

M I N U T E S
Meeting of the Mayor and Council
Monday, October 17, 2011
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

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

STATEMENT -

Mayor Watkins read the statement under the Sunshine Law and asked the Clerk to put it into the minutes. "Adequate Notice of this meeting has been made by sending notice on December 24, 2010 to THE RECORD and THE RIDGEWOOD NEWSPAPER, by positioning on the bulletin board in the lobby of the Borough Hall, and filing a Notice of the same with the Municipal Clerk".

ROLL CALL - Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon, Councilman Cordts and Mayor Watkins were present, Councilman Porco was absent.

APPROVAL OF MINUTES - By Consent

Motion by Councilman Cordts, seconded by Councilman Bartelloni to approve the minutes of the Mayor and Council work session and regular meeting of October 3, 2011.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

PROCLAMATION & AWARDS -

Mayor Watkins read the Proclamation Proclaiming the Week of October 16 - 22, 2011 as New Jersey Federation of Women's Clubs Membership Week into the record as follows:

PROCLAMATION

WHEREAS, the New Jersey State Federation of Women's Clubs of GFWC was organized November 16, 1894 and has continued to exist as one of the largest and oldest nondenominational service organizations of volunteer women in the State of New Jersey, with more than 10,000 members in 275 local clubs; and

WHEREAS, members of the New Jersey State Federation of Women's Clubs of GFWC have worked in their communities to assist in activities such as founding New Jersey College for Woman (Douglas College); Preserving the Palisades; Saving the New Jersey Highlands; supporting The Community Food Bank of New Jersey; providing annual funding for Special Olympics, Operation Smile, CARE, and UNICEF.

WHEREAS, the Woman's Club of River Edge, Inc., a member of the New Jersey State Federation of Women's Clubs of GFWC is celebrating 81 years of service to this community through scholarships for our High School; as well as our Library, Police and Fire Departments, Ambulance Corp, Girl and Boy Scouts, 4th of July activities and River Edge Day; and

WHEREAS, the New Jersey State Federation of Women's Clubs of GFWC provides organizational structure and sponsored programming to enable women in their communities to have excellent resource materials in order to accomplish goals through volunteer service.

NOW, THEREFORE, BE IT RESOLVED, that, I, Margaret Falahee Watkins, Mayor of the Borough of River Edge and on behalf of the Council do proclaim

The Week of October 16 - 22, 2011
New Jersey State Federation of Women's Clubs
MEMBERSHIP WEEK

in recognition of the many hours of service to this community and others.

Mayor Margaret Falahee Watkins

Dated: October 17, 2011

APPOINTMENTS & PERSONNEL CHANGES - NONE

CORRESPONDENCE -

Letter	-	Williams Transco Pipeline - 10/3/11
		Re: Application to NJDEP
Letter	-	Cablevision - 10/11/11
		Re: Launch of New Channel
Letter	-	Environtrac - 10/12/11
		Re: Notice of Intent to Discharge Treated Groundwater - 525 Hackensack Avenue

MONTHLY REPORTS -

Tax Collector	-	August 2011
Building Department	-	September 2011
Planning Board	-	August 2011
Fire Prevention	-	July - September, 2011
Recreation Commission	-	May 2011
Recreation Commission	-	June 2011
Recreation Commission	-	July 2011
Recreation Commission	-	August 2011

ORDINANCES - 1st Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1741 as follows:

Ordinance #1741 - AN ORDINANCE AMENDING CHAPTER 400, VEHICLES AND TRAFFIC, ARTICLE IV, SCHEDULES, 400-31 "SCHEDULE V: BUS STOPS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

Motion by Councilman Bartelloni, seconded by Councilman Cordts to approve the first reading of Ordinance #1741 as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1741

AN ORDINANCE AMENDING CHAPTER 400, VEHICLES AND TRAFFIC, ARTICLE IV, SCHEDULES, 400-31 "SCHEDULE V: BUS STOPS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE

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

Section I: Schedule V: Bus Stops is hereby amended as follows:

A. Kinderkamack Road. Along Kinderkamack Road, northbound on the easterly side thereof at:

Delete: Howland Avenue (near side), beginning at the southerly curb line of Howland Avenue and extending 105 feet southerly therefrom.

Add: Howland Avenue (far side), beginning at a point 90 feet north of the northerly curb line of Howland Avenue to a point 160 feet north therefrom.

B. Kinderkamack Road. Along Kinderkamack Road, southbound on the westerly side thereof at:

Delete: Howland Avenue (far side), beginning at the southerly curb line of

Howland Avenue and extending 120 feet southerly therefrom.

Add: Howland Avenue (near side), beginning at the southerly curb line of Howland Avenue and extending 160 feet southerly therefrom.

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

Section III:

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

Section IV:

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

Margaret Falahee Watkins, Mayor

ATTEST:

Denise A. Dondiego, RMC
Borough Clerk
Dated:

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

ORDINANCES - 2nd Reading

Denise Dondiego, Borough Clerk read the title of Ordinance #1738 as follows:

Ordinance #1738 - AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE, CHAPTER 400, ARTICLE II, SECTION 18.1 "ALTERNATE PARKING FOR SNOW PLOWING"

Ordinance #1738 was introduced by Councilman Cannon, seconded by Councilman Mignone at the October 3, 2011 as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1738

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE, CHAPTER 400, ARTICLE II, SECTION 18.1 "ALTERNATE PARKING FOR SNOW PLOWING"

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

Section 1. Section 400-18.1 *Alternate Parking for Snow Plowing* shall be amended as follows:

- A. Whenever snow has fallen and the accumulation is such that it covers the street or highway, vehicles shall be removed and cleared from the enumerated streets or highway and alternate side of the street or highway "No Parking" will be in effect as follows:

Add The following streets:

1. The following streets shall be cleared of vehicles with "No Parking" as follows:

12. Lakeview Street, east side, from State Highway #4 to Reservoir Avenue Tuesday, Thursday and Saturday.

Lakeview Street, west side, from State Highway #4 to Reservoir Avenue, Monday, Wednesday, Friday and Sunday.

