

M I N U T E S
Meeting of the Mayor and Council
Monday, April 1, 2013
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

Mayor Moscaritolo called for a moment of silent prayer and reflection and asked Councilman Papaleo to lead the salute to the flag.

MISSION STATEMENT & OPEN PUBLIC MEETINGS -

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

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

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

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

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

Alan Negreann-read resolution #13-155 into the record.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolution #13-155.

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

#13-155 Resolution to Read Budget by Title

WHEREAS, N.J.S. 40A-8 as amended provides that the budget be read by title at the time of the public hearing if a resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in Borough Hall and copies have been made available by the Borough Clerk to persons requiring them; and

WHEREAS, these two conditions have been met.

NOW, THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

April 1, 2013

OPEN HEARING ON 2013 MUNICIPAL BUDGET

Motion by Councilwoman Murphy, seconded by Councilman Mignone to open hearing on 2013 Municipal Budget.

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

CLOSE HEARING ON 2013 MUNICIPAL BUDGET

Motion by Councilwoman Murphy, seconded by Councilman Mignone to close hearing on 2013 Municipal Budget.

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

Mayor Moscaritolo commented that it looks like a \$77.00 per household municipal tax increase and that it's the lowest it's been in 5 years.

APPROVAL OF MINUTES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the minutes of the Mayor and Council work session and regular meeting of March 18, 2013.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the minutes of the Mayor and Council work session meeting of March 25, 2013.

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

PROCLAMATIONS & AWARDS -

Mayor Moscaritolo read the Proclamation Declaring April 2013 as National Autism Awareness Month as follows:

PROCLAMATION

WHEREAS, autism is a pervasive development disorder affecting the social, learning and behavioral skills of those affected by it; and

WHEREAS, as more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autistic spectrum, resulting in rates as high as one in 100 children nationally and one in 94 in New Jersey and

WHEREAS, while there is no cure for autism, it is well-documented that if an individual with autism receives treatment early in their lives, it often is possible for those individuals to lead significantly improved lives; and

WHEREAS, individuals with autism often require a lifetime of specialized and community support services to ensure their health and safety and to support families' resilience as they manage the psychological and financial burdens autism presents; and

WHEREAS, Autism New Jersey, is spearheading an awareness effort in order to educate parents, professionals and the general public about autism and its effects.

NOW, THEREFORE, I, Sandy Moscaritolo, Mayor of the Borough of River Edge do hereby proclaim:

April, 2013

as

NATIONAL AUTISM AWARENESS MONTH

in the Borough of River Edge and urge all employees and residents to participate in our Autism Awareness Month activities, in order to become better educated on the subject of autistic spectrum disorders.

Sandy Moscaritolo, Mayor

Dated: April 1, 2013

Mayor Moscaritolo presented the proclamation to Kathy DeSavino and her son Jack.

Mayor Moscaritolo read the Proclamation Declaring April 2013 as Donate Life Month as follows:

PROCLAMATION

WHEREAS, those who dedicate their time, effort and skills to help others are among the most valued members of any community; and

WHEREAS, there is a great shortage of organ and tissue donors and thousands of people on the organ transplant waiting lists will not live to receive one; and

WHEREAS, each day 18 people die while on the waiting lists, every 13 minutes someone is added to the waiting list and that in New Jersey over 5,000 residents are waiting for organs or tissue; and

WHEREAS, the New Jersey Motor Vehicle Commission is cooperating with the New Jersey Sharing Network (NJSN) so that you need only to designate on your driver's license that you want to be a donor and that information will also go into the NJSN computers; and

WHEREAS, if you are not a driver, you may designate your wish to be a donor on your legal I.D. card; and

WHEREAS, the science of matching and performing organ transplant surgery has become more advanced; and

WHEREAS, last year over 600 transplants were performed in New Jersey; and

WHEREAS, the NJSN has a new information brochure which contains a temporary Donor Card to be filled out and kept in your wallet until you have the opportunity to register this information on your driver's license or I.D. card.

WHEREAS, it is possible for one donor to save up to 8 lives and enhance the lives of up to 75 others through tissue donation.

NOW, THEREFORE, I, SANDY MOSCARITOLO, Mayor of the Borough of River Edge, do hereby proclaim

APRIL 2013

As

DONATE LIFE MONTH

Sandy Moscaritolo, Mayor

Dated: April 1, 2013

Mayor Moscaritolo presented the proclamation to Barbara Christensen who spoke on behalf of New Jersey Sharing Network and explained how she got involved with this cause. Mrs. Christensen encourages everyone to become an organ donor.

Mayor Moscaritolo read the Proclamation Declaring April 21 - 27, 2013 as National Volunteer Week as follows:

PROCLAMATION

WHEREAS, the residents of River Edge live in a community that inspires, equips and mobilizes people to take action that changes lives for the better; and

WHEREAS, our dedicated volunteers connect with local community services through dozens of community service organizations; and

WHEREAS, individuals and communities are at the center of social change, discovering their power to make a difference; and

WHEREAS, during this week all over the nation, service projects will be performed and volunteers recognized for their commitment to service; and

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and

WHEREAS, our country's volunteer force of over 63 million is a great treasure; and

WHEREAS, volunteers are vital to our future as a caring and productive nation.

NOW, THEREFORE, I, Mayor Sandy Moscaritolo hereby proclaim:

April 21 - 27, 2013

as

National Volunteer Week

In River Edge and urge my fellow citizens to volunteer in their respective communities. By volunteering and recognizing those who serve, we can replace disconnection with understanding and compassion.

Mayor Sandy Moscaritolo

Dated: April 1, 2013

Peggy White accepted the proclamation for National Volunteer Week.

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilman Papaleo, seconded by Councilman Mignone to approve the approval of the satisfactory completion of a six-month probationary period of Anthe Siaflas, Planning/Zoning/Assessor Clerk, effective April 16, 2012.

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

Councilman Mignone commended Anthe for doing a great job and feels that she's been very diligent and helpful when doing research for the Planning Board.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve the salary increase of Anthe Siaflas, Planning/Zoning/Assessor from an hourly probationary rate of \$16.05 to a Step I hourly rate of \$18.12, effective April 16, 2013.

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

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to approve the salary increase of Geeta Birnbaum, Account Supervisor from an annual Step I salary of \$51,294.00 to Step II - \$54,144.00, effective April 1, 2013.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the salary increase of Noreen Patoray, Court Administrator from an annual salary of \$57,420.00 to \$57,900.00, due to an increase in longevity from \$960.00 to \$1,440.00, effective April 9, 2013.

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

CORRESPONDENCE -

Letter - PSE&G - 3/18/13
Re: Energy Strong Program
Notice - River Edge Board of Education - 3/18/13
Re: Meeting - March 21, 2013
Notice - River Edge Board of Education - 3/22/13
Re: Meeting on 3/27/13
Petition - Additional Signatures for the Petition
Opposing the Ordinance to Re-Zone a
Section of Park Avenue
Letter - County of Bergen - 3/26/13
Re: Open Space Hearing
Letter - County of Bergen, CDBG - 3/28/13
Re: Senior Bus Driver Wages FY2011

MONTHLY REPORTS -

Library Board - February 2013
Planning Board - February 2013
Shade Tree Commission - December 20, 2012
Shade Tree Commission - February 2013
Historic Commission - October 24, 2013 (Designation Hearing)
Board of Health - March 2013

ORDINANCES - 1ST READING -

Denise Dondiego, Borough Clerk read the title of Ordinance #1785 as follows:

Ordinance #1785 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR THE CALENDAR YEAR 2013

Motion by Councilman Acquafredda, seconded by Councilwoman Murphy to approve the first reading of Ordinance #1785 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1785

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR THE CALENDAR YEAR 2013

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Governing Body of the Borough of River Edge in the County of Bergen finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Governing Body hereby determines that a 3.5% increase in the budget for said year, amounting to \$352,526.65 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by Governing Body of the Borough of River Edge, in the County of Bergen, a majority of the full authorized membership of this Governing Body affirmatively concurring that, in the CY 2013 budget year, the final appropriations of the Borough of River Edge shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$352,526.65, and that the CY 2013 municipal budget for the Borough of River Edge be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced by filed with the Director of the division of Local Government Services within 5 days of introduction.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Sandy Moscaritolo

Attest:

Denise A. Dondiego, Borough Clerk
Dated:

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda, Councilman Papaleo and Mayor Moscaritolo voted yes; Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted no.

ORDINANCE - 2ND READING -

DID NOT PASS

DID NOT PASS

DID NOT PASS

Denise Dondiego, Borough Clerk read the title of Ordinance #1781 as follows:

Ordinance #1781 - AN ORDINANCE AMENDING CHAPTER 416, ZONING, ARTICLES IV AND VIII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

Ordinance #1781 was introduced by Councilwoman Murphy, seconded by Councilman Acquafredda at the February 19, 2013 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1781

AN ORDINANCE AMENDING CHAPTER 416, ZONING, ARTICLES IV AND VIII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

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

Section I:

§ 416-4. titled "Definitions and Word Usage," paragraph B, is amended to add the following definition:

DWELLING - DUPLEX

A building designed for or intended to contain not more than two (2) dwelling units arranged side by side with a common party wall, with no dwelling units being above or below each other, and each dwelling unit having separate front and rear or side access to the outside.

Section II:

Schedule I of the Zoning Ordinance titled "Schedule of Zoning District Use Regulations" is amended to add "Duplex Residential Buildings" as a permitted conditional use only in Block 213, Lots 1 through 21.

Section III:

There shall be added a new § 416-36.2 as follows:

§ 416-36.2 Duplex Housing District.

A. Duplex residential development shall be a permitted conditional use in Block 213, Lots 1 through 21, provided that the proposed use complies with the conditions and standards contained herein and upon issuance of an authorization therefor from the appropriate approving authority.

B. Procedure. Pursuant to N.J.S.A. 40:55D-1 et seq., the Planning Board may grant conditional uses as herein permitted. Application for a conditional use site plan shall be made in accordance with procedures set forth in Chapter 350, and the Planning Board shall act on the application in accordance with said procedures. In reviewing an application for any conditional use as herein provided, the Board may impose such conditions and safeguards as it deems appropriate with respect to, among other matters, the minimizing of traffic congestion by appropriate arrangements of entrances and exits to assure public safety. Requirements for conditional uses shall take precedence over any regulations for the zone in which said use is located. Said conditional use requirements shall be as follows:

(1) Use. Any duplex residence proposed under this Section shall contain not more than two (2) dwelling units arranged side by side with a common party wall, with no dwelling units being above or below each other, and each dwelling unit having separate front and rear or side access to the outside.

(2) Bulk Requirements.

- (a) Minimum lot area shall be: 7,500 square feet.
- (b) Minimum lot width shall be: 70 feet.
- (c) Minimum lot depth shall be: 100 feet.
- (d) Minimum front yard shall be: 30 feet.
- (e) Minimum side yard shall be: 10 feet each.
- (f) Minimum rear yard shall be: 20 feet.
- (g) Maximum lot coverage shall be: 30% of total site area.
- (h) Maximum improved lot coverage shall be: 50% of total site area.

(3) Building Requirements.

(a) Maximum height shall be: 2 ¼ stories and 30 feet inclusive of garage elevation which shall be treated as one story.

(4) The number of parking spaces shall be two (2) for each dwelling unit, including the garage.

(5) Driveways Requirements

(a) The curb cut or driveway depression shall not be greater than 32 feet in width.

(b) No more than one curb cut shall be permitted for servicing both duplex units.

(c) The paved driveway servicing each duplex unit shall not exceed 18 feet in width and shall terminate 8 feet or more from the side lot lines.

(d) The paved driveways shall be divided by a landscape median not less than 3.0 ft. in width and shall run the length of the driveways terminating at the front property line.

(6) Development subject to applicable Borough ordinances.

Any development in the Zone District shall be subject to all applicable ordinances of the Borough of River Edge. Where there is any conflict between the provisions of this section and the provisions of the Site Plan Ordinance and/or the Land Subdivision Ordinance, the provisions of this section shall prevail.

Section IV:

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

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

Section V:

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

Sandy Moscaritolo, Mayor

ATTEST:
Denise Dondiego, RMC
Borough Clerk
Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1781

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

Tom Sarlo, Esq. explained that if there is no motion to open to the public, the ordinance is terminated.

Councilman Bartelloni and Councilman Mignone withdrew their motions.

Mayor Moscaritolo stated that Ordinance #1781 is on for final adoption and if there is no motion to hold a public hearing on this motion, then Ordinance #1781 will terminate. If the Council seeks to introduce an ordinance similar or identical to Ordinance #1781, it would have to be put on for first reading, voted on and passed and would have to be referred once again to the Planning Board for their recommendations and review and then it would be put on for final adoption where the Council could chose to approve, reject or modify it.

Members of the public didn't understand the Mayor's explanation and asked for further clarification.

Ordinance #1781 did not pass.

RESOLUTIONS - By Consent

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve resolution #13-156 through #13-164.

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

#13-156 Authorize Refund from Recreation Dedicated Account

WHEREAS, a resident signed up for a Casino Bus Trip scheduled for March 21, 2013; and

WHEREAS, the resident was unable to attend due to illness; and

WHEREAS, the residents had paid in full for this trip; and

WHEREAS, a refund will be made to the following:

Mary Kelly	
158 Bogert Road	\$35.00
River Edge, NJ 07661	

NOW, THEREFORE, BE IT RESOLVED that a total of \$35.00 be refunded from the Recreation Dedicated Account to the above listed residents.

April 1, 2013

#13-157 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 April 1, 2013 meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session</u> <u>Docket #</u>	<u>Item Title or Description</u>	<u>Statutory</u> <u>Reference</u>
13-4/1-1	Review of Closed Session Minutes of January 22, 2013, January 28, 2013, February 19, 2013, February 25, 2013 & March 18, 2013	N.J.S.A. 10:4-12(3)

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.

April 1, 2013

Motion by Councilman Bartelloni, seconded by Councilman Mignone to Table resolution #13-158.

ROLL CALL VOTE: Councilman Cappola, Councilman Mignone and Councilman Bartelloni voted yes; Councilwoman Murphy, Councilman Acquafredda, Councilman Papaleo and Mayor Moscaritolo voted no.

Mayor Moscaritolo-stated that it doesn't cost the Borough anything to hire Capital Alternatives and suggested that they be invited to come before the Mayor and Council at a later date to discuss grant opportunities.
Councilman Bartelloni-asked that the Mayor not sign their contract until they appear before the Governing Body.
Mayor Moscaritolo-agreed that he would not sign any contract until they come before the Governing Body.

#13-158 Enter Into Agreement with Capital Alternatives, Demarest House, 619 River Road, New Milford, New Jersey 07646 for Extraordinary Unspecifiable Services

WHEREAS, there exists a need for a Grant Consultant for the Borough of River Edge; 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 "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, Capital Alternatives has certified that this meets the statute and regulations governing the award of said contract; and

WHEREAS, a standard certification declaration for an Extraordinary Unspecifiable Service has been received by the Governing Body from the Borough Administrator; 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, Capital Alternatives has completed and submitted a Business Entity Disclosure Certification which certifies that Capital Alternatives 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 Capital Alternatives

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 #01-2010-20-1652-172 of the Current Fund in the amount not to exceed \$8,000.00 subject to the Governing Body making sufficient funds available in the 2013 budget; and

WHEREAS, the Mayor and Council have reviewed this matter at a work session on March 25, 2013.

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 Capital Alternatives, Demarest House, 618 River Road, New Milford, New Jersey 07646 in the amount not to exceed \$8,000.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

April 1, 2013

#13-159 Award Bid for Emergency Repairs and Maintenance of the Water Main and/or Storm and Sanitary Sewer Repairs to Montana Construction Corp., Inc.

WHEREAS, N.J.S.A. 40:11-11(5) authorizing a contracting unit to enter into a Cooperative Pricing Agreement; and

WHEREAS, the Borough of Haworth is the Lead Agency for the purchase of work, materials and supplies for the Riverside Cooperative, RC-35; and

WHEREAS, bids were received by the Borough of Haworth for Emergency Repairs and Maintenance of the Water Main and/or Storm and Sanitary Sewer System on February 26, 2013; and

WHEREAS, seven (7) bids were received, the lowest being from Montana Construction, Corp., Inc., 80 Contant Avenue, Lodi, New Jersey 07644 in the amount of \$88,798.43; and

WHEREAS, the Borough of Haworth as the Lead Agency for the Riverside Cooperative, RC-35, has awarded a contract on behalf of the Riverside Cooperative, via Resolution #35-RC-13-01 dated March 6, 2013 to Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey, 07644; and

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 mayor and Council of the Borough of River Edge, does hereby award the contract for Emergency Repairs and Maintenance of the Water Main and/or Storm and Sanitary Sewer System to Montana Construction, 80 Contant Avenue, Lodi, New Jersey 07644 as per the proposal on file with the Borough Clerk which shall be in effect from April 1, 2013 to March 31, 2015.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a contract on behalf of the Borough Clerk are hereby authorized to execute a contract on behalf of the Borough.

April 1, 2013

#13-160 Authorize Mayor and Clerk to Sign an Agreement with the Village of Ridgewood for the Loan of a 1989 Pierce Arrow 1250GPM Fire Pumper or 1994 Pierce Arrow 1250GPM Fire Pumper

WHEREAS, the Village of Ridgewood has a 1989 Pierce Arrow 1250 GPM Fire Pumper or 1994 Pierce Arrow 1250GPM Fire Pumper; and

WHEREAS, the Borough of River Edge desires to use said Pumper during the time that Engine 2 is being repaired pursuant to the provisions of the "Uniform Shared Services and Consolidation Act" N.J.S.A. C.40A:65-1 through C.40A:65-35 et seq.); and

WHEREAS, Regionalized provisions of such services is a concept specifically endorsed by the aforementioned statutory scheme; and

WHEREAS, it is to the benefit of the Borough of River Edge to participate in the loan of the 1989 Pierce Arrow 1250GPM Fire Pumper or 1994 Pierce Arrow 1250GPM Fire Pumper.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge shall enter into an agreement with the Village of Ridgewood for the loan of a the 1989 Pierce Arrow 1250GPM Fire Pumper or 1994 Pierce Arrow 1250GPM Fire Pumper for the period pursuant to the agreement on file with the Borough Clerk, subject to the approval of the Borough Attorney and the provisions of the "Uniform Shared Services and Consolidation Act" (N.J.S.A. C.40A:65-1 through C.40A:65-35 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 executive the Shared Services Agreement with the Village of Ridgewood; and
2. The initial term of this Agreement shall be (6) weeks.

April 1, 2013

#13-161 Authorize Tax Collector to Refund A Duplicate 1st Quarter 2013 Tax Payment

WHEREAS, the tax office has received a duplicate tax payment for the 1st Quarter 2013 taxes on the following property; and

WHEREAS, a written request was received from their mortgage company to refund the overpaid amount directly to the mortgage company.

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

BLOCK LOT	HOMEOWNER/ADDRESS	AMOUNT
207 24	VENTURA, LISA 45 Richard Court	\$76.58
	TOTAL:	\$76.58

Make check payable to:

BAC Tax Services Corporation
1757 Tapo Canyon Road
CA6-913-LB-01
Simi Valley, CA 93063
Attn: Cash Management

April 1, 2013

#13-162 Authorize Tax Collector to Refund a 2013 Duplicate Tax Payment

WHEREAS, the tax office has received a duplicate tax payment and/or tax overpayment for the 2013 taxes on the following property; and

WHEREAS, a written request was received from the homeowner to refund the overpaid amount directly to the homeowner.

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

Block/Lot	Name & Address	Tax Qtr.	Refund Amount
409/50/C0104	Mark & Nancy Brown 784 Kinderkamack Road River Edge, NJ 07661	1 st	\$2,196.16

April 1, 2013

#13-163 Authorize Tax Collector to Refund a Duplicate 1st Quarter 2013 Tax Payment

WHEREAS, a 1st Quarter 2013 overpayment was received on a property known as Block: 613 Lot: 4 located at 113 Adams Avenue from Affiliated Bankers Title Agency, LLC representing the buyer; Daniel & Jacquelyn Blanchard; and

WHEREAS, the tax office has received a written request to refund the overpaid amount to Affiliated Bankers Title Agency, LLC.

NOW, THEREFORE, BE IT RESOLVED that the Account Supervisor is hereby authorized to issue a refund check in the follow amount and the Tax Collector to adjust her records accordingly.

Block/Lot	Name & Address	Refund Amount
613/4	Sacristan (Etal), Dolly 113 Adams Avenue	\$2,679.58

Make check payable to:

Affiliated Bankers Title Agency, LLC
170 Changebridge Road, Suite B-2
Montville, NJ 07045

April 1, 2013

#13-164 Resolution Authorizing the Mayor to Execute a Developer's Agreement with Estate of E. Tamburelli Trust B & Route 4 Main Street LLC for the Project Known as New Bridge Landing at River Edge (formerly Huffman Koos)

WHEREAS, by resolution dated June 21, 2012, the River Edge Planning Board granted site plan approval to E. Tamburelli - Trust B & Route 4 Main Street LLC to construct "To construct a retail center consisting of three buildings (one existing), a pylon sign and related improvements." on the property located on Block 1404, Lots 1.04, 3.01 and 5 of the Borough tax map and more commonly known as 135 Kinderkamack Road/1025-1077 Main Street; and

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

WHEREAS, a Developer's Agreement has been prepared and reviewed by the Borough and the Planning Board Attorney, both of whom has expressed satisfaction and approve of the Agreement.

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

April 1, 2013

Councilman Mignone read resolution #13-165 into the record.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #13-165.

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

#13-165 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	\$939,520.71
CAPITAL ACCOUNT	\$ 2,300.00
RECREATION ACCOUNT	\$ 98.84
TRUST OTHER ACCOUNT	\$ 1,346.66
TRUST OTHER DEVELOPERS ACCOUNT	\$ 1,775.00

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.

April 1, 2013

OPEN HEARING OF THE PUBLIC -

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

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

Elaine Gibbons-220 Dorchester Road-was disappointed that the Council didn't vote on Ordinance #1781.

Michael Krey-879 Park Avenue-thanked the Mayor and Council for not passing this ordinance and stated that one of the biggest concerns the residents had was that they weren't being heard. He thanked them for their effort, attention and willingness to hear what they had to say.

Peggy White-741 Center Avenue-asked for clarification as to what was actually going to be built on these lots, one or two buildings?

Mayor Moscaritolo-explained that for the two lots there would be four units. One duplex on each lot.

Gerry Garcia-839 Park Avenue-asked for clarification on the Mayor's comment that the ordinance can be modified with the Planning Board's recommendation for changes.

Mayor Moscaritolo-explained that the proposed ordinance that is no longer alive, went to the Planning Board twice. The first time they suggested modifications which were adopted by the Council. After the public expressed concerns, the Mayor and Council sent it back to the Planning Board for additional reconsideration. The Planning Board had a hearing and sent the ordinance back to the Council with additional modifications. Those changes were never modified and incorporated in the latest version of the ordinance.

Marge Burns-236 Wales Avenue-feels that the Council will re-introduce the ordinance during the summer months when everyone is on vacation and not paying attention.

Ellen Busteed-749 Bogert Road-stated that by the action that the Mayor and Council took tonight, it illustrates that they listened and realized that this is not the direction our community wants to go. She urged the Governing Body to make the review of the Master Plan a priority so that we don't find ourselves in this position in the future.

Virginia Korteweg-821 Kinderkamack Road-asked who called the attorney and the developer about the pre-ordained decision that was made tonight.

Mayor Moscaritolo-stated that Mr. Caleca called him today asking his opinion

on whether he should attend the meeting. The Mayor told him that in his opinion, he need not attend.

Jim Miller-885 Park Avenue-also thanked the Governing Body for listening to them as well as his family and neighbors for coming together and feels that this is a testament to the democratic process of the town. He hopes that this ordinance doesn't get re-introduced.

Sheila Duvet-17 Park Avenue-also said thank you to the Governing Body and feels proud to be an American.

Jim Arakelian-213 Woodland Avenue-stated that the Mayor and Council should be commended for being volunteers and especially for working together in a bipartisan way to get the budget done.

Charlie Keene-855 Park Avenue-complained that garbage cans on Kinderkamack Road by Fuki Sushi are always overflowing and the surrounding area is filthy.

David Rabinowitz-44 Gates Avenue-stated that the Mayor and Council should embrace social media so that the town as a whole could be notified whether they should attend or not and also feels that they need to work smarter and embrace the views of the whole community.

Jim Anastos-818 Park Avenue-asked what they're going to do about Charlie Keene's problem?

Mayor Moscaritolo-stated that he will notify the DPW and ask them to take a look.

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS -

Councilwoman Murphy-thanked the residents for coming to the meeting and vocalizing their opposition to this action. She took to heart many of the statements made by Mr. Krey and also stated that she respects the opinions of the residents that came before them. Councilwoman Murphy stated that she's hopeful that in next years budget, money may be put aside to review our Master Plan and that future developments and recommendations be included.

Councilman Acquafredda-said thank you for being part of the democratic process. He assured the residents that they are part of the checks and balances and thanked them for listening with an open mind.

Councilman Cappola-stated that however you saw the situation, the process was great and made him feel proud to be part of the democratic process. He hopes that many of the residents will continue to attend meetings in the future.

Councilman Mignone-announced that the Hackensack River Clean-up is scheduled for Saturday, April 27th from 10 - 2 and hopes that they will have a great turnout. Councilman Mignone feels that Ordinance #1781 should have been stopped at the first reading after hearing arguments from the residents. He doesn't feel this can be blamed on the Master Plan because the Planning Board found it consistent with the plan and isn't sure what change could've been made to prevent this from happening. He commends the residents for their passion and devotion to the cause and he's glad things worked out the way that they did.

Councilman Bartelloni-also thanked everyone for coming and stated that the right to petition your government and assemble with a list of grievances is a uniquely American experience and the outcome is what he was hoping for. He hopes that the developer will build something that is in line in keeping with the character of the neighborhood. Councilman Bartelloni stated that he's happy to see so many people in the audience but is disappointed that most residents don't ask questions about the municipal budget which has an effect on everyone. He stressed the importance of keeping informed and encouraged everyone to check out our website. Councilman Bartelloni spoke about the Sharing Network and the importance of letting family members know if you decide to become an organ donor. He spoke about the Master Plan and explained that it was written in 1984 and most of the issues that were discussed back then are the same issues that are being debated now. He's excited that the Redevelopment Planner is coming before them so that they can start addressing the issues along Kinderkamack Road and feels that they have an obligation to move forward in a positive way. He explained why he didn't agree with the Planning Board's opinion that re-zoning Park Avenue is consistent with the Master Plan. He again invited the residents to continue to come to Council meetings and stay involved.

Councilman Papaleo-feels that this is what democracy is all about and thanked the residents for speaking about their issues and concerns. He further stated that the Borough hires professionals for their expertise and feels that if they said this ordinance is keeping with the Master Plan then it does. He feels that Council has a two-fold responsibility. First, that they look for what is best for the community as a whole and second, listening and responding to the residents and voters. He feels that that's what happened and the Governing Body as a whole decided not to move forward with this ordinance because of the

residents' concerns. He assured everyone that this ordinance will not be introduced at a later time, as someone in the audience had implied, and again feels that the Planning Board and the Governing Body did due diligence and made the right decision. Councilman Papaleo gave out his cell phone number, feels that the process worked and thanked everyone for coming. Mayor Moscaritolo-also thanked everyone for coming and likes the fact that our residents have participated in the process regarding the zoning change for Park Avenue and commended their effort. He stated that the Governing Body heard them loud and clear and feels that the democratic process is alive and well in the Borough of River Edge. The Mayor was disappointed that during the process, there were some negative comments that divided us as a community such as calling people who rent leeches. The Mayor explained that the Council deliberated long and hard after hearing from the Park Avenue residents to come to the conclusion that this ordinance was not the right decision for the neighborhood. Again, the Mayor thanked everyone for coming and also encouraged them to attend school budget meetings as well as Council meetings to stay informed.

ADJOURNMENT - 9:23 P.M.

Motion by Councilman Papaleo, seconded by Councilman Mignone to adjourn the meeting at 9:23 p.m.

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

Mayor Sandy Moscaritolo

Attest:

Denise A. Dondiego, Borough Clerk

Dated: