

MINUTES
Meeting of the Mayor and Council
Monday, November 18, 2013
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 and reflection and Councilman Cappola led 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, Councilman Mignone, Councilman Bartelloni, Councilman Papaleo and Mayor Moscaritolo were present; Councilman Acquafredda was absent.

APPROVAL OF MINUTES -

Motion by councilwoman Murphy; seconded by Councilman Bartelloni to approve the minutes of the Mayor and Council regular meeting of November 4, 2013.

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

PROCLAMATIONS & AWARDS - None

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the transfer of Jack Velten, crossing guard, to Police Dispatcher at an hourly salary of \$17.92 (B scale), effective October 23, 2013 with a six-month probationary period.

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

Motion by Councilwoman Murphy; seconded by Councilman Mignone to approve the salary change of Stephanie Geisler, Accounts Payable Clerk, from \$15.74 per hour to \$18.12 per hour due to the completion of a satisfactory six month probationary period to Step 1, effective November 20, 2013.

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

Motion by Councilwoman Murphy; seconded by Councilman Mignone to

approve the resignation of Timothy Curran, 81 Gates Avenue from the River Edge Fire Department effective November 15, 2013.

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

Motion by councilwoman Murphy; seconded by Councilman Mignone to approve the appointment of Robert D. Irving, 914 Wildwood Road, Gradell, New Jersey 07649 to the River Edge Fire Department.

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

CORRESPONDENCE -

Letter Boswell Engineering
RE: Notification Freshwater Wetlands General
Permit #2 BC Bridge Scour Protection
Main St. over Coles Brook - 11/13/13

Notice River Edge Board of Education
RE: Meeting Notice 11/13/13

Letter Standard & Poor's rating Services
RE: \$2,970,000 R.E. Borough General Obliga-
tion Bonds, Series 2013, dated: due:
November 15, 2023 - 11/5/13

Report Certification by Alan P. Negreann,
Administrator/CFO -
RE: Bond Sale - 11/14/13

Letter Cablevision
RE: Channel change

Letter Neal Carroll, Secty. R.E.F.D.#1
RE: Resignation Timothy Curran-11/13/13

MONTHLY REPORTS -

Building Dept. - October, 2013
River Edge Public Library - October, 2013
Tax Collector's Report - October, 2013

LIAISON REPORTS -

Councilwoman Murphy - No Report

Councilman Acquafredda - Absent

Councilman Cappola- reported the SCORE sent out a mass mailing trying to interest new members.

Councilman Mignone - No Report

Councilman Bartelloni - No Report

Councilman Papaleo reported that DARE is processing a grant for next year.

ORDINANCES - 1ST READING -

Motion by councilman Mignone; seconded by Councilwoman Murphy to approve Ordinance #1794 as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1794

BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF FIFTH AVENUE (SECTION 1 - FROM HOWLAND AVENUE TO SLIGHTLY PAST THE INTERSECTION WITH WAYNE AVENUE), 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 \$176,000 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 1 - from Howland Avenue to slightly past the intersection with Wayne Avenue) 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	7, 8, 9, 10, 11, 12, 13, 14, 15, 16
911	1, 23
910	1, 38, 39, 40, 41, 42
906	32

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 \$176,000 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 \$150,000 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 \$107,850 to the cost of said sidewalk improvement, and (2) the estimated maximum amount of the special assessments for said sidewalk improvement is \$3,500, 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 \$176,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$176,000, and (5) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$18,160 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 \$176,000 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 \$176,000 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 \$176,000 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.

Sandy Moscaritolo, Mayor

Denise A. Dondiego, RMC
Borough Clerk

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

ORDINANCE - 2ND READING - NONE

RESOLUTIONS - By Consent

Motion by Councilman Bartelloni; seconded by Councilman Mignone to approve resolutions #13-408 through #13-420.

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

#13-408 Resolution Permitting the Possession and Consumption of Alcoholic Beverages to the River Edge Volunteer Fire Department

WHEREAS, River Edge Volunteer Fire Department has requested that the possession and consumption of alcoholic beverages be permitted in connection with their semi-annual Chief's Open House and swearing-in ceremony on Saturday, January 11, 2014 at fire station #2 starting about 3:30 pm a five (5) hour period, the scheduling of which to be at the discretion of the Fire Department; and

WHEREAS, Borough Code Section 114-15 prohibits the possession and consumption of alcoholic beverages in or on a public street, lane or sidewalk, public parking lot, public or quasi-public place; and

WHEREAS, Borough Code Section 114-18 notwithstanding the provisions of 114-15 of this chapter, the Mayor and Council of the Borough of River Edge may by resolution permit the possession or consumption of alcoholic beverages in a designated park or in or on a public street, lane or sidewalk, public parking lot, public or quasi-public place at a designated time or times in connection with a specific event, series of events or observance which has been authorized by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body does hereby grant

an exception to Borough Code Section 114-15 for the River Edge Volunteer Fire Department for semi-annual Chief's Open House and swearing-in ceremony on Saturday, January 11, 2014 at fire station #2 starting about 3:30 pm for a five (5) hour period, the scheduling of which to be at the discretion of the Fire Department; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of River Edge that persons age 21 and over be and hereby are permitted to possess and consume alcoholic beverages at the events described above, on the dates and times specified herein.

November 18, 2013

13-409 Rescind Resolution #13-399 Perfect Municipal Charge to Real Property Lien Status

WHEREAS, resolution #13-399 Perfect Municipal Charge to Real Property Lien Status was approved on November 4, 2013; and

WHEREAS, the outstanding amount and municipal service dates need to be changed.

NOW, THEREFORE, BE IT RESOLVED that resolution #13-399, dated November 4, 2013, is hereby rescinded.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to change her records accordingly.

November 18, 2013

#13-410 Perfect Municipal Charge to Real Property Lien Status

WHEREAS, the Borough of River Edge has property maintenance standards as described in its book of Revised General Ordinances, Chapter 330; and

WHEREAS, James & Margaret Bergen of 278 Taft Court, River Edge, New Jersey, Block 1108, Lot 23 has incurred municipal charges relative to the cleaning, care and maintenance of the above property; and

WHEREAS, numerous notices of violation of the Property maintenance Code have been sent to James & Margaret Bergen of 278 Taft Court the last of which was a violation notice dated June 17, 2013 which requested that the property be cleaned up or the Borough of River Edge would service the property as permitted under its ordinance and pursue perfecting the bill as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED that in accordance with N.J.S.A. 54:5-8 that the outstanding amount of \$1,202.60 representing municipal services performed for the period July 8, 2013 through October 21, 2013 shall become a lien on the real property in the Borough of River Edge known as Block 1108, Lot 23 if not satisfied by the appropriate date.

BE IT FURTHER RESOLVED that the Chief Financial Officer is instructed to adjust his records accordingly, that the Borough Clerk is instructed to send a copy of this resolution to the Tax Collector and notify her that this shall make this property subject to the Borough's annual tax sale if the outstanding amount is not satisfied by the appropriate date.

November 18, 2013

#13-411 Authorize Cancellation of Accounts Payable

WHEREAS, there exists various accounts payable on the books of the Current Fund; and

WHEREAS, the various purchase orders and contracts creating these accounts payable have been investigated and it has been

determined that these should be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the following accounts payable in the following amounts are hereby cancelled.

<u>P.O. #</u>	<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
24283 Costa Generator	Engineering Corp	\$5,575.00	Public Safety Building

November 18, 2013

#13-411 Authorize Cancellation of Accounts Payable

WHEREAS, there exists various accounts payable on the books of the Current Fund; and

WHEREAS, the various purchase orders and contracts creating these accounts payable have been investigated and it has been determined that these should be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the following accounts payable in the following amounts are hereby cancelled.

<u>P.O. #</u>	<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
24283 Costa Generator	Engineering Corp	\$5,575.00	Public Safety Building

November 18, 2013

#13-412 Amend Agreement with Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey for Professional Services for Expert Legal Services

WHEREAS, there exists a need for Expert Legal Services for tax appeal representation; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Alan P. Spiniello, Esq. via resolution #13-09 dated January 1, 2013 in the amount of \$5,000.00; and

WHEREAS, additional funding is required for Expert Legal Services for tax appeal representation; and

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

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

WHEREAS, the Mayor and Council have reviewed this matter at a work session on November 18, 2013; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-174 of the Current Fund an amount not to exceed \$2,500.00.

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

WHEREAS, the rate of pay shall not exceed \$85.00 per hour:

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

1. The Mayor and Clerk are hereby authorized and directed to execute

the attached agreement with Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey, 07601 in the amount not to exceed \$2,500.00.

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

November 18, 2013

#13-413 Resolution Permitting the Possession and Consumption of Alcoholic Beverages to the River Edge Volunteer Fire Department

WHEREAS, the Chief of the River Edge Volunteer Fire Department has requested that the possession and consumption of alcoholic beverages be permitted in connection with their annual Holiday Party on December 14, 2013 in the evening for a five (5) hour period, starting at 7:00 P.M. to 11:00 P.M.; and

WHEREAS, Borough Code Section 114-15 prohibits the possession and consumption of alcoholic beverages in or on a public street, lane or sidewalk, public parking lot, public or quasi-public place; and

WHEREAS, Borough Code Section 114-18 notwithstanding the provisions of 114-15 of this chapter, the Mayor and Council of the Borough of River Edge may by resolution permit the possession or consumption of alcoholic beverages in a designated park or in or on a public street, lane or sidewalk, public parking lot, public or quasi-public place at a designated time or times in connection with a specific event, series of events or observance which has been authorized by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body does hereby grant an exception to Borough Code Section 114-15 for the River Edge Volunteer Fire Department for their annual Holiday Party on Saturday, December 14, 2013 for a five (5) hour period starting at 7:00 p.m. to 11:00 p.m.

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

November 18, 2013

#13-414 Authorize Place to Place Liquor License Transfer - E.G. Holding Corp., T/A Total Wine & More

WHEREAS, an application has been filed for a Place-to-Place Transfer of Plenary Retail Distribution License Number 0252-44-005-003, issued to E.G. Holding Corp., T/A Total Wine & More for premises heretofore located at 1001 Main Street, River Edge, New Jersey; and

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

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of River Edge does hereby approve, effective February 27, 2014, the Place-to-Place Transfer of the aforesaid Plenary Retail Distribution licensed premises, from its former location at 135 Kinderkamack Road, River Edge, New Jersey, to its new location at 1001 Main Street, River Edge, New Jersey, and does hereby direct the Borough Clerk/A.B.C. Board Secretary to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to premises located at 1001 Main Street, River Edge, New Jersey."

November 18, 2013

#13-415 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 November 25, 2013 and December 2, 2013 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.

November 18, 2013

#13-416 Enter Into an Agreement With Omdex, Inc. Consulting Engineers, 21 Cross Avenue, Midland Park, N.J. for Professional Services Related to HVAC Engineering Services at the Library

WHEREAS, there exists a need for expert engineering services related to HVAC Engineering Services at the Library; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1789-100 of the Capital Fund not to exceed \$4,500.00 ;and

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

WHEREAS, Omdex, Inc. Consulting Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that 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 Omdex, Inc. Consulting Engineers from making any reportable contributions through the term of the contact; 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 per hour rates are as follows: \$150.00

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Omdex Inc. consulting Engineers, 21 Cross Avenue, Midland Park, N.J. not to exceed \$4,500.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "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.

#13-417 Amend Capital Budget

WHEREAS, the Borough of River Edge, New Jersey desires to amend the Capital Budget of said municipality by inserting thereon or correcting the items therein as shown on such budget for the following reason: Resurface Fifth Curb/Sidewalk.

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

Section 1. The 2013 Capital Budget of the Borough of River Edge is hereby amended by adding thereto a Schedule to read as follows:

AMENDMENT 13-1
CAPITAL BUDGET OF THE BOROUGH OF RIVER EDGE
Projects Scheduled for 2013
Method of Financing

<u>Project</u>	<u>Bond/Notes</u>	<u>Estimated</u>	
		<u>Cost</u>	<u>Grants</u>
<u>Authorized</u>			
Resurface Fifth Avenue - Curb/Sidewalk \$176,000.00		\$176,000.00	

November 18, 2013

#13-418 Authorize D. Kraus, Esq. to Enter Into A Stipulation of Settlement with River Edge Commons LLC, 195-205 Kinderkamack Road

WHEREAS, the Mayor and Council of the Borough of River Edge having been advised of the proposed settlement of a tax appeal filed on behalf of River Edge Commons LLC, under Tax Court Docket Nos. 011231-2011, 010619-2012 and 007147-2013 for the years 2011, 2012 and 2013; and

WHEREAS, the Mayor and Council having been advised of the merits of the subject tax appeal by legal counsel, the Borough's expert appraiser and/or the Borough Tax Assessor: and

WHEREAS, the above mentioned tax appeal is proposed to be settled in accordance with the Stipulation of Settlement attached hereto and made a part hereof; and

WHEREAS, it is in the best interest of the Borough of River Edge to settle the subject tax appeal in accordance with the proposed Stipulation of Settlement with an assessed value for calendar year 2013 of \$1,566,400.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the said tax appeal be settled and finalized in accordance with the Stipulation of Settlement attached hereto, and with respect to same, that the Mayor and any other appropriate official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

BE IT FURTHER RESOLVED that a Certificate of Availability of Funds pursuant to NJSA 40A:4-57 has been certified by the Chief Financial Officer of the Borough.

November 18, 2013

#13-419 Resolution to Allow a 2013 Veteran Deduction and to Adjust and Refund 4th Quarter 2013 Taxes for Same Amount

WHEREAS, the following homeowner filed a Veteran Application for a deduction in the amount of \$250.00 and was approved by the Tax Assessor for the year 2013; and

WHEREAS, the deduction was not listed in the 2013 Extended Tax Duplicate

and the 4th Quarter 2013 taxes have been paid.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4th Quarter tax amount for the \$250.00 deduction and refund the homeowner by the same amount.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Deduction</u>	<u>Refund Amount</u>
613/4	Daniel Blanchard 113 Adams Avenue River Edge, NJ 07661	V	250.00

November 18, 2013

#13-420 Approval to Waive a Portion of the Police Outside Duty Rate for Temple Avodat Shalom

WHEREAS, Temple Avodat Shalom had a High Holy Day Serviced at 385 Howland Avenue from September 4th through September 14, 2013; and

WHEREAS, Temple Avodat Shalom requested Crossing Guard assistance for the duration of the High Holy Day Services; and

WHEREAS, Temple Avodat Shalom have made an appeal to the Mayor and Council to waive the administrative fee portion of the \$135.00 per hour rate and be billed for the officer's overtime rate; and

WHEREAS, the Mayor and Council have discussed this matter at their work session of November 18, 2013 and have indicated that the outside duty rate of \$135.00 be waived and that the actual overtime rate of the police officer assigned to that duty be charged.

NOW, THEREFORE, BE IT RESOLVED that the Police Department and the Chief Financial Officer are instructed to adjust their billing accordingly and to notify Temple Avodat Shalom of the fee to be paid for the services provided.

November 18, 2013

Motion by Councilman Mignone; seconded by Councilwoman Murphy to approve resolution #13-421 as follows:

#13-421 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	\$142,698.75
CAPITAL ACCOUNT	\$ 85,568.81
RECREATION ACCOUNT	\$ 1,578.85
TRUST OTHER ACCOUNT	\$ 6,824.06
OPEN SPACE ACCOUNT	\$ 484.98
TRUST OTHERS DEVELOPERS ACCOUNT	\$ 3,893.46
ANIMAL WELFARE ACCOUNT	\$ 2.40

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.

November 18, 2013

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

Motion by Councilman Bartelloni; seconded by councilwoman Murphy to approve resolution #13-422 as follows;

#13-422 Resolution to Approve Application for Smart Growth America's Free Technical Assistance Work Shop

Be It Resolved that the Mayor and Clerk are authorized to submit an application and

a Letter of Commitment for the Smart Growth Work Shop.

November 18, 2013

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

OPEN HEARING OF THE PUBLIC -

Motion by Councilwoman Murphy; seconded by councilman Mignone to Open the Hearing to the Public.

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

Peg White, 741 Center Avenue - referred to a discussion on the work session listing the Senior/Community Center Trust Account saying she is not sure what it should be called and that the Mayor and Council should carefully decide because it is difficult to get grants for a Community Center and if you ask people for donations they should be clear on what they are donating to. Also, Ms. White pointed out that our regular meetings are advertised to start at 8:00 pm and that the governing body should stop the work session and start the regular meeting on time as it has been done by prior governing bodies. She went on to say that it looks hap-hazard for an official meeting not to start as advertised.

CLOSE HEARING OF THE PUBLIC -

Motion by Councilwoman Murphy; seconded by councilman Mignone to Close the Hearing to the Public.

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

COUNCIL COMMENTS -

Councilwoman Murphy thanked Councilman Bartelloni for his service on the council and his work on the Finance Committee. She went on to thank everyone who attended the Don Smart presentation and that Fort Lee is using him also to get their business development going. She added that the Mayor's Wellness Campaign is going strong and that Roosevelt School has a Fit Club started by Christina DeSavino which already has 130 children participating. She spoke with Bonnie Stewart from the Green Team who is working on a grant application Councilman Bartelloni congratulated Ellen Busted and Ed Mignone. He commented that the 2.02% Bond Rate was a fantastic rate and feels that is it tied into our Standard & Poors AA Bond rating. He added that this shows that the Borough is in a financially positive position going forward. He is pleased with the growing fund balance and that we should have a low increase or possibly decrease in our 2014 taxes.

Councilman Papaleo congratulated Ellen Busteed and Ed Mignone. He also feels the bond rate is connected to the work that the Finance Committee has been doing creating good financial policies and to the Borough's financial wellness. Mayor Moscaritolo congratulated Ellen Busteed and Ed Mignone and hopes that Ed stays on the Finance Committee stating that he was a great asset. He added that he told Bonnie Stewart he would help her with the grant application with PSE&G but does adding that their liaison, Ed Mignone, could also reach out to her. Mayor Moscaritolo thought the Veteran Ceremony was the best with input from the school children, vets, former officials and new members of the military.

ADJOURNMENT - 8:35 PM

Motion by Councilwoman Murphy; seconded by Councilman Mignone to Adjourn the meeting.

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

Mayor Sandy Moscaritolo

Denise A. Dondiego, RMC
Borough Clerk