13. Center Avenue, east side, from Tenney Avenue to River Edge Road, Tuesday, Thursday and Saturday.

Center Avenue, west side, from Tenney Avenue to River Edge Road, Monday, Wednesday, Friday and Saturday.

14. Summit Avenue, east side, from Continental Avenue to Midland Avenue, Tuesday, Thursday and Saturday.

Summit Avenue, west side, from Continental Avenue to Midland Avenue, Monday, Friday and Saturday.

15. Bogert Road, east side, from Dead End of Bogert Road to Lincoln Avenue, Tuesday, Thursday and Saturday.

Bogert Road, west side, from Dead End of Bogert Road to Lincoln Avenue, Monday, Wednesday, Friday and Saturday.

16. Wayne Avenue, north side, from Bogert Road to The Fenway, Tuesday, Thursday and Saturday.

Wayne Avenue south side, from Bogert Road to The Fenway, Monday, Wednesday, Friday and Saturday.

17. Tenney Avenue, north side, from Bogert Road to Elm Avenue, Tuesday, Thursday and Saturday.

Tenney Avenue, south side, from Bogert Road to Elm Avenue, Monday, Wednesday Friday and Saturday.

18. Webb Avenue, north side, from Summit Avenue to the west curblin of Webb Avenue cul-de-sac, Tuesday, Thursday and Saturday.

Webb Avenue, south side, from Summit Avenue to the west curblin of Webb Avenue cul-de-sac, Monday, Wednesday, Friday and Saturday.

19. Oswego Place, north side, from Lakeview Street to Davis Drive, Tuesday, Thursday and Saturday.

Oswego Place, south side, from Lakeview Street to Davis Drive, Monday, Wednesday, Friday and Saturday.

20. Howland Avenue, south side, from Bogert Road to easterly curblin of Colonial Court, Monday, Wednesday, Friday and Saturday.

21. Oxford Terrace, south and west sides from Bogert Road to the north curblin of Rutgers Place, Monday, Wednesday, Friday and Saturday.

22. Bogert Road/Oxford Terrace, south side, from the east curblin of Bogert Road to a point 150 feet east therefrom, Monday, Wednesday, Friday and Saturday.

Bogert Road/Oxford Terrace, north side, from the east curblin of Bogert Road to a point 150 feet east therefrom, Tuesday, Thursday and Saturday

Bogert Road/Oxford Terrace, both sides, beginning at a point 150 feet east of the easterly curblin of Bogert Road continuing around the loop to a point 150 feet east of the easterly curblin of Bogert Road.

2. The following street parking **WILL BE PERMITTED** as follows:

a) Howland Avenue, north side, from Bogert Road to the easterly curblin of Cherry Mews, Monday, Wednesday, Friday and Saturday.

b) Oxford Terrace, south and west side, from Bogert Road to the north curblin of Rutgers Place, Monday, Wednesday, Friday and Saturday.

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

Section II:

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 III:

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

Margaret Falahee Watkins, Mayor

ATTEST:

Denise A. Dondiego, RMC
Borough Clerk

Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1738

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1738

There being no comments by the public, motion by Councilman Cordts, seconded by Councilman Moscaritolo to close hearing of the public.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

ADOPTION - Ordinance #1738

Motion by Councilman Cordts, seconded by Councilman Cordts to adopt Ordinance #1738.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

Denise Dondiego, Borough Clerk read the title of Ordinance #1739 as follows:

Ordinance #1739 - AN ORDINANCE AMENDING CHAPTER 206 "FEES" OF THE CODE OF THE BOROUGH OF RIVER EDGE

Ordinance #1739 was introduced by Councilman Cordts, seconded by Councilman Mignone at the October 3, 2011 as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1739

AN ORDINANCE AMENDING CHAPTER 206 "FEES" OF THE CODE OF THE BOROUGH OF RIVER EDGE

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey, that chapter 206 "Fees" of the Code of the Borough of River Edge be and hereby is amended as follows:

Section 1. 206-2EE (Miscellaneous Fees) amended as follows:

Planning Board - Site Plan Review
Application Fee for Soil Movement Permits
for 100 or more cubic yards of soil: \$350.00

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

Section II.

If any provision of this ordinance are found to be invalid, for any reason, by the final judgement 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 III.

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

Margaret Falahee Watkins, Mayor

ATTEST:

Denise A. Dondiego, Borough Clerk
Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1739

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

CLOSE HEARING OF THE PUBLIC - Ordinance #1739

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

ADOPTION - Ordinance #1739

Motion by Councilman Cordts, seconded by Councilman Cannon to adopt Ordinance #1739.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

Denise Dondiego, Borough Clerk read the title of Ordinance #1740 as follows:

Ordinance #1740 - AN ORDINANCE AMENDING AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.A. 40A:4-53

Ordinance #1740 was introduced by Councilman Cordts, seconded by Councilman Bartelloni at the October 3, 2011 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1740

AN ORDINANCE AMENDING AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.A. 40A:4-53

WHEREAS, the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey, adopted Ordinance #1737 on September 6, 2011; and

WHEREAS, a contract has been awarded to appraisal Systems, Inc. for the reassessment of the Borough of River Edge via resolution #11-303, dated September 6, 2011 in the amount not to exceed \$174,060.00; and

WHEREAS, it is in the best interest of the Borough of River Edge to amend Ordinance #1737 to reflect a special emergency in the amount of \$174,000.00.

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, County of Bergen and State of New Jersey, that pursuant to N.J.S.A. 40A:4-53 (Chapter 48, P.L. 1956 as amended by Chapter 144, P.L. 1956 and Chapter 38, P.L. 1969) that the sum of \$230,000.00 (two hundred thirty thousand dollars) is hereby amended to \$174,000.00 (one hundred seventy four thousand dollars) and is hereby appropriated to the

- A. Preparation and execution of a complete evaluation program or any program to update and make current any previous revaluation program when same is ordered by the County Board of Taxation.

And shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-55.

The authorization to finance and the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one fifth of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55).

This ordinance shall take effect when passed and published as required by law.

ATTEST:

Denise A. Dondiego, RMC
Borough Clerk
Dated:

OPEN HEARING OF THE PUBLIC - Ordinance #1740

Motion by Councilman Cordts, seconded by Councilman Cannon to open hearing of the public.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

Peggy White-741 Center Avenue-asked for an explanation of Ordinance #1740.
Alan Negreann-explained that this is a special emergency appropriation which allows us to fund the reassessment of the Borough. The original estimate was \$230,000 and this ordinance amends the original ordinance to bring that cost down to \$174,000. This is based on the contract which was awarded to the appraisal company to do the reassessment. This is considered a special emergency under the law and would allow us to pay this back over five years instead of putting it in the current year budget.

Kathleen Murphy-741 Williams Avenue-asked if this has anything to do with the bonds that are being sold or emergency notes?

Alan Negreann-replied yes, that we would sell a note for \$174,000 and finance it by raising money that way.

Kathleen Murphy-asked who would be selling the note?

Alan Negreann-replied, the Borough would be selling the note.

CLOSE HEARING OF THE PUBLIC - Ordinance #1740

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

ADOPTION - Ordinance #1740

Motion by Councilman Cordts, seconded by Councilman Bartelloni to adopt Ordinance #1740.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Mignone and Councilman Cordts voted yes, Councilman Moscaritolo and Councilman Cannon voted no, Councilman Porco was absent.

RESOLUTIONS - By Consent

Motion by Councilman Cordts, seconded by Councilman Mignone to approve resolution #11-368 through #11-375, #11-377 through #11-383 and #11-385 and #11-386.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

#11-368 Enter Into Agreement with Kenneth P. DelPercio & Associates, P.C., 313 Meadowbrook Avenue, Ridgewood, New Jersey 07450 for Professional Electrical Engineering Services for Investigation and Design for Upgrades to the Public Safety Building and Borough Hall Emergency Generator

WHEREAS, there exists a need to retain professional electrical engineering services pertaining to investigation and design for upgrades to the Public Safety Building and Borough Hall emergency generator; and

WHEREAS, Kenneth P. DelPercio & Associates 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 #01-2010-20-1652-100 of the Current Fund in the amount

not to exceed \$5,000.00; and

WHEREAS, Kenneth P. DelPercio & Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Kenneth P. DelPercio & Associates has not made any reportable contributions to a political or candidate committee in the Borough of River Edge Governing Body in the previous one year, and that the contract will prohibit Kenneth P. DelPercio & Associates 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 \$160.00 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 Kenneth P. DelPercio & Associates in an amount not to exceed \$5,000.00.
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.

October 17, 2011

#11-369 Rejection of Bids for the 2011 Howland Avenue Road Improvements Project, Phase 3

WHEREAS, the Mayor and Council of the Borough of River Edge received sealed bids on September 27, 2011 for the 2011 Howland Avenue Road Improvements Project, Phase 3; and

WHEREAS, the Clerk was authorized to go out for bid for the 2011 Howland Avenue Road Improvements Project, Phase 3 via resolution #11-257 dated July 6, 2011 and three (3) bids were received the lowest being from Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey in the amount of \$185,085.78; and

WHEREAS, the Governing body is rejecting the bids on the basis that the lowest bid exceeds the funding available.

NOW, THEREFORE, BE IT RESOLVED that the bid is hereby rejected by the Governing body of the Borough of River Edge.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby instructed to return all appropriate bid materials to the bidders.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby instructed to go out to bid again on the 2011 Howland Avenue Road Improvements Project, Phase 3.

October 17, 2011

#11-370 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Bogert Road

WHEREAS, on or about October 17, 2011, the Borough of River Edge granted permission to Liz Smerdon, 859 Bogert Road, River Edge, New Jersey, to hold a block party on Bogert Road on October 29, 2011 in accordance with Borough Ordinance #1678; and

WHEREAS, Mrs. Smerdon 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.

October 17, 2011

#11-371 Change Order #1 Approval and Amendatory Contract for D & L Paving Contractors, 185 High Street, Nutley, New Jersey 07110 for the 2011 Riverside Cooperative Road Improvement Program

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 June 6, 2011 via resolution #11-202 to D & L Paving Contractors, 185 High Street, Nutley, New Jersey 07110 in the amount of \$125,000.00; and

WHEREAS Change Order #1 reflects the additional cost for the fuel and asphalt price adjustment; and

WHEREAS, the Mayor and Council have reviewed this matter at their work session of October 17, 2011; and

WHEREAS, the Borough Engineer has recommended the above change.

WHEREAS, The Chief Financial Office has certified that funds are available from Account #04-2150-55-1729-450 of the Capital Fund in the amount not to exceed \$1,652.28.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with D & L Paving Contractors for Change Order #1 in the amount not to exceed \$1,652.28.

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 #1.

October 17, 2011

#11-372 Amend Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the 2009 Howland Avenue and Kinderkamack Road Intersection Improvement Project (Howland Avenue Traffic Light Design & Inspection)

WHEREAS, there exists a need for expert professional engineering services for the 2009 Howland Avenue and Kinderkamack Road Intersection Improvement Project (Howland Avenue Traffic Light Design & Inspection); and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #08-94 dated February 19, 2008 in the amount of \$25,000.00, amended via resolution #08-459 dated December 15, 2008 in the amount of \$25,000.00, amended via resolution #10-113 dated March 1, 2010 in the amount of \$7,100.00, amended via resolution #10-423 dated December 6, 2010 in the amount of \$14,000.00; amended via resolution #11-272 dated August 1, 2011 in the amount of \$50,000.00 and amended via resolution #11-319 dated September 6, 2011 in the amount of \$32,874.23; and

WHEREAS, additional funding is required for professional services for the 2009 Howland Avenue and Kinderkamack Road Intersection Improvement Project (Howland Avenue Traffic Light Design & Inspection); and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1729-100 of the Capital Fund for Design in the amount of \$1,000.00 and Account #04-2150-55-1728-100 of the Capital Fund for Inspection in the amount of \$11,431.27 for a total amount not to exceed \$12,431.27; and

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

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

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

WHEREAS, the rate of pay shall not exceed \$65.00 per hour as Borough Engineer and per hour rates as follows:

Principal Land Surveyor.....	\$ 75.00
Survey Field Crew.....	\$150.00
Senior Designer.....	\$ 65.00
Senior Drafter.....	\$ 55.00
Computer Drafting.....	\$ 75.00

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 Robert Costa, Costa Engineering Corp., 327 South River Street, Suite 302, Hackensack, New Jersey 07601; and
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.

October 17, 2011

#11-373 Authorize Alan P. Spiniello, Esq. to Enter Into a Stipulation of Settlement with Kevin & Carla Twardzik, 464 Fifth Avenue, Block 707, Lot 33

WHEREAS, Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey will handle the litigation of Kevin & Carla Twardzik, 464 Fifth Avenue, Block 707, Lot 33 for tax appeals for the year 2010; and

WHEREAS, Alan Spiniello, Esq. has recommended stipulation in the above stated matters; and

WHEREAS, the Mayor and Council have considered these recommendations at their work session of October 17, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby authorize Alan Spiniello, Esq. to enter into a Stipulation of Settlement with Kevin & Carla Twardzik to reduce the original assessment for the calendar year 2010 from \$480,500 to \$450,000.

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

October 17, 2011

#11-374 Authorize Alan P. Spiniello, Esq. to Enter Into a Stipulation of Settlement with Ruslans Balabanov, 809 Kinderkamack Road, Block 403, Lot 3

WHEREAS, Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey will handle the litigation of Ruslans Balabanov, 809 Kinderkamack Road, Block 403, Lot 3 for tax appeals for the year 2010; and

WHEREAS, Alan Spiniello, Esq. has recommended stipulation in the above stated matters; and

WHEREAS, the Mayor and Council have considered these recommendations at their work session of October 17, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge hereby authorize Alan Spiniello, Esq. to enter into a Stipulation of Settlement with Ruslans Balabanov to reduce the original assessment for the calendar year 2010 from \$394,500 to \$380,000.

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

October 17, 2011

#11-375 Change Order Approval and Amendatory Contract for Reggio Construction for the 2010 Howland Avenue Road Improvement Project, Phase 2

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 1, 2010 via resolution #10-399 to Reggio Construction, 1575 West Street, Fort Lee, New Jersey in the amount of \$192,758.33 and amended via resolution #11-61 in the amount of \$7,151.32 dated January 18, 2011; and

WHEREAS Change Order #2 reflects deletions to the contract for stop bar 12" wide traffic stripes, crosswalk, 8; wide, traffic stripes and a fuel price adjustment in a decrease amount of (\$1,564.00); and

WHEREAS, the Mayor and Council have reviewed this matter at their work session of October 17, 2011; and

WHEREAS, the Borough Administrator and Consulting Engineer have recommended the above change.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with Reggio Construction for Change Order #2 which reflects a decrease of \$(1,564.00) in the original contract.

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.

October 17, 2011

Motion by Councilman Cordts, seconded by Councilman Bartelloni to approve resolution #11-376.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Mignone and Councilman Cordts voted yes, Councilman Moscaritolo and Councilman Cannon voted no and Councilman Porco was absent.

#11-376 Resolution Authorizing the Sale of \$174,000 Special Emergency Notes of the Borough of River Edge, in the County of Bergen, New Jersey and Providing for Other Matters in Connection Therewith

BE IT RESOLVED by the Borough Council of the Borough of River Edge, in the County of Bergen, New Jersey (the "Borough") (not less than two-thirds of all members thereof affirmatively concurring), as follows:

Section 1. Pursuant to the Local Budget Law and an ordinance adopted by the Borough Council of the Borough on September 6, 2011 (Ord. No. 1737, as amended by Ord. No. 1740 adopted on October 17, 2011) (the "Ordinance"), the Borough appropriated \$174,000 as a special emergency appropriation pursuant to N.J.S.A. 40A:4-53 for a property reassessment program. Pursuant to N.J.S.A. 40A:4-55, \$174,000 principal amount of Special Emergency Notes are hereby authorized to be issued.

Section 2. Such notes are hereby authorized to be issued pursuant to the Ordinance and this resolution and shall be negotiable notes payable to bearer, and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and such interest shall be payable at the maturity of such notes. The notes shall be dated on or about the date of their issuance and may be renewed from time to time, but at least 1/5 of the total amount of notes hereby authorized, and the renewals thereof, shall mature and be paid in each year, so that all notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of this resolution.

Section 3. The Mayor and the Chief Financial Officer are hereby authorized to execute said notes, and the Borough Clerk is hereby authorized to affix the seal of the Borough to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

Section 4. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time, at not less than par and

accrued interest and to determine within the limitations prescribed by this resolution, the date, principal amount, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefor.

Section 5. The Borough Council hereby designates the Special Emergency Notes as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). It is hereby determined and stated that the Special Emergency Notes (1) are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of tax-exempt obligations (other than private activity bonds) during the calendar year 2011. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Borough does not covenant to do so, and expressly states that a covenant is not made hereby.

Section 6. A certified copy of this resolution shall be filed with the Director of the Division of Local Government Services.

Section 7. Resolution No. 11-309 adopted on September 6, 2011 is hereby repealed.

Section 8. This resolution shall take effect immediately upon its adoption.

October 17, 2011

#11-377 Resolution to Adjust 2011 Taxes Due to County Board Judgment

WHEREAS, County Board Judgments were received for the year 2011 by the tax office on April 28, 2011 reducing the Assessed Value on the following properties:

WHEREAS, the reductions were not reflected in the 2011 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector apply the tax credits to the 2011 estimated bills and adjust the property owners tax bills and her records accordingly.

Bl/Lot	Name/Address	Old Value	New Value	Adjusted Taxes
206/1	Cadiz 888 Summit Ave.	744,900	625,000	3,202.53
404/9	Figueroa 38 River Edge Rd.	877,000	724,600	4,070.60
601/21	Yachouh 192 Adams Ave.	450,700	420,700	801.30
619/2	Van Buren Apt. LLC 26 Van Buren Ave.	2,800,000	2,520,000	7,478.80
809/1	Montemurro 501 Kinderkamack Rd.	513,500	436,000	2,070.03
809/19	Delgado 36 Wayne Avenue	350,000	311,100	1,039.02
809/20	Connors 40 Wayne Ave.	340,000	302,200	1,009.64
809/21	Lackey 68 Wayne Ave.	350,000	311,100	1,039.02
814/21	Meehan 68 Wayne Ave.	345,000	306,600	1,025.66
902/29	Karash 408 Fifth Ave.	392,300	350,000	1,129.83
1002/32	Napoleon 435 Bogert Rd.	415,000	368,900	1,231.33
1004/2	Jordan 45 Wayne Ave.	340,000	302,200	1,009.64
1004/3	Gorey 41 Wayne Ave.	330,000	293,300	980.26
1004/4	Rahman 37 Wayne Ave.	345,000	306,600	1,025.66
1004/5	Evancho 33 Wayne Ave.	360,000	302,200	1,543.84
1205/5	Wang 188 Oak Ave.	680,500	493,000	5,008.13
1408/4	Crestview Assoc LLC 10 Elizabeth Street	2,000,000	1,600,000	10,684.00

Total credit adjustment: \$44,349.29

October 17, 2011

#11-378 Resolution to Adjust 2011 Taxes Due to County Board Judgment

WHEREAS, County Board Judgments were received for the year 2011 by the tax office on August 10, 2011 reducing the Assessed Value on the following properties; and

WHEREAS, the reductions were not reflected in the 2011 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector apply the tax credits to the 4th Quarter 2011 taxes and adjust the property owners tax bills and her records accordingly.

Block/Lot	Name/Address	Old Value	New Value	Adjusted Taxes
105/11	Garofalo 250 Midland Ave.	453,400	385,000	1,826.96
106/11	Choi 226 Midland Ave.	377,900	350,000	745.21
107/5	Mataras 188 Hillside Ave.	400,300	370,000	809.31
108/1	Guo 209 Hillside Ave.	544,600	425,000	3,194.52
109/9	Macula 900 Elm Ave.	466,100	420,000	1,231.33
117/19	Chung 234 Wales Ave.	424,400	380,000	1,185.95
203/9.01	Takahaski 910 Summit Ave.	728,700	680,000	1,300.78
204/21	Nasser 868 Bogert Rd.	823,200	790,000	886.77
206/15	Manocchio 824 Summit Ave.	464,400	415,000	1,319.47
210/4	A&A Mayo, LLC 71-73 Bloomfield	370,100	350,000	536.87
211/9	Saladin 841 Park Ave.	403,000	360,000	1,148.53
302/22	Travkin 800 Seventh Ave.	449,200	425,000	646.38
303/6	Zemaites 799 Fifth Ave.	457,900	390,000	1,813.61
308/16	Cappola 718 Eighth Ave.	554,900	544,000	291.14
311/13	Kirk 715 Millbrook Rd.	589,500	459,000	3,485.66
311/17	Scorciolla 274 Continental Ave.	390,900	325,000	1,760.19
312/14	O'Donnell 180 Continental Ave.	400,000	350,000	1,335.50
402/7	Sandner 759 Summit Ave.	557,100	505,000	1,391.59
404/10/C0003	Kodrowski 44C River Edge Rd.	525,000	475,000	1,335.50
404/10/C0004	Lamuraglia 44D River Edge Rd.	574,700	475,000	2,662.99
406/3	Villalba 769 Kinderkamack Rd.	508,400	430,000	2,094.06
406/8	CAV Properties LLC 745 Kinderkamack Rd.	502,700	490,000	339.22
406/11	Osterlof 704 Summit Ave.	506,300	490,000	435.37
409/35/C0021	Kennedy 21 Jordan Drive	397,100	360,000	990.94
409/35/C0025	Demitriou 25 Jordan Drive	419,000	360,000	1,575.89
501/27.01	Pike 691 Westview Ct.	664,500	600,000	1,722.80
501/37	690 Westview LLC 690 Westview Ct.	519,100	400,000	3,181.16
503/8	Houng 216 Adams Ave.	438,300	420,000	488.79
508/3	Newman 261 Jefferson Ave.	455,400	410,000	1,212.63
601/7	Boyd 167 Tenney Ave.	458,300	438,000	542.21
602/5	Amarena 175 Adams Ave.	512,700	470,000	1,140.52
612/7	McDermott 683 Kinderkamack Rd.	579,700	540,000	1,060.39

619/2	Van Buren Apt. LLC 26 Van Buren Ave.	2,520,000	2,400,000	3,205.20
701/19.08	Cabana 510 Manning Ct.	728,000	690,000	1,014.98
701/19.10	Kuo 514 Manning Ct.	896,200	850,000	1,234.00
704/3	Quinn 257 Greenway Terr.	494,200	450,000	1,180.58
808/34	Bichovsky 490 Bogert Rd.	455,800	440,000	422.02
809/7	Campo 455 Kinderkamack	499,500	445,000	1,455.70
809/22	Lins 48 Wayne Ave.	479,100	450,000	777.26
901/16	Markowitz 435 Elm Ave.	452,000	422,000	801.30
904/2	Kurachi 409 Fifth Ave.	457,300	437,000	542.21
905/6	Bravo 367 Fifth Ave.	434,100	400,000	910.81
906/30	Murphy 266 Wayne Ave.	453,300	440,000	355.24
909/3	Michels 141 Wayne Ave.	374,600	350,000	657.07
909/18	Lee 395 The Fenway	411,700	370,000	1,113.81
909/19	Sarkachi 385 The Fenway	441,900	400,000	1,119.15
909/36	324 Oak Ave, LLC 324 Oak Ave.	464,000	330,000	3,579.14
910/9	Gossa 227 Beech Ct.	587,200	580,000	192.31
1001/11	O'Donnell 400 The Fenway	445,800	385,000	1,623.97
1102/10	Roth 29 Eastbrook Dr.	508,800	470,000	1,036.35
1102/13	Rabinowitz 17 Eastbrook Dr.	547,900	520,000	745.21
1104/21	Zott 168 Valley Rd.	474,200	445,000	779.93
1105/17	Austin 200 Princeton Dr.	486,400	460,000	705.14
1108/1	Singleton 276 Valley Rd.	518,900	425,000	2,508.07
1202/3	Sta Maria 131 Valley Rd.	471,900	450,000	584.95
1203/9	Kwon 201 Cherry Lane	474,800	430,000	1,196.61
1203/13	Matula 177 Cherry Lane	513,700	470,000	1,167.23
1204/21	Quinn 198 Cherry Lane	534,000	490,000	1,175.24
1205/23	Rivera 195 Reservoir Ave.	450,000	386,200	1,704.10
1208/15	Magarian 145 Reservoir Ave.	506,500	450,000	1,509.12
1210/5	Sandhu 195 Lozier Terr.	443,600	410,000	897.46
1210/18	Roth 186 Van Saun Dr.	470,400	450,000	544.88

Total credit adjustments: \$78,431.28

October 17, 2011

#11-379 Resolution to Adjust 2011 Taxes Due to County Board Judgment

WHEREAS, County Board Judgments were received for the year 2011 by the tax office on October 4, 2011 reducing the Assessed Value on the following properties; and

WHEREAS, the reductions were not reflected in the 2011 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector apply the tax credits to the 4th Quarter 2011 taxes and adjust the property owner's tax bills and her records accordingly.

Block/Lot	Name/Address	Old Value	New Value	Adjusted Taxes
106/16	Mars 922 Myrtle Ave.	393,600	350,000	1,164.56
114/22	Cho 862 Elm Ave.	399,500	340,000	1,589.25
204/2	Wong 143 Midland Ave.	437,200	395,000	1,127.16
206/1	Cadiz 888 Summit Ave.	625,000	605,000	534.20
213/1	Gross 896 Park Ave.	412,700	370,000	1,140.52
303/22	Zamsky 780 Sixth Ave.	760,400	720,000	1,079.08
305/40	Bressack 708 Millbrook Rd.	444,600	400,000	1,191.27
308/13	Meyers 346 Continental Ave.	420,600	350,000	1,885.73
312/3	Birnbaum 181 Webb Ave.	388,000	345,000	1,148.53
403/2	Magioros 815 Kinderkamack Rd.	439,600	400,000	1,057.72
409/35/C0013	Soma 13 Jordan Drive	428,500	385,000	1,161.89
409/35/C0024	Kim 24 Jordan Drive	423,900	400,000	638.37
502/10	Hanikeh 2 Adrian Way	694,700	625,000	1,861.69
809/38	Han 382 Windsor Rd.	489,700	425,000	1,728.14
814/29	Carney 100 Wayne Ave.	432,100	385,000	1,258.04
905/15	Park 331 Fifth Ave.	448,000	400,000	1,282.08
906/3	Ribaudó 265 Berkeley Rd.	683,300	615,000	1,824.29
906/20	Marchetti 210 Wayne Ave.	406,300	385,000	568.92
906/37	Boston 380 Fifth Ct.	680,000	625,000	1,469.05
908/37	Lee 220 Beech Dr. N.	462,700	390,000	1,941.82
909/26	Corcoran 1 Fenway Ct.	580,100	520,000	1,605.27
911/18	Hwang 296 Howland Ave.	455,800	400,000	1,490.42
911/21	Samuel 314 Howland Ave.	449,700	405,000	1,193.94
1002/67	Galiulin 440 The Fenway	543,500	489,100	1,453.02
1103/58	Lanzone 70 Eastbrook Dr.	700,000	615,000	2,270.35
1101/9	Shenkman 11 Coles Ct.	577,500	525,000	1,402.28
1103/61	Martinez 82 Eastbrook Dr.	836,900	775,000	1,653.35
1107/26	Maat 284 Van Saun Dr.	310,000	275,000	934.85
1108/18	Kahvajian 265 Howland Ave.	438,500	380,000	1,562.54
1202/20	Chakkappan 118 Davis Dr.	467,000	430,000	988.27
1204/16	Guarinello 168 Cherry Lane	546,900	490,000	1,573.22
1205/24	Friedberg 185 Reservoir Ave.	412,500	390,300	592.96
1206/6	Lavenda 290 Oak Avenue	461,200	415,000	1,234.00
1407/1	Riverside Medical 130 Kinderkamack Rd.	4,066,200	3,200,000	23,136.20
1417/2	Weedo 281 Johnson Ave.	375,000	335,000	1,068.40
1417/2.01	Weedo 277 Johnson Ave.	390,000	350,000	1,068.40
1418/2	Great Outdoor 278 Johnson Ave.	354,000	250,000	2,777.84
1418/3	Great Outdoor 11 Rte. 4 East	924,000	150,000	20,673.54
1418/4	Great Outdoor 62 Madison St.	984,500	349,400	16,963.52

Total credit adjustments: \$109,294.68

October 17, 2011

#11-380 Authorize Tax Collector to Cancel 2011 3rd and 4th Quarter Taxes on a Tax Exempt Property

WHEREAS, Mr. James Aiello Jr. of 787 7th Avenue Block 301, Lot 5, has qualified for a 100% disabled Veteran tax exemption after providing the necessary documents to prove his status; and the Tax Assessor has approved his status as of 2/25/11.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector cancel the 2011 estimated 3rd quarter and final 4th quarter taxes in the amount of \$5,341.07 and adjust her records accordingly.

B/L	Name & Address	Taxes Cancelled
301/5	James Aiello Jr. 787 7 th Ave. River Edge, NJ	\$5,341.07

October 17, 2011

#11-381 Resolution to Allow a 2009 Senior Citizen/Veteran Deduction and to Adjust 4th Quarter 2011 For Same Amount

WHEREAS, the following homeowners filed an application for a deduction in the amount of \$250.00 and was approved by the Assessor for the year 2011; and

WHEREAS, the deductions were not listed in the 2011 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4th quarter final bills for the \$250.00 tax deduction.

Block/Lot	Name & Address	Deduction	Credit Amount
113/29	Reiss, Erwin & Hanna 72 Surrey Lane River Edge, NJ	Veteran	\$250.00
406/16	Schwitzer, William & Mary 738 Summit Avenue River Edge, NJ 07661	Senior	\$250.00
616/15	Kerr, John 34 Madison Avenue River Edge, NJ	Veteran	\$250.00
910/15	Abraham, Lillian 219 Beech Dr. S. River Edge, NJ	Senior	\$250.00

October 17, 2011

#11-382 Authorize Tax Collector to Bill Taxes for 2011 on a Previously Tax Exempt Property

WHEREAS, Central Unitarian Church has qualified for a tax exemption status for Block 911, Lot 18 also known as 296 Howland Avenue, River Edge, NJ; and

WHEREAS, that property was sold to Sun Ja Hwang and a deed was recorded at the Bergen County as of 7/26/2010 and since the property was sold it should be taxable as of the purchase date.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector bill the new owner for 2011 property taxes and to adjust her records accordingly.

Block/Lot	Property	Tax Year	To Bill
911/18	296 Howland Ave.	2011	\$12,174.42

October 17, 2011

#11-383 Authorize Tax Collector to Refund Duplicate 2011 3rd Quarter Tax Payments

WHEREAS, the tax office has received duplicate tax payments for the 3rd Quarter 2011 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 checks in the following amounts and the Tax Collector to adjust her records accordingly.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Refund Amount</u>
113/30	Joann & Steven Baxter 864 5 th Avenue River Edge, NJ 07661	\$ 64.72
601/18	Peter & Patricia Hill 180 Adams Avenue River Edge, NJ 07661	\$2,718.86
807/8	Michael & Dianne McDermott 139 Voorhis Avenue River Edge, NJ 07661	\$ 115.39

October 17, 2011

Councilman Mignone read resolution #11-384 into the record.

Motion by Councilman Mignone, seconded by Councilman Cannon to approve resolution #11-384.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

#11-384 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	\$3,730,201.44
CAPITAL ACCOUNT	\$ 4,703.78
RECREATION ACCOUNT	\$ 2,710.00
ANIMAL WELFARE ACCOUNT	\$ 8.40
OPEN SPACE ACCOUNT	\$ 476.28

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.

October 17, 2011

#11-385 Resolution to Go Into Closed Session and Exclude Public on October 24, 2011 at 8:00 P.M.

WHEREAS, the Open Public Meetings Act, N.J.S.A.10:4-12, permits the exclusion of the public from a meeting in certain enumerated circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. That the public shall be excluded from the October 24, 2011 meeting at 8:00 p.m. 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>
11-10/24-1	Personnel - Police Department	N.J.S.A. 10:4-12(8)

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

3. This resolution shall take effect immediately.

October 17, 2011

#11-386 Confirm Endorsement of Community Development Project

WHEREAS, a Bergen County Community Development Grant of \$58,000.00 has been proposed by the Borough of River Edge for River Dell Regional Board of Education for barrier free improvements in the Borough of River Edge; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Mayor and Council; and

WHEREAS, the aforesaid project is in the best interest of the people of River Edge; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development Funds.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of River Edge hereby confirm endorsement for the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

October 17, 2011

OPEN HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

Michele Cariddi-193 Wayne Avenue-stated that she wanted to set the record straight regarding information that the Mayor and Republican candidate Della Carroll are putting out there. Mrs. Cariddi stated that after one year, she is still defending the actions of a committee that she no longer belongs to. She explained that at the League of Women's Voters Program at Temple Avodat Shalom, Della Carroll stated that the Beautification Committee cut the lock to get into the park to clean it and that a Girl Scout troop was there helping them plant mums. Mrs. Cariddi stated that neither of these statements are true and wanted to set the record straight. She continued by saying that the Committee had permission to go on the property from a Council Liaison and Bill Lindsley. She stated that they did not cut the lock to enter the park and there was never a Girl Scout troop there helping them plant. She stated that that day has taken on a life of its own because of statements made by the Mayor and candidate Della Carroll and feels that they should be ashamed of

their actions.

Mayor Watkins-responded by saying that there was a woman who attended one of the public meetings and commented that she did not think it was fair that they did not allow the Girl Scouts to go into the closed area. The Mayor stated that she may want to review that because she knows that her statement at the public meeting was on tape. The Mayor also stated that no one is lying and feels that it is Mrs. Cariddi's perception of how things were done. The Mayor feels that Mrs. Cariddi acted out of line by calling people liars in a public place during River Edge Day. Mayor Watkins stated that she feels badly about her situation and asked that she stop bringing it up and taking it out on everybody else.

Neal Carroll-321 Wales Avenue-noticed that there was another item on the agenda to pay additional money for the Howland Avenue traffic light. He stated that he knows that the County has allocated a certain dollar amount and wondered if we were at that threshold or are we overburdened with the amount of work that was really necessary for the traffic light.

Mayor Watkins-stated that from what she understands we did not go over that threshold and came in under the cost. The Mayor asked Alan to clarify.

Alan Negreann-stated that he can't verify that but would ask the Borough Engineer to tell them how much has been accomplished. He has received one request for payment for engineering costs for approximately \$500,000 that will be reimbursed by the County so far but he doesn't have the additional estimates from the engineer nor has the contractor submitted any additional vouchers.

Neal Carroll-asked if the grass at Kinderkamack Road and Main Street is ever going to be cut.

Mayor Watkins-stated that the property belongs to Bergen County-Historic New Bridge Landing and she will recommend that they be contacted.

Gregg Cariddi-193 Wayne Avenue-stated that on September 21st he attended a meeting regarding Hurricane Irene and one topic of discussion was getting information out regarding the Nixel system on River Edge Day. He thought that Jim Arakelian was going to take care of getting the handouts to the departments and wondered what happened because there weren't any on River Edge Day.

Denise Dondiego-stated that Jim Arakelian had e-mailed her a sample of the flier that was going to be handed out on River Edge Day. She informed Jim that she would not be in the park for River Edge Day but forwarded the flier to Lieutenant Curran, Chief Sanders and Mayor Watkins. She understood from the e-mail that either Jim or Dick would be there.

Gregg Cariddi-stated that he hadn't received anything.

Mayor Watkins-stated that he did follow some kind of protocol in going through Lieutenant Curran and isn't sure what happened but will check into it.

Kathleen Murphy-stated that in the Mayor's recent newsletter she announced that Total Wine will be expanding and asked when that will be happening.

Mayor Watkins-stated that she doesn't have an exact date but she does know that they are ready to work with Total Wine in putting up a 30,000 square foot building and they will probably break ground in March or April.

Kathleen Murphy-asked what major retail chain has a letter of intent to occupy the Total Wine building.

Mayor Watkins-stated that she is not at liberty to give out that information because she has not asked for that information. The Mayor stated that she was told by the owner of the property that it is a major retail company.

Kathleen Murphy-asked if the Police Chief is on paid leave?

Mayor Watkins-stated that he is on leave of absence and she thinks that he is being paid.

Kathleen Murphy-asked if the Borough is paying Lieutenant Walker the upgraded salary?

Mayor Watkins-replied, no he is still getting Lieutenant's salary.

Kathleen Murphy-asked if anything has been discussed about his situation?

Mayor Watkins-stated that she is not at liberty to discuss closed session topics.

Kathleen Murphy-asked when it will be public information.

Mayor Watkins-stated that it will become public when they are allowed to disclose the information.

CLOSE HEARING OF THE PUBLIC -

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

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

COUNCIL COMMENTS -

Councilman Moscaritolo-thanked everyone for coming out for River Edge Day and

making it a successful event. Councilman Moscaritolo stated that on November 8th there will not only be elections but the Open Space Referendum will be on the ballot and encouraged everyone to come out and vote yes. He further explained that this is the only way we can fund some of the beneficial programs in town and also fund DPW to avoid furloughs and layoffs.

Mayor Watkins-stated that the organizations had a great day yesterday and we were really blessed with great weather for River Edge Day. The Mayor also stated that there were several baskets that were raffled off through several organizations and noted that there were several County and State dignitaries in attendance, Bergen County Executive Kathleen Donovan, Former Governor Cody and Senator Gordon. The Mayor thanked everyone for coming out to make it a successful day. Councilman Bartelloni-thanked Bobbi Conway and the Recreation Commission for their hard work in making River Edge Day a success. He also asked everyone to take a look at resolutions #11-377, 378 and 379 and explained that the reason the Borough is spending \$174,000 on a reassessment is to avoid paying out over \$230,000 in County board judgments every year. Mayor Watkins-thanked everyone for coming out this evening.

ADJOURNMENT - 8:30 P.M.

Motion by Councilman Cannon, seconded by Councilman Bartelloni to adjourn the meeting at 8:30 p.m.

ROLL CALL VOTE: Councilman Bartelloni, Councilman Moscaritolo, Councilman Mignone, Councilman Cannon and Councilman Cordts voted yes, Councilman Porco was absent.

Mayor Margaret Falahee Watkins

Attest:

Denise A. Dondiego, RMC
Borough Clerk
Dated: