

M I N U T E S  
Meeting of the Mayor and Council  
Monday, June 3, 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 Mignone 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.

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 May 20, 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 minutes of the Mayor and Council work session meeting of May 28, 2013.

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

PROCLAMATIONS & AWARDS - NONE

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the resignation of Christopher Weismann, Mechanic I in the Department of Public Works, effective June 28, 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 appointment of Lisa Mauthe, 770 Oak Avenue, to the Special Events Committee for a two-year term, effective June 4, 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 resignation of Robert Nyman from the Planning Board, effective June 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 separation of John Slattery, School Crossing Guard, effective May 31, 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 retirement of Lieutenant Richard J. Curran of the River Edge Police Department, effective August 31, 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 Papaleo to approve the hire of Camp Staff from July 1, 2013 through August 2, 2013 as per the list on file in the Borough Clerk's office.

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

CORRESPONDENCE -

Notice - River Edge Board of Education - 5/20/13  
Re: Meeting Notice - 5/22/13  
Letter - Christopher Weismann - 5/20/13  
Re: Letter of Resignation  
Letter - Robert Nyman - 5/21/13  
Re: Letter of Resignation  
Letter - County of Bergen - 5/22/13  
Re: Freeholder Meeting - Transportation  
Funding for Senior Citizens & Persons  
with Disabilities  
Letter - Cablevision - 5/22/13  
Re: Launch of NTD & Chinese Channel  
Letter - State of N.J. DEP - 5/23/13  
Re: Heating Oil Storage Tank  
600 Riverside Way-No further Action Necessary  
Letter - Richard J. Curran - 5/30/13  
Re: Retirement

MONTHLY REPORTS - NONE

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

Denise Dondiego, Borough Clerk read the title of ordinance #1790 as follows:

Ordinance #1790 - AN ORDINANCE TO PROVIDE FOR OPEN AIR SIDEWALK CAFES WITHIN THE BOROUGH OF RIVER EDGE

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve the first reading of Ordinance #1790 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1790

AN ORDINANCE TO PROVIDE FOR OPEN AIR SIDEWALK CAFES WITHIN THE BOROUGH OF RIVER EDGE

WHEREAS, the Borough of River Edge deems it in the best interest of the residents of River Edge, as well as River Edge's business community and the many out-of-town patrons of River Edge's food service establishments, to provide for open air sidewalk cafes; and,

WHEREAS, the Borough of River Edge finds that open air sidewalk cafes promote and facilitate a vibrant and active streetscape and enhance our community's quality of life; and,

WHEREAS, the Borough of River Edge desires to encourage the establishment of outdoor dining in River Edge to support local economic and commercial development; and,

WHEREAS, the Borough of River Edge has determined that guidelines and regulations for the establishment of open air sidewalk cafes are in the best interest of the community;

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

#### Section 1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

FOOD SERVICE ESTABLISHMENT: A facility established primarily for the preparation and service of food and drink with facilities to serve same on its premises, which shall include restaurants, bakeries, ice cream parlors, delicatessens and similar establishments.

LIMITED SIDEWALK CAFE: The utilization of sidewalk space beyond the building line to accommodate the serving of food and drink to patrons of a food service establishment, immediately fronting on that sidewalk space, which space is unenclosed.

SIDEWALK: That portion of the public easement that lies between the building line and the curb.

#### Section 2. Requirements of operation.

No sidewalk cafe shall operate within the Borough unless and until the owner or operator has fully complied with and continues to comply with all of the criteria set forth in this Chapter.

#### Section 3. Permitted location.

Sidewalk cafes shall only be permitted in front of an operating food service establishment that has previously acquired all of the required licenses and/or permits needed to operate within the Borough.

#### Section 4. Regulations for operation.

- A. No outdoor dining area shall be located within any public right of way.
- B. A minimum four foot wide area of unobstructed paved surface shall be available for pedestrian movement around or through the outdoor cafe. No outdoor dining area shall be located less than eight (8) feet from any driveway and/or parking area unless the applicant installs protective bollards or barriers as approved by the Borough Engineer.
- C. All outdoor dining areas shall be limited to not more than 15% of the total maximum permitted seating for the establishment.
- D. Tables shall be arranged so that the side of each table shall be as close as practical to the adjacent wall of the food establishment it is associated with, provided that in no event shall the establishment be allowed more than one table and two chairs for every five feet of storefront of the establishment requesting the outdoor dining.
- E. Tables shall be limited to two seat tables. The maximum permitted depth of the table, as measured from the nearest wall it abuts, shall be forty (40) inches.
- F. Table umbrellas are permitted for outdoor cafes on sidewalks, subject to the following:
  - (1) Umbrellas shall only be permitted at the permitted outdoor cafe tables, and the number of umbrellas shall be no more than the number of tables permitted.
  - (2) The size of the umbrellas shall allow at least a vertical clearance under the umbrella of six feet eight inches. The width of the umbrella and its placement shall be such as to leave a four foot wide unobstructed path of sidewalk parallel to the curb across the entire

frontage of the property in question.

(3) All umbrellas shall be vented and properly secured with pins or bolts through the table framework, with weighted umbrellas stands directly beneath the table to prevent toppling in high winds.

(4) Umbrellas shall not be illuminated, and signs are only permitted on the valance of the umbrella.

(5) The maintenance and daily removal of umbrellas shall be in conformance with the standards of this article.

G. No food or drink shall be prepared or stored other than the interior of the eating establishment.

H. No tables, chairs or other equipment shall be attached, chained or in any manner affixed to any tree, post, sign, curb or sidewalk, or property of the Borough.

I. No outdoor loudspeaker, public address system, radio or similar device shall be utilized.

J. The applicant shall remove all chairs, tables and other equipment from the sidewalk at the close of business each day unless the chairs, tables and other equipment are surrounded by a partition that separates the sidewalk cafe area from the public portion of the sidewalk. The partition shall be no less than thirty (30) inches in height and shall not exceed thirty-six (36) inches in height, and the design of the partition shall provide boundaries which will allow patrons and pedestrians to clearly ascertain the entrance and exit to the premises.

K. The area utilized for the sidewalk cafe shall be cleared of any obstruction and cleaned of refuse, debris and/or food waste at the close of business on each day.

L. The Borough shall not require additional parking for outdoor cafe seating.

#### Section 5. Permitted hours of operation.

Operation of open sidewalk cafes shall be permitted from April 15, through November 30 inclusive. The hours of operation shall be 8:00 a.m. until 10:00 p.m. on Sundays through Thursdays, and 8:00 a.m. until 11:00 p.m. on Friday and Saturday, except that no alcoholic beverages may be served before 12:00 p.m. on any day, and then only upon proper revision of the liquor license applicable to the premises with the Borough and/or New Jersey Alcoholic Beverage Commission, as required.

#### Section 6. Licenses.

A. The Borough shall grant a revocable license renewable each year for seasonal operation for limited sidewalk cafes. The Zoning Code Official shall prepare an application form, and shall be responsible for reviewing all submitted applications to ensure that the owner and operator demonstrate adherence to all of the conditions set forth in this Chapter and all applicable Borough and state laws and regulations. Included within the application shall be the following:

(1) The name, address and telephone number of the applicant and property owner, and written authorization of the owner of the property in question, and the street address and block and lot number of the property in question.

(2) A survey, schematic or other evidence illustrating the location and number of proposed tables, chairs, planters, awnings or other fixtures proposed to be located in the outdoor cafe.

(3) The drawing shall illustrate the location of any doors leading from the food establishment to the outdoor dining area. No such door may be obstructed in any manner, the dimension and location of the unobstructed space permitting the passage of pedestrian traffic around or through the outdoor cafe.

(4) A statement of the seating capacity of the existing food establishment and the proposed seating capacity of the outdoor dining area shall be shown.

B. The Borough, through its duly authorized agents, reserves the right to revoke the license of any sidewalk cafe license for failure to of any licensee to comply with this chapter or for violation of any other applicable federal, state, county or municipal law, regulation or ordinance. Any license issued hereunder is issued upon the express understanding that the licensee obtains

no property right thereunder nor any interest in the continuation of said license. It shall be considered a violation of this chapter for any person to operate an outdoor cafe after the suspension or termination of the applicable license.

C. The Borough expressly reserves the right to require removal of all sidewalk cafes or other projections or encumbrances upon any street, sidewalk or public easement which are improperly constructed or maintained.

D. In addition to the powers of suspension or revocation as set forth above, the borough reserves the right to modify, suspend or revoke any license on five (5) days written notice if the borough determines that pedestrian traffic, is in fact, impeded or made unsafe because of the operation of the outdoor cafe or because of any other safety issue which the borough determines adversely affects the borough because of such operation. The license may also be suspended or revoked on five days written notice in the event that the borough determines that it is necessary to utilize the area or any part thereof for the maintenance or installation of underground utilities. In the event of any emergency, which is certified by the Borough Administrator, the license may be suspended or revoked without notice.

E. Applications for renewal of permits shall be made in the same manner as original applications.

F. Licenses shall be personal to the applicant, and any change or transfer in the ownership interest of the business entity or establishment utilizing the license shall terminate the license and shall require new application and a new license in conformance with all of the requirements of this ordinance.

#### **Section 7. Fees.**

The applicant shall pay an application fee of \$200.00 for each application or annual renewal.

The applicant may also be required to post an escrow fee of \$500.00 for the engineering review of the application by the Borough Engineer.

#### **Section 8. Insurance required.**

A. Applicant must have a comprehensive general liability insurance policy issued by a company authorized to do business in the State of New Jersey in effect at the time of the application and show proof thereof. If the operator is not the property owner, then the property owner must likewise have insurance in effect at the time of application by the restaurant operator. The Borough of River Edge and the County of Bergen must be designated as an additional insured on the operator's policy and well as on the property owner's policy affording coverage set forth below in the amounts specified:

1. Bodily Injury:
  - (a) Each person: \$300,000.00
  - (b) Each accident: \$1,000,000.00
2. Property Damage:
  - (a) Each person: \$300,000.00
  - (b) Each accident: \$1,000,000.00

The insurance coverage required by this section shall at all times be maintained for the full amount. The policy of insurance required by this section to be filed with the zoning code official shall contain a clause obligating the company issuing the same to give not less than 30 days written notice to the Borough clerk before cancellation or amendments of any terms thereof. Notice of cancellation shall not relieve the company issuing such policy of liability for any injury or claim arising.

The applicant shall also file with the zoning code enforcement official a statement agreeing to indemnify and hold harmless the Borough of River Edge, County of Bergen and their agents, servants, representatives or employees from any and all claims, damages, judgment costs or expenses, including attorneys fees, which they or any of them may incur or be required to pay because of any personal injury, including death, or property damage suffered by any person or persons as a result of or related in any way to the operation and maintenance of the outdoor dining for which the license is issued.

#### **Section 9. Violations and penalties.**

A. Any person, firm, company, or corporation violating any of the provisions of this chapter, shall, upon conviction thereof, be subject to a fine of not less than one hundred (\$100.00) dollars nor exceeding one thousand (\$1,000.00) dollars or imprisonment for a period not exceeding ninety (90) days, or both, and each and every day in which said violation exists shall constitute a separate violation.

B. Any, person, firm, company or corporation that fails to comply with the criteria for establishment of a limited sidewalk cafe set forth in this Chapter shall be deemed to have violated this Article and shall face the above fines and/or penalties.

**Section 10. Severability.**

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

**Section 11. Repeal of Inconsistent Provisions.**

~~All ordinances or parts thereof in conflict or inconsistent with this~~ Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

**Section 12. Codification.**

This ordinance shall be part of the Code of the Borough of River Edge as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Borough Clerk is authorized and directed to change any Chapter, Article and/or Section number of the Code of the Borough of River Edge in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**Section 13:**

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

**Section 14:**

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

**Section 15:**

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

Mayor Sandy Moscaritolo

Attest:

Denise A. Dondiego, Borough Clerk

Dated:

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

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ORDINANCE - 2<sup>ND</sup> READING - NONE

RESOLUTIONS -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolution #13-221 through #13-223.

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

#13-221 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 17, 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>
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To be determined by reference to the Borough Clerk's Agenda for the above meeting.

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

3. This resolution shall take effect immediately.

June 3, 2013

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#13-222 Resolution Authorizing the Municipal Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, c.72

WHEREAS, the Borough of River Edge has adopted its budget on April 22, 2013 and the County Board of Taxation is unable to certify the tax rate at this time and the municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the municipal Tax Collector in consultation with the municipal Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54-4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Governing Body requests the Director of the Division of Local Government Services to approve the estimated tax levy exceeding 105% listed below. Approval will enable the municipality to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey on this 3rd day of June, 2013, as follows:

1. The municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the municipality for the third installment of 2013 taxes. The Tax Collector shall proceed upon approval from the director and take such actions as permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2013 is hereby set at \$44,732,775.67.
3. In accordance with law the third installment of 2013 taxes shall not be subject to interest until the later of; the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

June 3, 2013

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#13-223 Enter Into Agreement with DMV/DRS Creative Services, Inc., 450 Bloomfield Avenue, Suite 101, Verona, NJ 07044 for Extraordinary

Unspecifiable Services for the Special Improvement District

WHEREAS, there exists a need for the Borough of River Edge to retain the services of an individual or firm to investigate strategies for business development and the establishment of a business improvement district; 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, DMV/DRS Creative Services, Inc. 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, DMV/DRS Creative Services, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that DMV/DRS Creative Services, Inc. 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 DMV/DRS Creative Services, Inc. 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 #01-2010-20-1742-100 of the Current Fund in the amount not to exceed \$15,000.00 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 May 20, 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 DMV/DRS Creative Services, Inc., 450 Bloomfield Avenue, Suite 101, Verona, New Jersey 07044 in the amount not to exceed \$15,000.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

June 3, 2013

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Motion by Councilman Papaleo, seconded by Councilwoman Murphy to approve resolution #13-224.

Councilman Bartelloni-stated that he doesn't understand why we would take money from our engineering line when he hasn't received a satisfactory explanation on how the improvements that are listed will be paid for. He also feels that the entire Council should have signed off on this plan the same as they signed off on the Wales Avenue Outfall project.

Councilman Mignone-agreed with Councilman Bartelloni and also feels that the proposal as it was presented was very vague and does not support it.

Councilman Acquafredda-stated that the Wales Avenue plan that they signed tonight is a final set ready to go out to bid and the plans that have been proposed for the park are conceptual drawings. He continued to explain that conceptual drawings do not get signed and sealed. Councilman Acquafredda feels that this service is needed in order to apply for additional Open Space funds. He also stated that at his own expense he hired a draftsman to make the plan more presentable. He hopes that he doesn't see his title blocks on the drawings that come from Tom Miller. Councilman Acquafredda feels that we need this resolution to get to the next stage and also feels that they need to define the word plan because there can be many variations.

Councilman Bartelloni-asked to make additional comments.

Mayor Moscaritolo-called for a vote.

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

#13-224 Enter Into Agreement with Premier Product Development, LLC, 18 West Walnut Avenue, Moorestown, NJ 08057 for Professional Engineering Services for the Preparation of the 2013 Bergen County Open Space Trust Fund Application for Cherry Blossom Park

WHEREAS, there exists a need to retain expert engineering services for the preparation of the 2013 Bergen County Open Space Trust Fund Application for Cherry Blossom Park; and

WHEREAS, Premier Product Development, LLC meets the criteria for a professional service contract under N.J.S.A. 40A:11-1; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-170 of the Current Fund in the amount not to exceed \$3,000.00; and

WHEREAS, Premier Product Development, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Premier Product Development, LLC 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 Premier Product Development, LLC from making any reportable contributions through the term of the contract; and

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

WHEREAS, the rate of pay shall not exceed \$125.00 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 Premier Product Development, LLC, 18 West Walnut Avenue, Moorestown, New Jersey 08057 in an amount not to exceed \$3,000.00.
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.

June 3, 2013

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Motion by Councilman Papaleo, seconded by Councilwoman Murphy to approve #13-225 through #13-239.

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

#13-225 Authorize Clerk to Go out for Bid for Reconstruction of the Wales Avenue Outfall Project

WHEREAS, the Borough of River Edge desires to go out for bid for the Reconstruction of the Wales Avenue Outfall Project; and

WHEREAS, the Borough Engineer has submitted plans and specifications for the project entitled Reconstruction of the Wales Avenue Outfall Project to the Mayor and Council of the Borough of River Edge; and

WHEREAS, these plans and specifications have been reviewed by the Borough Engineer and Borough Attorney at a work session held on June 3, 2013; and

WHEREAS, N.J.S.A. 59:4-6 provides in pertinent part that neither the public entity nor a public employee is liable for an injury caused by the plan or design of public property or any improvement thereto where the plan or design was approved in advance of construction by the Governing Body or a

public employee exercising discretionary authority on its behalf or where such plan or design was prepared in conformity with the standards previously approved by the Governing Body; and

WHEREAS, the following improvement to public property has been designed by Costa Engineering; and

WHEREAS, the Mayor and Council of the Borough of River Edge wishes to record its approval of said design.

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 by the Mayor and Council of the Borough of River Edge as follows:

1. Plans and specifications entitled Reconstruction of the Wales Avenue Outfall Project and prepared by Costa Engineering dated December 20, 2010 and revised through December 13, 2013 be, and hereby are, approved.
2. Upon the completion of the improvements described herein above, the Borough Engineer shall inspect said improvement and certify to the Governing Body, before final payment is made for same that said improvement has been constructed in accordance with the above referenced design.
3. The Borough Clerk shall archive this resolution in a manner consistent with the purpose of perpetually documenting governmental immunity in the event of any claim based upon the plan, design or construction of the improvement.

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

June 3, 2013

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#13-226 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Madison Avenue

WHEREAS, on or about June 3, 2013, the Borough of River Edge granted permission to Rosa DiStefano-Amapani, 249 Madison Avenue, River Edge, New Jersey, to hold a block party on Madison Avenue between Elm Avenue and Fifth Avenue on July 27, 2013 (with a rain date of July 28<sup>th</sup>) in accordance with Borough Ordinance #1678; and

WHEREAS, Mrs. Cariddi has requested that the possession and consumption of alcoholic beverages be permitted in connection with said block party;

WHEREAS, Borough Code Section 114-15 allows the Governing Body to permit the possession and consumption of alcoholic beverages in or on a public street or sidewalk in connection with an authorized block party.

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

June 3, 2013

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Councilwoman Murphy-reminded residents that when white goods are placed curbside they become Borough property and if they are taken they will be considered stolen.

Mayor Moscaritolo-stated that he's not sure if that's the case.

#13-227 Authorize Refund of Pick Up Fee for White Goods

WHEREAS, a resident requested a pick-up for two white metal items; and

WHEREAS, a fee of \$50.00 was collected; and

WHEREAS, the items were placed curbside the night before the scheduled pick-up date of May 24, 2013; and

WHEREAS, the resident called and indicated that one of the items had

been taken away during the night; and

WHEREAS, the resident only owes \$25.00 for one item.

~~NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is hereby~~  
authorized to issue a refund in the amount of \$25.00 to:

<u>Name/Address</u>	<u>Amount</u>
Eloise Anderson 310 Midland Avenue River Edge, NJ 07661	\$25.00

June 3, 2013

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#13-228 Authorize Refund of Raffle License Fee to River Edge Little League

WHEREAS, the Governing Body granted a raffle license to the River Edge Little League via resolution 13-197 dated May 6, 2013; and

WHEREAS, a fee of \$20.00 was collected; and

WHEREAS, resolution #13-197 was rescinded on May 20, 2013 via resolution #13-215 because the length of time for the calendar raffle was incorrect; and

WHEREAS, the River Edge Little League has decided not to hold the calendar raffle.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is hereby authorized to issue a refund in the amount of \$20.00 to:

<u>Name/Address</u>	<u>Amount</u>
River Edge Little League P.O. Box 145 River Edge, NJ 07661	\$20.00

June 3, 2013

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#13-229 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, 2013 to December 31, 2013 and from Account #01-2010-20-1002-182 of the Current Fund in the amount of \$1,250.00 from January 1, 2014 to June 30, 2014 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  
\$ 70.00 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
- 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.
  - That a copy of this resolution be forwarded to THE RIDGEWOOD NEWS for publication.

June 3, 2013

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#13-230 Enter Into Agreement with Robert McNerney, McNerney & Associates, 266 Harristown Road, Glen Rock, New Jersey, 07452-0067 for Professional Services for Tax Appeal Appraisals

WHEREAS, there exists a need for professional services for various tax appeal appraisals;

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

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

WHEREAS, Robert McNerney meets the criteria for a professional service contract under N.J.S.A. 40A:11-1; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-174 of the Current Fund in the amount of \$5,700.00 and Account #01-2040-55-6400 of the Accounts Payable Fund in the amount of \$11,800.00 for a total amount not to exceed \$17,500.00; and

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

- The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert McNerney not to exceed \$17,500.00; and
- The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
- 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.
- That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

June 3, 2013

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#13-231 Approve Renewal of Liquor Licenses

WHEREAS, application for renewal of liquor licenses have been filed with the Clerk of the Borough of River Edge by the following licenses; and

WHEREAS, reports have been received from the Police Department, Fire Prevention Official and the Department of Health that the following premises holding liquor licenses in the Borough have been found in order in accordance with the rules and regulations of this Borough and the required fees have been received.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Borough of River Edge that the following licenses be issued for the premises described for a period of one (1) year commencing July 1, 2013; and

BE IT FURTHER RESOLVED that Denise A. Dondiego, Borough Clerk, be directed to sign and deliver said licenses on behalf of the Borough of River Edge.

PLENARY CONSUMPTION LICENSES

0252-33-004-001 Sayat Nova Restaurant, Inc. T/A Feathers,  
77 Kinderkamack Road.  
River Edge, New Jersey 07661 \$2,500.00

PLENARY RETAIL DISTRIBUTION LICENSES

0252-44-005-003 E.G. Holding Corporation, T/A Total Wine & More,  
135 Kinderkamack Road  
River Edge, New Jersey 07661 \$2,500.00

0252-44-003-003 River Edge Liquor and Convenience Store, Inc.,  
T/A River Edge Wine and Liquors,  
504 Kinderkamack Road  
River Edge, New Jersey 07661 \$2,500.00

0252-44-002-011 Shah and Sheth Liquors Inc., T/A Classic  
Wine & Spirits,  
842 Kinderkamack Road  
River Edge, New Jersey 07661 \$2,500.00

PLENARY RETAIL CONSUMPTION LICENSE W/BROAD PACKAGE PRIVILEGE

0252-32-006-008 River Edge Inc, T/A River Edge Diner & Restaurant  
516 Kinderkamack Road \$2,500.00

CLUB LICENSES

0252-31-008-001 Knights of Columbus The Columbian Club,  
T/A River Edge Columbian Club,  
770 Kinderkamack Road  
River Edge, New Jersey 07661 \$ 50.00

June 3, 2013

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#13-232 Resolution to Adjust 4<sup>th</sup> Quarter 2013 Tax Bill for Veteran Deduction Allowed

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 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4<sup>th</sup> Quarter Final Bill for the \$250.00 deduction.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Deduction</u>	<u>Credit Amount</u>
606/5	Nagy, Charles 171 Concord Drive	Veteran	\$250.00

June 3, 2013

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#13-233 Resolution to Adjust 4<sup>th</sup> Quarter 2013 Tax Bill for Senior Deduction Allowed

WHEREAS, the following homeowner filed a Senior 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 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4<sup>th</sup> Quarter Final Bill for the \$250.00 deduction.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Deduction</u>	<u>Credit Amount</u>
412/5	Krokus, Paul 690 Center Avenue	Senior	\$250.00

June 3, 2013

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#13-234 Resolution to Adjust 4<sup>th</sup> Quarter 2013 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 2013; and

WHEREAS, the deduction was listed in the 2013 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to disallow the 2013 Senior Deductions 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>
305/49	Froonjian (Etal), H. Craig 243 Webb Avenue	\$250.00
311/2	Derbinsky, Senia, Ludmilia & Pavel 279 Webb Avenue	\$250.00

June 3, 2013

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#13-235 Authorize Tax Collector to Refund 2013 Tax Overpayments

WHEREAS, the tax office has received a duplicate tax payments and/or tax overpayments for the 2013 taxes on the following properties; 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.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Tax Qtr.</u>	<u>Refund Amount</u>
608/6	Patrick & Jenny Clancy 647 Bogert Road River Edge, NJ 07661	2 <sup>nd</sup>	\$141.54
808/20	Francis & Ruth Dinneen 397 Windsor Road River Edge, NJ 07661	2 <sup>nd</sup>	\$106.95
1209/10	Rose Alessio 140 Lozier Terrace River Edge, NJ 07661	2 <sup>nd</sup>	\$120.44

June 3, 2013

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#13-236 Authorizaton to Bill Senior Citizen Deductions for Years 2007 through 2010 due to State Audit in 2013

WHEREAS, in March 2013 the Division of Taxation, Property Administration Branch, conducted an audit of the Senior Citizen/Disabled Person/Surviving Spouse Property Tax Deductions for the Years 2007 through 2010; and,

WHEREAS, the following list indicates the taxpayer(s) that the Division has determined as being over the \$10,000 income limit for said year; and

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4<sup>th</sup> quarter on each year listed on the following properties and bill the \$250.00 deduction.

Block/Lot	Year	Name/Address	Deduction	Amount
305/12	2010	Sundell 205 Wales Avenue	Senior	\$ 250.00
311/2	2007 2008 2009 2010	Derbinsky 279 Webb Avenue	Senior	\$1,000.00
601/21	2009 2010	Yachouh 192 Adams Avenue	Senior	\$ 500.00
701/38	2007 2008 2009 2010	Mitchell 283 Kensington Road	Senior	\$1,000.00
707/24	2009	Suser 230 Kensington Road	Senior	\$ 250.00
906/37	2007 2008	Boston 380 Fifth Court	Senior	\$ 500.00

June 3, 2013

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#13-237 Resolution to Bill \$250.00 for Senior Citizen Deductions Disallowed for 2012

WHEREAS, the following homeowners received a \$250.00 Senior Citizen Tax Deduction for the year 2012; 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 2012.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to disallow the 2012 Senior Deductions and bill the homeowners for the following amounts.

Block/Lot	Name & Address	Adjusted Amount
306/15	Johnsen, Magne & Ingeborg 184 Webb Avenue	\$250.00
308/8	Harrington, John & Dorothy 719 7 <sup>th</sup> Avenue	\$250.00
311/8	Fairchild, Matthew & Maria 745 Millbrook	\$ 71.92
612/2	Becker, Deborah & Marvin 125 Tenney Avenue	\$250.00
809/5	Barry, Michael & Yolanda 467 Kinderkamack Road	\$141.09
1002/56	Issa, Gabi 383 Lee Avenue	\$ 32.88
1108/1	Garas, Nagy 276 Valley Road	\$112.32
1209/45	Sabini, Budi Arifin, Duita 172 Reservoir Avenue	\$174.66

June 3, 2013

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Councilwoman Murphy-asked why we are not entitled to the forfeiture money?  
Alan Negreann- explained that we don't get it directly because it goes into an account at the County for River Edge. Although we did sell the vehicle, we have to make a payment to the County with the understanding that the money is earmarked for the River Edge Police Department.

Councilwoman Murphy-asked if they write us a check?

Tom Sarlo, Esq.-explained that in order to receive the money you have to apply to the Prosecutor's office with an explanation of an eligible expense. If there are enough funds in the forfeiture, they will approve and pay for it.

#13-238 Resolution to Refund a Payment for a Forfeiture to the Bergen County Prosecutor's Office

WHEREAS, the State of New Jersey has issued a standard operating procedure dated March 1, 1998 for its Forfeiture Program Administration; and

WHEREAS, it is the policy of the Attorney General that the County Prosecutor shall administer property and funds a municipal law enforcement agency receives as a result of a seizure and forfeiture brought under the authority of N.J.S.A. 2C:64-1 et seq.; and

WHEREAS, this procedure requires that a law enforcement agency seeking to dispose of or transfer property held for less than the period stated for the applicable property shall dispose of the property in accordance with all other applicable law and shall obtain reimbursements for the property for the full market value of the property on the date of transfer; and

WHEREAS, the proceeds from such disposal or transfer shall be deposited in the MLETA or MEA; and

WHEREAS, the Borough of River Edge Police Department seized a 2004 Jeep Grand Cherokee Freedom Edition 4WD in accordance with the law; and

WHEREAS, the Borough Clerk has disposed of this asset and has received a check in the amount of \$1,757.50 for the 2004 Jeep Grand Cherokee Freedom Edition 4WD; and

WHEREAS, direction has been given to the Borough by the Assistant Bergen County Prosecutor that a check in the amount of \$1,757.50 should be issued to the Bergen County Prosecutor's Office - River Edge PD MEA; and

WHEREAS, the Chief Financial Officer has certified that funds are available from the Current Fund in the amount not to exceed \$1,757.50.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized to issue of a check payable to:

Bergen County Prosecutors Office - River Edge PD MEA                      \$1,757.50

BE IT FURTHER RESOLVED that the check be forwarded to:

Bergen County Prosecutors Office  
10 Main Street, Room 202  
Hackensack, NJ 07601  
Attn: Detective Robert Caporoso

June 3, 2013

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#13-239 Change Order #2 Approval and Amendatory Contract for the Howland Avenue (Section 6) Phase IV Roadway Improvement Project (from Colonial Court to Bogert Road) to Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey 07024

WHEREAS, N.J.A.C. 5:34-4.2 lists the requirements for all Change Orders; and

WHEREAS, the Borough of River Edge awarded a contract on November 5, 2012 via resolution #12-375 in the amount of \$145,551.08 to Reggio Construction, Inc.; amended via resolution #13-95 in the amount of \$1,950.00 dated February 19, 2013; and

WHEREAS Change Order #2 reflects a repair of the pipe crossing Howland Avenue (west of Cherry Mews and Colonial Court) collapsed; the pipe needs to be replaced and the two inlets rebuilt prior to road resurfacing in the amount not to exceed \$6,300.00; and

WHEREAS, the Borough Engineer has recommended the above change.

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2155-55-1789-450 of the Capital Fund in the amount not to exceed \$6,300.00.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with Reggio Construction, Inc., for Change Order #2 in the amount not to exceed \$6,300.00.

BE IT FURTHER RESOLVED that the exact form of this amendatory contract shall be at the discretion of the Borough Attorney and the Mayor and the

Borough Clerk is hereby authorized to execute said contract, and Change Order #2.

June 3, 2013

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Councilman Mignone read resolution #13-240 into the record.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #13-240.

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

#13-240 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	\$402,119.09
CAPITAL ACCOUNT	\$ 5,774.09
RECREATION ACCOUNT	\$ 2,194.59
SELF INSURANCE ACCOUNT	\$ 17,635.10
TRUST OTHER ACCOUNT	\$ 11,063.98
TRUST OTHER DEVELOPERS ACCOUNT	\$ 1,856.95
OPEN SPACE ACCOUNT	\$ 3,899.09

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.

June 3, 2013

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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 Acquafredda, Councilman Cappola, Councilman Mignone, Councilman Bartelloni and Councilman Papaleo voted yes.

Lou Grasso-172 Lozier Terrace-owns 852-846 Kinderkamack Road and feels that if there were improvements made to the parking situation, everything else will fall into place as far as attracting new businesses.

Mayor Moscaritolo-asked if there is a vacancy in his building and if so has there been any interest?

Lou Grasso-replied yes, he does have a vacancy and he has enlisted a realtor to promote the space.

Mayor Moscaritolo-stated that one of the things that Mr. Smartt will be looking into is how best to provide shopper parking on the north end of Kinderkamack Road.

Lou Grasso-stated that at the last meeting, the Mayor and Council had asked Bob Costa to come up with a cost estimate for parking and asked if they've received it yet.

Mayor Moscaritolo-stated that they haven't received it yet but the Mayor and Council along with Mr. Costa will be taking a field trip to Grove Street before a future meeting to evaluate what needs to be done. He explained that

they are also looking into amending our ordinance which would allow commercial business owners to purchase a permit allowing their employees to park in a designated spot.

Lou Grasso-asked about other types of parking that they might be considering. Councilman Mignone-feels that that the success of the parking for shoppers has to be at grade level and if they can accommodate additional spaces for employees it would be a win/win situation.

Lou Grasso-asked where would the money come from?

Councilman Mignone-stated that Mr. Smartt will help them look at whether it can be part of a special improvement district which may require help from business owners or possibly a Borough funded project.

Ellen Busteed-597 Bogert Road-was glad to hear the comments made by Mr. Smartt and Mr. Gordon and is also happy that things are moving forward. Mrs. Busteed stated that it's important to hear a voice from the public in the whole process.

Neal Carroll-321 Wales Avenue-asked for an update on the Howland Avenue project between Colonial Court and Bogert Road.

Alan Negreann-replied there are a few telephone poles that need to be moved before the project can be completed.

Neal Carroll-stated that the curbs and sidewalks are already in and asked if the process of PSE&G moving the poles will do damage to what has already been completed.

Alan Negreann-stated that Bob Costa will have to answer that question.

Neal Carroll-asked for an update on the generator.

Councilman Mignone-gave the tentative dates.

#### CLOSE HEARING OF THE PUBLIC -

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

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

#### COUNCIL COMMENTS -

Councilman Bartelloni-stated that he is disappointed that he was not given a second opportunity to speak before the vote on resolution #13-224. He explained that although he didn't think it was wise to invest in the park property or continue to invest in it, his main objection is the practice and procedure of getting things done because he doesn't think there was ever a fair and open discussion on it. He hopes that at some point the Council will move forward with the by-laws so that there are rules in place as to how the meetings are governed. He explained the differences between the two proposed by-law changes. Councilman Bartelloni is glad that Mr. Smartt came before them today and set forth a timeline and feels that it is a positive step in moving forward.

Councilman Mignone-was also pleased that Mr. Smartt came this evening and is confident that he will give them the knowledge to make educated decisions in going forward. Councilman Mignone agreed that a Council member should never be stifled in making additional comments.

Councilman Acquafredda-was happy to finally meet Mr. Smartt and Mr. Gordon and feels that their heart is in the right place and looks forward to working with them.

Councilwoman Murphy-gave her condolences to the family of Frank Lautenberg and commended him for his many years of service to our country. She reminded everyone of the ceremony presenting Joe Maugeri with his "Joe Maugeri Crossing" sign this Wednesday at 10:00 a.m. and also announced the SCORE is having their final meeting and song review on June 24<sup>th</sup> at 1 p.m. Councilwoman Murphy also reminded everyone that Tuesday is primary day and encouraged everyone to get out and vote. She thanked Rich Curran and Chris Weismann for their many years of dedication to the Borough and stated that their shoes will be hard to fill. Councilwoman Murphy stated that the Council has never voted on the by-laws so there wouldn't be a five minute rule to follow. She stated that they follow Roberts Rules.

Mayor Moscaritolo-thanked everyone for coming this evening and announced that our DPW received its new tree truck and is in the process of getting the decals, the employees have received training and the old truck will be put up for auction. The Mayor spoke with regard to Cherry Blossom Park and stated that the request to hire Mr. Miller's new firm was made by the Recreation Commission and reported that the tree farm is coming along, the fence was installed, the main line for the irrigation system has been installed and we're waiting for United Water to put in a meter in order to complete it. The Mayor stated that there have been approximately 200 seedlings planted in buckets with about 25 to go and hopefully if the weather holds up he and Councilwoman Murphy will complete them that this week. He also encouraged everyone to attend the ceremony presenting "Joe Maugeri Crossing" in front of Cherry Hill School at 10 a.m. on Wednesday. He announced that on Sunday, he will be attending the Eagle Scout ceremony at St. Peters and on Saturday, the Fifth Annual Mayor's Cup Challenge Race was held at the Oradell Reservoir and he was pleased that he finished third this year.

ADJOURNMENT - 9:30 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to adjourn  
the meeting at 9:30 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: