streets:

Add:

(17) Northbound out of the easternmost Howland Avenue apartment complex driveway to westbound on Howland Avenue.

400-□ Turns and right turns. No person shall turn a vehicle or make a right turn when facing a red signal (top) indicating at any of the following location whenever an official sign is present prohibiting such a turn on the red signal.

ADD:

(5) From southbound on Kinderkamack Road to westbound on Howland Avenue

Section II: Add New Item:

E. Left Turn Only

(a) Northbound left lane on Kinderkamack Road at Howland Avenue left turn only.
 (b) Eastbound left lane on Howland Avenue at Kinderkamack Road left turn only.

Section III: ARTICLE IV SCHEDULES

400:27 Schedule I: Parking Prohibited at All Times is amended as follows:

REPEAL:

Name of Street	Side	Location
Howland Avenue	North	From Kinderkamack Road to Bogert Rd.

Section IV: ARTICLE II PARKING, STANDING AND STOPPING is amended as follows:

400-30 Schedule IV: No Stopping or Standing

ADD:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Howland Avenue	South	From the westerly curb line of Kinderkamack Road to a point 230' westerly thereof.
Howland Avenue	North	From the westerly curb line of Kinderkamack Road to a point 300' west thereof

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

Section VI:

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

Section V:

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

Sandy Moscaritolo, Mayor

ATTEST:

Denise A. Dondiego, RMC
Borough Clerk
Dated:

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

ORDINANCE - 2ND READING - NONE

RESOLUTIONS - By Consent

Motion by Councilwoman Murphy, seconded by Councilman Cordts to approve resolution #12-257 through #12-266 and #12-268 through #12-288.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #12-256.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo abstained.

#12-256 Approval to Waive a Portion of the Police Outside Duty Fee for Dennis and Patricia Young, 95 Lakeview Street, River Edge, New Jersey

WHEREAS, Dennis and Patricia Young of 95 Lakeview Street, River Edge, New Jersey were assessed a Police Outside Duty fee of \$1,012.50 for an outside police duty to be present at a sewer repair project; and

WHEREAS, Dennis and Patricia Young have made an appeal to the Mayor and Council which was discussed at a work session held on July 2, 2012; and

WHEREAS, the Mayor and Council have indicated that of the \$1,012.50, \$877.50 shall be waived with the remaining \$135.00 shall be due and owing for the police services.

NOW, THEREFORE, BE IT RESOLVED that the Police Department and the Chief Financial Officer are instructed to adjust their billing accordingly and to notify Dennis and Patricia Young of the fee to be paid in the amount of \$135.00 for the services provided.

August 6, 2012

#12-257 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services for the Design of the 2012 Howland Avenue Roadway

Improvement Project, Phase 4, Section 6

WHEREAS, there exists a need for expert professional engineering services for the design of the 2012 Howland Avenue Roadway Improvement Project, Phase 4, Section 6; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1768-100 of the Capital Fund not to exceed \$15,000.00; and

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

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

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

Principal Land Surveyor.....	\$ 75.00
Survey Field Crew.....	\$150.00
Senior Designer.....	\$ 65.00
Senior Drafter.....	\$ 55.00
Computer Drafting.....	\$ 75.00

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$15,000.00; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

August 6, 2012

#12-258 Award Bid for 2013 International Model 4400SBA Chassis with 70' Altec Aerialist and Chipper Body to Timmerman Equipment Company, 3554 Route 22 West, Whitehouse, New Jersey 08888

WHEREAS, on June 26, 2012 one(1) sealed bid was received for the 2013 International Model 4400SBA Chassis with 70' Altec Aerialist and Chipper Body; and

WHEREAS, the lowest bid was received from Timmerman Equipment Company, 3554 Route 22 West Whitehouse, New Jersey 08888, in the amount of \$239,0000.00; and

WHEREAS, the bid has been reviewed by the Superintendent of Public works and the Borough Attorney; and

WHEREAS, the Mayor and Council have discussed this matter at a work session on July 23, 2012; and

WHEREAS, the Chief Financial Officer has certified that fund are available from Account #04-2150-55-1763-300 of the Capital Fund in the amount not to exceed \$239,000.00.

NOW, THEREFORE, BE IT RESOLVED that the bid is hereby warded to Timmerman Equipment Company, 3554 Route 22 West Whitehouse, New Jersey 08888, in the amount of \$239,0000.00 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

August 6, 2012

#12-259 Authorize the Release of Maintenance Bond, Cultural Center

WHEREAS, the River Edge Cultural Center sponsored a Classic Car Show on Continental Avenue on July 8, 2012 and had requested a Right-of-Way to park vehicles in the Veterans Memorial Park; and

WHEREAS, a required \$2,000.00 escrow was received in the form of a maintenance bond by the Borough Clerk; and

WHEREAS, the park was inspected after the car show and the Recreation Commission is in agreement that the bond can be released.

WHEREAS, this was reviewed at the work session of the Mayor and Council on August 6, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Maintenance Bond be released in the amount of \$2,000.00.

August 6, 2012

#12-260 Enter Into Agreement with Gary Goursky, d/b/a/ Napa Auto Parts and MCG Realty LLC for the Installation of a Street Light at 620 Kinderkamack Road, Block 617, Lot 17

WHEREAS, Gary Goursky, d/b/a Napa Auto Parts is the developer of premises known at 620 Kinderkamack Road, River Edge, New Jersey, Block 617, Lot 17; and

WHEREAS, the developer and owner secured municipal approval to develop and renovate premises known as 620 Kinderkamack Road, River Edge, New Jersey; and

WHEREAS, one of the conditions for the development was the installation of decorative lighting located in the public right of way in front of premises known as 620 Kinderkamack Road, River Edge, New Jersey; and

WHEREAS, the owner and applicant did install the electrical mounting for the installation of a street lamp; and

WHEREAS, the street lamp has not been installed as provided for under the Development Agreement and Resolution of the Borough of River Edge; and

WHEREAS, the applicant presently has on deposit, a cash maintenance bond of \$7,750.00 and a project escrow balance of \$8,215.00; and

WHEREAS, the owner and developer have authorized the Borough to complete the installation of the street lamp by utilizing the project escrow account balance of \$8,215.00; and

WHEREAS, the Borough is willing to undertake the installation of said street lamp subject to the payment of any costs related for the installation of the lamp as well as engineering expenses.

NOW, THEREFORE, in consideration of the mutual terms and conditions contained herein the undersigned parties agree as follows:

1. Installation of Street Lamp: The Borough will undertake the installation of the street lamp to be located in front of the owner's premises. All costs related to the installation of said lamp including materials as well as engineering services shall be disbursed out of the project escrow account.
2. Complete of Project: Upon completion of the installation of the street lamp aforesaid, the Borough shall remit the balance of the cash maintenance bond as well as the remaining balance of project escrow to the owner herein.
3. Authorization: By execution of the within Agreement, the owner and developer do hereby authorize the disbursement of funds aforesaid for the completion of the above project.
4. Binding Agreement: This within Agreement shall be binding upon undersigned, their successors and assigns.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the attached agreement with Gary Goursky d/b/a Napa Auto Parts and MCG Realty LLC.

August 6, 2012

#12-261 Acknowledge Receipt of Certification of Request for Emergency Purchases - Sewer Break on Adams Avenue

WHEREAS, the Superintendent of Public Works has certified that an emergency condition exists in the Department of Public Works Buildings and Grounds Sanitary Sewer Break on Adams Avenue; and

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

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

August 6, 2012

#12-262 Emergency Appropriation

WHEREAS, an emergency condition has arisen with respect to a sewer repair and road collapse in the Borough of River Edge and no adequate provision was made in the 2012 budget for the aforesaid purpose; and

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

WHEREAS, the total emergency appropriation(s) created including the appropriation to be created by this resolution is \$95,000.00 and 3% of the total operations in the budget for the year 2012 is \$325,145.88.

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

1. An emergency appropriation be and the same is hereby made for in the amount of \$15,000.00 to Sewer System (01-2010-31-4554-134) line item.
2. That said emergency appropriation shall be provided in full in the 2013 budget.
3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
4. That two certified copies of this resolution be filed with the Director of Local Government Services.

August 6, 2012

#12-263 Approval to Add Adams Avenue to the 2010 Sanitary and Storm Water Sewer Improvement Program

WHEREAS, Capital Ordinance #1716 was adopted by the Governing Body of the Borough of River Edge on November 1, 2010; and

WHEREAS, Section II A. of Ordinance #1716 allows the Mayor and Council by resolution to amend the list on file with the Borough Clerk as to any street to be improved; and

WHEREAS, the Borough Clerk has received a memorandum from the Borough Administrator requesting that Adams Avenue be included as part of the 2010 Sanitary and Storm Water Sewer Program and therefore, would be allowed to be charged to the #1716 Capital Authorization; and

WHEREAS, the Mayor and Council have considered this matter at their work session of July 23, 2012 and feel that it is in the best interest of the Borough of River Edge to include Continental Avenue and Elm Avenue as part of the 2010 Sanitary and Storm Water Sewer Program.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge does hereby approve the inclusion of Adams Avenue as part of the 2010 Sanitary and Storm Water Sewer Program.

August 6, 2012

#12-264 Approval to Add Adams Avenue to the 2005 Sanitary and Storm Water Sewer Improvement Program

WHEREAS, Capital Ordinance #1494 was adopted by the Governing Body of the Borough of River Edge on May 13, 2005; and

WHEREAS, Section II A. of Ordinance #1494 allows the Mayor and Council by resolution to amend the list on file with the Borough Clerk as to any street to be improved; and

WHEREAS, the Borough Clerk has received a memorandum from the Borough Administrator requesting that Adams Avenue be included as part of the 2005 Sanitary and Storm Water Sewer Program and therefore, would be allowed to be charged to the #1494 Capital Authorization; and

WHEREAS, the Mayor and Council have considered this matter at their work session of July 23, 2012 and feel that it is in the best interest of the Borough of River Edge to include Continental Avenue and Elm Avenue as part of the 2005 Sanitary and Storm Water Sewer Program.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge does hereby approve the inclusion of Adams Avenue as part of the 2005 Sanitary and Storm Water Sewer Program.

August 6, 2012

#12-265 Change Order #1 Approval and Amendatory Contract for the 2011 Howland Avenue Road Improvements Project, Phase 3 to Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey 07024

WHEREAS, N.J.A.C. 5:34-4.2 lists the requirements for all Change Orders; and

WHEREAS, the Borough of River Edge awarded a contract on December 19, 2011 via resolution #11-432 to Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey, 07024 in the amount of \$149,885.93; and

WHEREAS Change Order #1 reflects a decrease of (\$18,389.62) for miscellaneous concrete, concrete vertical curb, reset Type E and B inlets, reset manhole, solid double yellow stripe line, stop bar, corner crosswalk, remove & reset pavers, tree removal, topsoiling, fertilizing and seeding; an increase of \$12,245.49 for milling, miscellaneous concrete, detectable warning surface and signs for a total decreased amount of (\$6,144.13); and

WHEREAS, the Borough Engineer has recommended the above change.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with Reggio Construction, Inc. for Change Order #1 which reflects a decrease of (\$6,144.13) to the original contract.

BE IT FURTHER RESOLVED that the exact form of this amendatory contract shall be at the discretion of the Borough Attorney and the Mayor and the Borough Clerk is hereby authorized to execute said contract and Change Order #1.

August 6, 2012

#12-266 Resolution of Certification of the Annual Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2011 has been filed by the Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52-27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6-5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body has reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations", and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C.5:30-6-5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or members of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of River Edge, hereby states that it has complied with N.J.S.A. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

August 6, 2012

Motion by Councilman Cordts, seconded by Councilwoman Murphy to TABLE resolution #12-267.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

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#12-267 Authorize the Borough Administrator to Negotiate with Contractors for the New-Door-Hardware and-ADA-Power-Operators at-Entrances: River Edge Borough Hall and Public Safety Buildings

WHEREAS, the Borough Clerk was authorized to go out for bid for the New Door Hardware and ADA Power Operators at Entrances: River Edge Borough Hall and Public Safety Buildings via resolution #12-138 dated April 2, 2012; and

WHEREAS, there were no bids received for this project on May 8, 2012; and

WHEREAS, the Borough Clerk was authorized to go out for re-bid on this project via resolution #12-221 dated June 18, 2012 and again there were no bids received on July 17, 2012.

NOW, THEREFORE, BE IT RESOLVED that per N.J.S.A 40A:11-5(3) of the Local Public Contracts Law, Alan P. Negreann, Borough Administrator is hereby authorized to negotiate with contractors on this project.

August 6, 2012

#12-268 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on The Fenway

WHEREAS, on or about August 6, 2012, the Borough of River Edge granted permission to Colleen Kiely, 489 The Fenway, River Edge, New Jersey, to hold a

block party on The Fenway between Wayne Avenue and Kensington Road on September 1, 2012 in accordance with Borough Ordinance #1678; and

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

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

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

August 6, 2012

#12-269 Authorize Mayor to Sign the Grant for the State and Local Cooperative Housing Inspection Program

BE IT RESOLVED, that the Mayor is hereby authorized to sign the Grant for the State and Local Cooperative Housing Inspection Program for \$3,000.00.

August 6, 2012

#12-270 Resolution to Authorize Submission of an Application for the River Edge Municipal Alliance to Prevent Alcoholism and Drug Abuse Grant for 2013

WHEREAS, the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

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

WHEREAS, the Governing Body of the Borough of River Edge has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen; and

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

1. The Governing Body of the Borough of River Edge does hereby authorize submission of an application for the River Edge Municipal Alliance grant for calendar year 2012 in the amount of \$9,876.00.
2. The Governing Body of the Borough of River Edge acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

August 6, 2012

#12-271 Authorize the Release of a Performance Bond for AJM Contractors, Inc., for the 2011 Howland Avenue & Kinderkamack Road Intersection Improvement Project

WHEREAS, in accordance with a Developer's Agreement with the Borough the Developer was required to provide a Performance Bond in the amount of \$818,320.00 to secure performance of all conditions of the Planning Board's Site Plan Approval; and

WHEREAS, the Borough Engineer has certified that the Developer has fully performed the project in accordance with the Planning Board and has recommended release of the Performance Bond and cash deposit; and

WHEREAS, at a work session of the Mayor and Council on August 6, 2012 the recommendation of the Borough Engineer was considered and reviewed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the above referenced Performance Bond be and hereby

released and the Accounts Supervisor is hereby authorized to release the cash portion of the Performance Bond in the amount of \$16,722.70 on the condition that the Developer first provide a Maintenance Bond, acceptable to the Borough Attorney, in the amount of \$125,420.25 to run for a period of two (2) years, from June 1, 2012 through June 1, 2014, for all public improvements and facilities which are part of the project.

August 6, 2012

#12-272 Award Bid for the Acquisition and Installation of the Public Safety Building Generator and Appurtenances Thereto to Vanore Electric, Inc., 375 North Street, Unit Q, Teterboro, New Jersey 07608

WHEREAS, on June 28, 2012 four (4) sealed bids were received for the Acquisition and Installation of the Public Safety Building Generator and Appurtenances thereto; and

WHEREAS, the lowest base bid was received from Vanore Electric, Inc., 375 North Street, Unit Q, Teterboro, New Jersey 07608 in the amount of \$188,509.00; and

WHEREAS, the bid has been reviewed by the Borough Attorney and Kenneth DelPercio, Consulting Engineer; and

WHEREAS, the Mayor and Council have discussed this matter at a work session on July 23, 2012; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1613-200 in the amount of \$154,540.07 and Account #04-2150-55-1656-750 in the amount of \$33,968.93 of the Capital Fund in a total amount not to exceed \$188,509.00; and

NOW, THEREFORE, BE IT RESOLVED that the bid is hereby awarded to Vanore Electric, Inc., 375 North Street, Unit Q, Teterboro, New Jersey 07608 in the amount not to exceed \$188,509.00 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

August 6, 2012

Motion by Councilwoman Murphy, seconded by Councilman Cordts to approve resolution #12-273 as amended.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

#12-273 Opposing S96/A2217 Unlawful Conduct

WHEREAS, the Legislature has introduced S96/A2217, which creates the new offense of unlawful conduct, which is defined as a person acting in a manner likely to endanger a person or property; and

WHEREAS, this legislation is-intended to provide for a downgrade of offenses from crimes; disorderly persons offenses or petty disorderly persons offenses; and

WHEREAS, the bill imposes penalties ranging from \$50 to \$500; and

WHEREAS, the bill further mandates that all penalties collected shall be forwarded to the State Treasurer for deposit into the General Fund; and

WHEREAS, the Borough of River Edge believes that if any offense is committed within the Borough of River Edge and the adjudication of said offense results in financial penalties pursuant to this bill, said penalties should remain within the Borough of River Edge to offset the municipal expenses incurred in enforcing said legislation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby opposes S96/A2217; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to distribute this resolution to Governor Christie, New Jersey League of

Municipalities, Bergen County Municipalities, Senate and Assembly Judiciary Committees and local Legislators.

August 6, 2012

#12-274 Resolution for Renewal of Membership in the Bergen County Municipal Joint Insurance Fund

WHEREAS, the Borough of River Edge is a member of the Bergen County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2012 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Borough of River Edge agrees to renew its membership in the Bergen County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Bergen County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

August 6, 2012

#12-275 Grant Permission for Replacement of a Fence Over Borough Drainage Easement to Mrs. & Mrs. Mathew Testino, 9 June Court, block 1004, Lot 9

WHEREAS, Mr. & Mrs. Mathew Testino, have requested permission to place a replacement fence in the rear yard of the premises of 9 June Court which will extend "over a ten foot drainage easement held by the Borough of River Edge".

NOW, THEREFORE, BE IT RESOLVED that permission be granted for the encroachment by the construction of a fence over the drainage easement at the stated premise, and that such permission be granted with the understanding that the Borough will be permitted access without restraint, and will in no way be held responsible for the reconstruction of the fence if access to the easement requires its removal.

BE IT FURTHER RESOLVED that this agreement be set forth by the Borough Attorney in the form of a covenant which will be recorded with the deed to that future owners will be held to the same conditions.

August 6, 2012

#12-276 Award of Contract to Smith-Sondy Asphalt Construction Co., Inc., 150 Anderson Avenue, Wallington, New Jersey 07057 for the 2012 Riverside Cooperative Road Improvement Program

WHEREAS, on March 27, 2012 sealed bids were received for the 2012 Riverside Cooperative Road Improvement Program by the Riverside Cooperative (35-RC); and

WHEREAS, three (3) bids were received; and

WHEREAS, the bid received by the lowest bidder was deficient; and

WHEREAS, the second low bidder, Smith-Sondy Asphalt Construction Co., Inc. was awarded the bid via a court order Docket #L-3943-12; and

WHEREAS, the Borough of Haworth, the Lead Agency for the Riverside Cooperative, awarded the bid by a resolution dated Mach 27, 2012; and

WHEREAS, the bids have been reviewed by the Borough Administrator, Borough Engineer, Superintendent of Public Works and Borough Attorney; and

WHEREAS, the Mayor and Council have reviewed this matter at a work session on July 23, 2012; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1763-400 of the Capital Fund not to exceed \$132,242.00.

WHEREAS, this contract is awarded on a unit price basis and may be considered an "Open Ended Contract" under N.J.A.C. 5:34-5.3, in which case certification of funds is not required until such time as the services are ordered and prior to incurring the liability by placing the order, certification of availability of funds will be made by the Chief Financial Officer, and it shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds from the Chief Financial Officer as appropriate.

NOW, THEREFORE, BE IT RESOLVED that the bid is hereby awarded to Smith-Sondy Asphalt Construction Co., Inc. in the amount of \$132,242.00 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

August 6, 2012

#12-277 Resolution Requesting Bus Shelters

WHEREAS, New Jersey Transit has funds for the purchase of bus shelters throughout the State of New Jersey; and

WHEREAS, the Governing Body of a municipality in New Jersey or the Board of Chosen Freeholders of a county may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

WHEREAS, the Borough of River Edge, in the interest of promoting public transportation, conservation of energy, traffic safety, and for the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction.

NOW, THEREFORE, BE IT RESOLVED that the application is hereby made by the Borough of River Edge to the New Jersey Transit Corporation for the purchase and installation of five (5) bus shelter(s) as set forth in Exhibit A, made a part hereof.

BE IT FURTHER RESOLVED that that the Mayor and Borough Clerk are authorized to execute an agreement or agreements with New Jersey Transit to arrange for the purchase and installation of the bus shelters.

August 6, 2012

#12-278 Authorize Mayor and Clerk to Sign an Agreement with Hackensack for Use of the Hackensack Sewer System

BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to sign an agreement with the City of Hackensack as approved by the Borough Attorney, for the Borough of River Edge's use of the Hackensack Sewer system by Dinallo's Restaurant, 250 Johnson Avenue, River Edge, New Jersey.

BE IT FURTHER RESOLVED, that said agreement shall be in effect for a term of three year at \$418.00 per year, from January 1, 2013 to December 31, 2015 at which time it will be renegotiated.

August 6, 2012

#12-279 Resolution to Go Into Closed Session and Exclude Public

WHEREAS, the Open Public Meetings Act, N.J.S.A.10:4-12, permits the

exclusion of the public from a meeting in certain enumerated circumstances;
and

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

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

1. That the public shall be excluded from the August 6, 2012 meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session</u> <u>Docket #</u>	<u>Item Title or Description</u>	<u>Statutory</u> <u>Reference</u>
12-8/6-1	Personnel - Contract for Borough Attorney, Sam Cereste, Esq.	N.J.S.A. 10:4-12(8)

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

3. This resolution shall take effect immediately.

August 6, 2012

#12-280 Amend Agreement with Melvin Wyns, Wyns Consulting, LLC, 22 Mark Twain Drive, Trenton, New Jersey 08690-2001 for Expert Consulting Services Pertaining to Oradell's Petition to the Commissioner of Education

WHEREAS, there exists a need to retain expert consulting services pertaining to Oradell's Petition to the Commissioner of Education; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Melvin Wyns via resolution #12-130 dated March 19, 2012 in the amount of \$5,000.00; and

WHEREAS, additional funding is required for expert consulting services; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-028 of the Current Fund in the amount not to exceed \$6,500.00; and

WHEREAS, Melvin Wyns has completed and submitted a Business Entity Disclosure Certification which certifies that Melvin Wyns 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 Melvin Wyns from making any reportable contributions through the term of the contract; and

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

WHEREAS, the rate of pay shall not exceed \$200.00 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 Melvin Wyns, Wyns Consulting, LLC, 22 Mark Twain Drive, Trenton, New Jersey 08690-2001 in an amount not to exceed \$6,500.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

August 6, 2012

12-281 Authorize Refund of 2010 and 2011 Taxes Due to NJ Tax Court Judgment

WHEREAS, a Tax Court Judgment was entered 6/22/12 and the same was received by the tax office reducing the Assessed Value on the property known as Block: 1410 Lot: 3, owned by Allen & Benkel, LLC, 80 Grand Avenue, River Edge, New Jersey; and

WHEREAS, the 2010 and 2011 taxes are paid in full.

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

<u>Tax Year</u>	<u>Old Value</u>	<u>New Value</u>	<u>Refund</u>
2010	1,400,000	1,255,000	3,719.25
2011	1,400,000	1,255,000	3,872.95
Total Refund:			7,592.20

Make check payable to: Michael I. Schneck/Allen & Benkel, LLC
Mail to: 301 South Livingston Avenue
Suite 105
Livingston, NJ 07039

August 6, 2012

#12-282 Resolution to Refund Planning Board Escrow Money - DA888, LLC, 888 Kinderkamack Road

WHEREAS, the following application has been made to the Planning Board for Site Plan approval and have since withdrawn their application without prejudice; and

WHEREAS, all professionals have been paid.

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

<u>Block/Lot</u>	<u>Name/Address</u>	<u>Amount</u>
210/2	DA888, LLC 888 Kinderkamack Road Appl. #2010-06	\$1,304.00

Make check payable to:

DA888 LLC
c/o Alampi & DeMarras
Attorneys at law
One University Plaza, Suite 404
Hackensack, New Jersey 07601

August 6, 2012

#12-283 Report Investments Pursuant to the Cash Management Plan

BE IT RESOLVED that the following investments and deposits made pursuant to the Cash management Plan of the Borough of River Edge are hereby confirmed and accepted by the Governing Body.

Months of April, May, June and July, 2012.

<u>Name of Institution</u>	<u>Amount</u>	<u>Type</u>	<u>Book Value</u>	<u>Earned Income</u>	<u>Market Value</u>	<u>Int. Rate</u>
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N.J. Cash Management
Fund \$10,000.00 CMF \$10,000.00 \$2.31 \$10,002.31 .05

August 6, 2012

#12-284 Authorize Clerk to Go Out for Bid for the 2012 Howland Avenue,
Section 6, Phase IV Roadway Improvement Project

WHEREAS, the Borough of River Edge desires to go out for bid for the 2012 Howland Avenue, Section 6, Phase IV Roadway Improvement Project; and

WHEREAS, the Borough Engineer has submitted plans and specifications for the project entitled 2012 Howland Avenue, Section 6, Phase IV Roadway Improvement Project to the Mayor and Council of the Borough of River Edge; and

WHEREAS, these plans and specifications have been reviewed by the Borough Engineer and Borough Attorney at a work session held on August 6, 2012; and

WHEREAS, the Mayor and Council of the Borough of River Edge desire to memorialize their approval of the plans and specifications and the design elements contained therein for the project entitled 2012 Howland Avenue, Section 6, Phase IV Roadway Improvement Project; and

NOW, THEREFORE, BE IT RESOLVED that the plans and specifications for the project entitled 2012 Howland Avenue, Section 6, Phase IV Roadway Improvement Project are hereby accepted and approved by the Governing Body of the Borough of River Edge.

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

August 6, 2012

#12-285 Authorize Refund from Recreation Dedicated Account

WHEREAS, residents had signed up for camp and/or various camp activities; and

WHEREAS, the residents had paid in full for these programs and were unable to attend; and

WHEREAS, a refund will be made to the following:

Kim Wagreich 284 Wales Avenue (Unable to attend camp trip)	\$ 41.00
Reena Goel 92-C Reservoir Avenue (Camp fee 2 children-unable to attend)	\$280.00
Michael Holly 790 7 th Avenue (Picnic fee-cancelled)	\$ 50.00

NOW, THEREFORE, BE IT RESOLVED that a total of \$371.00 be refunded from the Recreation Dedicated Account to the above listed resident.

August 6, 2012

#12-286 Authorize Tax Collector to Refund 2012 Tax Overpayments

WHEREAS, the tax office has received duplicate tax payments and tax overpayments due to homestead rebate credits for the 2012 taxes on the following properties,

WHEREAS, a written request was received from the homeowner to

refund the overpaid amount directly to the homeowner,

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

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Tax Qtr.</u>	<u>Refund Amount</u>
1101/18	Huseni & Antonia Roowala 171 Valley Road River Edge, NJ 07661	2 nd	12.58
1203/17	Yakov & Inna Parundik 155 Zabriskie Place River Edge, NJ 07661	2 nd	128.07

August 6, 2012

#12-287 Authorize Refund of 2009 Taxes Due to NJ Tax Court Judgment

WHEREAS, a Tax Court Judgment was entered 6/22/12 and the same was received by the tax office reducing the Assessed Value on the property known as Block: 804 Lot: 7.01, owned by Route 17 Essex Street, LLC, River Edge, New Jersey; and

WHEREAS, the 2009 taxes are paid in full.

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

<u>Tax Year</u>	<u>Old Value</u>	<u>New Value</u>	<u>Refund</u>
2009	3,219,000	3,000,000	5,347.98

Make check payable to: Bruce J. Stavitsky/Route 17 Essex Street, LLC
Mail to: 341 Broad Street
Clifton, NJ 07013

August 6, 2012

#12-288 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Erskine Avenue

WHEREAS, on or about August 6, 2012, the Borough of River Edge granted permission to JoEllen Schlossberg, 81 Erskine Avenue, River Edge, New Jersey, to hold a block party on Erskine Avenue on September 8, 2012 in accordance with Borough Ordinance #1678; and

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

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

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

August 6, 2012

Councilman Mignone read resolution #12-289 into the record.

Motion by Councilman Mignone, seconded by Councilman Papaleo to approve resolution #12-289.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo

voted yes.

#12-289 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	\$7,241,245.50
CAPITAL ACCOUNT	\$ 102,026.77
RECREATION ACCOUNT	\$ 8,893.95
SELF INSURANCE ACCOUNT	\$ 3,038.00
TRUST OTHER ACCOUNT	\$ 17,859.97
OPEN SPACE ACCOUNT	\$ 1,337.83
TRUST OTHER DEVELOPERS ACCOUNT	\$ 9,056.50

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.

August 6, 2012

OPEN HEARING OF THE PUBLIC -

Motion by Councilman Mignone, seconded by Councilman Cordts to open hearing of the public.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Peggy White-741 Center Avenue-commented that there are two black bus shelters on Kinderkamack Road before you get to Main Street and asked if they will be changed to a different color.

Dennis Fiedler-725 8th Avenue-asked for an updated status of redevelopment projects.

Mayor Moscaritolo-replied, that he doesn't have an update. The Mayor stated that he just signed a document allowing the sewer connection for the Now Atkins project.

Dennis Fiedler-asked for a time frame on the project.

Mayor Moscaritolo-replied that he doesn't have a time frame on that project. The Mayor explained that the Planning Board has approved the application for a Seven Eleven on the corner of Kinderkamack and Van Buren and they also approved the demolition and new construction of McDonalds. Mayor Moscaritolo stated that the Ciancia's made an application to the State of New Jersey, Dept. of Economic Development for a stimulus grant to assist them in the financing of the project at the Huffman Koos site. The Mayor stated that he did receive a call from someone who is interested in purchasing a building next to Fuki Sushi with the intent of putting in a beauty salon.

Neal Carroll-321 Wales Avenue-stated that the Borough received a letter with regard to a hazardous discharge alarm that went off at Total Wine and noticed that the same issue is occurring at Mr. Bobs. He asked if that is a result of the same discharge from the Huffman Koos property?

Councilman Papaleo-stated that he did read the letter and believes that the conclusion was that this was not a product of the Huffman Koos property but was a product of the type of business it is and normal business practices.

Neal Carroll-congratulated the Mayor and Council for approving the generator for the Borough Hall and Police Department. He hopes that they will have a back-up plan for the generator in case of a power outage and explained that

you have to get DEP approval to test a 911 generator.
Bill Daly-300 Monroe Avenue-explained his concerns with the methodology and process performed by Appraisal Systems with regard to the reassessment. He called the company and did not receive a valid explanation to his questions. He feels that there were many inconsistencies especially when he compares his home to others that are comparable.
Mayor Moscaritolo-asked Mr. Daly to provide data to the Mayor and Council because they have an agreement with Appraisal Systems to perform a market analysis for 2012 sales. They will use that analysis to see if they need to make adjustments for 2013.
Dennis Fiedler-asked for clarification on that process.
Mayor Moscaritolo-explained his statements.
Dennis Fiedler-asked if there is a list that he can add his name to?
Mayor Moscaritolo-stated that there is no list and explained that Appraisal Systems will look at sales in 2012 and compare them to the reassessment number to see if there is a discrepancy. If there are many discrepancies, there may be adjustments that are called for.

CLOSE HEARING OF THE PUBLIC -

Motion by Councilwoman Murphy, seconded by Councilman Cordts to close hearing of the public.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

COUNCIL COMMENTS -

Councilman Papaleo-is glad that they recognized Jay Orsino for his heroic efforts and also congratulated Gary Faustini for his promotion to Sergeant and the Police Officers for their work regarding the bank robbery.
Councilman Bartelloni-agreed with Councilman Papaleo's comments and is pleased to see so many people exemplify different forms of heroism. Councilman Bartelloni was happy that the Council recognized Yoshi Aono for the huge impact that he had on the Historic Commission and feels that he will be sorely missed. He feels blessed to have so many wonderful people in our community.
Councilman Mignone-echoed all of the comments made by his colleagues and thanked everyone for their service and appreciates their efforts.
Councilman Cappola-also echoed the comments made by his colleagues.
Councilman Cordts-also echoed the comments made by his colleagues.
Councilwoman Murphy-mentioned that last week she, the Mayor, Senator Weinberg, Senator Gordon, Senator Cardinale, County Executive Donovan and others met at New Bridge Landing where everyone pledged to help develop and maintain the property so that it will bring recognition to the area.
Mayor Moscaritolo-explained that there is stale mate between the DEP and the Bergen County Historical Society and New Bridge Landing Commission. He explained that out of the nine or ten acres, one acres is owned by the State who hasn't funded their portion. He continued to say that due to the lack of funding, the park is basically closed and feels that it could be an economic engine to River Edge if there was a Visitors Center, parking area, adequate bathroom facilities to draw people to the area. He feels strongly that they need to do what they can to get everybody to support it because it is an important piece of history and it would be a boost to the south end of town. The Mayor made a suggestion about possibly putting a farmer's market on the Borough owned property at the corner of Main and Grand Avenue. Mayor Moscaritolo stated that they are open to any suggestions that will make the quality of life in River Edge a little better.

ADJOURNMENT - 9:15 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Cordts to adjourn the meeting at 9:15 p.m.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Cordts, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Mayor Sandy Moscaritolo

Attest:

Denise A. Dondiego, Borough Clerk

Dated: