

M I N U T E S
Meeting of the Mayor and Council
Monday, August 5, 2013
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 reflection and asked Lieutenant Curran 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 affecting 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 Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Mayor Moscaritolo were present; Councilman Papaleo was absent.

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve minutes of the Mayor and Council work session and regular meeting of July 1, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve the minutes of the Mayor and Council work session meeting of July 22, 2013.

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

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve the minutes of the Mayor and Council special meeting of July 22, 2013.

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

PROCLAMATIONS & AWARDS -

Mayor Moscaritolo presented a Plaque to Lieutenant Richard Curran which read as follows:

Presented to Lieutenant Richard Curran
Upon Retirement From Your Distinguished
25 Years of Service
To the River Edge Police Department

Original Member of the Honor Guard
DWI, Dare & Adopt a Cop Coordinator
Former PBA President
In Recognition of Your Dedication
To the Protection and Safety of the Residents
With Our Gratitude and Appreciation

Mayor Sandy Moscaritolo and Council
2013

Mayor Moscaritolo stated that Lieutenant Curran has served 25 years on the Police Department as well as serving 30 years on the Fire Department which he served two terms as Chief. The Mayor also stated that Rich's father served as the first Democratic Mayor of River Edge and later was elected as a Bergen County Freeholder and is sure that he would be very proud of his accomplishments. Mayor Moscaritolo read some of the commendations Rich has received over the years. The Mayor wished Rich and his family well.

Lieutenant Curran thanked the Mayor and Council for this great honor and thanked all of the previous Mayor's and Councils that he's had the privilege to serve while on the Fire Department and Police Department. He mentioned that in 1987/1988 former Mayor Bob Graillat fought hard to recruit members of the community to serve on our Police Department and he is happy that he was one who was hired along with Jack Connelly, Mike Walker and Rob Naprstek. He commended Mr. Graillat for having the foresight to look to retain Police Officers who live, work and serve in this community. Although his parents are not physically here with him tonight, he's sure that they are very proud of his accomplishments and he thanked his wife Nancy for all of her support as well as his children and friends. He is proud to be a lifelong resident of River Edge as well as serving on the Police and Fire Departments and quoted his Dad as saying "we do God's work on a daily basis". As a Police Officer and firefighter, he agrees that we do God's work on a daily basis and feels that we don't have to go to church, we don't have to say prayers, we do it because we want to serve our community. Lieutenant Curran again thanked everyone.

Former Mayor Bob Graillat stated that one of the reasons that we're here tonight is to honor the many police officers who over their careers, miss holidays and family affairs which most of us take for granted. He feels that it's important to tell them how much we appreciate them.

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve the salary change of Stephen Depken, Building Inspector, from a Step I rate of \$10,932.00 to Step II - \$11,539.00, effective August 6, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve the hire of Emily DiMaulo Milk, 376 Lee Avenue as a Library Page at an hourly rate of \$7.25, 9 hours per week, effective July 9, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve the salary change of Patrol Officer Craig Casey, Police Department, from an annual salary of \$119,761.49 to \$122,021.14 due to an increase in longevity from 6% to 8%, effective August 1, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve the salary change of Patrol Officer Michael Shouldis, Police Department, from an annual salary of \$119,761.49 to \$122,021.14 due to an increase in longevity from 6% to 8%, effective August 1, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve the salary change of Deborah Aiello, Police Department Secretary from an annual salary of \$44,313.00 to \$44,793.00 due to an increase in longevity from \$1,440.00 to \$1,920.00, effective August 5, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve the salary change of James Lynch, Equipment Operator I, Department of Public Works from an annual salary of \$70,575.00 to \$71,055.00 to due an increase in longevity from \$1,440.00 to \$1,920.00, effective August 5, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve the resignation of Matthew Clement, as an Alternate on the Zoning Board of Adjustment, effective August 1, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to approve the hire of Adriana Silla, 133 Continental Avenue, as a part-time temporary hourly employee for the Borough Clerk's Office, up to 10 hours per week for a six-week period, at an hourly rate of \$15.74, effective August 19, 2013.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

CORRESPONDENCE -

Letter	-	State of New Jersey, DEP - 7/1/13 Re: Suspected Hazardous Discharge Notice
Letter	-	State of New Jersey, DEP - 7/1/13 Re: Suspected Hazardous Discharge Notice
Notice	-	Thomas Barrett, Esq. - 7/1/13 Re: Site Plan Variance & Soil Removal, 666 Kinderkamack Road
Letter	-	Dorsey & Semrau - 7/8/13 Re: Super Storm Sandy Flood Claims
Letter	-	Cablevision - 7/10/13 Re: Launch of New Channel
Letter	-	State of New Jersey - DEP - 7/15/13 Re: Underground Storage Tank - 172 Kinderkamack
Letter	-	Cablevision - 7/16/13 Re: Launch of New Channel
Notice	-	B.C. Board of Taxation - 7/17/13 Re: Apportionment of Levies & Rates
Letter	-	Red Real Estate Associates - 7/18/13 Re: Application for Flood Hazard Area Permit to NJDEP for Proposed Retail at New Bridge Road and River Road
Letter	-	Matthew Clement - 7/22/13 Re: Resignation from Zoning Board
Letter	-	PSE&G - 7/22/13 Re: Updates on Important Issues
Notice	-	PSE&G - 7/24/13 Re: Notice of Filing & Public Hearing
Letter	-	NJDEP - 7/25/13 Re: Suspected Hazardous Substance Notice- 285 Princeton Drive
Notice	-	River Edge Board of Education - 7/29/13 Re: Meeting July 31, 2013
Notice	-	PSE&G - 7/29/13 Re: Approve of Changes in its Electric Solar Pilot Recovery Charge

Notice - PSE&G - 7/29/13
Re: Approval of Changes in its Electric
Green Programs Recovery Charges

MONTHLY REPORTS -

Health Department	-	June 2013
Emergency Management	-	Second Quarter 2013
Fire Prevention	-	Second Quarter 2013
Historic Commission	-	June 2013
Tax Collector	-	June 2013
Building Department	-	June 2013
Planning Board	-	March, April, May, 2013
Zoning Board of Adjustment	-	April & June, 2013
R.E. Ambulance Service	-	June 2013
Property Maintenance	-	June 17 - July 22, 2013
Planning Board	-	June 2013
Police Department	-	June 2013
Recreation Commission	-	April 2013
Recreation Commission	-	May 2013

ORDINANCES - 1ST READING - NONE

ORDINANCE - 2ND READING -

Denise Dondiego, Borough Clerk read the title of Ordinance #1792 as follows:

Ordinance #1792 - AN ORDINANCE REGULATING PARKING FOR KINDERKAMACK ROAD NORTH MUNICIPAL BUSINESSES, BETWEEN WASHINGTON AVENUE AND LINCOLN AVENUE, ON GROVE STREET COMMERCIAL PARKING LOT IN THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN, STATE OF NEW JERSEY

Ordinance #1792 was introduced by Councilwoman Murphy, seconded by Councilman Mignone at the July 1, 2013 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1792

AN ORDINANCE REGULATING PARKING FOR KINDERKAMACK ROAD NORTH MUNICIPAL BUSINESSES, BETWEEN WASHINGTON AVENUE AND LINCOLN AVENUE, ON GROVE STREET COMMERCIAL PARKING LOT IN THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN, STATE OF NEW JERSEY

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 I: *Kinderkamack Road North Municipal Businesses Parking Regulations on Grove Street Commercial Parking Lot.*

Section A. Only vehicles with numbered Hangers will be permitted to park in the designated parking spaces on Grove Street.

Section B. - Parking Regulations

- (1) All vehicles are to be parked head in within the lined spaces designated for parking.
- (2) Parking in any area other than described in Subsection (1) is prohibited.
- (3) The River Edge Police Department is authorized to prohibit parking whenever necessary for the public safety or when an emergent situation exists.
- (4) In addition to the penalties herein imposed, any vehicle parked in violation of this section may be towed away, at the owner's expense.
- (5) Grove Street Commercial Business District Permits. Business Owners and/or employees shall submit applications for quarterly and yearly permits as follows:
 - (a) First quarter: December 16th
 - (b) Second quarter: March 16th
 - (c) Third quarter: June 16th
 - (d) Fourth quarter: September 16th

(e) Yearly: January 31st

- (6) Parking permitted Monday through Friday 5:00 a.m. to 7:00 p.m.
(7) Application for permit shall be restricted to one application per registered vehicle. Each applicant shall submit the parking fee with his application as established by the Borough of River Edge along with a copy of his or her license.

Section II: *Enforcement*

This ordinance is to be enforced by the Police Department of the Borough of River Edge or any other person or persons designated by the Mayor and Council of the Borough of River Edge.

Section III: *Penalty*

Violation of this Ordinance shall be considered a motor vehicle parking violation and shall be subject to the same penalties as those in effect for parking violations on the streets of the Borough of River Edge.

SECTION IV:

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

SECTION V:

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

SECTION VI:

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

Mayor Sandy Moscaritolo

Attest:

Denise A. Dondiego, Borough Clerk
Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1792

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to open hearing of the public.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1792

There being no comments by the public, motion by Councilwoman Murphy, seconded by Councilman Mignone to close hearing of the public.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

ADOPTION - Ordinance #1792

Motion by Councilwoman Murphy, seconded by Councilman Mignone to adopt Ordinance #1792.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

Denise Dondiego, Borough Clerk read the title of Ordinance #1793 as follows:

Ordinance #1793 - AN ORDINANCE AMENDING CHAPTER 206 "FEES" OF THE CODE OF THE

BOROUGH OF RIVER EDGE

Ordinance #1793 was introduced by Councilwoman Murphy, seconded by Councilman Mignone as the July 1, 2013 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1793

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF RIVER EDGE
(1998) CHAPTER 206 - "FEES"

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

SECTION I:

Chapter 206 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.

Section 206-2 - Schedule of Fees

Sub-Section DD - River Edge Commuter Parking Fees.

ADD:

- (1) *Grove Street Commercial Business District Permits. Business Owners and/or employees shall submit applications for quarterly and yearly permits as follows:*

*Quarterly \$65.00
Yearly \$200.00*

Sub-Section EE - Miscellaneous Fees

Amend as follows:

1. *Application for a Private Hauler - Commercial, Apartments, Industrial, Multiple Family Dwellings - Removal of Refuse and Recycling - \$70.00 yearly permit (effective 1/1/2014)*
2. *Vacant Building Registration-Initial Registration Fee for each vacant property \$250.00
Fee for subsequent renewals - \$500.00
(Renewal Fee for annual registration shall be due by October 1st of each year)*

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 Sandy Moscaritolo

ATTEST:

Denise Dondiego, Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1793

There being no comments by the public, motion by Councilwoman Murphy, seconded by Councilman Mignone to open hearing of the public.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1793

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

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

ADOPTION - Ordinance #1793

Motion by Councilwoman Murphy, seconded by Councilman Mignone to adopt Ordinance #1793.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

RESOLUTIONS - By Consent

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolution #13-288 through #13-303.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

#13-288 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Preparation of a Survey for an Easement Agreement on Grove Street

WHEREAS, there exists a need for expert professional engineering services for the preparation of a survey for an easement agreement on Grove Street; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-170 of the Current Fund not to exceed \$2,500.00; 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

- \$2,500.00; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
 3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(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 5, 2013

#13-289 Amend Agreement with Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey for Professional Services for Expert Legal Services

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 #13-09 dated January 1, 2013 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 Mayor and Council have reviewed this matter at a work session on July 22, 2013; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-174 of the Current Fund an amount not to exceed \$6,000.00.

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 \$85.00 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 \$6,000.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

4.
August 5, 2013

#13-290 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Preparation of a Sketch for Proposed Parking on Grove Street

WHEREAS, there exists a need for expert professional engineering services for the preparation of a sketch for proposed parking on Grove Street; and

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

WHEREAS, the Chief Financial Officer has certified that funds are

available from Account #01-2010-20-1652-170 of the Current Fund not to exceed \$1,400.00; 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 \$1,400.00; 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 5, 2013

#13-291 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 and June, 2013.

<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>
N.J. Cash Management Fund	\$10,000.00	CMF	\$10,000.00	\$2.56	\$10,002.56	.05

August 5, 2013

#13-292 Resolution to Go Into Closed Session and Exclude Public

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

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

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

1. That the public shall be excluded from the August 26, 2013 and September 3, 2013 work session meeting and discussion of the hereinafter

specified subject matter:

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

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

3. This resolution shall take effect immediately.

August 5, 2013

#13-293 Authorize the Release of a Performance Bond for M. Ingannamorte & Son, Inc., 50 Chestnut Ridge Road, Montvale, New Jersey 07645 for the Voorhis Avenue Drainage Project

WHEREAS, the Borough of River Edge received a Performance Surety Bond from M. Ingannamorte & Son., Inc., 50 Chestnut Ridge Road, Montvale, New Jersey 07645 for the Voorhis Avenue Drainage Project; and

WHEREAS, the amount of the Performance Surety Bond was \$61,809.00; and

WHEREAS, the Borough Engineer has certified that the final inspection has been made and approval is given with regard to the Voorhis Avenue Drainage Project; and

WHEREAS, the Borough Clerk has received a Maintenance Surety Bond in the amount of \$9,251.89 on July 8, 2013; and

WHEREAS, a work session was held before the Mayor and Council of the Borough of River Edge on July 22, 2013 at which time a review of the project took place.

NOW, THEREFORE, BE IT RESOLVED that the Performance Bond for M. Ingannamorte & Son, Inc. be released in the amount of \$61,809.00.

August 5, 2013

#13-294 Resolution to Go Into Closed Session and Exclude Public

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

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

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

1. That the public shall be excluded from the August 5, 2013 meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
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13-8/5-1	Review of Closed Session Minutes 4/15, 5/6, 5/20, 6/3, 6/17, 7/1/2013	N.J.S.A. 10:4-12(3)
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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 5, 2013

#13-295 Authorize a Person-to Person Liquor License Transfer

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Distribution License #0252-44-003-003, heretofore issued to River Edge Liquor and Convenience Store, Inc., T/A River Edge Wine and Liquors for premises located at 504 Kinderkamack Road, River Edge, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of River Edge does hereby approve, effective August 5, 2013 the transfer of the aforesaid Plenary Retail Distribution License to WINE & LIQUOR RIVER EDGE LLC hereby direct the Borough Clerk/A.B.C. Board Secretary, to endorse the license certificate to the new ownership as follows: "This license subject to all its terms and conditions, is hereby transferred to Wine & Liquor River Edge LLC, effective August 5, 2013".

August 5, 2013

#13-296 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on 7th Avenue

WHEREAS, on or about August 5, 2013, the Borough of River Edge granted permission to Cindy Bequeaith, 745 7th Avenue, River Edge, New Jersey, to hold a block party on 7th Avenue between Webb Avenue and Continental on September 28, 2013 in accordance with Borough Ordinance #1678; and

WHEREAS, Mrs. Bequeaith 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 5, 2013

#13-297 Approve the Appointment of a Representative to the Open Space Trust Regional 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, 2013 through June 30, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Governing body of the Borough of River Edge hereby appoints Mayor Sandy Moscaritolo as its representative to participate on the Open Space Trust Regional Committee.

August 5, 2013

#13-298 Authorize Accounts Supervisor to Issue a Refund Check to Naomi Frischer for a Street Opening at 512 Manning Court

WHEREAS, the Borough of River Edge received a street opening permit from the following who surrendered \$320.00 for a bond; and

WHEREAS, John Lynch, Superintendent of Public Works has inspected the street where the opening was made, 512 Manning Court, and has declared it satisfactory; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Trust Other Account in the amount not to exceed \$320.00.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to issue a check in the amount of \$320.00 to the following:

Naomi Frischer
512 Manning Court
River Edge, New Jersey 07661

August 5, 2013

#13-299 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Erskine Avenue

WHEREAS, on or about August 5, 2013, 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 between Lafayette Avenue and Mercer Avenue on September 14, 2013 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 5, 2013

#13-300 Authorize Refund of 2011 Taxes Due to a NJ Tax Court Judgment

WHEREAS, a Tax Court Judgment was entered 6/21/13 and the same was received on 7/11/13 reducing the Assessed Value on the property owned by Newman Kahn Realty LLC known as Block: 409/50 located at 788 Kinderkamack Road for the year 2011; and

WHEREAS, the 2011 taxes are paid in full.

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

Tax Year	Old Value	New Value	Refund
2011	325,000	250,000	\$2,003.25

Make check payable to:

Newman Kahn Realty LLC
47 River Edge Road
River Edge, NJ 07661

August 5, 2013

#13-301 Authorize Refund of 2010 and 2011 Taxes Due to a NJ Tax Court Judgment

WHEREAS, a Tax Court Judgment was entered 6/21/13 and the same was received on 7/11/13 reducing the Assessed Value on the property owned by Brigid Ruvolo-Sammon known as Block: 307/2 located at 731 8th Avenue for the years 2010 and 2011; and

WHEREAS, a County Board Judgment was received in 2010 reducing the Assessed Value for 2010 from 629,300 to 600,000; and

WHEREAS, the 4th Quarter 2010 taxes were credited to reflect the change in Assessed Value by \$751.55; and

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

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor 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	600,000	541,000	\$1,513.35
2011	600,000	541,000	\$1,575.89
		TOTAL:	\$3,089.24

Make check payable to:

Brach Eichler LLC/Brigid Ruvolo-Sammon
Brach Eichler LLC
101 Eisenhower Parkway
Roseland, NJ 07068

August 5, 2013

#13-302 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Berkeley Road

WHEREAS, on or about August 5, 2013, the Borough of River Edge granted permission to Patricia Rodio, on Berkeley Road, River Edge, New Jersey, to hold a block party on Berkeley Road between Elm and Fifth Avenue on September 14, 2013 with a rain date of Sunday, September 15th in accordance with Borough Ordinance #1678; and

WHEREAS, Mrs. Rodio 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 5, 2013

#13-303 Amend Certification of Chief Financial Officer with Regard to the Contract for Steve Rogut, Esq., Rogut McCarthy LLC for Legal Services for the 2013 Bond Sale

WHEREAS, on July 22, 2013 via resolution #13-282, the Borough of River Edge awarded a contract to Steve Rogut, Esq., Rogut McCarthy LLC, for services related to the 2013 Bond Sale for the Borough of River Edge; and

WHEREAS, the amount of the contract was for \$20,000.00; and

WHEREAS, the Chief Financial Officer had certified that funds were available from Account #04-2150-55-1534-100, \$1,100.00; # 04-2150-55-1567-100, \$100.00; #04-2150-55-1616-100, \$8,000.00; #04-2150-55-1568-100, \$10,000.00; #04-2150-55-1656-100, \$800.00 of the Capital Fund in an not to exceed amount of \$20,000.00; and

WHEREAS, an error was made in the certification of funds.

NOW, THEREFORE, BE IT RESOLVED by the Governing body of the Borough of River Edge that it does hereby accept the revised certification of funds provided by the Chief Financial Officer which indicates that the \$20,000.00 is available from Account #04-2150-55-1567-100, \$100.00; #04-2150-55-1568-100, \$19,100.00; #04-2150-55-1656-100, \$800.00 of the Capital Fund in a total amount not to exceed \$20,000.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer and the Borough Clerk are hereby instructed to adjust their records accordingly.

August 5, 2013

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to **TABLE** resolution #13-304.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

#13-304 Authorize Clerk to Go Out for Bid for the HVAC Replacement at the Borough Hall

WHEREAS, the Borough of River Edge desires to go out for bid for the HVAC Replacement at the Borough Hall; and

WHEREAS, the Consulting Engineer has submitted plans and specifications for the project entitled HVAC Replacement at the Borough Hall; and

WHEREAS, these plans and specifications have been reviewed by the Governing Body and Borough Attorney at a work session held on August 5, 2013; 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 HVAC Replacement at the Borough Hall.

NOW, THEREFORE, BE IT RESOLVED that the plans and specifications for the project entitled HVAC Replacement at the Borough Hall 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 5, 2013

Alan Negreann-suggests that this resolution be tabled because we have not received the appropriate maintenance deposit, escrow fees or approval from the Borough Engineer.

Tom Sarlo, Esq.-explained that they are still working on the licensing agreement as to who would be responsible for the repair of the pipe that will be under the road. He continued to say that he has yet to determine whether we can shift that burden to the homeowner once it's complete or will it be the Borough's responsibility.

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to **TABLE** resolution #13-305.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

#13-305 Resolution Authorizing a Storm Water Drainage License Agreement with the Owners of 161 Adams Avenue, Block 607, Lot 2 Permitting Them to Connect to The Borough Storm Water Drainage System

WHEREAS, Mike Lynch and Jamie Lynch are owners of property located at Block 607, Lot 2 and commonly known as 161 Adams Avenue, River Edge, New Jersey 07661; and

WHEREAS, the Borough Engineer has approved the plan; and

WHEREAS, the Borough Clerk has received a maintenance bond in the amount of \$ _____ which shall be for a period of one(1) year from the date of the agreement; and

WHEREAS, the property owner has submitted an escrow payment in the amount of \$ _____.

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

1. The owners of Block 607, Lot 2 is granted a license to allow for the property to connect to the Borough storm water drainage system.
2. The Mayor and Clerk are authorized to execute a License Agreement as prepared by the Borough Attorney.

August 5, 2013

Councilman Mignone read resolution #13-306 into the record.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #13-306.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

#13-306 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	\$7,425,440.33
CAPITAL ACCOUNT	\$ 13,353.14
RECREATION ACCOUNT	\$ 8,150.01
TRUST OTHER ACCOUNT	\$ 6,234.40
TRUST OTHER DEVELOPERS ACCOUNT	\$ 2,595.00
OPEN SPACE ACCOUNT	\$ 1,776.99

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 5, 2013

OPEN HEARING OF THE PUBLIC -

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to open hearing of the public.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

CLOSE HEARING OF THE PUBLIC -

There being no comments by the public, motion by Councilwoman Murphy, seconded by Councilman Mignone to close hearing of the public.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

COUNCIL COMMENTS -

Councilwoman Murphy-announced that the Alliance Against Drugs will be sponsoring a Yoga class given by River Edge resident Evette Halligan at the Library on Wednesday, August 28th at 11 a.m. and suggested that if anyone is interested to contact Marie Papaleo by August 25th. Councilwoman Murphy reported that the Library duct cleaning will be completed by Wednesday and also reported that two panic buttons have been installed. Daragh O'Connor and John Lynch have had discussions on the HVAC system to obtain estimates for replacement. She reported that the second meeting room at the Library is now open.

Councilman Mignone-wished Lieutenant Curran well in his retirement and stated that he admires his professionalism, dedication to the town and his vast knowledge and will be sorely missed.

Councilman Bartelloni-also wished Lieutenant Curran good fortune and many happy years of retirement. Although there have been many retirees in the Police Department, he hopes that with new hires the continuity will keep going.

Mayor Moscaritolo-stated that the Borough is moving forward on municipal projects and reported that the ADA Door Project is just about complete, the painting of the Borough is complete and Beautification will start adding plants to the front of Borough Hall. The Mayor also noted that the new tree truck is up and running throughout the town. The Mayor looks forward to the hiring process for the Police Department and hopes that men and women from our own community will consider it a great opportunity and apply for the test. The Mayor reminded everyone about the Wine Festival at New Bridge Landing on August 24th and asked everyone to spread the word. The Mayor stated that all proceeds will go towards construction of a new visitor's center.

ADJOURNMENT - 8:38 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to adjourn the meeting at 8:38 p.m.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilman Papaleo was absent.

Mayor Sandy Moscaritolo

Attest:

Denise A. Dondiego, Borough Clerk

Dated: