

M I N U T E S  
Regular Meeting of the Mayor and Council  
Monday, June 1, 2015  
8:00 P.M.

CALL THE MEETING TO ORDER -

Mayor Moscaritolo called the meeting to order at 8:10 p.m. in the Council Chambers of the Borough Hall.

SILENT PRAYER - FLAG SALUTE

Mayor Moscaritolo called for a moment of silent prayer or reflection and asked Alan Negreann 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 Cappola, Councilwoman Busteed, Councilman Mignone, Councilman Acquafredda and Mayor Moscaritolo were present; Councilman Papaleo was absent.

APPROVAL OF MINUTES -

Motion by Councilman Mignone, seconded by Councilwoman Busteed to approve the minutes of the Mayor and Council work session meeting of May 4, 2015.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the minutes of the Mayor and Council work session and regular meeting of May 18, 2015.

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

PROCLAMATIONS & AWARDS - NONE

OPEN PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA -

Motion by Councilwoman Murphy, seconded by councilman Mignone to open public comments on any issue on the agenda.

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

Peter Leslie, Non-resident from Wantage in support of the car show is a participant in the car show and understands that there are concerns over the impact that cars could have on the turf in the park as well as leakage and environmental problems. He has been involved in antique car shows for many years and most of them are on turf. He feels that antique cars are better maintained than newer cars and doesn't feel that a reasonable amount of cars in the park would do any harm.

CLOSE PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA -

Motion by Councilwoman Murphy, seconded by Councilman Cappola to close public comments on any issue on the agenda.

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

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the hire of Francis Quara as a part-time Seasonal Park Attendant for the Recreation Commission at an hourly rate of \$18.69, not to exceed 12 hours per week, effective June 2, 2015.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the resignation of David Recanati, Police Dispatcher, effective May 15, 2015.

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

CORRESPONDENCE -

Notice	-	River Edge Bd of Education-5/18/15 Re: Meeting - 5/19/15
Notice	-	River Edge Bd of Education-5/18/15 Re: Meeting - 5/20/15
Letter	-	County of Bergen- 5/22/15 Re: Public Hearing on Transportation Funding for Senior & Disabled Citizens
Letter	-	State of NJ-DEP - 5/27/15 Re: Northeast Water Quality Mgt. Plan
Notice	-	PSE&G - 5/22/15 Re: Notice of Public Hearing
Letter	-	State of NJ - DEP - 5/27/15 Re: Amended Notice of Violation - Bergen County Historical Society- Historic New Bridge Landing

MONTHLY REPORTS -

Beautification Committee	-	May 2015, No Quorum
Tax Collector	-	April 2015

ORDINANCES - 1<sup>ST</sup> READING -

Stephanie Evans, Borough Clerk read the title of Ordinance #1838 as follows:

Ordinance #1838 - AN ORDINANCE TO AMEND ORDINANCE #1820 TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR 2015

Motion by Councilwoman Murphy, seconded by Councilwoman Busted to approve the first reading of Ordinance #1838 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1838

AN ORDINANCE TO AMEND ORDINANCE #1820 TO FIX THE SALARY, WAGE AND  
COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER  
EDGE, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY FOR THE YEAR  
2015

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

Section 1: The compensation for the part-time positions and  
officers of the Borough of River Edge for the year 2015 shall be as  
follows:

2015

Hourly

HISTORIC PRESERVATION FUND  
CERTIFIED LOCAL GRANT

Document Scanner \$8.38 - \$35.00

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

ATTEST:

\_\_\_\_\_  
Mayor Sandy Moscaritolo

\_\_\_\_\_  
Stephanie Evans, Borough Clerk  
Dated:

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

\*\*\*\*\*

Stephanie Evans, Borough Clerk read the title of Ordinance #1839  
as follows:

Ordinance #1839 - AN ORDINANCE APPROPRIATING \$12,000.00 FROM THE  
GENERAL CAPITAL FUND BALANCE FOR THE PURCHASE OF VEHICLE FROM THE  
RIVER EDGE VOLUNTEER AMBULANCE SERVICE

Motion by Councilwoman Murphy, seconded by Councilman Mignone  
to approve the first reading of Ordinance #1839 as follows:

BOROUGH OF RIVER EDGE  
ORDINANCE #1839

AN ORDINANCE APPROPRIATING \$12,000.00 FROM THE GENERAL CAPITAL FUND  
BALANCE FOR THE PURCHASE OF A VEHICLE FROM THE RIVER EDGE VOLUNTEER  
AMBULANCE SERVICE

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

SECTION 1. The purchase of a vehicle from the River Edge  
Volunteer Ambulance Service desired in Section 2 of this ordinance is  
hereby authorized as a purchase to be made by the Borough of River  
Edge, New Jersey for the purpose of the purchase of said vehicle,  
there is hereby appropriated the sum of \$12,000.00 of which \$12,000.00  
is from the General Capital Fund Balance.

SECTION 2. The purchase is authorized as follows:

- a. Purchase of a vehicle for the Department of Public Works

from the River Edge Volunteer Ambulance Service.

SECTION 3. The appropriation shall be made from the General Capital Fund and no debt is authorized.

SECTION 4. This ordinance shall take effect immediately after the first publication after final passage as provided by law.

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated:

Councilman Mignone-stated that John Lynch had indicated to him that by purchasing this vehicle it would eliminate a vehicle purchase request next year.

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

\*\*\*\*\*

ORDINANCE - 2<sup>ND</sup> READING -

Stephanie Evans, Borough Clerk read the title of Ordinance #1835 as follows:

Ordinance #1835 - BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF FIFTH AVENUE (SECTION 3 - FROM APPROXIMATELY 20 FEET NORTH OF WAYNE AVENUE TO APPROXIMATELY 30 FEET SOUTH OF NORTH DRIVE), A GENERAL IMPROVEMENT, AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF SUCH SECTION OF FIFTH AVENUE, A SIDEWALK IMPROVEMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$195,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Ordinance #1835 was introduced by Councilwoman Murphy, seconded by Councilwoman Busteded at the May 18, 2015 meeting as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1835

BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF FIFTH AVENUE (SECTION 3 - FROM APPROXIMATELY 20 FEET NORTH OF WAYNE AVENUE TO APPROXIMATELY 30 FEET SOUTH OF NORTH DRIVE), A GENERAL IMPROVEMENT, AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF SUCH SECTION OF FIFTH AVENUE, A SIDEWALK IMPROVEMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$195,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Borough Council of the Borough of River Edge, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of River Edge, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake (a) the resurfacing of Fifth Avenue (Section 3 - from approximately 20 feet north of Wayne Avenue to approximately 30 feet south of North Drive) and (b) the construction and reconstruction of sidewalks, including, where necessary, curb and driveway apron construction and reconstruction, along and in front of the following

properties on such section of Fifth Avenue as shown on the Tax Assessment Map of the Borough:

Block Lots

905	2 (portion), 3, 4, 5, 6, 7 (portion)
906	32 (portion), 33, 34, 38, 39 (portion)

Said improvements shall include all work, materials and appurtenances necessary and suitable therefor. Said improvements shall be undertaken in accordance with plans and specifications prepared or to be prepared by the Borough Engineer, which plans and specifications are hereby approved and directed to be placed on file in the office of the Borough Clerk and made available for public inspection during regular business hours. It is hereby determined and stated that said road being resurfaced is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$195,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. It is anticipated that a grant in the amount of \$149,000 from the New Jersey Department of Transportation shall be received by the Borough to finance the cost of said purpose. Said grant funds shall be applied as set forth in Section 12 hereof. Said road resurfacing shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted. Said sidewalk construction and reconstruction, including, where necessary, curb and driveway apron construction and reconstruction, shall be made as a sidewalk improvement as hereinafter set forth.

Section 3. The sidewalk construction and reconstruction, including, where necessary, curb and driveway apron construction and reconstruction, shall be undertaken as a sidewalk improvement and the cost thereof not borne by the Borough shall be assessed in the following manner: an accurate account of the cost of the improvement shall be kept by an officer of the Borough and such cost shall be assessed upon the several properties fronting on the improvement in proportion to their respective frontage thereon pursuant to and in accordance with the provisions of Chapter 65 of Title 40 of the Revised Statutes of New Jersey. The portion of such cost which shall not be so assessed shall be paid by the Borough as in the case of a general improvement which is to be paid for by general taxation.

Section 4. Before making said sidewalk improvement or awarding any contract for such sidewalk improvement, the Borough Clerk shall cause notice of the proposed sidewalk improvement to be given to the owner or owners of all real estate affected thereby. Such notice shall be served in accordance with the provisions of Chapter 65 of Title 40 of the Revised Statutes of New Jersey, in particular Section 40:65-2 to Section 40:65-6, and the proof of service shall be filed with the officer of the Borough in charge of the records of tax liens of the Borough within 10 days after service thereof.

Section 5. It is hereby determined and stated that (1) the Borough will contribute \$55,755 to the cost of said sidewalk improvement, and (2) the estimated maximum amount of the special assessments for said sidewalk improvement is \$3,280, and (3) no sidewalk assessments for such improvement have been levied or confirmed, and (4) such sidewalk assessments may be paid in five annual installments.

Section 6. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$195,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$195,000, and (5) the

cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$46,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 7. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$195,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$195,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$195,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated:

OPEN PUBLIC HEARING ON THE ORDINANCE - Ordinance #1835

Motion by Councilwoman Murphy, seconded by Councilman Mignone to open public hearing on Ordinance #1835.

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

CLOSE PUBLIC HEARING ON THE ORDINANCE - Ordinance #1835

Motion by Councilwoman Murphy, seconded by Councilman Mignone to close public hearing on Ordinance #1835.

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

ADOPTION - Ordinance #1835

Motion by Councilwoman Murphy, seconded by Councilwoman Busted to adopt Ordinance #1835.

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

\*\*\*\*\*

RESOLUTIONS - By Consent

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolution #15-213 through #15-225.

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

#15-213 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 June 15, 2015 work session meeting and discussion of the hereinafter specified subject matter:

Closed Session Docket #	Item Title or Description	Statutory Reference
----------------------------	---------------------------	------------------------

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.

June 1, 2015

\*\*\*\*\*

#15-214 Authorize Richard D. Kraus, Esq. to Enter Into a Stipulation of Settlement with Calvin C. Weedo for the Premises 277 & 281 Johnson Avenue, Block 1417, Lots 2 & 2.01

WHEREAS, Richard D. Kraus, Esq., Suite 14, One University Plaza, Hackensack, New Jersey, 07601 has handled the litigation of the Borough of River Edge v. Calvin C. Weedo for the premises 277 and 281 Johnson Avenue, Block 1417, Lots 2 & 2.01; and

WHEREAS, Richard D. Kraus, Esq. has recommended a stipulation in the above stated matter; and

WHEREAS, the Mayor and Council have considered these recommendations at their work session of June 1, 2015.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby authorize Richard D. Kraus, Esq. to enter into a Stipulation of Settlement as follows: for Lot 2, by withdrawing his appeal for the years 2011, 2013 and 2014, and accepting an assessment of \$140,000 for 2015; for Lot 2.01, by withdrawing his appeals in 2011 and 2014, accepting an assessment of \$248,000.00 for 2013, and accepting an assessment of \$225,000 for 2015.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to forward a copy of this resolution to James Anzevino, the Borough's Tax Assessor and Richard D. Kraus, Esq.

June 1, 2015

\*\*\*\*\*

#15-215 Cancel Unexpended and Dedicated Balances

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Fund Balance and unused debt

authorized may be canceled.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that the following unexpended and dedicated balances of General Capital Appropriation be canceled:

<u>ORDINANCE</u>	<u>UNFUNDED DEFERRED CHARGES</u>	<u>CAPITAL FUND BALANCE</u>	<u>CAPITAL IMPROVEMENT FUND</u>
1784			\$4,000.00

June 1, 2015

\*\*\*\*\*

#15-216 Amend Resolution #15-66 2015 Salary Resolution

BE IT RESOLVED that the following officers and employees of the Borough of River Edge be compensated for the year 2015 in accordance with Ordinance #1820 effective January 1, 2015 as follows:

2015

<u>Recreation</u>		<u>Hourly</u>
Park Attendant	P/T Quara, Francis B.	\$18.69

June 1, 2015

\*\*\*\*\*

#15-217 Amend 2015 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item for an equal amount; and

WHEREAS, the Borough has received a grant for a Reserve for Clean Communities Grant Unappropriated in the amount of \$20,964.29.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

3. Miscellaneous Revenue - Section F

Clean Communities Grant.....\$20,964.29

BE IT FURTHER RESOLVED that the like sum of \$20,964.29 and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from the "CAPS"

Public & Private Programs Offset by Revenues

Clean Communities Grant.....\$20,964.29

BE IT FURTHER RESOLVED that the Borough forward two (2) copies of this resolution to the Director of Local Government Services.

June 1, 2015

\*\*\*\*\*

#15-218 Authorize Tax Collector to Adjust 4<sup>th</sup> Quarter 2015 Tax Bill

for Senior Citizen Deductions Disallowed

WHEREAS, the following homeowners were disallowed the \$250.00 Senior Deduction because they exceeded the \$10,000.00 income requirement to qualify for the Senior Citizen Tax Deduction for the year 2015 and has requested in writing to remove the deduction and/or has passed away in 2014 and the property no longer qualifies for the deduction and/or the property was sold in 2014; and

WHEREAS, the deduction is listed in the 2015 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to disallow the 2015 Senior Deduction and adjust the 4<sup>th</sup> quarter taxes for the following amounts.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Adjusted Amount</u>
202/1	Yager 928 Bogert Road	250.00
708/6	Gonnerman 249 Kensington Road	250.00
	Total:	500.00

June 1, 2015

\*\*\*\*\*

#15-219 Authorize Tax Collector to Bill \$250.00 for Senior Citizen Deductions Disallowed for 2014

WHEREAS, the following homeowners received a \$250.00 Senior Citizen Tax Deduction for the year 2014; and

WHEREAS, the following properties were either sold or the homeowners exceeded the \$10,000 income requirements to qualify for the Senior Citizen Tax Deduction for the year 2014.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to disallow the 2014 Senior Deductions and bill the homeowners for the following amounts.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Adjusted Amount</u>
105/12	Romano 254 Midland Avenue	250.00
607/4	Heyden 669 Bogert Road	250.00
611/4	Van Miert 147 Concord Drive	250.00
612/2	Becker 125 Tenney Avenue	250.00
708/6	Gonnerman 249 Kensington Road	250.00
1004/28	Dave 48 Howland Avenue	173.29
1208/14	Allen Street Project, LLC 151 Reservoir Avenue	173.97
1209/27	Lee 209 Howland Avenue	110.95
	Total:	1,708.21

June 1, 2015

\*\*\*\*\*

#15-220 Enter Into Agreement with Valley Health Medical Group, 15  
Essex Road, 5<sup>th</sup> Floor, Paramus, New Jersey, 07652 for Drug and Alcohol  
Testing & Administrative Services

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1002-182 of the Current Fund not to exceed \$1,250.00 from July 1, 2015 to December 31, 2015 and from Account #01-2010-20-1002-182 of the Current Fund in the amount of \$1,250.00 from January 1, 2016 to June 30, 2016 not to exceed a total of \$2,500.00 contingent upon the Governing Body passing and including an appropriation in the current fund budget and subject to all of the requirements of N.J.A.C. 5:34-5.3 with respect to multi-year contracts; and

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

WHEREAS, the rate of pay shall not exceed as follows:

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute the Attached agreement with Valley Health Medical Group, 15 Essex Road, 5<sup>th</sup> Floor, Paramus, New Jersey in the amount not to exceed \$2,500.00; and
2. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
3. That a copy of this resolution be forwarded to THE RIDGEWOOD NEWS for publication.

June 1, 2015

\*\*\*\*\*

#15-221 Authorize Tax Collector to Transfer Homestead Rebate Credit  
Amounts from the 2<sup>nd</sup> Quarter 2015 to the 3<sup>rd</sup> Quarter 2015

WHEREAS, the 2012 Homestead Rebate Credits were received and revised billing for the 2<sup>nd</sup> Quarter 2015 was issued; and

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

WHEREAS, the tax office has received written requests from the following properties to transfer the credit amounts to the 3<sup>rd</sup> Quarter 2015.

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

<u>Block/Lot</u>	<u>Name/Address</u>	<u>Amount</u>
202/1	Yager 928 Bogert Road	994.63
708/10	Spillane	870.74



their Mortgage Company/Title Company to refund the overpaid amount directly to the homeowner.

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

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Refund Amount</u>
213/10	Shigekazu & Masako Uejima 844 Park Avenue River Edge, NJ 07661	4,299.28
607/3	Salvatore LaFerlita 157 Adams Avenue River Edge, NJ 07661	27.25
708/3	John Hoyt 265 Kensington Road River Edge, NJ 07661	739.86

June 1, 2015

\*\*\*\*\*

#15-225 Authorize Clerk to Go Out for Bid for the 2015 Community Development Block Grant - ADA Curb Ramp Construction Project

WHEREAS, the Borough of River Edge desires to go out for bid for the 2015 Community Development Block Grant - ADA Curb Ramp Construction Project; and

WHEREAS, the Borough Engineer has submitted plans and specifications for the project entitled 2015 Community Development Block Grant - ADA Curb Ramp Construction Project to the Mayor and Council of the Borough of River Edge; and

WHEREAS, these plans and specifications have been reviewed by the Mayor and Council and the Borough Engineer at a work session held on June 1, 2015; 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 2015 Community Development Block Grant - ADA Curb Ramp Construction Project.

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

NOW, THEREFORE, BE IT RESOLVED that the plans and specifications for the project entitled 2015 Community Development Block Grant - ADA Curb Ramp Construction Project are hereby accepted and approved by the Governing Body of the Borough of River Edge.

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

June 1, 2015

\*\*\*\*\*

Councilman Mignone read resolution #15-226 into the record.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #15-226.

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

#15-226 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	\$362,080.86
CAPITAL ACCOUNT	\$ 37,545.21
RECREATION ACCOUNT	\$ 1,572.44
TRUST OTHER ACCOUNT	\$ 17,261.91
OPEN SPACE ACCOUNT	\$ 4,778.14

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 times claims would be paid.

June 1, 2015

\*\*\*\*\*

OPEN HEARING OF THE PUBLIC -

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

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

Peter Dunsay-446 Oak Avenue-thanked the Mayor and Council on behalf of the Cultural Center for the time that they've given in trying to help resolve the issues for the car show. He continued to say that the Cultural Center has had good relations with the school system, religious institutions and Borough departments for many years. He stated that the car show benefits the residents of River Edge, the Cultural Center as well as the participants in the car show. They are requesting permission to park cars on the grass in Memorial Park and street closings for Continental Avenue and the cul-de-sacs. They have, many times, stated that they would restore the park over and above what was requested. Mr. Dunsay stated that they've made this request in January and would like to have a resolution to this matter this evening from the Mayor and Council.

Councilwoman Murphy-asked if they met with the Recreation Commission again.

Peter Dunsay-stated that on April 6<sup>th</sup> the Council suggested that they meet again with the Recreation Commission to come up with a compromise.

Councilwoman Murphy-stated that she understood that it went from six cars and a \$2,000 bond to ten cars.

Peter Dunsay-stated that they weren't happy with the ten cars last year.

Mayor Moscaritolo-stated that he asked for ten cars last year. He continued to say that first there were no cars, then three years ago they convinced the Council to give them 6 cars, the following year there were no requests and last year the Council sent them to negotiate with the Recreation Commission. After meeting with the

Recreation Commission, they came back to the Council and the Council gave them ten cars. This year they went to the Recreation Commission who told them they would allow ten cars again, then the Cultural Center came to the Council meeting in April and were told to go back to Recreation Commission and negotiate. They met with Recreation in May, which the Mayor did attend, and his observation was that both sides were not budging. The Mayor remembers that there were so many scenarios and asked Mr. Dunsay what exactly are they looking for? Peter Dunsay-stated that they are looking to put the cars on the grass in Memorial Park and put the issue behind them.

Mayor Moscaritolo-feels that this Council will not tell the Recreation Commission where they can put the cars, it will be up to the Commission. The Mayor stated that they will not micromanage the car show. The Mayor is interested in whether they want 80 cars, 20 cars or 12 cars because if it's a small number it might not be a big deal.

Peter Dunsay-feels that 25 cars would make a meaningful draw.

Mayor Moscaritolo-asked Mr. Dunsay if the Recreation Commission agrees to 25 cars, will that be the end of it? He continued to say that if Recreation agrees to 25 cars but wants them on the walkway and not on the grass, they'll go on the walkway.

Councilman Mignone-stated that it was his understanding that 10 cars was the limit because that's all that the walkway could take and that's how they came up with the number last year.

Mayor Moscaritolo-explained that if they do negotiate to 25 cars, then that's going to be the end of it and he does not want them to come back to the Council next year and request more.

Councilman Mignone-stated that they've all received Mr. Dunsay's request and diagram showing shading around the park with 80, 90 or 100 cars. He asked that if 25 was the number, why didn't he come up with a new proposal? Councilman Mignone stated that it's not negotiating if you present the same information every year.

Mayor Moscaritolo-stated that neither of the parties are really interested in negotiating a compromise.

Peter Dunsay-stated that he begs to differ and that every time he appeared before them his first statement was that they were here to compromise and never once said that they would not budge.

Mayor Moscaritolo-stated that at the Recreation meeting, Chris Lau was trying to pin him down to a number and Mr. Dunsay wouldn't give him a number.

Peter Dunsay-explained that he didn't give a number because there's a difference whether you park cars on the grass or macadam. If you are parked on the macadam you have constraints.

Councilwoman Murphy-recalls that the Cultural Center was willing to purchase a new sound system and share it with everyone.

Peter Dunsay-stated that the current system is not adequate and they were willing to purchase a new wireless system.

Councilwoman Murphy-asked if that offer was still on the table?

Peter Dunsay-replied no, not after the way we were treated.

Mayor Moscaritolo-asked if they were able to put 25 cars in the park, would they still use the Library parking lot to display cars?

Peter Dunsay-replied, yes because that would allot them 45 more spaces.

Mayor Moscaritolo-stated that he's not sure where he's getting his numbers from because he's walked the parking lot and counted 34 parking spaces including the handicapped spots.

Peter Dunsay-explained that they would place additional cars down the center of the lot.

Mayor Moscaritolo-asked if Elm Avenue in front of the Library would be open or closed to traffic?

Peter Dunsay-replied that it's restricted to parking. They had requested the cul-de-sacs so that visitors could park.

Mayor Moscaritolo-stated that the cul-de-sacs are another issue and they're not under the Recreation Commission's jurisdiction.

Peter Dunsay-stated that they put in the request to the Police Department and haven't heard back. He said that they would have signs posted for visitors to park in the cul-de-sacs.

Mayor Moscaritolo-suggested that they use the Library lot for visitor parking.

Peter Dunsay-explained that one of the ideas that they had was to use the Library lot for a mustang corral.

Councilman Cappola-said that he understands both sides. He also stated that although he may agree with the Cultural Center's request, he respects the decision of the Recreation Commission.

Councilman Mignone-asked how many cars are they expecting this year?  
Peter Dunsay-replied approximately 225. Last year it was very hot so a few people didn't show.

Councilman Mignone-asked what the maximum number was over the years.  
Peter Dunsay-replied 226.

Councilman Mignone-pointed out that they were able to accommodate 226 cars without going into the park.

Peter Dunsay-explained that by being allowed to go into the park it would give them flexibility, enhance the show and be a positive for everyone. He said that any vehicle that is 50 years or older would be a candidate to go in the park.

Mayor Moscaritolo-thinks it's a good idea.

Peter Dunsay-feels that the reasons and concerns that were given can all be addressed.

Councilwoman Murphy-asked Mr. Dunsay if they do agree to 25 cars, would the sound system be back on the table?

Peter Dunsay-replied yes, if we're allowed on the grass.

Councilman Acquafredda-asked if they ever considered approaching the River Dell Board of Education to use their facilities which have been expanded several years ago?

Peter Dunsay-stated that to move it to another location would be very complex because all of their communications work out of the Cultural Center building.

Councilman Acquafredda-stated that that location is open to be used by River Edge and Oradell for worthwhile causes. Because they are not willing to move the location, Councilman Acquafredda feels that he's putting them in an awkward position by asking them to override Recreation's decision.

Virginia Korteweg-800 Summit Avenue-explained why she supports the Cultural Center's request and suggested putting sod under the cars temporarily.

Mayor Moscaritolo-stated that the antique car owners are so meticulous with their vehicles and doesn't understand why they would want to be in the park with the birds around.

Amanda Wantage-feels that by having the cars in the park it makes things a little easier and cooler for car owners and visitors.

Resident-Oak Avenue-wanted to clarify and respond to Councilman

Acquafredda's question regarding looking for an alternate site. He informed everyone that they have looked at other sites such as Van Saun Park, River Dell High School, etc. and found that those locations don't give them a variety of things that the center of town does. He continued to say that the current location provides easy access for residents to walk and bike to the car show which cuts down on parking issues. One of the problems with having it at River Dell would be that people would have to park on the surrounding streets because the show would be monopolizing the parking area. He feels that this location is ideal.

Mayor Moscaritolo-asked if anyone from the Rec Commission would like to speak. The Mayor stated that he knows what their position is and asked if they would be open to him mediating the dispute. He said that the other option would be that they put their position on the record and let the chips fall where they may. He remembers last year when the Council gave Mr. Dunsay 10 cars and feels that this should not be a public vote but a decision between the Commission and the Cultural Center.

Alicia Armental-200 Mohawk Drive-stated that last year the Commission met with Mr. Dunsay, Police Chief Cariddi and Lieutenant Walker and at that time they all came to an agreement of 10 cars. She remembers that as a group they came up with the number 10 not the Council.

Mayor Moscaritolo-stated that what happened after you came up with that number was that they attached so many other conditions and bonds and hoops that Mr. Dunsay had to jump through that it forced him to come back to the Council. The Mayor would like to see this moved forward to come to a resolution and volunteered to mediate it for them.

Carlo Rebosio-201 Wayne Avenue-feels that the Rec Commission has made compromises over the years because in the beginning, they wanted no cars in the park. He continued to say that over the years the number has increased from 4 to now 10 and feels that it's unfair to say that the Commission hasn't compromised.

Alicia Armental-stated that they're just not comfortable with cars on the grass.

Mayor Moscaritolo-said that he agrees with that and if the Commission

says no cars on the grass under any circumstances, that's totally reasonable. The Mayor brought up the fact that there is a path. Alicia Armental-stated that parking on the path was never brought up, they always proposed 80 cars on the grass. The number 25 was never brought up until the Mayor made the recommendation this evening. Ms. Armental agrees with Councilman Mignone that they keep coming back with the same proposal and feels that they won't be happy until they allow 80+ cars.

Carlo Rebosio-again stated that the position of the Rec Commission is that they don't believe cars should be parked on the grass and that's why they agreed to 10 being parked on the pavement. Mr. Rebosio continued to say that the decision to allow the 10 cars on the pavement was based on the recommendation of the Police Chief. The Police Chief felt that 10 cars would be a reasonable number to park on the pavement from a safety perspective. They were not going to override the Police Chief's recommendation.

Alicia Armental- feels that the same thing is going to happen every year. She said that they really don't want any cars in the park and feels that they are compromising with 10.

Mayor Moscaritolo-stated that that's why you need to mediate something that will be a long term solution. The Mayor continued to say that the reason Mr. Dunsay is here again is because he doesn't feel that 10 cars opens up the park enough to make it worthwhile from the car show perspective.

Councilwoman Murphy-stated that during the July 4<sup>th</sup> celebration there were trucks and vans parked on the grass. She feels that there really is no grass there, just dirt and trees and the reality is that it's not a lush lawn.

Carlo Rebosio-disagrees and feels that there is grass.

Councilman Mignone-stated that the Rec Commissions position is that they don't want any cars on the grass but are happy with the ten on the pavement. He asked Mr. Dunsay if Chief Cariddi says you can get 12 or 15 on the pavement instead of the 10, would that be something he would consider?

Alicia Armental-said that if they do agree to that, then that will be they're final decision.

Councilman Mignone-feels that they need to decide whether they are going to override the Commission on the grass issue or not. He continued to say that if there is more room on the pavement and they're willing to accommodate more, then that's the compromise.

Resident-thought that what came out of the last meeting is that this issue was done. His understanding after the last meeting was that it's really not the Council's position to override the Rec Commission who have been appointed to make decisions on the public parks. He feels that they were appointed as commissioner's to maintain the safety and the appearance of the parks and understands that people see things differently. He is disappointed that he had to appear at another Council meeting to discuss something that he believes has already been decided on by the people who have the authority. He felt that they were very kind and respectful to the members of the Cultural Center when they made their decision. He feels that they will be dealing with the same thing next year if they don't go along with what Mr. Dunsay wants. He also feels that it's a shame that they've had to put so much time into issue, especially since they've made their decision and would be very disappointed if the Mayor and Council are not going to honor it.

Tom Sarlo, Esq.-to summarize, it appears that the Recreation Commission wants to keep it status quo and Mr. Dunsay has indicated that he wants more. Mr. Sarlo feels that there are three options for the Mayor and Council. They are: continue status quo with 10 cars, increase it and if they increase it, specify whether it's on the grass, in the parking lot or on the pavement. His recommendation is that any increase is subject to Police and Fire approval to insure that the park isn't packed with vehicles. The third option is we're not going to do anything and the jurisdiction is with the Rec Commission. Mr. Sarlo remembers that he issued a memorandum last year stating that the Recreation Commission oversees the parks as there are special permits that involve town resources but the Mayor and Council can intervene. He thinks it's time for the Mayor and Council to either say its 10 cars, increase it, or respect the Rec Commission's jurisdiction on this. Mr. Sarlo doesn't feel that there is anything else that really can be said on this issue.

Mayor Moscaritolo-offered to be a mediator.

Mr. Dunsay-said that they are willing to sit with the Mayor and negotiate.

Councilman Mignone-feels that the Council needs to make a decision one way or the other because it may come back again if nothing is resolved.

Councilwoman Murphy-feels that 25 cars would be a compromise and if that is agreed upon then the stipulation would be that they never hear about it again.

Motion by Councilman Mignone, seconded by Councilman Cappola to respect the jurisdiction of the Recreation Commission.

Tom Sarlo, Esq.-clarified the motion that the Mayor and Council are taking no action and are going to allow the Rec Commission to make a determination of how many vehicles should be parked in the park.

Mayor Moscaritolo-stated that he's trying to avoid this coming back year after year.

ROLL CALL VOTE: Councilman Cappola, Councilwoman Busteed, Councilman Mignone and Councilman Acquafredda voted yes; Councilwoman Murphy voted no and Councilman Papaleo was absent.

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS - No Comments.

ADJOURNMENT - 9:20 P.M.

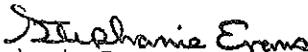
Motion by Councilwoman Murphy, seconded by Councilman Mignone to adjourn the meeting at 9:20 p.m.

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



Mayor Sandy Moscaritolo

Attest:

  
Stephanie Evans, Borough Clerk

Dated: 6/16/15