

M I N U T E S  
Meeting of the Mayor and Council  
February 2, 2009  
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

Mayor Watkins called for a moment of silent prayer and asked Councilman Higgins to lead the salute to the flag.

STATEMENT -

Mayor Watkins read the statement under the Sunshine Law and asked the Clerk to put it into the minutes. "Adequate Notice of this meeting has been made by sending notice on December 19, 2008 to the RIDGEWOOD NEWSPAPER and December 19, 2008 to THE RECORD, by positioning on the bulletin board in the lobby of the Borough Hall, and filing a Notice of the same with the Municipal Clerk".

ROLL CALL: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon, Councilwoman Fletcher and Mayor Watkins were present.

APPROVAL OF MINUTES - By Consent

Motion by Councilman Higgins, seconded by Councilwoman Walker to approve the minutes of the Mayor and Council meeting of January 20, 2009 and the Special Meeting and work session of January 26, 2009.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

PROCLAMATION & AWARDS -

Mayor Watkins read the Proclamation Celebrating the Unification of Temple Sholom and Temple Avoda into the record as follows:

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

*WHEREAS, on October 22, 1952 Temple Sholom was incorporated as a religious corporation under the laws of the State of New Jersey; and*

*WHEREAS, in December 1953 Temple Avoda was incorporated under the laws of the State of New Jersey; and*

*WHEREAS, over the past 56 years Temple Sholom and Temple Avoda have been centers of Jewish life and learning, providing opportunities for worship and fellowship to all who have entered their doors; and*

*WHEREAS, both congregations have been leaders in both intra Jewish and inter faith activities and centers of social action, community service and social justice; and*

*WHEREAS, on February 6, 2009 Temple Sholom and Temple Avoda celebrate their unification and become a single congregation to be known henceforth as Temple Avodat Shalom (The Service of Peace) located at 385 Howland Avenue, River Edge, New Jersey; and*

*THEREFORE, the Mayor and Council of River Edge do hereby extend our best wishes to the members of Temple Avodat Shalom as they begin a new chapter in their communal life and commit themselves to the continued service of God, teaching of Judaism and the performance of deeds of loving kindness, all in the pursuit of truth, justice and peace.*

Mayor Margaret Falahee Watkins

Dated: February 2, 2009

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APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilman Smith, seconded by Councilwoman Rush to approve the resignation of John O'Dowd, Plumbing Sub-Code Official in the Building Department, effective immediately.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

Motion by Councilman Higgins, seconded by Councilman Smith to approve the hire of Daniel H. Lee, as a Police Officer in the River Edge Police Department, at an annual salary of \$34,111.00, with a six-month probationary period, effective February 3, 2009.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

Mayor Watkins administered the Oath of Office to Daniel Lee.

Motion by Councilman Smith, seconded by Councilwoman Fletcher to approve the salary change of George Fink, Laborer, Department of Public Works from an annual salary of \$52,309.94 to \$53,296.92 due to a change in longevity from 6% to 8%, effective February 1, 2009.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

CORRESPONDENCE -

Notice - River Edge Board of Education - 1/20/09  
Re: Meeting - 1/21/09  
Letter - John O'Dowd - 1/30/09  
Re: Letter of resignation  
Notice - River Edge Board of Education - 1/20/09  
Re: Meeting 1/31/09

MONTHLY REPORTS -

Police Department - December 2008  
Library Board - January 2009  
Shade Tree Commission - November 2008  
Board of Health - January 2009

PUBLIC HEARING OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND ALLOCATION OF MONIES

Open Public Hearing

Motion by Councilwoman Rush, seconded by Councilwoman Fletcher to open hearing of the public.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

Ann McCarthy-911 Memorial-stated that they appreciate the continued support the Borough has shown towards the 911 Memorial Garden and explained the importance of these funds in maintaining it. They are submitting a request for \$6,570.00 for the maintenance of the garden with the addition of mulch to replenish the walkway.

Mayor Watkins-commented on what a beautiful memorial it is and how nice it is to go and sit, pray or reflect.

Alan Negrann-informed everyone that this years total Open Space allocation is \$162,716.82.

Councilman Smith-stated that he had received a letter referencing fundraising that is done to offset costs and asked what type of fundraising do they do.

Ann McCarthy-explained that the fund has been gradually winding down and the small amount of money that is left will be used this year to work on the sprinkler system.

Councilman Smith-asked if they would continue to do some type of fundraising.

Ann McCarthy-stated that with the tenth anniversary approaching, they are planning to do something major and involve the town in the way that they did when they initially dedicated the garden.

Bobbi McDonnell and Dan Bruen-Recreation Commission-the Recreation Commission had distributed information to the Mayor and Council prior to this evenings meeting outlining their requests. Dan Bruen summarized the requests from the Recreation Commission totaling \$121,627.00.

Councilwoman Walker-explained that the one new item that was added was for geese control which is an important issue and needs to be addressed so that the athletic leagues don't lose playing time on the fields again this year. Councilman Smith-noted that on the top of the request it stated "funds not covered by field maintenance trust" and asked if that these were funds that were collected by the leagues for each child and if so, approximately how much is that per year?

Bobbi McDonnell-replied yes, and the amount collected is \$8,500.00 per year.

Liz Stewart and Jennifer Dougherty-Shade Tree Commission-requested \$10,120.00 for tree planting and tree replacing in the park areas, plaques and mulch for

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Bobbi McDonnell-replied yes, and the amount collected is \$8,500.00 per year.

Liz Stewart and Jennifer Dougherty-Shade Tree Commission-requested \$10,120.00 for tree planting and tree replacing in the park areas, plaques and mulch for

the arboretum. They've been replacing twenty to thirty trees per year. Councilman Smith asked if the amount specified for mulch for the arboretum is for the mulch itself?

Liz Stewart replied that it is for weeding and re-mulching of a three foot area around each tree.

Councilman Smith asked if they had an outside company come in to do the work? Liz Stewart replied, yes and they've increased the price.

Councilman Smith stated that he had copies made of the resolutions awarding money from prior years for their information.

Jennifer Dougherty stated that it was her understanding that when they asked for a request, it was based on previous numbers and she also understood that if there was any money left over it would be rolled over to the next year's pool for the Open Space.

Alan Negreann explained that it is rolled over until the project is complete or until the Council re-authorizes it to another purpose. He further stated that typically this time of year they will be contacting the different departments to see what is going on with various projects and in some cases the funds will be re-authorized into other projects or come back into a pool of money called unauthorized. Each department will have to make a valid case for finishing a project that may have been out there for a few years.

Councilman Smith explained that the Shade Tree Commission did Brookside Park in conjunction with Recreation and there is probably some money left in there that they should look at to make sure that entire project is completed and if it hasn't the remaining funds can help them to do that.

Liz Stewart asked if this money isn't used specifically for these projects will it go back in the pool?

Alan Negreann replied that right now for those projects, they can ask the Council to re-authorize that money but it would have to be done by another resolution.

Liz Stewart asked when they would have to let them know.

Alan Negreann stated that they will reach out to the departments over the next few weeks.

Stacy Stein-Beautification Committee distributed Beautification's request to the Council asking for \$3,800.00 for mulch and \$3,500 for maintenance and plantings for a total of \$7,300.00 and explained what they have earmarked the money for.

Councilman Smith stated that he will also give Stacy the resolutions showing money that was awarded to Beautification the last two years so that they will know what funds are left over that may be needed this year. He also spoke with John Lynch regarding the mulching because DPW will be very hard pressed to complete that this year because of budget cuts.

Councilwoman Walker wanted to make sure that Brookside Park mulch was not included in Beautifications mulch amount.

Stacy Stein explained that she had incorporated mulch for all of the parks in the \$3,800.00.

Alan Negreann presented the amount of \$21,800.00 on behalf of Department of Public Works for the maintenance of all parks for ball fields, mowers, trimmers, blowers, grass seed, chemical lawn care and a variety of other items. He informed everyone that the total requests are \$167,417.00 which is over by \$4,700.00. Alan stated that he would like to take the opportunity to meet with the departments that have made requests and see if we can reallocate some funds and then come back to the Council with a report of reallocations.

#### Close Public Hearing

Motion by Councilwoman Walker, seconded by Councilman Cannon to close hearing of the public.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

#### ORDINANCES - 1<sup>st</sup> Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1639 as follows:

#### Ordinance #1639 - AN ORDINANCE AMENDING ORDINANCE #1630 FOR DETERMINING ELIGIBLE POSITIONS FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM

Motion by Councilwoman Fletcher, seconded by Councilwoman Walker to approve the first reading of Ordinance #1639 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1639

#### AN ORDINANCE AMENDING ORDINANCE #1630 FOR DETERMINING ELIGIBLE POSITIONS FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM

BE IT ORDAINED, that the position of Court Administrator be moved from Paragraph 1. b. of Ordinance #1630 to Paragraph 2. k.

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

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

which shall be severable therefrom.

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

Margaret Falahee Watkins, Mayor

Attest:

Denise Dondiego, Borough Clerk  
Dated:

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

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Denise Dondiego, Borough Clerk read the title of Ordinance #1640 as follows:

Ordinance #1640 - AN ORDINANCE ADOPTING THE JOHNSON AVENUE REDEVELOPMENT PLAN

Motion by Councilwoman Walker, seconded by Councilman Smith to approve the first reading of Ordinance #1640 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1640

AN ORDINANCE ADOPTING THE JOHNSON AVENUE REDEVELOPMENT PLAN

WHEREAS, on June 19, 2006 the Mayor and Council adopted Resolution #08- designating Block 1418, Lots 1, 2, 3, 3.01 and 4 ("Subject Property") as an area in need of redevelopment under the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq; and

WHEREAS, therefore the Governing Body retained the services of A. Nelessen Associates, Inc., 49 River Road, Belle Meade, New Jersey to draft a Redevelopment Plan for the Subject Property; and

WHEREAS, A. Nelessen Associates, Inc. prepared a Redevelopment Plan which has been reviewed by the River Edge Planning Board, the property owner/developer and other agents and departments of the Borough and by the Mayor and Council who approve of the Redevelopment Plan; and

WHEREAS, the River Edge Planning Board found in its review that the Redevelopment Plan is consistent with the Master Plan for the Borough of River Edge;

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

Section I:

The Governing Body hereby adopts the "Johnson Avenue Redevelopment Plan" prepared March 21, 2008 and revise through December 8, 2008 a copy of which is annexed hereto, as the Redevelopment Plan for the Subject Property, Block 1418, Lots 1, 2, 3, 3.01 and 4.

Section II:

The Redevelopment Plan shall supersede all provisions of Chapter 416 "Zoning" of the Code of the Borough of River Edge. In all situations where zoning issues are not addressed in the Redevelopment Plan, Chapter 416 of the Borough Code shall remain in full force and effect.

Section III:

Pursuant to N.J.S.A. 40A:12A-7© the Zoning Map of the Borough of River Edge is hereby amended to identify the redevelopment area in the manner depicted in the "Johnson Avenue Redevelopment Plan."

Section IV:

If any provision of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not effect the other provisions of this

Ordinance, except so far as the provision so declared invalid shall be inseparable from the remainder of any portion thereof.

Section V:

This Ordinance shall take effect upon passage and publication as required by law and upon filing with the Bergen County Planning Board.

Margaret Falahee Watkins, Mayor

Attest:

Denise Dondiego, Borough Clerk

Dated:

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher votes yes.

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ORDINANCES - 2<sup>nd</sup> Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1638 as follows:

Ordinance #1638 - AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF RIVER EDGE (1998) CHAPTER 206 - "FEES"

Ordinance #1638 was introduced by Councilwoman Fletcher, seconded by Councilwoman Walker at the January 20, 2009 meeting as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1638

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 L. Amend as follows: Police Outside Duty - \$125.00

Sub-section GG. Board of Health permits. Annual fees - Delete in its entirety and replace as follows:

<u>Permit</u>	<u>Fee</u>
Bakeries	\$100.00
Butcher shops	\$100.00
Retail Food Establishments:	
Fifty (50) square feet or less of food selling and storage space-Only non-potentially hazardous foods which are prepackaged, pre-wrapped or in an approved bulk serving container	\$ 50.00
Above fifty (50) square feet to fifteen hundred (1500) square feet of food selling, preparing and storage space	\$100.00
Above fifteen hundred (1500) square feet to three thousand (3000) square feet of food selling, preparing and storage space	\$200.00
Above three thousand (3000) square feet of food Selling, preparing and storage space	\$300.00
Liquor stores,taverns and other establishments serving alcoholic beverages for on premises or	

off premises consumption	\$100.00
Milk truck, first truck per year	\$ 50.00
Each additional truck per year	\$ 10.00
Nursing homes	\$150.00
Restaurants and catering (with seating)	
0 - 25 seats	\$100.00
25 - 50 seats	\$150.00
51 - 100 seats	\$275.00
over 100 seats	\$325.00
Sale of milk in containers	\$ 50.00
Wholesale foods	\$100.00
Vending devices food, drink, candy or other consumable products	\$ 10.00
Take - out food (no seating)	\$100.00
Sale of hot or cold non-alcoholic beverages in bottles, cans, glass or other containers for on premises or off premises consumption	\$ 50.00
Surcharge for food establishments who have two or more conditional or unsatisfactory ratings during any one calendar year	\$100.00
All fees must be paid by February 1.	
Late fee if not paid by February 1	\$100.00

## 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 Margaret Falahee Watkins

## ATTEST:

Denise Dondiego, Borough Clerk  
Dated:

## OPEN HEARING OF PUBLIC - Ordinance #1638

Motion by Councilwoman Walker, seconded by Councilwoman Fletcher to open hearing of the public.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

## CLOSE HEARING OF PUBLIC - Ordinance #1638

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

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

## ADOPTION - Ordinance #1638

Motion by Councilman Higgins, seconded by Councilwoman Walker to adopt Ordinance #1638.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

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## RESOLUTIONS - By Consent

Motion by Councilman Cannon, seconded by Councilwoman Walker to approve resolution #09-62 through #09-72.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

#09-62 Enter Into Agreement with Lisa R. Aljian, Esq., Wells, Jaworski & Liebman, LLP, 12 Route 17 North, P.O. Box 1827, Paramus, New Jersey, 07652 for Professional Services as Zoning Board of Adjustment Attorney for the Borough of River Edge

WHEREAS, there exists a need for a Zoning Board of Adjustment Attorney for legal services such as attendance at meetings of the Board, doing legal research and issuing oral and written legal opinions; 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, Lisa R. Aljian, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Lisa R. Aljian, 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 Lisa R. Aljian, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-167 of the Current Fund not to exceed \$4,500.00.

WHEREAS, the rate of pay shall not exceed \$85.00 per hour as Borough Attorney; and

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

WHEREAS, this contract will be retroactive to January 1, 2009.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Lisa R. Aljian, Esq., Wells, Jaworski & Liebman, LLP, 12 Route 17 North, P.O. Box 1827, Paramus, New Jersey, 07652.
2. The business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law to Lisa Aljian, Esq., Dunn Lambert, LLC, The Atrium, East 80 Route 4, Suite 170, Paramus, New Jersey, 07652.
4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

February 2, 2009

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#09-63 Enter Into Agreement with Saverio V. Cereste, Esq., 1624 Center Avenue, Fort Lee, N.J. 07024 For Professional Services as Planning Board Attorney for the Borough of River Edge

WHEREAS, there exists a need for a Planning Board Attorney for legal services such as attendance at meetings of the Board, doing legal research and issuing oral and written legal opinions; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-166 of the Current Fund not to exceed \$4,500; 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, Saverio V. Cereste, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Saverio V. Cereste, 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 Saverio V. Cereste, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the rate of pay shall not exceed \$85.00 per hour as Borough Planning Board Attorney; and

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

WHEREAS, this contract will be retroactive to January 1, 2009.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Saverio V. Cereste, Esq.
2. The business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law to Saverio V. Cereste, Esq., 1624 Center Avenue, Fort Lee, N.J. 07024.
4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

February 2, 2009

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#09-64 Authorize Mayor and Clerk to Sign an Interlocal Agreement with the River Edge Local School Board to Utilize the Services of SwiftReach Networks Under the Borough's Community Notification Services Agreement

WHEREAS, the River Edge Local Board of Education desires to Utilize the Services of SwiftReach Networks under the Borough's Community Notification Services Agreement pursuant to the "Interlocal Services Act" (N.J.S.A. 40:8A-1 et seq.); and

WHEREAS, the Borough of River Edge has a Community Notification Service Agreement with SwiftReach Networks, Inc., 116 North Franklin Turnpike, Ramsey, New Jersey by which SwiftReach Networks, Inc., provides an enhanced network service which notification is used for emergency purposes and other reasons, commonly referred to as a "Reverse 911 Program; and

WHEREAS it is to the benefit of the Borough of River Edge and the River Edge Local Board of Education to participate in this joint cooperation; and

WHEREAS, if the Borough should receive a bill from SwiftReach Networks, Inc., which includes charges for the District's use of the program, the Borough shall present such bill to the District. The District shall make immediate payment directly to SwiftReach and the District shall provide the Borough with proof of payment.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge shall enter into an agreement with the River Edge Local Board of Education to Utilize the Services of SwiftReach Networks under the Borough's Community Notification Services Agreement, subject to the approval of the Borough Attorney and the provisions of the "Interlocal Services Act" (N.J.S.A. 40:8A-1 et seq.).

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of River Edge that:

1. The Mayor and Borough Clerk are hereby authorized to execute the Interlocal Agreement with the River Edge Local Board of Education; and
2. The initial term of this Agreement shall be one (1) year, commencing 1/1/09, ending 12/31/09.

February 2, 2009

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#09-65 Resolution to Go Into Closed Session and Exclude Public on February 23, 2009 at 7:00 P.M.

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 February 23, 2009 work session meeting and discussion of the hereinafter specified subject matter:

Closed Session Docket #	Item Title or Description	Statutory Reference
09-2/23-1	Litigation-Tennyson Walters v River Edge	N.J.S.A. 10:4-12(7)

2. Any non-attorney client privilege communications will be released at the conclusion of the litigation subject of any orders of the court.

3. This resolution shall take effect immediately.

February 2, 2009

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#09-66 Amend Agreement with A. Nelessen Associates, 49 River Road, Bellemeade, New Jersey, 08502 for Professional Planner Services for the Redevelopment of an Area Including Parcels Identified as Johnson Avenue, Block 1418, Lots 1, 2, 3, 3.01 and 4

WHEREAS, there exists a need to retain expert Professional Planning Services for the Redevelopment of an Area Including Parcels Identified as Johnson Avenue, Block 1418, Lots 1, 2, 3, 3.01 and 4; and

WHEREAS, Borough of River Edge has previously awarded a contract to A. Nelessen Associates via resolution #08-386 dated October 6, 2008 in the amount of \$4,000.00; and

WHEREAS, additional funding is required for expert professional planning services for the Redevelopment of an Area Including Parcels Identified as Johnson Avenue, Block 1418, Lots 1, 2, 3, 3.01 and 4; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-173 of the Current Fund in the amount not to exceed \$2,500.00; and

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

WHEREAS, 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 bidding; must be publicly advertised; and

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

WHEREAS, the rate of pay shall not exceed the following:

Principal	\$150.00 per hour
Senior Planner	\$ 87.00 per hour
Associates Planner	\$ 63.00 per hour
Graphic Designer	\$ 60.00 per hour
Support Staff	\$ 42.00 per hour
Expenses per person	\$ 50.00 per day

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 A. Nelessen Associates, 49 River Road, Bellemeade, New Jersey, 08502 in an amount not to exceed \$2,500.00.
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.

February 2, 2009

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#09-67 Resolution Authorizing Competitive Contracting for Energy Audit

WHEREAS, PL 1999 c. 440 amended the Local Public Contracts Law and created a new category of contracting called Competitive Contracting; and

WHEREAS, N.J.S.A. 40A:11-4.3(a) requires that in order to initiate competitive contracting, the Governing Body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in 40A:11-4.1 are desired to be contracted; and

WHEREAS, 40A:11-4.3(b) requires that the competitive contracting process shall be administered by a purchasing agent qualified pursuant to 40A:11-9, or by legal counsel of the contracting unit, or by an administrator of the contracting unit.

NOW, THEREFORE, BE IT RESOLVED that Alan P. Negreann, Borough Administrator/CFO, QPA be and is hereby authorized to initiate competitive contracting for the aforesaid project in conformance with N.J.S.A. 40A:11-4.1 et seq.

February 2, 2009

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#09-68 Approval of Amusement Machine Licenses

WHEREAS, pursuant to the Borough of River Edge Ordinance #514, it is required that a license shall be issued for Amusement Machines in the Borough of River Edge; and

WHEREAS, an application has been received and a fee has been paid for an Amusement Machine License.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the following be granted an Amusement Machine License commencing on January 1, 2009 and expiring on December 31, 2009 at midnight.

Sayat Nova Restaurant  
T/A Feathers  
77 Kinderkamack Road

Two Machines (2) \$240.00

February 2, 2009

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#09-69 Amend Agreement with A. Nelessen Associates, 49 River Road, Bellemeade, New Jersey, 08502 for Professional Planner Services for the Redevelopment of an Area Including Parcels Identified as Block 1413, Lots 1, 2.01, 4 and 5

WHEREAS, there exists a need to retain expert Professional Planning Services for the Redevelopment of an Area Including Parcels Identified as Block 1413, Lots 1, 2.01, 4 and 5; and

WHEREAS, Borough of River Edge has previously awarded a contract to A. Nelessen Associates via resolution #06-357 dated December 4, 2006 in the amount of \$39,282.00; and

WHEREAS, additional funding is required for expert professional planning services for the Redevelopment of an Area Including Parcels Identified as Block 1413, Lots 1, 2.01, 4 and 5; and

WHEREAS, the Chief Financial Officer has certified that funds are available from the Smart Future Grant #01-213V-40-7300 in the amount of \$3,377.00 and Account #01-2010-20-1652-173 in the amount of \$11,623.00 of the Current Fund for a total amount not to exceed \$15,000.00; and

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

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

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

WHEREAS, the rate of pay shall not exceed the following:

Principal	\$150.00 per hour
Senior Planner	\$ 87.00 per hour
Associates Planner	\$ 63.00 per hour
Graphic Designer	\$ 60.00 per hour
Support Staff	\$ 42.00 per hour
Expenses per person	\$ 50.00 per day

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 A. Nelessen Associates, 49 River Road, Bellemeade, New Jersey, 08502 in an amount not to exceed \$15,000.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as a "Professional

Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

February 2, 2009

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#09-70 Authorize Accounts Supervisor to Issue Refund Check - Street Opening for A.G. Jr. Construction LLC

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, 327 Olympia Drive, 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 be authorized to issue a check in the amount of \$320.00 to the following.

A.G. Jr. Construction LLC  
385 Kinderkamack Road  
River Edge, NJ 07661

February 2, 2009

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#09-71 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 February 2, 2009 meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
09-2/2-1	Personnel -Police Lieutenant	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.

February 2, 2009

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#09-72 Authorize Refund of Parking Permit

WHEREAS, a yearly parking permit for the River Edge Road Train Lot was issued and then returned to the Borough of River Edge.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is hereby authorized to issue a refund in the amount of \$161.33 for the yearly permit to:

<u>Name/Address</u>	<u>Permit #</u>	<u>Amount</u>
Grace Fabrizio 220 Beech Drive South River Edge, NJ 07661	#025	\$161.33

February 2, 2009

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Councilwoman Rush read resolution #09-73 into the record.

Motion by Councilwoman Rush, seconded by Councilman Smith to approve resolution #09-73.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

#09-73 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; and

NOW, THEREFORE, BE IT RESOLVED that bills as listed now be confirmed for payment from the appropriate funds as follows:

CURRENT ACCOUNT TOTAL	\$974,362.72
RECREATION ACCOUNT	\$ 485.00
TRUST OTHER ACCOUNT	\$ 280.00
OPEN SPACE ACCOUNT	\$ 1,760.86

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.

February 2, 2009

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OPEN HEARING OF THE PUBLIC -

Motion by Councilman Smith, seconded by Councilwoman Walker to open hearing of the public.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

Patrick Batson-25 Wayne Avenue-referred to a letter sent to the Council by Lisa Gladwell and is asking the Council for help with several issues that the Wayne Avenue residents have been dealing with pertaining to the school traffic.

Lisa Gladwell-41 Wayne Avenue-stated that she along with several Wayne Avenue residents had expressed their concerns to Chief Starace at previous Council meetings with regard to impending traffic and safety problems before the New Bridge Center was opened. She further stated that they were asked to take a wait and see approach which they did, and at first everyone seemed to cooperate but now there are several issues of concern. One being that motorists block the driveways even though there are signs posted and the other is the safety of the crossing guard at the intersection of Bogert and Wayne. Another issue is the back-up of cars on Wayne Avenue that are trying to turn onto Kinderkamack making it impossible for residents to get out of their driveways. Ms. Gladwell feels that conditions are the worst on Wednesdays. Mayor Watkins-asked if they are getting traffic from motorists coming off of Kinderkamack and turning left on Green Street?

Patrick Batson-replied, yes that he has seen that on several occasions and he feels that it's a dangerous situation. He has also experienced not being able to get out of his driveway because a motorist was blocking him in.

Mayor Watkins-asked Chief Cariddi if he had any suggestions and did he think it would be advantageous to get together?

Chief Cariddi-stated that he has had conversations with Ms. Gladwell and other residents of Wayne Avenue from time to time and has also had dealings with the school to try to improve the conditions. He agreed that Wednesday is the worst day because of an overlapping schedule with dismissal times and has ordered that a Police officer be at the intersection of Bogert and Wayne to assist the crossing guard during peak traffic. He continued by saying that there have been measures put in place including a periodic application of barricades at Kinderkamack and Wayne to try to alleviate some of the congestion. He has been working with Superintendent Steinbauer during the year and has suggested sending a flyer out to the parents reminding them not to block the driveways. He also recommends additional signage be put up. In addition to these steps, he has officers stationed at every school during morning arrival, lunch time and dismissal to assist with traffic flow. He assured everyone that they are continuously working to try and improve the situation.

Mayor Watkins-asked if they can institute a "No right turn" onto Wayne Avenue coming south on Kinderkamack Road and a "No left turn" into Green Street? The Mayor asked if the cars can make a left turn from Wayne Avenue onto

Kinderkamack Road.

Chief Cariddi-replied that they are allowed to and that there is no ordinance prohibiting it. He further stated that this becomes a process of education for the parents who are picking up because they are asked to continue around the block until a parking space becomes available.

Patrick Batson-also stated that when commuters get off a bus at Wayne Avenue and try to cross Kinderkamack Road it's very dangerous and suggested that a traffic study be done.

Lisa Gladwell-stated that she appreciates everything that is being done but feels that this traffic pattern is not working is asking for a long term solution for the problem.

Chief Cariddi-explained that traffic issues around schools are not only a problem in River Edge but all over and he will continue to work with the schools to address this issue.

CLOSE HEARING OF THE PUBLIC -

Motion by Councilman Smith, seconded by Councilwoman Walker to close hearing of the public.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.

COUNCIL COMMENTS -

Councilwoman Fletcher-congratulated and welcomed Daniel Lee to the police force and also congratulated Reena Mishory, Daniel Fletcher and Jon Pierre Younis on completing their Fire I certification. Councilwoman Fletcher reminded everyone that on Wednesday, February 4th at 7:30 at Roosevelt School is the public hearing for the school budget and invited everyone to attend so that they will be informed. She congratulated the new Temple Avodat Shalom and applauds the leadership from both communities who worked very hard in making a very welcoming environment to new members from Temple Avoda. Councilwoman Fletcher informed everyone that there was a hearing on the dissolution of school application for River Dell and hopes there will be a favorable response from the appellate court and we can start to work together toward unification. She informed everyone that the budget process is not an easy task and thanked the department heads for cooperating and making difficult decisions which will have an impact on their departments.

Councilman Cannon-had no comments.

Councilwoman Walker-also welcomed Daniel Lee to the Police Department and stated that she understands the difficult traffic situation at Cherry Hill because she has two children that attend the school. She also feels that by having an officer in the area has definitely helped the situation and thanked Chief Cariddi for continuing to work toward improvements. Councilwoman Walker stated that like the Council, the school board is working very hard to make sure the public is informed during the budget process. She invited everyone to attend the meeting, whether they have children in school or not, it will affect everyone. Councilwoman Walker explained that even though the budget process is a difficult task she is confident that they will get through it and again encourages everyone to be informed and ask questions.

Councilman Higgins-also congratulated Daniel Lee and wished him a very successful career in the Police Department. He also congratulated the recent graduates from the fire academy and wished them well in their service to the community. Councilman Higgins commented that there have been major changes in our religious community as Temple Shalom and Temple Avoda will unify and become one congregation as well as St. Peter's welcoming Father Mike Sheehan as a new pastor.

Councilwoman Rush-also welcomed Daniel Lee and congratulated Reena, Daniel and Jon Pierre on completing their Firefighter I certification. Councilwoman Rush also congratulated Joe Zemaites who was sworn in as Captain of the Ambulance Service. She commented on the number of calls the Ambulance Service is called out on and thanked all of them for their many hours of service to our community.

Councilman Smith-also welcome Daniel and feels that he will be an asset to the community. He thanked Chief Cariddi for being pro-active in going to the Police Academy and finding Daniel who was in the top five of the graduating class. He congratulated the three graduates from the Fire Academy and informed everyone that there are 6 or 7 women in the department and is thankful for the young men and women who continue to join. Councilman Smith thanked all of the groups that came up this evening and is grateful for the hard work and dedication that they give to the community. He spoke about correspondence that had been received from a resident complaining about the intersection at Voorhis and Bogert and the difficulty in seeing oncoming traffic because of the cars that are parked. He understands that this is a difficult issue because commuter parking in town is very limited. Concerning Wayne Avenue, Councilman Smith asked Chief Cariddi if he could enforce the regulation with regard to no parking in front of driveways. He continued by saying that as a Council, they voted not to allow buses to idle and feels that maybe they should do the same for parents waiting for their children. He informed everyone that John Lynch is staying on top of issues that came out of a PEOSHA inspection and is taking care of them as quickly as they are identified. Councilman Smith invited everyone to come to the budget meetings on Saturday mornings.

Mayor Watkins thanked everyone to coming this evening and congratulated all of our graduates and new police officer and wished them the best in the future. The Mayor thanked all of the committees and commission for doing a fantastic job in our town. She wished everyone a Happy Groundhog Day and hopes that we don't have any more snow because we've spent a fortune on salt to keep our roads safe. The Mayor wished everyone a Happy Valentine's Day.

ADJOURNMENT - 9:10 P.M.

Motion by Councilman Higgins, seconded by Councilwoman Walker to adjourn the meeting at 9:10 p.m.

ROLL CALL VOTE: Councilman Smith, Councilwoman Rush, Councilman Higgins, Councilwoman Walker, Councilman Cannon and Councilwoman Fletcher voted yes.



Mayor Margaret Falahee Watkins

Attest:



Denise Dondiego, Borough Clerk

Dated: 2/14/07