

M I N U T E S

Regular Meeting of the Mayor and Council  
Tuesday, February 17, 2015  
8:00 P.M.

CALL THE MEETING TO ORDER -

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

SILENT PRAYER - FLAG SALUTE

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

MISSION STATEMENT & OPEN PUBLIC MEETINGS -

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

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

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

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

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 February 2, 2015.

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

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, Councilman Mignone, Councilman Acquafredda and Councilman Papaleo voted yes; Councilman Busted was absent.

CLOSE PUBLIC COMMENTS ON ANY ISSUE ON THE AGENDA -

There being no comments by 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, Councilman Mignone, Councilman Acquafredda and Councilman Papaleo voted yes; Councilman Busted was absent.

APPOINTMENTS & PERSONNEL CHANGES -

Motion by Councilman Papaleo, seconded by Councilwoman Murphy to approve the salary increase of Daniel Lee, Patrol Officer from an annual salary of \$96,785.00 to \$106,630.00 due to a change to Patrol Officer 1<sup>st</sup> grade, effective February 3, 2015.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the salary increase of Anthony Roman, Patrol Officer from an annual salary of \$45,101.00 to \$53,060.00 due to a change to Patrol Officer 17<sup>th</sup> grade, effective February 7, 2015.

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

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the salary increase of Renata Sanches, Patrol Officer from an annual salary of \$45,101.00 to \$53,060.00 due to a change to Patrol Officer 17<sup>th</sup> grade, effective February 7, 2015.

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

CORRESPONDENCE -

Notice - River Edge Board of Education -2/2/15  
Re: Meeting Notice - 2/4/15  
Letter - Board of Chosen Freeholders - 2/6/15  
Re: Introduction of Ordinance 15-01  
Letter - Board of Chosen Freeholders - 2/6/15  
Re: Introduction of Ordinance 15-02  
Letter - B.C. Soil Conservation Dist. - 2/6/15  
Re: Substation Demolition  
Notice - Elliot Urdang, Esq. - 2/9/15  
Re: Planning Board Appl.- Block 408,  
Lot, First Congregational Church  
Notice - Victor Herlinsky, Esq. - 2/9/15  
Re: Planning Board Appl. - 91 Route 4  
East, Block 1415, Lot 1.01  
Letter - SCORE Newsletter - 2/10/15  
Re: January & February 2015

MONTHLY REPORTS -

Library - February 2015  
Recreation Commission - November 2014  
Annual Debt Statement - 2014  
Building Department - January 2015

LIAISON REPORTS -

Councilwoman Murphy - Liaison to Shade Tree Commission, Library, Environmental Protection Commission, Green Team, Technology Committee, New Milford and Oradell Shared Services Committee - reported that she attended a Volunteer Awards Dinner with Captain Bill Sheehan and also informed everyone that the annual river clean-up will take place on Saturday, May 23<sup>rd</sup>. The Green Team will be having a paper shredder at Cherry Hill School from 9 - 1 on April 25<sup>th</sup> and will also sponsor an event called Second Chance Toys where they will collect toys and give them to children in need. The recycling calendar will be going out this week alerting residents of the proper plastics to recycle. She reported that the Shade Tree Commission continues to work on their 5 year management plan. Councilwoman Murphy reported that she and Councilman Mignone will be meeting with the New Milford and Oradell Shared Services Committee tomorrow to listen to a presentation from the company who conducted the Montvale DPW study. She continued to say that the Library had a company come in to test for asbestos and they are looking forward to the roof project starting. The Police found the vandals who drew graffiti on the library and they will be brought to justice.

Councilman Cappola - Liaison to Recreation Commission, Senior Citizens co-liaison, Beautification Committee - thanked the senior citizens who spoke this evening and stated that he will be meeting with some of the members next week. He continued to say that the Recreation Commission discussed keeping the \$50.00 fee the same for Women's Softball and are in the process of picking the color for the River Edge Run tee shirts. The Commission is looking to purchase additional picnic tables for Memorial Park. Councilman Cappola also reported that a group of mothers came to the meeting to talk about the Challenger Program, which is a youth sports league for special needs children. He felt that this is a wonder program that provides a great atmosphere for kids to participate in sports and they're looking to expand the program.

Councilwoman Busted - Liaison to Senior Citizens, Co-liaison, Historic Commission, Health Department, Traffic & Safety Committee - was absent.

Councilman Mignone - Liaison to DPW, Zoning Sub-Committee, Redevelopment, New Milford and Oradell Shared Services Committee, Technology Committee - thanked John Lynch and the DPW for doing an excellent job in clearing the streets during recent storms. He commended John for being very aggressive in making sure we received a salt delivery. He thanked him for always going above and beyond to keep our streets safe for our residents and emergency responders. Councilman Mignone reported that the Zoning Board had their reorganization meeting and they appointed Eileen Chusid as Chair, Valerie Costa, Vice-Chair, Al Ruhlmann Secretary and Victoria Pekerman as the attorney. Councilman Mignone stated that although the Mayor got what he wanted, it resulted in the loss of two very dedicated members. Councilman Mignone looks forward to meeting with the Technology Committee to discuss the phone system and possibly broadcasting the meetings via cable or YouTube.

Councilman Acquafredda - Liaison to Construction Code Official, Property Maintenance, Planning Sub Committee, Technology Committee, River Edge and River Dell Schools - reported that the Code Enforcer continues to do a great job and is happy that the Council has given him extra hours. Councilman Acquafredda looks forward to hearing applications at the Planning Board meeting. He also looks forward to attending the next round of school board meetings because he was unable to attend previous meetings due to conflicts and postponements due to the weather. Councilman Acquafredda has asked Superintendent Fletcher to put together an interlocal proposal for the broadcasting of meetings where River Dell would handle everything. He looks forward to receiving the proposal so he can present it to the Technology Committee and get the ball rolling. Councilman Mignone-asked Councilman Acquafredda if he knows what the timeframe is because they are at the point of wrapping up the budget and would like to include it.

Councilman Acquafredda-stated that he will follow-up with Mr. Fletcher to obtain the cost.

Councilman Papaleo - Liaison to Police Department, Fire/Fire Prevention, River Edge Alliance Against Alcohol & Drugs - reported that he met with the Fire Chief's, the Fire Prevention Officer and the OEM Coordinator to discuss their budgets and capital requests and conveyed the information to the Citizen's Budget Committee. He makes every effort to visit the fire houses on Sunday mornings where the members do training and maintenance on their equipment. Councilman Papaleo meets with the Police Chief every three to four weeks and also has telephone conversations with him as well. The Citizens Budget Committee has tasked him with finding out the following information and because Councilman Papaleo will not be attending the budget meeting this week, he would like to report on it now. Councilman Papaleo reported that tactical equipment includes helmets, shields and body armor that are rifle proof, which are ten to fifteen years old and past their usefulness. The request for tactical equipment was beyond the day to day vests that they wear. For instance, they would use this equipment if there was an event at one of the schools and the tactical team needed to come into the building. This equipment would protect them from heavy fire and offer some level of protection. The second item that the committee had asked him to look into was vehicle replacement. The Police Chief explained that right now, when it comes to the amount of miles, usage and repair records, we need to replace both vehicles this year. However, after looking at the list, if they replaced both vehicles this year, there would be no replacement next year and then one vehicle per year thereafter. The Chief is requesting two vehicles this year, none next year and the third year he would request a replacement vehicle for that year and every year thereafter. Councilman Papaleo explained that the Chief has been requesting vehicles every other year because previous Council's had been using the leasing option as a way of replacing vehicles.

Councilman Cappola-asked if our Police Department has rifles, shotguns or pistols?

Councilman Papaleo-replied, they absolutely do. They have a special team that trains and are loaned out to the County Police if there is an event somewhere nearby that they could respond in a timely fashion. Because of that, they have obtained extra training on the County dollar not ours. Our Police force is very well trained and has been very good about volunteering and becoming a part of different County task forces. Councilman Papaleo has followed up with the Chief regularly about monitoring PSE&G light replacement and maintenance and right now they are within their two week schedule. Councilman Papaleo reported that Officer Zemaites was approached by the Habit Burger franchise stating that they were having a training opening on Sunday and invited them reach out to residents and students from the schools. They told Officer Zemaites that they would donate 100% of the proceeds to DARE. They are expecting a donation of approximately \$2,000.00.

Mayor Moscaritolo - River Edge Ambulance Service - reported that the Ambulance Service responded to 53 calls in January and the Mayor and several Council members attended the annual awards dinner where many awards were given out for years of service. The Mayor also reported that the Community Center Sub-committee met with architect Canzani last week and provided him with copies of the survey, assessments and a wish list of different things that they should look for. They asked that they come up with a rendering or idea of what the community center should look like. The Mayor did send out requests for donations to community business leaders and hopes that they come through this year. The Mayor also reported that he is involved in an organization through the New Jersey League of Municipalities called the Mayor's Book Club. River Edge was one of six schools asked to participate and they had the kickoff of Monday at Cherry Hill School. The Mayor read a book to the first graders and they have accepted his challenge to read 1,000 books between now and the end of April. If they meet that goal, they will be given a donation of \$1,000 to the school library. He feels that the first graders will surpass that goal. The Mayor also reported that there is a scholarship program through the League for juniors and seniors in high school called "Governmental Recognition Program". He sent Superintendent Fletcher the application form and explained that the competition is open to any resident of River Edge who is a junior or senior in high school. They will have to write an essay on what my local government does for me. The essays will be judged by the Mayor and the top three will be entered into a state competition and receive a certificate of recognition. The winner will receive a

\$5,000 scholarship. The Mayor stated that he is very pleased that he has been receiving frequent Nixle messages from Tom Smith and applauded him for his efforts. The Mayor also reported that we will be receiving an \$800,000 grant for what is called Section 1, Phase 3 of the streetscape project on Kinderkamack Road. The phase runs from Delford Florist to the Oradell border and will consist of sidewalks and decorative lighting. He was also informed that we have been awarded \$400,000 for the application that Capital Alternatives made for the Safe Routes to School Program which covers sections of sidewalks that service the Middle School, Roosevelt School and Cherry Hill School including a section of Kinderkamack Road. The Mayor stated that we're receiving approximately \$1.3 million dollars in grants and looks forward to meeting with Marlene Casey from Capital Alternatives to see what grant opportunities there might be in 2015. The Mayor stated that if any Council member has any suggestion regarding grant opportunities to let him know and he will list it on the agenda to discuss with Capital Alternatives when they come in.

Councilman Acquafredda-complimented the Mayor on his Community Center report. He continued to say that Canzani was charged with taking written information and translating it into a program of space requirements which will serve as the basis of the next meeting. He suggests that they solicit Canzani to set up a follow up meeting because that list will serve as a basis for our request for proposals for other architectural firms. Canzani did say that they would develop their own design and Councilman Acquafredda asked that they keep it to themselves and attach it when they submit a proposal. He feels that you really don't want to condition any other architectural firm with someone else's design. He looks forward to the next meeting with Canzani and feels that once we receive responses to the proposals, they will provide comprehensive services from the beginning to the end.

Mayor Moscaritolo-stated that he would like to keep politics out of the Community Center at all costs. He stated that when he went through the need assessments, he noticed that they didn't receive a response from the Cultural Center. The Mayor spoke with Mr. Dunsay and told him that he will send him a copy of the survey. The Mayor also requested that he let him know when the next board meeting was so that he could appear and explain the proposal. He wants to make sure we don't create any political animosity.

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

Mayor Moscaritolo read the title of Ordinance #1822 as follows:

Ordinance #1822 - BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE RIVER DELL MIDDLE SCHOOL SAFETY IMPROVEMENT PROJECT AT PORTIONS OF MIDLAND AND WOODLAND AVENUES IN THE VICINITY OF SUCH SCHOOL, A GENERAL IMPROVEMENT, AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF A PORTION OF WOODLAND AVENUE, A SIDEWALK IMPROVEMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$205,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve the first reading of Ordinance #1822 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1822

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE RIVER DELL MIDDLE SCHOOL SAFETY IMPROVEMENT PROJECT AT PORTIONS OF MIDLAND AND WOODLAND AVENUES IN THE VICINITY OF SUCH SCHOOL, A GENERAL IMPROVEMENT, AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF A PORTION OF WOODLAND AVENUE, A SIDEWALK IMPROVEMENT, IN, BY AND FOR THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$205,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH

APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES  
IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of River Edge, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake (a) the River Dell Middle School Safety Improvement Project at portions of Midland and Woodland Avenues (including construction and reconstruction of sidewalks, curbs and driveway aprons, and installation of ADA-curb ramps, enhanced crosswalks and crosswalk lights) and (b) the construction and reconstruction of sidewalks, including, where necessary, curb and driveway apron construction and reconstruction, along and in front of 188, 190 and 192 Woodland Avenue (designated as Block 114, Lots 17, 18 and 19, respectively, on the Tax Assessment Map of the Borough). Said improvements shall include all work, materials and appurtenances necessary and suitable therefor. Said improvements shall be undertaken in accordance with plans and specifications prepared or to be prepared by the Borough Engineer, which plans and specifications are hereby approved and directed to be placed on file in the office of the Borough Clerk and made available for public inspection during regular business hours.

Section 2. The sum of \$205,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. It is anticipated that a grant in the amount of \$150,000 from the New Jersey Department of Transportation shall be received by the Borough to finance the cost of said purpose. Said grant funds shall be applied as set forth in Section 12 hereof. The River Dell Middle School Safety Improvement Project shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted. The sidewalk construction and reconstruction, including, where necessary, curb and driveway apron construction and reconstruction, at 188, 190 and 192 Woodland Avenue (the "Assessment Project") shall be made as a sidewalk improvement as hereinafter set forth.

Section 3. The Assessment Project shall be undertaken as a sidewalk improvement and the cost thereof not borne by the Borough shall be assessed in the following manner: an accurate account of the cost of the improvement shall be kept by an officer of the Borough and such cost shall be assessed upon the several properties fronting on the improvement in proportion to their respective frontage thereon pursuant to and in accordance with the provisions of Chapter 65 of Title 40 of the Revised Statutes of New Jersey. The portion of such cost which shall not be so assessed shall be paid by the Borough as in the case of a general improvement which is to be paid for by general taxation.

Section 4. Before making said sidewalk improvement or awarding any contract for such sidewalk improvement, the Borough Clerk shall cause notice of the proposed sidewalk improvement to be given to the owner or owners of all real estate affected thereby. Such notice shall be served in accordance with the provisions of Chapter 65 of Title 40 of the Revised Statutes of New Jersey, in particular Section 40:65-2 to Section 40:65-6, and the proof of service shall be filed with the officer of the Borough in charge of the records of tax liens of the Borough within 10 days after service thereof.

Section 5. It is hereby determined and stated that (1) the Borough will contribute \$7,783 to the cost of said sidewalk improvement, and (2) the estimated maximum amount of the special assessments for said sidewalk improvement is \$500, and (3) no sidewalk assessments for such improvement have been levied or confirmed, and (4) such sidewalk assessments may be paid in five annual installments.

Section 6. It is hereby determined and stated that (1) said

purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$205,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$205,000, and (5) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$55,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 7. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$205,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$205,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$205,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform

with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated:

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

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Mayor Moscaritolo read the title of Ordinance #1823 as follows:

Ordinance #1823 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR THE CALENDAR YEAR 2015

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve the first reading of Ordinance #1823 as follows:

BOROUGH OF RIVER EDGE

ORDINANCE #1823

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR THE CALENDAR YEAR 2015

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the

amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Governing Body of the Borough of River Edge in the County of Bergen finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Governing Body hereby determines that a 3.5% increase in the budget for said year, amounting to \$360,289.18 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW, THEREFORE, BE IT ORDAINED, by Governing Body of the Borough of River Edge, in the County of Bergen, a majority of the full authorized membership of this Governing Body affirmatively concurring that, in the CY 2015 budget year, the final appropriations of the Borough of River Edge shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$360,289.18 and that the CY 2015 municipal budget for the Borough of River Edge be approved and adopted in accordance with this ordinance.

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

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

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

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk  
Dated:

Councilman Cappola - asked if this a blanket vehicle for nothing in particular?

Alan Negreann-explained that no, the cap only restricts certain line item appropriations in the budget, not on the total budget. There are things such as Police, DPW and Administrative departments that are restricted by the cap. This gives a little more flexibility in those areas should we need it such as insurances within the cap, garbage collection, landfill costs, utilities, most of the pensions and bargaining unit costs are within the cap. This provides a little more flexibility should we need it. Historically, the Borough has not utilized up to the cap in most instances. This rolls forward for the next two years.

Councilwoman Murphy-stated that it's just a formality.

Councilman Mignone-feels that we need to get our appropriations under a hard 2% like the schools and does not favor the cap bank because if they want us to hold to a 2% cap they should just put a hard 2% on all of the towns and get rid of all of the exemptions. He feels the problem with the cap bank is that you don't have a choice of 2 % or 3.5. Last year that told us we could have 3.5% on one hand or .5% on

the other hand which we couldn't make, so we had to adopt a cap bank. This year it's 3.5 versus 1.5 and then they send down a CPI at 1.7%. He feels they need to decide how they want municipal governments to enforce the caps. If our budget is under or at 1.5 without the cap bank, he may not support this ordinance upon final adoption. He feels that this is not something we should rely on because we've never had to rely on it. Councilman Mignone stated that we've gotten our budget under control and we should be able to maintain that level of discipline going forward.

Councilwoman Murphy-stated that this is for extenuating circumstances so that you don't get yourself into a bind for a huge expense.

Councilman Mignone-stated that it's only going to be for a certain amount of money. For example, if you have a \$1 million dollar expense the cap bank will not help you. If you're looking at a couple hundred thousand dollars we should be able to control the cost some other way.

Councilman Papaleo-stated that for the 3½ years that he's been a Councilman, we have never used the margin at all. Councilman Papaleo agrees that Councilman Mignone's statements are correct but also thinks that it's a good idea to have it in case we need it.

Councilman Mignone-stated that because we haven't been in compliance we've had to have the cap bank to meet what they've set as the lower limit which is arbitrarily too low. He feels that it's a flawed process.

Councilwoman Murphy-stated that we have to work with what we have.

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

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ORDINANCE - 2<sup>ND</sup> READING -

Mayor Moscaritolo 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

Ordinance #1821 was introduced by Councilwoman Murphy, seconded by Councilman Mignone at the February 2, 2015 meeting 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>
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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

OPEN PUBLIC HEARING ON THE ORDINANCE - Ordinance #1821

Motion by Councilwoman Murphy, seconded by Councilman Mignone to open public hearing on Ordinance #1821.

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

CLOSE PUBLIC HEARING ON THE ORDINANCE - Ordinance #1821

There being no comments by the public, motion by Councilwoman Murphy, seconded by Councilman Mignone to close public hearing on Ordinance #1821.

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

ADOPTION - Ordinance #1821

Motion by Councilwoman Murphy, seconded by Councilman Mignone to adopt Ordinance #1821.

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

RESOLUTIONS - By Consent

Motion by Councilwoman Murphy, seconded by Councilman Mignone to approve resolution #15-81 through #15-83, #15-85 through #15-95, #15-97 through #15-100 and #15-102.

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

#15-81 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 March 2, 2015 work session meeting and discussion of the hereinafter specified subject matter:

Closed Session Docket #	Item Title or Description	Statutory Reference
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To be determined by reference to the Borough Clerk's Agenda for the above meeting.

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

authorized public body has reviewed and specifically accepted the data.

3. This resolution shall take effect immediately.

February 17, 2015

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#15-82 Release of Data on the Closed Session

WHEREAS, N.J.S.A. 10:4-12 states that the public may be excluded from a portion of a meeting held by a public body when it discusses those matters as defined as an exception by law; and

WHEREAS, N.J.S.A. 10:4-13 states that the closed session information may be discussed if the public body shall first adopt a resolution, at a meeting to which the public shall be admitted; and

WHEREAS, N.J.S.A. 10:4-13(a) states that the resolution shall contain a statement as to the general nature of the subject to be discussed including as precisely as possible, the time when the circumstances under which the discussion was conducted in closed session of the public body can be disclosed to the public; and

WHEREAS, the Mayor and Council have considered the release of the data and information of the below listed items at a work session dated February 2, 2015.

NOW, THEREFORE, BE IT RESOLVED, that the below listed items be hereby made available to the public.

<u>Closed Session Docket #1</u>	<u>Item Title or Description</u>	<u>Date of Meeting</u>
07-4/16-3	Acquisition of Property-Right of Way Block 212, Lot 21	April 16, 2007
10-3/15-2	Cell Tower Lease Agreement	March 15, 2010

February 17, 2015

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#15-83 Confirmation of Local Assessments for Curbs, Sidewalk and Driveway Aprons for the Fifth Avenue Reconstruction Project, Section 1 from the Intersection of Howland Avenue to Station 4 + 50+ North of Intersection of Fifth Avenue and Olympia Drive

WHEREAS, reconstruction of curb, sidewalk and driveway aprons on Fifth Avenue from Howland Avenue to Station 4 + 50, of the intersection of Fifth Avenue and Olympia Drive was made in 2014; and

WHEREAS, the construction of new curbs, sidewalk and driveway aprons are local improvements, the value of which is assessable to owners of the adjacent property; and

WHEREAS, Ordinance #1794 authorized the construction of curbs, sidewalk and driveway aprons as a local assessment to adjoining properties and such work has been completed; and

WHEREAS, the Borough of River Edge has received a grant from the Department of Transportation for the construction of the curbs, sidewalk and driveway aprons; and

WHEREAS, the Mayor and Council have indicated at a work session that the residents shall only be assessed for the engineering and administrative portion of the cost of the curbs, sidewalk and driveway aprons on Fifth Avenue; and

WHEREAS, James Anzevino, Tax Assessor has been appointed as the Local Board of Assessor on this project and has certified a list of properties to be assessed on Fifth Avenue for the engineering and administrative portion of the cost of curbs, sidewalk and driveway aprons; and

WHEREAS, the Borough Clerk has certified to the Tax Assessor that all of the residents on the list have received notice of a public hearing and report on the Howland Avenue assessments.

WHEREAS, a hearing on these assessments was held by the Mayor and Council on February 2, 2015.

NOW, THEREFORE, BE IT RESOLVED that the following list of local assessments prepared by James Anzevino, totaling \$1,516.00 is hereby confirmed and approved and shall be forwarded to the Tax Collector for billing and collection in accordance with Ordinance #1794 and the laws of the State of New Jersey.

<u>Block/Lot</u>	<u>Name &amp; Address</u>	<u>Amount</u>
905/13	McMahon, James & Marguerite, 339 5 <sup>th</sup> Ave.	\$268.04
905/14	Khatchadouriahn, Garabet & Sossi, 335 5 <sup>th</sup> Ave.	\$268.04
905/15	Park, Jayson, 331 5 <sup>th</sup> Ave.	\$316.65
905/16	Park, Kyung & Hyun Lee Kim, 325 5 <sup>th</sup> Ave.	\$141.29
910/39	Kim, Jeungeun, 338 5 <sup>th</sup> Ave.	\$268.04
910/38	Mari, Osamah & Amirah, 328 Olympia Dr.	\$ 52.14
911/1	Lee, Hyuk & Jae Yol, 327 Olympia Dr.	\$ 70.65
911/23	Ng, See-Yin & Lou, Sao Fong, 326 Howland Ave	\$131.15

February 17, 2015

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Motion by Councilman Papaleo, seconded by Councilman Acquafredda to approve resolution #15-84 as amended.

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

#15-84 Endorse Municipal Open Space Recreation Commission Plan

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #12-200 on June 4, 2012; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 6, 2012; and

WHEREAS, a public hearing was held on February 2, 2015 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the Recreation Commission of the Borough of River Edge submitted at the public hearing a plan for the maintenance of recreational parks for the Borough, a copy of which is on file with the Borough Clerk, not to exceed \$85,710.00; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the Recreation Commission Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2015 of \$57,990.00 (Other Expenses) for the Maintenance of Lands and \$27,720.00 (Other Expenses) Development for Recreation and Conservation purposes is hereby approved.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to the Recreation Commission, Recreation Director and Shade Tree Commission

February 17, 2015

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#15-85 Endorse Municipal Open Space 9/11 Memorial Plan

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #12-200 on June 4, 2012; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 6, 2012; and

WHEREAS, a public hearing was held on February 2, 2015 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the 9/11 Memorial representatives of the Borough of River Edge submitted at the public hearing a plan for a 9/11 Memorial, a copy of which is on file with the Borough Clerk, not to exceed \$5,750.00; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the 9/11 Memorial Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2015 of \$5,750.00 (Other Expenses) for the Maintenance of Lands for Recreation and Conservation purposes is hereby approved.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to the 9/11 representatives, the Library Board and the Library Director.

February 17, 2015

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#15-86 Endorse Municipal Open Space Department of Public Works

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #12-200 on June 4, 2012; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 6, 2012; and

WHEREAS, a public hearing was held on February 2, 2015 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the Department of Public Works of the Borough of River Edge submitted at the public hearing a plan for the maintenance of recreational parks for the Borough, a copy of which is on file with the Borough Clerk, not to exceed \$9,500.00; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the Department of Public Works Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2015 of \$9,500.00 (Other Expenses) for the Maintenance of Lands for Recreation

and Conservation purposes is hereby approved.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to the Department of Public Works.

February 17, 2015

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#15-87 Endorse Municipal Open Space Shade Tree Commission

WHEREAS, the Governing Body of the Borough of River Edge adopted Resolution #12-200 on June 4, 2012; and

WHEREAS, a referendum was held on the question of creating a Municipal Open Space Trust Fund and was approved by the voters of the Borough of River Edge on November 6, 2012; and

WHEREAS, a public hearing was held on February 2, 2015 to provide the public with an opportunity to comment on recommendations to spend the Municipal Open Space Trust Fund; and

WHEREAS, the Shade Tree Commission of the Borough of River Edge submitted at the public hearing a plan for the maintenance of municipal parks for the Borough, a copy of which is on file with the Borough Clerk, not to exceed \$19,120.00; and

NOW, THEREFORE, BE RESOLVED by the Governing Body of the Borough of River Edge that the Shade Tree Commission Plan as submitted at the public hearing, on file with the Borough Clerk, are hereby approved.

BE IT FURTHER RESOLVED that the Appropriated Budget for 2015 of \$19,120.00 (Other Expenses) for the Maintenance of Lands is hereby approved.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to the Shade Tree Commission.

February 17, 2015

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#15-88 Resolution to Authorize Submission of the Application for the River Edge Municipal Alliance to Prevent Alcoholism and Drug Abuse Grant for 2015

WHEREAS, The Governor's council on Alcoholism and Drug Abuse established the Municipal Alliance for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough Council of the Borough of River Edge, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen.

NOW, THEREFORE BE IT that the Borough of River Edge, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the River Edge Municipal Alliance grant for fiscal year 2015 in the amount of:

DEDR	\$9,876.00
Cash Match	\$2,469.00
In Kind	\$7,407.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

BE IT FURTHER RESOLVED that the Mayor and Councilman Papaleo and Councilman Acquafredda are hereby authorized to sign the Municipal Alliance to Prevent Alcoholism and Drug Abuse Grant.

February 17, 2015

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#15-89 Temporary Capital Budget

WHEREAS, the Borough of River Edge, New Jersey desires to establish the Temporary 2015 Capital Budget of said municipality by inserting thereon or correcting the items therein as shown on such budget for the following reasons:

Construction and Reconstruction of sidewalks, including where necessary, curb and driveway apron construction.

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

Section 1. The 2015 Temporary Capital Budget of the Borough of River Edge is hereby established by adding thereto a Schedule to read as follows:

Project #15-1  
CAPITAL BUDGET OF THE BOROUGH OF RIVER EDGE  
Projects Scheduled for 2015  
Method of Financing

<u>Project</u>	<u>Estimated Costs</u>	<u>Grants In Aid</u>	<u>General Bonds</u>
River Dell Middle Schools Safety Improvement Project	\$205,000.00	\$150,000.00	\$55,000.00

Section 2. The Clerk is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of Permanent Capital Budget as adopted.

Section 3. The Borough Clerk is instructed to advertise this resolution as required by law.

February 17, 2015

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Councilwoman Murphy asked that a list of the members be provided to the Mayor and Council.

#15-90 Resolution Approving the Certification List of Volunteer  
Members of the River Edge Volunteer Ambulance Service, Inc. 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 Ambulance Service, Inc. furnish the Mayor and Council with an annual certification list of all 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 members of the River Edge Ambulance Service, Inc. certified by the Captain 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 Captain of the Ambulance Service.

February 17, 2015

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#15-91 Resolution of the Borough Council of the Borough of River Edge, in the County of Bergen, New Jersey, Covenanting to Comply with the Provisions of the Internal Revenue Code of 1986, as Amended, Applicable to the Exclusion from Gross Income for Federal Income Tax Purposes of Interest on Obligations Issued by the Borough of River Edge and Authorizing the Mayor, Borough Clerk, Chief Financial Officer and Other Borough Officials to Take Such Action As They May Deem Necessary or Advisable to Effect Such Compliance and Designating a \$34,000 Special Emergency Note, Dated February 13, 2015 and Payable January 13, 2016, as a "Qualified Tax-Exempt Obligation" Pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as Amended.

WHEREAS, the Borough of River Edge, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations the interest on which is excluded from gross income for Federal income tax purposes and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough desires to designate a \$34,000 Special Emergency Note, dated February 13, 2015 and payable January 13, 2016 (the "Note"), as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

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

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Note be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect

compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Note is not a "private activity bond" 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 new money tax-exempt obligations (other than private activity bonds) during the calendar year 2015.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2015.

SECTION 6. 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, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2015 dated as of the date of delivery of the Note.

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

February 17, 2015

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#15-92 Authorize Tax Collector to Cancel the 2014 Added Assessment Taxes Due to County Board Judgment

WHEREAS, the Tax Office has received a County Board Judgment for the year 2014 cancelling the added assessment amount on the following properties;

WHEREAS, the 2014 added assessment has not been paid;

NOW, THEREFORE BE IT RESOLVED, that the Tax Collector cancel the following taxes and adjust her records accordingly.

<u>BL/Lot</u>	<u>Owner</u>	<u>AA Billing</u>	<u>Revised Billing</u>	<u>Cancelled Taxes</u>
617/1	Leibowitz, Martin & Laure 630-636 Kinderkamack Road River Edge, NJ 07661	14,600	0	\$156.86
1107/20	Grasso, Anthony & Rosemary 273 Oak Avenue River Edge, New Jersey	5,300	0	\$170.82

February 17, 2015

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15-93 Authorize Tax Collector to Cancel and Refund the Added Assessment 2014 Taxes Due to County Board Judgment

WHEREAS, the Tax Office has received an Added Assessment County Board Judgment for the year 2014 cancelling the Added Assessment billing on the following property; and

WHEREAS, the 2014 billed amount has been paid.

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

<u>Block/Lot</u>	<u>Owner</u>	<u>AA Billing</u>	<u>Revised Billing</u>	<u>AA Refund</u>
911/15	Bhandari, Vivek & Namrata 278 Howland Avenue	346,300	0	\$11,161.25

Please make check payable to:

Garippa Esqs (Schaffer)/Bhandari, Vivek & Namrata  
PO Box 1584  
Montclair, NJ 07042

February 17, 2015

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15-94 Authorize Tax Collector to Reduce and Refund the 2014 Added Assessment Taxes Due to a County Board Judgment

WHEREAS, the Tax Office has received a County Board Judgment for the year 2014 reducing the Added Assessment assessed value and the months being billed for 2014 on the following properties; and

WHEREAS, the 2014 Added Assessment has been paid.

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

<u>BL/Lot</u>	<u>Owner</u>	<u>AA Billing</u>	<u>Revised Billing</u>	<u>Refunded Taxes</u>
303/15	Ronald F. Wagner 288 Webb Avenue River Edge, NJ 07661	2,600	1,200	64.48
305/31	John Formoso 725 Elm Avenue River Edge, NJ 07661	682,000	575,800	6,350.93

February 17, 2015

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#15-95 Authorize Alan P. Spiniello, Esq. to Enter Into a Stipulation of Settlement with James & Susan Korath, 712 Eighth Avenue, Block 308, Lot 15

WHEREAS, Alan P. Spiniello, Esq., 45 Essex Street, Hackensack, New Jersey will handle the litigation of Route 4 Main Street, LLC, for the premises located at 712 Eighth Avenue, Block 308, Lot 15; 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 February 17, 2015; and

WHEREAS, the Borough of River Edge hereby authorizes Alan Spiniello, Esq. to enter into a Stipulation of Settlement reducing the assessed value from \$600,300 to \$575,000 for the calendar years 2013 and 2014; and

WHEREAS, the potential refund for this proposed settlement is

\$792.40 for 2013 and \$815.42 for 2014.

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.

February 17, 2015

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Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve resolution #15-96.

Councilman Mignone-feels that we need a more comprehensive planning approach before we decide to look at further redeveloping areas. He continued to say that if we did change the criteria in the C-1 zone maybe these parcels could be developed as C-1 properties as they were originally zoned and intended to be. He is not in favor of going forward with it at this time.

Councilman Papaleo-asked if this resolution will have any impact on the budget. He asked if the professional services would have to be paid in order to complete the study or would it be part of the retainer.

Mayor Moscaritolo-explained that the way it was presented to him by the applicant's attorney, Colin Quinn is that should this resolution pass, they will establish an escrow account to pay for all of the professional studies that need to be done by the Planning Board. There will be no cost to the municipality.

Councilman Papaleo-stated that if they do pass this resolution and the applicant doesn't provide the escrow, would the Borough be obligated to move forward with this cost.

Tom Sarlo, Esq.-replied, no.

Councilman Papaleo-asked if they approve the review and it comes back in a positive fashion, would we still be under no obligation to approve it or would this make us vulnerable if we chose not to move forward.

Tom Sarlo, Esq. - replied, none whatsoever.

Councilman Papaleo-wanted to clarify that there is no liability or risk of being held accountable.

Tom Sarlo, Esq.- stated that no developer can compel an action for an area in need of redevelopment.

Mayor Moscaritolo-stated that if this resolution gets adopted, goes to the Planning Board for a study, the study will come back one way or another whether it qualifies or doesn't qualify. He continued to say that the only possibility from a legal stand point is the right of any party to challenge the Planning Board's determination. Whatever decision the Board makes, an objector could challenge the Planning Board's determination and at that point there would be legal fees. We would have to make sure that the developer would defend and indemnify us.

Tom Sarlo, Esq.- stated that even if that happened, it would still have to come back to the Mayor and Council for final say.

Councilman Papaleo-stated that although he agrees with Councilman Mignone's comments, he will probably vote yes on this resolution because he doesn't see any harm in moving forward with the study.

Mayor Moscaritolo-stated that he's heard many times that we have to look at the big picture and feels that to do that you're going to have to re-do the entire master plan and budget the money to do that. The Mayor stated that no one has ever suggested that they put money aside in the budget to revise the master plan. The Mayor feels that in order to look at the big picture, you have to put up the funds. The Mayor stated that over ten years ago, Nelessen provided a study that did look at the big picture. The study gave us a beautiful looking project on paper but no one in their right mind wanted to come into town to build it. He continued to say that we now have an opportunity to start small with these two lots using the tools that the state has given us to see if these two lots qualify and are eligible for redevelopment. He feels that they should take advantage of every tool that the state is giving us because they keep taking away our discretion rather than giving us better tools.

Councilman Mignone-commented that there is nothing that's going to come by making that part of a redevelopment plan that you can't do today, with the exception of maybe a pilot. The developer can come in tomorrow and make an application to the Zoning Board but they can't get a pilot. There's

been no evidence that those parcels are not able to be redeveloped as C-1 uses. We have three other redevelopment plans on the books with several hundred units of housing which has been approved, and he feels that it needs to be looked at before they go forward. Councilman Mignone will recommend putting money into the budget for subsequent planning work once the revised budget is complete.

Councilman Papaleo-asked Tom Sarlo, Esq. to explain payment in lieu of taxation because that's what the developer is looking for.

Mayor Moscaritolo-agreed that that is what they're looking for and they've told us in no uncertain terms.

Councilman Papaleo-asked Mr. Sarlo to explain the impact on the Borough if a pilot is granted.

Tom Sarlo, Esq.-stated that he can't explain what the impact would be but a payment in lieu of taxes is an agreement between the Borough and developer. He further explained that a pilot for an area of need rehabilitation is five years and an area of redevelopment can go up to thirty years. In lieu of taxes the developer would make a set payment to the Borough every year which could go up based on a percentage. Many municipalities like this because the entire amount goes to the town and not the schools. There is also a benefit to the developer because the payment in lieu will be a lot less than what the actual taxes would be. The Borough's standpoint is that we're not paying a large portion to the schools because the entire amount is coming to the town and the developer is saying that we're paying less that we would with actual taxes so it's making it feasible.

Councilman Papaleo-asked who determines the level of the payment in lieu of taxation.

Tom Sarlo, Esq.- explained that there would be a developers agreement and the Borough would heavily rely on the Tax Assessor to negotiate that for us.

Councilman Papaleo-asked if the developer could sue us if they didn't like the payment that we came up with and could they force us to a lower payment.

Mayor Moscaritolo-stated that there would have to be a contract and if there is no contract, there is no pilot. The Mayor explained that every property in town is assessed on the ad valorem system which is based on the value of the property. A pilot does away with the ad valorem system. A pilot is when the Borough would agree in writing with a property owner, that in lieu of the Tax Assessor assessing the property and applying the tax rate per 1,000, they would pay a set amount of money. In a pilot, 100% of the payment goes to the municipality. Under the current ad valorem system and our past adopted budgets, approximately 66% goes to the Board of Education, 23% comes to the Borough, 8% goes to the County, 1% goes to Open Space and a third of million goes to the Library.

Councilman Papaleo-thanked the Mayor and Tom Sarlo for their explanations and feels that the residents will understand why Council members voted that way that they did.

Tom Sarlo, Esq.- explained that a lot of times with pilot programs, the schools have concerns with the amount of children that the development will generate. Mr. Sarlo further explained that there are ways, when you get to the point of negotiating, that you can require that the developer make payment directly to the schools in certain circumstances. For instance, the developer would have to pay an additional amount directly to the school for every 5<sup>th</sup> child that is enrolled in the school system. He explained that there are safeguards to protect the school system because you don't want to put an extra burden on them.

Mayor Moscaritolo-suggested to the Council that we contact this developer and make an appointment to go and see one of their developments and take a tour before deciding if we want to continue with this discussion.

ROLL CALL VOTE: Councilwoman Murphy, Councilman Acquafredda and Councilman Papaleo voted yes; Councilman Cappola and Councilman Mignone voted no; Councilwoman Busteded was absent.

#15-96 Resolution Authorizing the River Edge Planning Board to Conduct a Preliminary Investigation to Determine Whether Lots 3 and 4 in Block 1303 on the Official Tax Map of the Borough of River Edge Qualifies as an Area in Need of Redevelopment

WHEREAS, the Governing Body of the Borough of River Edge has the

authority to cause a preliminary investigation to be made of a particular area as an "area in need of redevelopment" pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1, et. seq. and

WHEREAS, the Local Redevelopment and Housing Law sets forth a specific procedure for establishing an area in need of redevelopment; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the Governing Body of the Borough of River Edge by Resolution, to cause its Planning Board to conduct a preliminary investigation to determine whether the proposed area is an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-4(b)(1) and N.J.S.A. 40A:12A-5; and

WHEREAS, the proposed Redevelopment Area (Block 1303, Lots 3 and 4) determination shall authorize the Borough of River Edge to use all those powers provided by the Legislature for use in a Redevelopment Area, other than the use of eminent domain; and, as such, the Redevelopment Area shall be established and be referred to as a "Non-Condemnation Redevelopment Area"; and

WHEREAS, the Governing Body of the Borough of River Edge, has determined that an investigation and inquiry should be made to determine if Block 1303, Lots 3 and 4 is an area in need of redevelopment pursuant to N.J.S.A. 40A:12-A-5; and

WHEREAS, the Governing Body of the Borough of River Edge directs the Planning Board of the Borough of River Edge to undertake a preliminary investigation to determine whether the following properties identified as an consisting of Block 1303, Lots 3 and 4 qualify as an area in need of redevelopment pursuant to N.J.S.A. 40A:12-A-5; and

WHEREAS, the Governing Body of the Borough of River Edge considers it to be in the best interests of the Borough of River Edge to request that the Planning Board conduct such an investigation regarding said area/property; and

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

1. The Governing Body of the Borough of River Edge has reviewed N.J.S.A. 40A:12-5 and it appears the conditions of the parcels indicated on Lots 3 and 4 of Block 1303, commonly known as 3-5 New Bridge Road, meets some of the "Area in Need" criteria set forth in N.J.S.A. 40A:12-5, including but not limited to the following statutory criteria:

N.J.S.A. 40A:12-5(a), the generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air or space, as to be conducive to unwholesome living or working conditions.

N.J.S.A. 40A:12-5(b), the discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.

N.J.S.A. 40A:12-5(d), areas with building or improvements which by reasons of dilapidation, obsolescence, overcrowding, faulty arrangements or design, deleterious land use or obsolete layout or any combination of these or other factors are detrimental to the safety, health, morals or welfare of the community.

2. The Planning Board of the Borough of River Edge is hereby directed to undertake a preliminary investigation to determine whether Block 1303, Lots 3 and 4 is a "Non-Condemnation Redevelopment Area

such that the Borough may use all those powers provided by the Legislature for use in a Redevelopment Area", other than the use of eminent domain, according to the criteria set forth in N.J.S.A. 40A:12A-1, et. seq.; and

3. The Planning Board may utilize and retain consultants and experts to assist the Planning Board in conducting the area in need of redevelopment investigation; and

4. The Borough Clerk shall forward a copy of this Resolution to the Secretary and Chairman of the Planning Board for immediate action; and

5. The preliminary investigation, once completed, shall be submitted to the Mayor and Council for review and approval in accordance with the provisions of the Redevelopment and Housing Law, N.J.S.A. 40A:12-1, et. seq.

February 17, 2015

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#15-97 Enter Into Agreement with Victoria Pekerman, Esq., Shapiro Croland et al LLP, Continental Plaza II, 411 Hackensack Avenue, Hackensack, New Jersey 07601 for Professional Services as Zoning Board of Adjustment Attorney for the Borough of River Edge

WHEREAS, there exists a need for a Zoning Board of Adjustment 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 determined and certified in writing that the annual aggregate value of the service may exceed \$17,500; and

WHEREAS, Victoria Pekerman, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Victoria Pekerman, 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 Victoria Pekerman, 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 Chief Financial Officer has certified that funds are available from Account 01-2010-20-1552-167 of the Current Fund not to exceed \$4,500.00.

WHEREAS, the rate of pay shall not exceed \$85.00 per hour as Zoning Board of Adjustment 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.

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 Victoria Pekerman, Esq., Shapiro, Croland et al LLP, Continental Plaza II, 411 Hackensack, New Jersey 07601 in the amount not to exceed \$4,500.00.
2. The Business Disclosure Entity Certification and the Determination

of Value be placed on file with this resolution; and  
3. 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 Victoria Pekerman, Esq., Shapiro Croland et al LLP, Continental Plaza II, 411 Hackensack Avenue, Hackensack, New Jersey 07601.  
4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

February 17, 2015

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#15-98 Authorize Accounts Supervisor to Issue a Refund Check to Waterside Construction, LLC for a Street Opening Permit and Performance Escrow for 911 Myrtle Avenue

WHEREAS, the Borough of River Edge received a street opening permit fee of \$550.00 and performance escrow of \$500.00 from Waterside Construction LLC November 3, 2014; and

WHEREAS, the Borough of River Edge received a letter from Waterside Construction, LLC on February 13, 2015 stating that the sewer connection at the site was not required because the sewer line was connected to the existing line on the property which avoided the need to open the roadway; and

WHEREAS, Waterside Construction, LLC has requested a refund for the permit fee and performance escrow; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Trust Other Account in the amount not to exceed \$500.00 and Current Fund account in the amount not to exceed \$550.00.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to issue two (2) checks to the following:

Waterside Construction, LLC  
1000 Portside Drive  
Edgewater, NJ 07020

February 17, 2015

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#15-99 Authorize the Release of a Performance Bond for Joseph Caleca, 561 Victory Place, River Vale, New Jersey 07675 for the Construction Project at 834 Park Avenue, Block 213, Lots 12.01 & 13.01

WHEREAS, the Borough of River Edge received a Performance Bond from Joseph Caleca, 561 Victory Place, River Vale, New Jersey 07675 for the construction project located at 834 Park Avenue, Block 213, Lots 12.01 & 13.01; and

WHEREAS, the amount of the Performance Surety Bond was \$132,000.00; and

WHEREAS, resolution #14-67 dated January 27, 2014 reduced the bond to an outstanding amount of \$64,000.00, and

WHEREAS, the Borough Engineer has certified that the final inspection has been made and approval is given with regard to this construction project and recommends that the Performance Surety Bond be released; and

WHEREAS, the Borough Clerk has received a Maintenance Surety Bond in the amount of \$19,800.00 which will run for a two (2) year period from February 13, 2015 to February 13, 2017; and

WHEREAS, at a work session of the Mayor and Council on January 20, 2015 the recommendation of the Borough Engineer was considered and reviewed.

NOW, THEREFORE, BE IT RESOLVED that the Performance Surety Bond for Joseph Caleca on file with the Borough of River Edge be released in the amount of \$64,000.00.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to Joseph Caleca, 561 Victory Drive, River Vale, New Jersey 07675, and Service Insurance Company, 80 Main Street, 3<sup>rd</sup> Floor, West Orange, New Jersey 07052.

February 17, 2015

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#15-100 Authorize the Release of the Cash Portion of the Performance Bond for Joseph Caleca, 561 Victory Place, River Vale, New Jersey for the Construction Project at 834 Park Avenue, Block 213, Lots 12.01 & 13.01

WHEREAS, in accordance with a Developer's Agreement with the Borough the Developer was required to provide a Performance Bond in the amount of \$132,000.00 and a cash performance bond in the amount of \$13,200.00 to secure performance of all conditions of the Planning Board's Site Plan Approval; and

WHEREAS, the Borough Engineer has certified that the Developer has fully performed the project in accordance with the Planning Board and has recommended release of the Performance Bond and cash deposit; and

WHEREAS, at a work session of the Mayor and Council on January 20, 2015 the recommendation of the Borough Engineer was considered and reviewed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the Accounts Supervisor is hereby authorized to release the cash portion of the Performance Bond in the amount of \$13,200.00 on the condition that the Developer first provide a Maintenance Bond, acceptable to the Borough Attorney, in the amount of \$19,800.00 to run for a period of two (2) years, from February 13, 2015 through February 13, 2017, for all public improvements and facilities which are part of the project.

February 17, 2015

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Councilman Mignone read resolution #15-101 into the record.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to approve resolution #15-101.

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

#15-101 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	\$120,380.93
CAPITAL ACCOUNT	\$183,900.00
RECREATION ACCOUNT	\$ 1,550.25

ANIMAL WELFARE ACCOUNT	\$	181.20
TRUST OTHER ACCOUNT	\$	340.00

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

February 17, 2015

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#15-102 Award Bid to Concrete Construction Corp., P.O. Box 4063, South Hackensack, New Jersey 07606 for the 2014 County Aid ADA Curb Ramp Program

WHEREAS, sealed bids were received for the 2014 County Aid ADA Curb Ramp Program by the Bergen County Department of Public Works on November 18, 2014; and

WHEREAS, two bids were received, the lowest Concrete Construction Corp., P.O. Box 4063, South Hackensack, New Jersey 07606; and

WHEREAS, the Bergen County Board of Chosen Freeholders, awarded the bid by resolution dated December 3, 2014; and

WHEREAS, the bids have been reviewed by the Borough Administrator, Borough Engineer, Superintendent of Public Works and Borough Attorney; and

WHEREAS, the Mayor and Council have reviewed this matter at a work session on February 17, 2015; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1806-550 of the Capital Fund not to exceed \$139,575.13.

NOW, THEREFORE, BE IT RESOLVED that the bid is hereby awarded to Concrete Construction Corp., P.O. Box 4063, South Hackensack, New Jersey 07606 in the amount of \$139,575.13 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

February 17, 2015

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OPEN HEARING OF THE PUBLIC -

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

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

CLOSE HEARING OF THE PUBLIC -

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

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

COUNCIL COMMENTS -

Councilman Mignone-stated that Mark Skerbetz, Zoning Officer had given the Zoning Board his annual report for 2014 which included 11 applications, 10 approvals and 1 denial and 24 variances. Mr. Skerbetz noted that most of the applications had to do with coverage and setbacks. Councilman Mignone asked Mr. Skerbetz to go back a few years and give tabulation of variances that were requested and what was actually granted. He feels that if we tweak some of these bulk requirements we may preclude the need for residents to go through the time and expense for a variance especially if it's a small increase in coverage.

Councilwoman Murphy-explained that the Special Kids Instruction League is for first to sixth grade boys and girls who find it hard to participate in structured Little League or Regal. No prior baseball or softball experience is needed and they are tentatively looking to set up a 1 hour clinic on Sunday afternoons. Councilwoman Murphy provided the information regarding the fee and how and where to sign up.

ADJOURNMENT - 9:15 p.m.

Motion by Councilman Mignone, seconded by Councilwoman Murphy to adjourn the meeting at 9:15 p.m.

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

Mayor Sandy Moscaritolo

Attest:

Stephanie Evans, Borough Clerk

Dated: