

M I N U T E S
Special Meeting of the Mayor and Council
Monday, July 22, 2013
Immediately Following Work Session

CALL THE MEETING TO ORDER -

Mayor Moscaritolo called the special meeting to order at 8:15 p.m. in the Council Chambers of the Borough Hall.

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

RESOLUTIONS - By Consent

Motion by Councilwoman Murphy, seconded by Councilman Papaleo to approve resolution #13-278 through #13-284.

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

#13-278 Acknowledge Receipt of Certification of Request for Emergency Purchases - Wayne Avenue Pump Station (Replace Pump)

WHEREAS, the Superintendent of Public Works has certified that an emergency condition exists in the Department of Public Works Building and Grounds; and

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

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

July 22, 2013 - Special Meeting

#13-279 Acknowledge Receipt of Certification of Request for Emergency Purchases - Fire Sirens

WHEREAS, the Fire Chief has certified that an emergency condition exists in the Fire Department; and

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

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

July 22, 2013 - Special Meeting

#13-280 Enter Into Agreement with Ferraioli, Wielkocz, Cerullo & Cuva, 401 Wanague Avenue, Pompton Lakes, NJ 07442 for Finance and Accounting Services Related to the 2013 Bond Sale

WHEREAS, there exists a need for financial and accounting services for the 2013 Bond Sale for the Borough of River Edge; and

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

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

WHEREAS, the rate of pay shall not exceed the following rates:

Partner	\$140.00 - \$175.00
Manager	\$100.00 - \$135.00
Senior	\$ 80.00 - \$ 95.00
Staff	\$ 60.00 - \$ 75.00
Administrative	\$ 55.00

WHEREAS, Ferraioli, Wielkocz, Cerullo & Cuva, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of River Edge elected officials in the previous one year, which would prohibit the award of this contract and that the contract will prohibit Ferraioli, Wielkocz, Cerullo & Cuva, LLP from making any reportable contributions through the term of the contract.

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 Ferraioli, Wielkocz, Cerullo & Cuva, 401 Wanaque Avenue, Pompton Lakes, NJ 07442 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.
4. A notice of this action shall be printed once in The RIDGEWOOD NEWS.

July 22, 2013 - Special Meeting

#13-281 Acknowledge Receipt of Certification of Request for Emergency Purchases - Park Avenue Road Collapse and Storm System Repair

WHEREAS, the Superintendent of Public Works has certified that an emergency condition exists in the Department of Public Works to reconstruct a portion of Park Avenue and repair a storm system line; and

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

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

July 22, 2013 - Special Meeting

#13-282 Enter Into Agreement with Steve Rogut, Esq., Rogut McCarthy LLC 37 Alden Street, Cranford, NJ 07015 for Legal Services for the 2013 Bond Sale

WHEREAS, there exists a need for legal services related to the 2013 Bond Sale for the Borough of River Edge; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1534-100, \$1,100; #-2150-55-1567-100, \$100.00; #04-2150-55-1616-100, \$8,000; #04-2150-55-1568-100, \$10,000; #04-2150-55-1656-100, \$800.00 of the Capital Fund not to exceed \$20,000.00.

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

WHEREAS, Steve Rogut, Esq., Rogut McCarthy LLC has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of River Edge elected officials in the previous one year, which would prohibit the award of this contract and that the contract will prohibit Steve Rogut, Esq., Rogut McCarthy LLC from making any reportable contributions through the term of the contract.

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 Steve Rogut, Esq., Rogut McCarthy LLC in the

amount not to exceed \$20,000.00.

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.
4. A notice of this action shall be printed once in The RIDGEWOOD NEWS.

July 22, 2013 - Special Meeting

#13-283 Amend Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Design-Voorhis Storm Rehabilitation to Include Inspection Services

WHEREAS, there exists a need for expert professional engineering services for the Design-Voorhis Storm Rehabilitation; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer for design services via resolution #11-454 dated December 27, 2011 in the amount of \$15,000.00 and amended via resolution #12-435 dated December 17, 2012 in the amount of \$9,500.00; and

WHEREAS, the Governing Body desires to change the scope of this contract to include inspection services as well; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the annual aggregate value of the service may exceed \$17,500.00; and

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

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

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

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 325 South River Street, Suite 302, Hackensack, New Jersey 07601; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

July 22, 2013 - Special Meeting

#13-284 Amend 2013 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of the Division of Local Government Services may approve the insertion or increase of any special item of revenue in the budget of any County or Municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion or increase of an item for an equal amount; and

WHEREAS, the Borough has received a donation for the Memorial park Bench Program in the Recreation Department in the amount of \$1,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge that it does hereby request the approval of the Director for the following:

Increase an item of revenue entitled:

3. Miscellaneous Revenue - Section F

Donation Memorial Park Bench Program.....\$1,500.00

BE IT FURTHER RESOLVED that the like sum of \$1,500.00 and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from the "CAPS"

Public & Private Programs Offset by Revenues

Donation Memorial Park Bench Program.....\$1,500.00

BE IT FURTHER RESOLVED that the Borough forward two (2) copies of this resolution to the Director of Local Government Services.

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Councilman Bartelloni-stated that he would rather see the Open Space money that will be used for this project go towards new lighting at Kenneth B. George Park because he feels that it's a public safety issue and is more important.

Councilwoman Murphy-stated that men's and women's softball leagues didn't complain about the lighting and feels that it would be nice to finally see a project completed.

Mayor Moscaritolo-feels that they are both worthwhile projects and explained that the Mayor and Council have been allocating money each year to put towards the lighting. The Mayor stated that they've been trying to exhaust every grant opportunity to get the park completed and have been using free inmate labor to help out as well.

Motion by Councilman Papaleo, seconded by Councilwoman Murphy to approve resolution #13-285.

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

#13-285 Municipal Endorsing Resolution for Trust Fund Application - Cherry Blossom Community Park

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and

WHEREAS, the Borough of River Edge desires to further the public interest by obtaining a matching grant of \$52,000.00 from the County Trust Fund to fund the following project: Cherry Blossom Community Park; and

WHEREAS, the Governing Body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, as part of the application process, the Governing Body received public comments on the proposed park improvements in the application on July 1, 2013; and

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of August 29, 2013, as established by the County; and
2. That in the event of a County Trust Fund award that may be less than the grant amount requested above, the Governing Body of the Borough of River Edge has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and
3. That the Governing Body of the Borough of River Edge is committed to providing a dollar for dollar cash match for the project; and
4. That only those park improvements identified and approved in the project application, its Trust Fund contract or other documentation will be considered eligible for reimbursement.
5. That the Governing Body of the Borough of River Edge agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

July 22, 2013 - Special Meeting

Motion by Councilman Bartelloni, seconded by Councilman Papaleo to approve resolution #13-286 and #13-287.

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

#13-286 Authorize Refund from Recreation Dedicated Account and Trust Other Account

WHEREAS, residents had signed up for various programs and were unable to participate; and

WHEREAS, they had paid in full for these programs; and

WHEREAS, a refund will be made to the following:

Roosevelt School PTO 711 Summit Avenue River Edge, NJ 07661	\$ 50.00	Park Facility Use (Weather Cancellation)
Cecilia Urano 265 Madison Avenue River Edge, NJ 07661	\$140.00	Playground Program
Leilani Nocon 289 Bogert Road, Apt #1B River Edge, NJ 07661	\$280.00	Playground Program (2)

NOW, THEREFORE, BE IT RESOLVED that a total of \$420.00 be refunded from the Recreation Dedicated Account and \$50.00 be refunded from Trust Other Account to the above listed residents.

July 22, 2013 - Special Meeting

Councilwoman Murphy - asked for clarification for a Costa Engineering bill.

#13-287 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	\$536,260.75
CAPITAL ACCOUNT	\$141,163.92

RECREATION ACCOUNT	\$ 4,129.71
ANIMAL WELFARE ACCOUNT	\$ 6.60
SELF INSURANCE ACCOUNT	\$ 1,148.67
TRUST OTHER ACCOUNT	\$ 6,013.72
TRUST OTHER DEVELOPERS ACCOUNT	\$ 9,586.25
OPEN SPACE ACCOUNT	\$ 11,021.52

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

July 22, 2013-Special Meeting

OPEN HEARING OF THE PUBLIC -

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

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

Tim O'Donnell-150 Voorhis Avenue-informed the Mayor and Council that the remediation project that was just completed is not working and he's experiencing the same flooding problems. He thanked the DPW for responding quickly during a recent storm and feels that the hay from the grass has nothing to do with the clogs. Mr. O'Donnell stated that the flooding is happening more frequently and offered some suggestions as to how it might be corrected.

Councilman Bartelloni-stated that the town experienced four inches of rain in a very short period of time and explained that our sewers don't have the capacity to handle that much rain. He doesn't think you can engineer a solution because it's a town wide problem.

Mayor Moscaritolo-suggested that we speak with the Borough Engineer and possibly go back to the drawing board.

Councilman Cappola-stated that they have an obligation to do whatever they can to correct the problem.

Councilman Bartelloni-agrees that it's a terrible situation but cautioned the Council not to make any promises because he's not convinced that there is a definitive solution.

Councilwoman Murphy-asked if there was a Phase II included in the project.

Mayor Moscaritolo-replied yes, and feels that it's something they should explore and look into. The Mayor also suggested keeping the pictures on file for the Sewer Sub Committee and to possibly look at grant opportunities for our infrastructure.

Councilman Bartelloni-asked Mr. O'Donnell if his home is in a designated flood area?

Tim O'Donnell-replied that when he moved here 8 or 9 years ago it was not but now it is.

Councilwoman Murphy-asked if they were given the information for Phase II?

Mayor Moscaritolo - replied yes, but at the time, that's all that the Borough could afford.

CLOSE HEARING OF THE PUBLIC -

Motion by Councilwoman Murphy, seconded by Councilman Bartelloni to close hearing of the public.

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

COUNCIL COMMENTS

Councilwoman Murphy-congratulated our new Patrol Officer, Patrick Diamond and informed everyone that resident John Fugazzi, founder of Neighbors Helping Neighbors, is in the hospital and asked everyone to keep him in their thoughts. She congratulated the graduates from the Junior Police Academy and wished Freddie Hoffman good luck on his 3 month cross country journey. Councilwoman Murphy thanked OEM Coordinator, Tom Smith for his very informative report.

Councilman Cappola-stated that if economic times were better, Cherry Blossom Park is a good idea but right with the budget so tight he doesn't agree with putting money into it right now.

ADJOURNMENT - 8:35 P.M.

Motion by Councilman Bartelloni, seconded by Councilwoman Murphy to adjourn the meeting at 8:35 p.m.

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

Mayor Sandy Moscaritolo

Attest:

Denise A. Dondiego, Borough Clerk

Dated: