

M I N U T E S
Regular Meeting of the Mayor and Council
Monday, February 2, 2015
8:00 P.M.

CALL THE MEETING TO ORDER -

Mayor Moscaritolo called the meeting to order at 8:21 p.m. in the Council Chambers of the Borough Hall.

SILENT PRAYER - FLAG SALUTE

Mayor Moscaritolo called for a moment of silent prayer or reflection and asked Councilwoman Murphy to lead the salute to the flag.

MISSION STATEMENT & OPEN PUBLIC MEETINGS -

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

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

In accordance with this act the Mayor and Council of the Borough of River Edge have caused notice of this meeting to be published by having the date, time and place thereof posted in the Borough Hall and notices have been sent to the Record and the Ridgewood News. The mission of this governing body is to provide essential services through the establishment and implementation of public policy that will safeguard our infrastructure provide honest, courteous and professional services; and establish a sense of trust and accomplishment with our residents. Through research and prudent planning we seek to minimize risks while improving our services. We are sensitive to the needs of our taxpayers while realizing that this governing body cannot be all things to all people within the revenue constraints imposed by state mandates, economic conditions and prevailing attitudes about taxation.

ROLL CALL - Councilwoman Murphy, Councilman Cappola, Councilwoman Busteed, Councilman Mignone, Councilman Acquafredda, 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 January 20, 2015.

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

PROCLAMATIONS & AWARDS - NONE

OPEN PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA -

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

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

CLOSE PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA -

There being no comments from the public, motion by Councilwoman Murphy, seconded by Councilman Mignone to close public comments on any issue on the agenda.

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

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the retirement of Thomas Schick, Equipment Operator I in the Department of Public Works, effective March 31, 2015.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the increase in hours for Adrienne Capasso to fill in temporarily in the Zoning/Planning/Assessor's office at an hourly rate of \$22.59, effective January 29, 2015.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the appointments of Alphonse Bartelloni, Theresa Esposito, Peter Dunsay, Bill Watkins, Tom Smith, Gary Esposito, Pete Marion, Nicole Urban, Bobbi Conway, Recreation Director, Councilman Cappola and Councilwoman Busteed as Liaisons to the July 4th Committee, effective February 3, 2015.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the appointment of Stephanie Evans as Deputy Registrar of Vital Statistics, effective February 1, 2015.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the appointment of Ronald Black, 175 Bogert Road as an Alternate to the Zoning Board of Adjustment for a two-year term through December 31, 2016.

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

Councilwoman Murphy-stated that Mr. Cho has indicated to her that he is not interested in being appointed to the Zoning Board.

Motion by Councilwoman Murphy, seconded Councilman Mignone to **TABLE** the appointment of Robert Cho, 168 Greenway Terrace, as an Alternate to the Zoning Board of Adjustment for a two-year term through December 31, 2016.

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

Motion by Councilwoman Murphy, seconded by Councilwoman Busteed to approve the appointment of Brett Urban, 590 Center Avenue, as an Alternate to the Zoning Board of Adjustment for a two-year term through December 31, 2016.

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

CORRESPONDENCE -

Notice - River Edge Board of Ed - 1/20/15
Re: Revised Meeting Notice
Letter - Thomas Schick - 1/23/15
Re: Letter of Retirement
Letter - E2 Project Management LLC - 1/24/15
Re: Flood Hazard Area Permit-
355 Kinderkamack Rd - Oradell
Notice - NJ Transit - 1/26/15
Re: Disparity Study 2014
Letter - State of New Jersey DEP - 1/26/15
Re: Suspected Hazardous Discharge
Notice - 172 Voorhis Avenue

MONTHLY REPORTS -

Shade Tree Commission - November 2014
Shade Tree Commission - December 2014
Tax Collector - December 2014

OPEN PUBLIC HEARING - Local Assessments - Fifth Avenue - Howland Avenue to Station 4 + 50 ± North of Olympia Drive

Motion by Councilwoman Murphy, seconded by Councilwoman Busted to open hearing of the public on the Local Assessments - Fifth Avenue - Howland Avenue to Station 4 + 50 ± North of Olympia Drive.

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

Alan Negreann-explained that there are eight properties on Fifth Avenue that are subject to a special assessment for the engineering work that was done with regard to the curb, sidewalk driveway apron replacement project. The total amount to be billed is \$1,516.00 which will be divided up among the eight property owners. Mr. Negreann also stated that our Tax Assessor, Jim Anzevino is in audience and he has reviewed calculations. The purpose of the hearing is to see if any homeowner objects to the calculations of the special assessments. If there are no objections, the Council will consider a resolution to confirm these assessments at the next public meeting and if confirmed, then the Tax Collector will send them out to be collected.

Mayor Moscaritolo-asked if any property owners wish to speak on these assessments.

Councilman Mignone-asked if the residents were advised of this hearing and the assessments?

Alan Negreann-replied yes, we sent notification in November, 2013 of the ordinance that was pending and another letter was sent out on December 4, 2014 notifying them of the hearing tonight.

Councilwoman Murphy-asked if the letters were sent certified mail?

Alan Negreann-stated that he does not have the green cards in front of him but usually the letters go out via certified mail.

Mayor Moscaritolo-asked Mr. Anzevino if any of the homeowners have contacted his office regarding the special assessments?

Jim Anzevino-replied, no.

CLOSE PUBLIC HEARING - Local Assessments - Fifth Avenue - Howland Avenue to Station 4 + 50 ± North of Olympia Drive

Motion by Councilwoman Murphy, seconded by Councilwoman Busted to close hearing of the public on the Local Assessments - Fifth Avenue - Howland Avenue to Station 4 + 50 ± North of Olympia Drive.

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

PUBLIC HEARING OPEN SPACE, RECREATION, FARMLAND AND HISTORIC
PRESERVATION TRUST FUND ALLOCATION OF MONIES

Open Public Hearing

Motion by Councilwoman Murphy, seconded by Councilwoman Busteded to open public hearing on Open Space.

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

Alan Negreann-stated that requests were received from the Recreation Commission, Shade Tree Commission, Department of Public Works and 9/11 Memorial Committee.

9/11 Memorial Garden Committee-Ann McCarthy, Administrator of the 9/11 Memorial Garden Committee stated that they are requesting \$5,750.00 for the maintenance of the garden, installation of mulch and mums as well as the cleaning of the granite markers. Mrs. McCarthy thanked the Mayor and Council for their continued support and feels that it's very important that the gardens always look perfect because it represents five individuals from town who were lost as well as the historical event of September 11th. She thanked the Mayor and Council for their consideration.

Councilwoman Murphy-asked if the markers had to be cleaned every ten years?

Ann McCarthy-stated that this is the first time that they will be cleaning them. They installed the markers in 2005 and so she is not sure going forward how often they will need to be cleaned. Mrs. McCarthy stated that it may very well be that it just takes soft chemicals and power washing to accomplish the cleaning.

Councilman Mignone-asked what their request was last year?

Ann McCarthy-thought it was \$5,000.00.

Mayor Moscaritolo-asked if they used it for the same thing?

Ann McCarthy-replied no, they used it for mums, gravel replacement in the garden as well as maintenance.

Councilman Mignone-didn't think they received the full request last year.

Mayor Moscaritolo-stated that he doesn't think anyone received their full request.

Alan Negreann-confirmed that they received \$5,000.00.

Mayor Moscaritolo-asked if their request was broken down?

Ann McCarthy-explained that because of the recent inclement weather she hasn't been able to get a firm estimates, she only has a ball park figure.

Mayor Moscaritolo-asked if they can't fulfill their request 100%, is the request broken down into components?

Ann McCarthy-stated that she can provide them with a breakdown.

Councilman Mignone-stated that it is broken down in their letter. He asked Alan Negreann what the total open space allocation is.

Alan Negreann-stated that the allocation is estimated at \$144,254.29 and the four requests that the Mayor and Council have before them tonight total \$119,930.00.

Councilwoman Murphy-asked when we will have an actual amount.

Alan Negreann- explained that we have to wait until the County generates the apportionment of taxes, strikes a tax rate for the Borough as well as the municipal open space rate which will probably be in April or May.

Councilman Mignone-asked if there is anyone who is not requesting an allocation this year that received one last year? He asked if the Beautification Committee has made a request?

Alan Negreann-stated that we did not receive a request from Beautification this year and last year they received \$3,000.00.

Councilman Papaleo-asked if they intend to make a request?

Alan Negreann-stated that they didn't respond to the correspondence.

Councilwoman Murphy-asked if there is a deadline?

Alan Negreann-stated that if the Mayor and Council make a decision soon they'll know whether these things would be considered in our operating or capital budgets. If an approval is given tonight, we can prepare resolutions for the next meeting so that the committees can begin making preparations.

Councilwoman Murphy-feels that it's too early to make a decision

tonight because they haven't hear back from other groups.

Alan Negreann-stated that they did notify everyone when the hearing was but there is nothing to stop another group from coming in later on with a proposal if there is money left over.

Councilman Mignone-asked if we grant the allocations under the Open Space Trust Fund, can you use that for operating and capital purchases?

Alan Negreann-replied that it depends on what the request is.

Councilman Mignone-stated that if they grant everyone's request and still have money left over, we shouldn't have to put any money into the capital or operating budget.

Alan Negreann-explained that all of the items that were requested will come out of Open Space but if you reject something, that door is still open to them. The difference would be considered unallocated and would stay in the trust fund until such time that the Mayor and Council allocate it.

Mayor Moscaritolo-stated that we're not going to make any decisions tonight, we're just listening to the presentations.

Jennifer Dougherty-asked if leftover money is not allocated this year, will it roll over to next year?

Alan Negreann-replied, yes.

Jennifer Dougherty-asked if Open Space will expire in 2016?

Alan Negreann-explained that the 5 years does expire in 2016 but we've already raised this money in taxes and placed in the trust fund. The money stays there until it gets cancelled or is spent. Anything remaining in prior years is subject to being reallocated or expended.

Shade Tree Commission-Liz Stewart and Jennifer Dougherty submitted a request on behalf of the Shade Tree Commission for \$13,495.00. This represents plantings in the parks and the arboretum, plaques, mulching arboretum trees and gypsum to protect the trees from salt. They are requesting an additional \$5,475.00 to supplement the plantings to create a buffer around the tennis courts which they would like to accomplish by May of this year.

Jennifer Dougherty-stated that last year they were only awarded \$10,500 for tree replacement only.

Mayor Moscaritolo-asked how many trees did they replace last year?

Liz Stewart- replied that they replaced 22 trees.

Mayor Moscaritolo-asked if they have to replace another 30?

Jennifer Dougherty-explained that the plantings will be in Memorial Park, Kenneth B. George and the arboretum.

Councilman Mignone - thought that in 2012, we bond \$45,000 for trees.

Liz Stewart & Jennifer Dougherty-replied that \$45,000 was for street trees not for plantings in the parks. Liz Stewart explained that they can't use open space money for street trees.

Councilman Mignone-asked if those funds had been expended?

Jennifer Dougherty-replied that they received grant money for the 66 trees that were planted last year.

Councilman Mignone-asked how much of an increase in the operating budget over last year is the request?

Alan Negreann-replied approximately \$9,000.00 for plantings.

Jennifer Dougherty-explained that typically they take down approximately 200 trees per year and right now they have 700 open sites so they're always behind.

Mayor Moscaritolo-asked if they have a list of the trees that were taken down in 2014?

Liz Stewart- replied yes, they are working on updating a data base. She stated that since 2009, they've lost 73 trees just in the park and arboretum. They haven't had to do too much in Brookside Park but there are many small projects that they haven't had the funds for that they would like to complete.

Councilwoman Murphy-asked if they receive a \$20,000 grant every year?

Liz Stewart-stated that it depends if there is money available. She explained that before receiving this grant the last one they received was a business stimulus grant 3 or 4 years ago.

Jennifer Dougherty - explained the type of grant that is available this year for approximately \$2,500.00.

Councilwoman Murphy-noted that there was no request for stump grinding.

Liz Stewart-stated that John Lynch takes care of stump grinding in the parks.

Councilwoman Busted-asked for clarification on the \$5,400.00 for the replacement of trees by the tennis courts. She explained that when they were deliberating the decision, there was an assurance that the

money was there to provide an adequate replacement buffer. She feels that there is a disconnect because in the discussions during the fall, she was told there was an onsite discussion with Shade Tree at that time and the money was available from 2012 for this buffer. Councilwoman Busted doesn't understand why an additional \$5,400.00 is needed.

Councilwoman Murphy-stated that her understanding is that because there was an extra tree taken down there is more work to be done. Councilwoman Busted-was under the impression that everyone was aware of what was going to happen by the tennis courts and asked if the extra tree that was taken down was an error?

Liz Stewart-stated that there a lot of conversations that were going on before a final decision was made. She explained that the original plan in 2012 was for a different plan of plantings which consisted of putting in larger trees so you wouldn't need as many for each lot. There are about 4 or 5 lots that are 50 feet wide, and they had planned to put 1 or 2 larger trees in those spots. Now, unlike the original plan, they need 5 or 6 because they're spacing them differently and planting smaller species. She continued to say that they want to make sure that there is no problem in the future and that the residents are getting what they've asked for. She feels that in order to do it correctly, they need to plant it this way.

Councilwoman Busted-asked what they would do if the extra \$5,400.00 was not approved?

Liz Stewart-stated that she would not do half a project and feels that to do it correctly, it needs to be done all at once.

Councilwoman Busted-asked what she means?

Liz Stewart-stated that they wouldn't replace those trees.

Councilwoman Busted-responded that that's not what was agreed upon.

Mayor Moscaritolo- said that that's not acceptable.

Jennifer Dougherty-stated that the plan from 2012 has totally changed from what is happening right now.

Councilman Mignone-asked how the plan is different than what they're proposing now?

Liz Stewart-stated that we don't want to run into the same problem years from now after seeing what's happened.

Jennifer Dougherty-explained that they are trying to come up plantings that would appease the Recreation Commission with the tennis courts so that nothing falls on the courts. She continued to say that many of the residents were upset when the pine trees came down.

Councilman Mignone-stated that they mentioned planting smaller species and asked if that would provide an adequate buffer.

Liz Stewart-explained what they mean is something less than 60 feet. They feel that something that will grow to 30 -40 feet that's more narrow and won't drop things would be best. She continued to say that they are looking at specialized trees that will last a long time and won't cause problems in the future. The original plan had not been discussed to this extent and while they are thinking about it they want to do it correctly.

Mayor Moscaritolo-asked what type of trees are they planning to put there?

Liz Stewart-stated that it depends on the availability and named some of the different types of trees that they're thinking about.

Councilman Mignone-asked how quickly will the trees grow?

Liz Stewart-explained that depending on the tree most will grow fairly quickly.

Councilman Mignone-asked what planting height will this money get them?

Liz Stewart-replied about 5 trees for each lot.

Councilman Mignone- asked how high would they be?

Liz Stewart- between 8 - 12 feet.

Mayor Moscaritolo-asked if the trees will be planted in such a way that the DPW will be able to get machinery in to do maintenance?

Liz Stewart-replied yes.

Mayor Moscaritolo-asked what plan has to be updated next year?

Liz Stewart- replied their 5 year management plan that goes through the State which allows them to get money from them.

Mayor Moscaritolo - asked what changes have to be made?

Liz Stewart- explained that most of the changes describe their plans and goals.

Mayor Moscaritolo-asked what their plans and goals are for the next 5 years?

Liz Stewart-explained that the Commission will be discussing that this year but feels that the stumps are a big issue, because they don't

really have a good plan in place. They get \$5,000.00 each year and the price doubled last year which only allowed them to do half of the stumps on the list. She continued to say it's a big expense and they constantly receive complaints from residents.

Mayor Moscaritolo-asked why they didn't include stumps in their open space request?

Liz Stewart-explained that you can only use open space funds for parks and recreation land and right now, DPW takes care of that. The list that they have for stump removal are all street trees.

Councilwoman Murphy-asked whether the 700 open sites that they have all include stumps?

Liz Stewart-stated that they've marked 700 active sites but there are more than that. She said that she will provide that information once she gets the survey back and enters it into the computer.

Mayor Moscaritolo-noticed that their request doesn't include baby trees that were lost in the tree farm?

Jennifer Dougherty-stated that they don't maintain the tree farm.

Mayor Moscaritolo-stated that he and other volunteers maintain the tree farm.

Jennifer Dougherty-stated that they've never put a request in.

Mayor Moscaritolo-feels that they should.

Jennifer Dougherty-feels that the tree farm is not a project under their jurisdiction.

Mayor Moscaritolo-feels that it should be because they are trees?

Liz Stewart-stated that as volunteers they have so much on their plate just in trying to run their office. She didn't realize that the Mayor wanted them to put a request in.

Mayor Moscaritolo-stated that he doesn't expect them to maintain the tree farm but feels that the Borough looks to them for their expertise in the type of trees that should be planted there. He continued to say that after harsh winters, many of the seedlings don't make it and if re-plantings are needed they would know that the money is there.

Liz Stewart-responded that she thought they were only serving in an advisory capacity and was not aware that they were taking on a budget for that.

Councilman Mignone-asked if they had given an opinion before the saplings went in that they didn't feel that they were not viable for street trees?

Liz Stewart-replied yes, we were advisory for that.

Councilman Mignone-stated that because the Borough received free trees, we should be able to replace them for free. He doesn't feel that we should buy trees to replace free trees that have died. He asked what the ultimate objective is in using the trees in the tree farm?

Liz Stewart-replied, I don't know the answer to that question.

Jennifer Dougherty-had the understanding that the tree farm trees were never intended to be street trees.

Mayor Moscaritolo-understands that they are not going to be street trees but feels that they can be used in parks or for buffer areas.

Councilman Mignone-asked if they withheld the \$10,000 could they use the tree farm trees for the parks?

Mayor Moscaritolo-replied that they're not big enough.

Liz Stewart-commented that she thinks the tree farm is a great community project but again stated that they are overwhelmed with paperwork. She said that they are very willing to serve in an advisory capacity and if the Mayor and Council want them to include money in their budget they will, but she was not aware that they were supposed to.

Mayor Moscaritolo-asked if they paid \$130,000 for replacement seedlings last year?

Liz Stewart-stated that they received quite a few free trees for the schools last year so if the State does that again, that would be perfect.

Mayor Moscaritolo-stated that some of the mature cherry blossom trees at the park have a 50 to 60 year life span and he would like to see 10 to 12 baby trees put in as future replacements.

Councilman Papaleo-stated that if the Council approves the addition \$5,400, he would like a timeline for the buffer project.

Liz Stewart-explained that they would like the project completed by May 1st.

Councilman Papaleo-stated while they are here, he would like to discuss the message on their answering machine.

Liz Stewart-stated that the Commission will be discussing that at

their next meeting and assured everyone that it will be changed once they come up with the proper wording. She said that Stephanie has given her some suggestions and gave a brief history about the current message.

Mayor Moscaritolo-asked that Shade Tree provide a revised open space request.

Liz Stewart-replied, yes she will.

Councilman Papaleo-stated that during the meeting, he reached out to the Cariddi's asking if it was an error that Beautification did not submit an open space request. He was told that it was not an error and that they have not used all of the funding that they received last year. They don't anticipate exceeding what they've already been allocated so they will not be submitting a request.

Bobbi Conway-Recreation Director-thanked the Mayor and Council for their continuous support and introduced the Chairperson, Jim Teehan and Vice-Chair, Alicia Armental. The Recreation Commission presented a request for the following: \$7,820.00; Field Maintenance - \$13,740.00; Maintenance Projects - \$64,150.00 which includes KBG Field Light Replacement; Tennis Court surfacing cleaning; KBG baseball field backstop repair; surface perimeter replacement of Memorial Park handball court; repair basketball court.

Councilman Papaleo-stated that with regard to the tennis courts, he has visited the area and noticed that there is some soil erosion going on because water is coming from residences carrying soil or soot onto the courts. He asked Bobbi if she was aware of this problem?

Bobbi Conway-explained that they do have a drainage system on the west side where the trees were taken out and asked if he noticed it after the trees were taken out?

Councilman Papaleo-replied no, it was before and also stated that he had spoken to a few of the tennis players who also had noticed it after a rain storm. He suggested that in an effort to prevent the erosion, they look into finding a way to divert the water around the tennis courts when there is a sudden downpour. He feels that the courts might not need to be cleaned as much if we can keep the soil away.

Bobbi Conway-stated that it's possible that the drainage system is clogged.

Councilman Papaleo-stated that he visited the site before and after the trees were taking down and it didn't appear to him that there was a drainage system all the way around.

Bobbi Conway-thanked him for the suggestion and said that she would look into it.

Councilman Acquafredda-asked if people still play handball?

Bobbi Conway-replied that it's mostly used by tennis players.

Councilwoman Murphy-stated that we have a dedicated plan for the tennis players by taking care of the courts and now the trees and feels that this handball court is outdated. She asked if anything else could be put there?

Bobbi Conway-replied that it is used frequently. Most people, if they don't have a tennis partner use it to practice against the wall.

Councilwoman Murphy-commented that they can go to Van Saun Park right down the street and feels that the space could be better utilized.

Bobbi Conway-doesn't agree because she sees people using it all of the time. She feels that many people would be upset if we took it away.

Councilwoman Murphy-asked if there is a trust account that they could use for some of these requests?

Bobbi Conway-replied that years ago, they went to the trust account because they didn't have open space money. Bobbi explained that this request is for basic maintenance for the safety of the residents.

Councilwoman Murphy-asked at what point would she use the trust account.

Bobbi Conway-explained that the trust account is used for the development of fields. The money, which comes from the residents registration fees, goes into the account on a regular basis and is used when they want to develop or make repair to the fields.

Councilwoman Murphy-asked when the last time she accessed the trust account money to pay for something?

Bobbi Conway-replied, 2010.

Councilwoman Murphy-stated that after going through some of the quotes it's a pet peeve of hers when people don't get three quotes.

Bobbi Conway-responded that these are only estimates and once they receive the funding, they always get three quotes.

Councilwoman Busted-noticed that there wasn't a request to replace

the six foot basketball hoops at Brookside Park and wondered what the plan is. Because she lives next to the park, Councilwoman Busted noticed a marked decrease in the park use since they have been taken down and asked if the intention is to pay for it through other funding.

Bobbi Conway-explained that they did discuss that at their last meeting and they plan to replace the basketball goals with the proceeds from the River Edge Run.

Councilwoman Busted-asked if they will be replacing them at six feet?

Bobbi Conway-stated that they are going to put the standard (8 foot) goals in because the mini (6 foot) goals are too dangerous.

Councilwoman Murphy-stated that because of the trees, there was a yearly cost to clean the tennis courts, and asked if the cost will be less because the trees were taken down?

Bobbi Conway-explained that the courts were cleaned for the first time since they were constructed in 2010. She continued to explain that it's not necessarily a yearly fee but is correct that now that the trees are gone, they won't have the sap and the debris all over the courts. They may have to be cleaned every two or three years.

Councilman Mignone-asked if the wood fiber chips are an annual replacement?

Bobbi Conway-stated that it depends on the amount of rain we have and how much has washed away. She continued to say that the insurance inspector came this past year and told them they didn't have enough chips. They need an 8 inch covering under the playground equipment. Bobbi explained that over time, the chips turn to dirt and deteriorate after a while so they top it off every year.

Councilman Mignone- asked if they've ever considered looking into rubber surfacing?

Bobbi Conway- replied that it is very expensive.

Councilman Mignone-feels that it might not be that expensive if we applied for and received an open space grant with matching funds. He feels that it would pay for itself pretty quickly.

Bobbi Conway-stated that it is something that they could look into but explained that it's a very large area and would be quite expensive.

Councilman Mignone-asked if she or the Commission have prioritized the projects in case they can't fund them all.

Bobbi Conway-stated that they are listed in order of priority.

Alan Negreann-stated that there is one more request that was received from the Department of Public Works in the amount of \$9,500.00 for grass seed, chemicals, mowers and trimmers. The amount is the same as last year and if the Council chooses not to fund it, they would have to take it out of the operating budget.

Councilwoman Busted-asked if this amount was included in the total request of \$119,930.00?

Alan Negreann-replied, yes.

Councilman Mignone-asked if we looked at that already?

Alan Negreann-replied, yes you looked at it as part of the budget committee.

Councilman Papaleo-asked why the request is only \$9,500.00 instead of \$13,300.00.

Alan Negreann-explained that this amount is representative of the percentage of the parks as opposed to total land area that the DPW maintains. For instance, we would not use the funds for the front of Borough Hall because it's not park property.

Close Public Hearing

Motion by Councilwoman Murphy, seconded by Councilman Mignone to close public hearing on Open Space.

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

ORDINANCES - 1ST READING -

Stephanie Evans, Borough Clerk read the title of Ordinance #1821 as follows:

Ordinance #1821 - AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE II, \$400-38, OF THE RIVER EDGE BOROUGH CODE ESTABLISHING THE CREATION OF

ON-STREET HANDICAPPED PARKING SPACES FOR PRIVATE RESIDENCES

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the first reading of Ordinance #1821 as follows:

BOROUGH OF RIVER EDGE
ORDINANCE #1821

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE II, §400-38,
OF THE RIVER EDGE BOROUGH CODE ESTABLISHING THE CREATION OF ON-STREET
HANDICAPPED PARKING SPACES FOR PRIVATE RESIDENCES

WHEREAS, N.J.S.A. 39:4-197 confers upon the Borough a right to establish resident handicapped on-street parking in order to preserve and safeguard the public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 39:4-197.6, any municipality may, by ordinance establish a restricted parking zone in front of a residence occupied by a handicapped person if a windshield placard or wheelchair license plates have been issued for a vehicle owned by that person, or by another occupant of the residence who is a member of the immediate family of the handicapped person, by the Division of Motor Vehicles pursuant to the provisions of P.L. 1949, c. 280 (C. 39:4-204 et seq.), provided such parking is not otherwise prohibited and the permitting thereof would not interfere with the normal flow of traffic; and

WHEREAS, the Mayor and Council does deem it necessary to and in the best interest of its residents to provide resident on-street handicapped parking in front of residences occupied by handicapped persons;

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:

1. §400-38 shall be amended as follows:

a. *Handicapped Parking on Streets.* In accordance with the provisions of N.J.S.A. 39-4-197, the following street locations are designated as handicapped parking spaces. Such spaces are for use by persons who have been issued special identification cards or plates or placards by the Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

<i>Name of Street</i>	<i>No. of Spaces</i>	<i>Location</i>
-----------------------	----------------------	-----------------

b. *Handicapped Parking on Streets for Private Residences.* In accordance with the provisions of N.J.S.A. 39:4-197.6, the following on-street locations are designated as handicapped parking spaces in front of private residences occupied by handicapped persons. Such spaces are for use by persons who have been issued special identification cards or plates or placards by the Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No other person shall be permitted in these spaces.

<i>Name of Street</i>	<i>Side</i>	<i>Permit #</i>	<i>Location</i>
-----------------------	-------------	-----------------	-----------------

696 Center Avenue	Easterly		Beginning at a point 585 feet south of the southerly curblin of River Street and extending 22 feet, and from a point 385 feet from the south curb of Tenney Avenue extending 22 feet.
-------------------	----------	--	---

2. This chapter is intended to supplement existing ordinances and other laws pertaining to parking, standing and stopping as set forth in Article II, §400 of the Borough Code and shall not be construed to excuse any person from complying with such other ordinances and laws.

3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

4. If any part, sections, provisions, or total of any of the aforementioned sections are held to be invalid or unenforceable by any court, the findings or judgments of which court are applicable in the State of New Jersey, that the balance and remainder of such sections shall remain in full force and effect as an Ordinance of the Borough of River Edge.

5. This Ordinance shall become effective immediately upon adoption and publication according to law.

ATTEST:

APPROVED:

Stephanie Evans
Borough Clerk

Sandy Moscaritolo
Mayor

Councilman Papaleo-suggested that the address be included in the ordinance.

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to amend the ordinance to include the address based on the description as stated in the ordinance.

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

ORDINANCE - 2ND READING - None

RESOLUTIONS - By Consent

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolution #15-70 through #15-79.

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

#15-71 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 February 17, 2015 work session meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session</u>		<u>Statutory</u>
<u>Docket #</u>	<u>Item Title or Description</u>	<u>Reference</u>

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.

February 2, 2015

Councilwoman Murphy-asked for clarification on resolution #15-72.

#15-72 Authorize Severance and Accumulated Absence Payments to George Fink

WHEREAS, George Fink, Laborer I, has submitted a notification that he will separate as an employee of the Borough of River Edge on January 1, 2015; and

WHEREAS, Section V, Subject 1 of the Personnel Policy and Procedure Manual of the Borough of River Edge states that the Municipal Governing body shall approve all payments for accumulated absences and other severance payment; and

WHEREAS, Article 10 of the contract with the members of Local 108, Public Employee Division, RWDSU, Blue Collar Unit provides for the payment of any unused vacation due him in that calendar year; and

WHEREAS, Ordinance #585 as amended provides for severance pay when an employee serves the Borough after twenty (20) years or more of continuous service; and

WHEREAS, a certification by the Chief Financial Officer in accordance with N.J.A.C. 5:30-15.4 has been received and is on file with the Borough Clerk, in the amount of \$4,496.16.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of River Edge that the Chief Financial Officer and the Finance Department are hereby authorized to make payment to George Fink for any amounts due for accumulated vacation, Ordinance #585 or other time as certified by the Chief Financial Officer.

February 2, 2015

#15-73 Rescind Resolution #12-215 Creating a Special Events Committee

WHEREAS, resolution #12-215 Creating a Special Events Committee was approved on June 4, 2012; and

NOW, THEREFORE, BE IT RESOLVED that resolution #12-215, dated June 4, 2012, is hereby rescinded in order to dissolve the Special Events Committee.

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

February 2, 2015

#15-74 Recommendation to Adopt of a Complete Streets Policy
Implementing Planning, Design, Construction, Maintenance and Operation
of New and Retrofit Transportation Facilities within the Public
Rights of Way in the County of Bergen

WHEREAS, the Borough of River Edge is committed to creating and implementing a Complete Streets Policy within the Borough through planning, design, construction, maintenance and operation of new and retrofit transportation facilities within the Borough Public Rights of Way including facilities that can safely accommodate and improve safe access and mobility of pedestrians, bicyclists, transit users of all ages and abilities; and

WHEREAS, the New Jersey Department of Transportation's Complete Streets Policy seeks to implement through planning, designing and construction safe access and mobility of pedestrians and other transit users of all ages and abilities; and

WHEREAS, the Mayor and Council and Borough of River Edge supports the complete streets initiative and wishes to encourage a comprehensive, integrated, connected street network that safely accommodates all road users of all abilities and for all trips.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that the Borough of River Edge encourages and recommends to the County of Bergen that a Complete Streets Policy be adopted by and for the County of Bergen.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the County Executive, the Board of Chosen Freeholders and the County Engineer.

This Resolution shall take effect immediately.

February 2, 2015

#15-75 Resolution Approving the Certification List of Volunteer
Members of the River Edge Volunteer Fire Department Qualifying for
Credit Under the Length of Service Awards Program (LOSAP) for 2014

WHEREAS, the Borough of River Edge adopted Ordinance #1289 on May 7, 2000 which created the Length of Service Awards Program (LOSAP); and

WHEREAS, N.J.S.A. 40A:14-191 requires that the River Edge Volunteer Fire Department furnish the Mayor and Council with an annual certification list of all volunteer members who have qualified for credit under the award program for the previous year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the Mayor and Council hereby approves the list of the volunteer members of the River Edge Volunteer Fire Department certified by the Chief of the Fire Department for the year 2014, a copy of which list is attached here as Exhibit A; and

BE IT FURTHER RESOLVED that a copy of this resolution be posted by the Chief of the Fire Department.

February 2, 2015

#15-76 Rescind Resolution #15-58 Amending the Agreement With Arthur
M. Neiss, Esq., Beattie Padovano, LLC, 50 Chestnut Ridge Road, Suite
208, P.O. Box 244, Montvale, New Jersey 07645-0244, Planning Board
Attorney For Professional Services as Planning Board Attorney Related

to Researching the Historic Element

WHEREAS, resolution #15-58 amending the agreement with Arthur M. Neiss, Esq., Planning Board Attorney for professional services related to researching the historic element was approved on January 20, 2015; and

NOW, THEREFORE, BE IT RESOLVED that resolution #15-58, dated January 20, 2015 is hereby rescinded.

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

February 2, 2015

#15-77 Enter Into Agreement with Anthony Suarez, Esq., Werner, Suarez, Moran, 1 University Plaza, Suite 117, Hackensack, New Jersey 07601 for Professional Services as Planning Board Attorney Related to Researching the Historic Element

WHEREAS, there exists a need for a Planning Board Attorney for legal services such as attendance at meetings of the Board, doing legal research and issuing oral and written legal opinions; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-166 of the Current Fund not to exceed \$1,700.00; and

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

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

WHEREAS, the Mayor and Council have examined resumes, biographies, work experience; and

WHEREAS, the Mayor and Council have reviewed price and other factors when considering supporting reasons for awarding this contract; and

WHEREAS, the rate of pay shall not exceed \$125.00 per hour as Borough Planning Board Attorney; 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

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Anthony Suarez, Esq., Werner, Suarez, Moran, 1 University Plaza, Suite 117, Hackensack, New Jersey 07601 in the amount not to exceed \$1,700.00.
2. The Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law to Anthony Suarez, Esq., 1 University Plaza, Suite 117, Hackensack, New Jersey 07601.
4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

February 2, 2015

#15-78 Acknowledge Receipt of Certification of Request for Emergency Purchases - Diesel and Gas Pump Repairs

WHEREAS, the Superintendent of Public Works and Borough Engineer have certified that an emergency condition exists in the Department of Public Works Buildings and Grounds for the emergency repair of diesel and gas pumps at an estimated cost of \$4,661.74; and

WHEREAS, this condition constitutes an emergency affecting the public health, safety and welfare of the public; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby confirm and acknowledge the receipt of Certification of Request for Emergency Purchases for this emergency.

February 2, 2015

#15-79 Resolution Authorizing Agreement with Millbrook Village Townhouse Association, Inc. for Reimbursement of Snow Removal under the Municipal Services Act

WHEREAS, the Municipal Services Act, N.J.S.A. 40:67-23.2, et. seq. and amendments thereto, provides that qualified, private communities, as defined in the Act, are entitled to receive certain municipal services; and

WHEREAS, the Act further provides that in lieu of providing such municipal services the municipality shall have the option to financially reimburse the Association in an amount not to exceed the actual cost that would be incurred by the municipality if it provided the services directly; and

WHEREAS, the Borough and the Association have mutually agreed to providing reimbursement as opposed to providing services directly; and

WHEREAS, the Borough and the Association have mutually agreed to a reimbursement rate for snow removal; and

WHEREAS, the Borough and the Association are desirous of entering into a three (3) year agreement for the reimbursement of such costs; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of River Edge that the Borough enter into the attached agreement with Mill Brook Village Townhouse Association, Inc. for the years 2015, 2016 and 2017; a copy of which is attached;

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the attached Agreement.

February 2, 2015

~~Councilman Papaleo-stated that as part of the work session discussion for the HVAC project; Alan Negreann said that tonight the final payment would be approved. Councilman Papaleo would like the payment to be removed from the bill list if it is listed. Alan Negreann-stated that he thinks they moved the approval for payment to the next meeting. Councilman Mignone and Councilwoman Murphy- stated that they don't remember signing the bill this evening.~~

Councilman Mignone read resolution #15-80 into the record.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #15-80.

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

#15-80 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	\$7,176,750.99
RECREATION ACCOUNT	\$ 621.00
TRUST OTHER DEVELOPERS ACCOUNT	\$ 3,403.85
TRUST OTHER ACCOUNT	\$ 30.50

BE IT FURTHER RESOLVED, that claims read and approved by the Governing Body at a Council meeting will be dated the day after the reading of those claims and will appear on the following bill list at the next public meeting of the Mayor and Council at which times claims would be paid.

February 2, 2015

OPEN HEARING OF THE PUBLIC -

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

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

Lou Grasso-172 Lozier Terrace-stated that at a previous meeting he suggested a change to the current zoning ordinances. He hasn't hear back from anyone and asked for an update.

Alan Negreann-explained that he requested a status report but has not received anything.

Mayor Moscaritolo-told Mr. Grasso that he would e-mail the Planner tomorrow requesting an update.

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 Cappola, Councilwoman Busted, Councilman Mignone, Councilman Acquafredda and Councilman Papaleo voted yes.

ADJOURNMENT - 9:24 P.M.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to adjourn the meeting at 9:24 p.m.

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

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated: