

# **MINUTES**

Regular Meeting of the Mayor and Council  
Monday, November 5, 2018  
6:00 P.M.

## **CALL THE MEETING TO ORDER –**

Council President Busted called the meeting to order at 6:00 p.m. in the Council Chambers of the Borough Hall.

## **SILENT PRAYER – FLAG SALUTE**

Council President called for a moment of silent prayer and asked Councilman Gautier to lead the salute to the flag.

## **SUNSHINE STATEMENT -**

Council President Busted read the statement under the Sunshine Law and asked the Clerk to put it into the minutes. “Adequate Notice of this meeting has been made by sending notice on December 29, 2017 to THE RECORD NEWSPAPER, by positioning on the bulletin board in the lobby of the Borough Hall and filing a Notice of the same with the Municipal Clerk”.

ROLL CALL – Councilman Bartelloni, Councilwoman Busted, Councilman Chinigo, Councilwoman Davis, Councilman Gautier and Councilman Papaleo were present; Mayor Mignone was absent.

## **APPROVAL OF MINUTES –**

On motion by Councilwoman Davis, seconded by Councilman Bartelloni, the minutes of the Mayor and Council Regular Meeting of October 22, 2018 were approved on the following roll call:

Councilman Bartelloni, Council President Busted, Councilman Chinigo, Councilwoman Davis and Councilman Gautier voted yes; Councilman Papaleo abstained.

## **PROCLAMATIONS & AWARDS – NONE**

## **OPEN PUBLIC COMMENTS ON ANY ITEM ON THIS AGENDA –**

On motion by Councilwoman Davis, seconded by Councilman Bartelloni to open public comments on any item on the agenda was unanimously approved.

## **CLOSE PUBLIC COMMENTS ON ANY ITEM ON THIS AGENDA –**

There being no comments by the public, the motion by Councilman Papaleo, seconded by Councilman Chinigo to close public comments on any item on the agenda was unanimously approved.

## **APPOINTMENTS & PERSONNEL CHANGES –**

On motion by Councilman Papaleo, seconded by Councilwoman Davis, the appointments and personnel changes were unanimously approved by consent as follows:

Approve the appointment of the Albert Ruhlmann, Anthony Barbary and Theresa Esposito to the 2019 Citizen’s Budget Committee effective November 6, 2018.

Approve the salary increase of Eric Schultz, Laborer in the Department of Public Works from an annual salary of \$69,107.00 to \$69,587.00 due to an increase in longevity from \$1,440.00 to \$1,920.00, effective October 22, 2017.

Approve the resignation of Anthony Naem, Laborer in the Department of Public Works effective November 2, 2018.

Approve the resignation of Jennifer Martinez, Clerical Floater, effective November 9, 2018.

Approve the salary increase of Brenton Prisendorf, Police Officer from an annual salary of \$64,443.00 to a Patrol Office 15<sup>th</sup> Grade salary of \$72,850.00, effective November 3, 2018.

**CORRESPONDENCE –**

- Letter - State of New Jersey, Dept. of Transportation – 10/24/18  
Re: Accepting Applications NJDOT 2019 Local Freight Impact Fund
- Notice - Bergen County Utilities Authority – 10/29/18  
Re: Hearing – November 19<sup>th</sup>, Proposed Service Fee Schedule for the Distribution & Sale of Treated Effluent for Beneficial Use
- Letter - Oradell Planning Board – 10/29/18  
Re: Notice of Public Hearing – November 5<sup>th</sup> – Housing Element & Fair Share Plan
- Letter - Jennifer Martinez – 10/30/18  
Re: Resignation

**MONTHLY REPORTS –**

Municipal Alliance Against Substance Abuse – June, July, Aug & Sept 2018

**ORDINANCES – 1<sup>ST</sup> READING –**

Judy O’Connell, Deputy Clerk read the title of Ordinance #18-24 into the record as follows:

**Ordinance #18-24 BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF BOGERT ROAD (SECTION 2) AND HOWLAND AVENUE (SECTION 7, PHASE V) AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF A PORTION OF SUCH STREETS, A GENERAL IMPROVEMENT, AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF A PORTION OF SUCH STREETS, 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 \$698,000 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.**

On motion by Councilman Chinigo, seconded by Councilwoman Davis, the first reading of Ordinance #18-24 was unanimously approved.

**BOROUGH OF RIVER EDGE  
ORDINANCE #18-24**

**BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF BOGERT ROAD (SECTION 2) AND HOWLAND AVENUE (SECTION 7, PHASE V) AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF A PORTION OF SUCH STREETS, A GENERAL IMPROVEMENT, AND THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS AND DRIVEWAY APRONS ALONG AND IN FRONT OF A PORTION OF SUCH STREETS, 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 \$698,000 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 resurfacing of Bogert Road (Section 2 – from approximately 10 feet south of the intersection with Howland Avenue to the intersection with Reservoir Avenue) and Howland Avenue (Section 7, Phase V – from approximately 150 feet west

of the intersection with Cherry Mews to approximately 150 feet west of the intersection with Bogert Road) and the construction and reconstruction of sidewalks, including, where necessary, curb and driveway apron construction and reconstruction along and in front of a portion of such streets (the "Road and Sidewalk General Improvements") and (b) the construction and reconstruction of sidewalks, including, where necessary, curb and driveway apron construction and reconstruction, along and in front of the following properties on such sections of Bogert Road and Howland Avenue as shown on the Tax Assessment Map of the Borough (the "Sidewalk Assessment Improvements"):

<u>Block</u>	<u>Lots</u>
1209	39
1007	1
1004	37

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. It is hereby determined and stated that said roads being resurfaced are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$698,000 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 State grants. It is anticipated that grants in the aggregate amount of \$418,000 (\$218,000 for Bogert Road; \$200,000 for Howland Avenue) 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 Road and Sidewalk General Improvements shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted. The Sidewalk Assessment Improvements shall be made as a sidewalk improvement as hereinafter set forth.

Section 3. The Sidewalk Assessment Improvements 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 \$128,520 to the cost of the Sidewalk Assessment Improvements, and (2) the estimated maximum amount of the special assessments for the Sidewalk Assessment Improvements is \$20,379, and (3) no sidewalk assessments for such improvement have been levied or confirmed, and (4) the 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, and (3) the estimated cost of said purpose is \$698,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$698,000, and (5) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$129,170 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 \$698,000 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 \$698,000 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 \$698,000 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.

ATTEST:

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Edward J. Mignone, Mayor

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Stephanie Evans, Borough Clerk  
Date:

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**ORDINANCE – 2<sup>ND</sup> READING –**

Judy O’Connell, Deputy Clerk read the title of Ordinance #18-21 into the record as follows:

**Ordinance #18-21 AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AUTHORIZING THE CHANGE OF A STREET NAME IN ACCORDANCE WITH N.J.S.A. 40:67-1(k)**

Ordinance #18-21 was introduced by Councilman Papaleo, seconded by Councilman Bartelloni and unanimously approved at the October 22, 2018 meeting as follows:

**BOROUGH OF RIVER EDGE  
ORDINANCE #18-21**

**AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AUTHORIZING THE CHANGE OF A STREET NAME IN ACCORDANCE WITH N.J.S.A. 40:67-1(k)**

WHEREAS, N.J.S.A. 40:67-1(k) provides for the naming and/or changing of street names within a municipality; and

WHEREAS, the Governing Body of the Borough of River Edge desires to honor the memory of John P. Lynch, having served the Borough of River Edge as Superintendent of Public Works in an exemplary manner; and

WHEREAS, it is the desire of the Governing Body to change the name of Riverside Way to John P. Lynch Way in accordance with N.J.S.A. 40:67-1(k).

NOW, THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey, as follows:

SECTION 1. That the Governing Body does hereby change the name of Riverside Way to John P. Lynch Way in accordance with N.J.S.A. 40:67-1(k).

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This Ordinance shall become effective immediately upon adoption and publication according to law.

\_\_\_\_\_  
Mayor Edward J. Mignone

Attest:

\_\_\_\_\_  
Stephanie Evans, Borough Clerk  
Dated:

**OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-21**

On motion by Councilman Papaleo, seconded by Councilman Bartelloni to open the public hearing on Ordinance #18-21 was unanimously approved.

**CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-21**

There being no comments by the public, the motion by Councilman Papaleo, seconded by Councilman Gautier to close the public hearing on Ordinance #18-21 was unanimously approved.

**ADOPTION – Ordinance #18-21**

On motion by Councilman Papaleo, seconded by Councilman Chinigo to adopt Ordinance #18-21 was unanimously approved.

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Judy O’Connell, Deputy Clerk read the title of Ordinance #18-22 into the record as follows:

**Ordinance #18-22 – AN ORDINANCE AMENDING, ARTICLE 2, CHAPTER 206, FEES AND CHAPTER 268, LICENSING OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY**

Ordinance #18-22 was introduced by Councilwoman Busted, seconded by Councilman Chinigo and unanimously approved at the October 22, 2018 meeting as follows:

**BOROUGH OF RIVER EDGE  
ORDINANCE #18-22**

**AN ORDINANCE AMENDING ARTICLE 2, CHAPTER 206, FEES AND CHAPTER 268, LICENSING OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY**

(Licensing of Establishments Selling Electronic Smoking Devices)

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge, that Article II, Chapter 206 (Fees) and Chapter 268 (Licensing) of the Revised General Ordinances of the Borough of River Edge be and are hereby supplemented to include a section, entitled Licensing of Establishments Selling Electronic Smoking Devices as follows:

**1. Purpose**

The purpose of this Ordinance is to license establishments that sell electronic smoking devices and related products. The funds collected by licensing of such establishments shall be used to fund the development and maintenance of programs related to tobacco cessation, prevention, and control as may be established and/or administered by the Borough of River Edge Health Department.

**2. Definitions**

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meaning stated herein unless their use in the text of this section clearly demonstrates different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number shall include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

“**Electronic Smoking Device**” shall mean an electronic or other powered device that can be used to deliver nicotine or other substances to the person inhaling from the device, including but not limited to, an electronic cigarette, cigar, cigarillo or pipe, or any cartridge or other component of the device or related product.

“**License Year**” shall mean the time period covering June 1<sup>st</sup> through May 31<sup>st</sup> of the year for which a license is issued pursuant to this Ordinance.

**“Retail Electronic Smoking Device Establishment”** shall mean any establishment that sells, distributes, gives or offers for sale Electronic Smoking Devices designed for consumption through inhalation.

**“Sale”** shall mean every delivery of Electronic Smoking Devices, whether the same is by direct sale or the solicitation or acceptance of an order, including the exchange, barter, traffic in, keeping and exposing for sale, displaying for sale, delivering for value, peddling and possession with intent to sell, distribute or give.

### **3. Licensing Fees**

A. No person shall conduct, maintain or operate a Retail Electronic Smoking Device Establishment that sells, distributes or gives Electronic Smoking Devices without first obtaining from the Borough of River Edge Health Department a license to do so.

B. Fees in accordance with the following schedule shall be paid before any license required in this article shall be issued:

Electronic Smoking Device Establishment License \$1,200.00

C. Licenses issued under the provisions of this article, unless forfeited or revoked by the Borough of River Edge Health Department, shall expire annually on the 31<sup>st</sup> day of May of each year.

D. The fees for all initial licenses issued to a licensee pursuant to this Article shall be an amount proportionate to the number of months remaining in the license year, including the month in which the license is issued.

E. No license is transferrable by sale or otherwise.

F. Such license shall be posted in a conspicuous place in such establishment. No itinerant establishments shall be permitted to obtain an Electronic Smoking Device Establishment License.

G. All licensing fees shall be paid to the Borough of River Edge. The funds collected by the licensing of such establishments shall be used to fund the development, maintenance and/or enforcement of a Tobacco Age of Sale Enforcement Program and other smoking cessation, prevention or control programs as may be established and/or administered by the Board.

### **4. Sale Requirements**

A. No person shall sell, distribute or give Electronic Smoking Devices in the Borough of River Edge unless an employee of the establishment controls the sale of such products. A person may only sell Electronic Smoking Devices in a direct, face-to-face exchange between the retailer and the consumer. Self-service displays and vending machines of Electronic Smoking Devices shall be prohibited.

B. No person shall sell, distribute, or give Electronic Smoking Devices to any person under the age of 21 years.

C. No Retail Electronic Smoking Device Establishment shall allow the retailer, employee or any other person to sell, distribute or give such products until the retailer, employee or other person has read the Borough of River Edge Ordinances and State laws pertaining to the sale of Electronic Smoking Devices and has signed a statement that they have read such ordinances and State laws. Such form statement will be supplied by the Borough of River Edge Health Department and all signed original statements shall be kept on file by the Retail Electronic Smoking Device Establishment and made immediately available at all times for review by the Borough of River Edge Health Department. All Retail Electronic Smoking Device Establishments shall be in compliance with this provision by the effective date noted in subsection 9.

D. The sale of any Electronic Smoking Device refill liquid, whether or not such liquid contains nicotine, that is intended for human consumption that is not contained in packaging that is child-resistant is prohibited as set forth in N.J.S.A. 2A:170-51.9 et. seq.

- E. License holders can only do in-person marketing and sales of Electronic Smoking Devices at the Retail Electronic Smoking Device Establishment. There shall be no cross marketing or sales at nonregistered retail locations and mobile locations, including but not limited to, street fairs, local fairs, festivals, etc.

**5. Enforcement**

- A. This section shall be enforced by the Borough of River Edge Health Department and/or other municipal officials of the Borough of River Edge.
- B. Any person found to be in violation of this section shall be ordered to cease the sale of Electronic Smoking Devices immediately.

**6. Violations and Penalties**

- A. Any person(s) who is found to be in violation of the provisions of this section shall be subject to the following penalties. For any and every violation of any of the provisions of this Ordinance, the violator of said provision will be subject to a fine of not less than twelve hundred (\$1,200.00) dollars and not more than twenty-five hundred (\$2,500.00) dollars.
- B. In addition any violator of this section shall be subject to having any Borough license held by the violator, suspended, revoked or fined. No such action may be taken unless the requirements of due process are satisfied.
- C. These penalties are in addition to any penalties that may be imposed including but not limited to penalties imposed by the New Jersey Code of Juvenile Justice, N.J.S.A. 2A:170-51, et. seq. and the N.J.S.A. 2C:33-13.1, et. seq.
- D. Fines and sanctions associated with this section shall be dedicated and forwarded to the Borough of River Edge Health Department to be used in connection with education and enforcement of this ordinance. The monies shall be maintained by the Chief Financial Officer of the Borough of River Edge.

**7. Severability**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase. If any portion of this Ordinance, or its application to any person or circumstances, shall be adjudged or otherwise determined to be invalid, unconstitutional, void, or ineffective for any clause or reason, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

**8. Repealer**

All ordinances or parts of ordinances contrary to or inconsistent with the provisions of this chapter are hereby repealed to the extent of such conflict or inconsistency.

**9. Effective Date**

This ordinance shall take effect upon passage and publication as provided by law.

**ATTEST:**

**BOROUGH OF RIVER EDGE**

\_\_\_\_\_  
Stephanie Evans, Borough Clerk

\_\_\_\_\_  
Edward Mignone, Mayor

**OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-22**

On motion by Councilwoman Davis, seconded by Councilman Bartelloni to open the public hearing on Ordinance #18-22 was unanimously approved.



**CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-22**

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilman Papaleo to close the public hearing on Ordinance #18-22 was unanimously approved.

**ADOPTION – Ordinance #18-22**

On motion by Councilman Chinigo, seconded by Councilman Gautier to adopt Ordinance #18-22 was unanimously approved.

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Judy O’Connell, Deputy Clerk read the title of Ordinance #18-23 into the record as follows:

**Ordinance #18-23 - A CAPITAL ORDINANCE OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AUTHORIZING THE ROAD RESURFACING AT VARIOUS LOCATIONS PHASE IV IN SAID BOROUGH, AND APPROPRIATING THE SUM OF \$171,500.00 FROM BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT PROGRAM FUNDS TO PAY THE COST THEREOF**

Ordinance #18-23 was introduced by Councilman Papaleo, seconded by Councilman Gautier and unanimously approved at the October 22, 2018 meeting as follows:

**BOROUGH OF RIVER EDGE  
ORDINANCE #18-23**

**A CAPITAL ORDINANCE OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AUTHORIZING THE ROAD RESURFACING AT VARIOUS LOCATIONS PHASE IV IN SAID BOROUGH, AND APPROPRIATING THE SUM OF \$171,500.00 FROM BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT PROGRAM FUNDS TO PAY THE COST THEREOF**

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 shall construct road resurfacing at various locations on Oxford Terrace and Rutgers Place. Such improvements shall include all work and appurtenances necessary and suitable for the use and purpose thereof. Such improvements shall be made in accordance with plans to be prepared thereof by the Borough and herein authorized to be made.

SECTION 2. The Borough shall expend \$171,500.00 for the improvement authorized in Section 1. hereof. Said sum of \$171,500.00 is a grant from the 2018 Community Development Block Grant Funds, County of Bergen and is appropriated by the Borough by special rider in budgets hereinbefore authorized.

SECTION 3. Such improvement is hereby determined and declared to be a capital improvement which the Borough may lawfully make pursuant to law.

SECTION 4. This ordinance shall take effect at the time and in the manner provided by law.

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Mayor Edward J. Mignone

Attest:

\_\_\_\_\_  
Stephanie Evans, Borough Clerk  
Dated:

**OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-23**

On motion by Councilman Gautier, seconded by Councilman Chinigo to open the public hearing on Ordinance #18-23 was unanimously approved.

**CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-23**

There being no comments by the public, the motion by Councilman Bartelloni, seconded by Councilwoman Davis to close the public hearing on Ordinance #18-23 was unanimously approved.

**ADOPTION – Ordinance #18-23**

On motion by Councilman Gautier, seconded by Councilman Bartelloni to adopt Ordinance #18-23 was unanimously approved.

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**RESOLUTIONS - By Consent**

On motion by Councilman Papaleo, seconded by Councilman Chinigo, resolutions #18-330 through #18- 342 were unanimously approved.

#18-330 Enter Into a Shared Services Agreement with the Northwest Bergen County Utilities Authority for TV Inspection Services

This Agreement is made this 1<sup>st</sup> day of January, 2019, by and between the Borough of River Edge, a Municipal Corporation of the State of New Jersey located at 705 Kinderkamack Road, River Edge, New Jersey 07661, (hereafter “Borough”) and the Northwest Bergen County Utilities Authority (hereafter “NBCUA”) 30 Wyckoff Avenue at Authority Drive, Waldwick, New Jersey.

WHEREAS, the Borough of River Edge has a need for TV Inspection Services of the sanitary sewer system or other systems; and

WHEREAS, the State’s Best Practices highly recommended that municipalities find ways to share services; and

WHEREAS, the Borough and NBCUA wish to enter into an a two-year agreement whereby NBCUA will provide TV Inspection Services of the sanitary sewer system or other systems, for the years 2019 and 2020; and

WHEREAS, this agreement is an open ended contract as per N.J.A.C. 5:34-4.9 and thus the certificate of availability of funds required by N.J.A.C. 5:34-5 shall be executed each time an order is placed, covering the amount of the order at that time; and

WHEREAS, the Participants are desirous of entering into an Agreement pursuant to the provisions of N.J.S.A. 40A:65.5 *et seq* whereby a Shared Service Agreement can lower the cost of T.V. services to the taxpayers of the Borough and the users of the NBCUA; and

WHEREAS, each of the Participants has adopted an authorizing resolution pursuant to the provisions of N.J.S.A. 40A:65.5 *et seq*.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are hereby authorized to enter into an agreement with the Northwest Bergen County Utilities Authority which is on file in the Borough Clerks office.

November 5, 2018

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#18-331 Award Contract for the Pipe Repair at Elm Avenue Culvert to John H. Construction, 812 Linden Avenue, Ridgefield, New Jersey

WHEREAS, the Borough of River Edge has received three (3) quotations for the Pipe Repair at Elm Avenue Culvert project; and

WHEREAS, the lowest was received from John H. Construction in the amount of \$30,000.00; and

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

WHEREAS, the quotation has been reviewed by the Borough Engineer and the Borough Attorney; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-56-1810-300 of the Capital Fund in an amount not to exceed \$30,000.00; and

NOW, THEREFORE, BE IT RESOLVED that the contract is hereby awarded to John H. Construction, 812 Linden Avenue, Ridgefield, New Jersey 07675 in the amount not to exceed \$30,000.00 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

November 5, 2018

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#18-332 Amend Capital Budget

WHEREAS, the Borough of River Edge, New Jersey desires to amend the Capital Budget of said municipality by inserting thereon or correcting the items therein as shown on such budget for the following reason: Resurfacing of Bogert Road (Section 2) and Howland Avenue (Section 7, Phase V) and the construction and reconstruction of sidewalks, curbs and driveway aprons.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge in the County of Bergen as follows:

Section 1. The 2018 Capital Budget of the Borough of River Edge is hereby amended by adding thereto a Schedule to read as follows:

AMENDMENT 18-3  
CAPITAL BUDGET OF THE BOROUGH OF RIVER EDGE  
Projects Scheduled for 2018  
Method of Financing

<u>Project</u>	<u>Estimated Cost</u>	<u>Bonds/Notes Authorized</u>
Resurfacing of Bogert Road (Section 2) and Howland Avenue (Section 7, Phase V) and the Construction and Reconstruction of Sidewalks, Curbs & Driveway Aprons	\$698,000.00	\$698,000.00

November 5, 2018

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#18-333 Transfer of Funds

WHEREAS, N.J.S.A 49:4-59 permits the transfer of appropriations during the last two months of the fiscal year from accounts showing unexpended balances to accounts in which commitments may exceed the original budgeted appropriations.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be authorized:

FROM: Public Information O/E	01-2010-20-1012-140	\$5,000.00
TO: Municipal Clerk O/E	01-2010-20-1202-101	\$5,000.00
FROM: Public Health Services O/E	01-2010-27-3302-176	\$2,000.00
TO: Municipal Clerk O/E	01-2010-20-1202-036	\$2,000.00
FROM: Public Health Services O/E	01-2010-27-3302-028	\$ 800.00
FROM: Public Health Services O/E	01-2010-27-3302-176	\$1,000.00
TO: Garbage & Trash Removal	01-2010-26-3050-100	\$1,800.00
FROM: Economic Development O/E	01-2010-20-1742-100	\$7,000.00

TO: Building & Grounds O/E	01-2010-26-3102-174	\$7,000.00
FROM: General Administration O/E	01-2010-20-1002-028	\$ 600.00
FROM: General Administration O/E	01-2010-20-1002-182	\$4,400.00
TO: Telephone & Telegraph	01-2010-31-4402-077	\$5,000.00
FROM: Bus S/W	01-2010-27-3311-011	\$5,000.00
TO: Police S/W	01-2010-25-2401-011	\$5,000.00

November 5, 2018

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#18-334 Authorize Mayor to Sign Municipal Snow Plowing Agreement with the County of Bergen

BE IT RESOLVED, that the Mayor is authorized to sign the agreement with the County of Bergen for the 2018 – 2020 Snow Plowing season, payment to be in accordance with the attached schedule.

November 5, 2018

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#18-335 Amend Agreement with Robert Costa, Borough Engineer for Professional Services Related to Meeting Outfall Mapping Requirements for the Department of Environmental Protection January 1, 2019 and 2020 Deadlines and Other Stormwater Related Engineering Services

WHEREAS, there exists a need for expert professional engineering services related to meeting Outfall Mapping Requirements for the Department of Environmental Protection January 1, 2019 and 2020 deadlines and other Stormwater Related Engineering Services; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #18-316 dated October 22, 2018 in the amount of \$5,000.00; and

WHEREAS, additional funding is required for professional services related to meeting Outfall Mapping Requirements for the Department of Environmental Protection January 1, 2019 and 2020 deadlines and other Stormwater Related Engineering Services; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-167 of the Current Fund in the amount not to exceed \$5,550.00; and

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

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

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

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

Principal/Project Engineer.....	\$ 65.00
Principal Land Surveyor.....	\$ 75.00
Survey Field Crew.....	\$150.00
Senior Designer.....	\$ 65.00
Senior Drafter.....	\$ 55.00

Computer Drafting .....	\$ 75.00
Technical/Administrative Assistant .....	\$ 65.00
Field Inspector.....	\$ 80.00

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 in the amount not to exceed \$5,550.00; 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.

November 5, 2018

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#18-336 Enter into a Grant Agreement with the County of Bergen for the Purpose of Using Community Development Block Grant Funds

BE IT RESOLVED, that the Mayor and Council of the Borough of River Edge wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$171,500.00 in 2018 Community Development Block Grant funds for Road Resurfacing at Various Locations.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Edward J. Mignone, Mayor to be a signatory for the aforesaid grant agreement.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Alan P. Negreann, Borough Administrator/Chief Financial Officer to sign all County vouchers submitted in connection with the aforesaid project.

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of River Edge is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

November 5, 2018

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#18-337 Establish Benefit Year Under the New Jersey Paid Sick Leave Act

WHEREAS, N.J.S.A. 34:11-56(a) *et. seq.* requires employers to establish a single benefit year for all employees.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that January 1<sup>st</sup> to December 31<sup>st</sup> shall be the Borough of River Edge benefit year as per the New Jersey Paid Sick Leave Act.

November 5, 2018

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#18-338 Amend 2018 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, revenues are on hand in the Grant Fund:

State and Federal Grant Funds – Unappropriated

Drunk Driving Enforcement Fund.....\$6,478.60

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:

Drunk Driving Enforcement Fund.....\$6,478.60

BE IT FURTHER RESOLVED that the like sum of \$6,478.60 and the same is hereby appropriated under the caption of:

- General Appropriations
- (A) Operations excluded from the “CAPS”
- Public & Private Programs Offset by Revenues

Drunk Driving Enforcement Fund.....\$6,478.60

BE IT FURTHER RESOLVED that the Borough forward electronically the contents of this resolution to the Director of Local Government Services.

November 5, 2018

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#18-339 Amend 2018 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 of appropriation for an equal amount; and

WHEREAS, the Borough has received a deposit in its Unappropriated Reserve for State and Local Housing Grant in the amount of \$4,480.00.

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

State/Local Cooperative Housing Grant.....\$4,480.00

BE IT FURTHER RESOLVED that the like sum of \$4,480.00 and the same is hereby appropriated under the caption of:

- General Appropriations
- (A) Operations excluded from the “CAPS”
- Public & Private Programs Offset by Revenues

State/Local Cooperative Housing Grant.....\$4,480.00

BE IT FURTHER RESOLVED that the Borough forward electronically the contents of this resolution to the Director of Local Government Services.

November 5, 2018

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#18-340 Enter Into Agreement with Brian M. Chewcaskie, Esq., 2200 Fletcher Avenue, 9W Office Center, Fort Lee, New Jersey 07024 for Legal Services Pertaining to the River Edge Land Use Board/MEL Training & the Preparation of an Updated Application, Checklist, Fee & Escrow Schedule and Ordinances for Same

WHEREAS, there exists a need to retain legal services pertaining to the River Edge Land Use Board/MEL Training and the Preparation of an Updated Checklist, Fee & Escrow Schedule and Ordinance for same; and

WHEREAS, Brian M. Chewcaskie, Esq. meets the criteria for a professional service contract under N.J.S.A. 40A:11-1; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-164 of the Current Fund in the amount not to exceed \$7,250.00; and

WHEREAS, Brian M. Chewcaskie, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Brian M. Chewcaskie, 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 Brian M. Chewcaskie, 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 Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

WHEREAS, the rate of pay shall not exceed \$150.00 per hour:

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Brian M. Chewcaskie, Esq., 2200 Fletcher Avenue, 9W Office Center, Fort Lee, NJ 07024 in the amount of \$7,250.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(l)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.
4. That a copy of this resolution be forwarded to the RIDGEWOOD NEWS for publication.

November 5, 2018

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#18-341 Authorize Mayor to Sign Lease with Temple Avodat Shalom for Rental of Premises Located at 385 Howland Avenue, River Edge, New Jersey for the Recreational Needs of the Senior Citizens of River Edge

WHEREAS, the Borough of River Edge is aware of, and recognizes that there is a need for greater concern for the good and welfare of senior citizens of River Edge; and

WHEREAS, there is a need in River Edge for adequate facilities to conduct a meaningful and ongoing program as it relates to the recreational needs of the senior citizens of River Edge; and

WHEREAS, Temple Avodat Shalom, 385 Howland Avenue, River Edge, New Jersey has agreed to make available to the senior citizens of River Edge such facilities that

are deemed necessary to carry out a senior citizens recreational program; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-15(i), as well as N.J.S.A. 40A:48-9.4, permit the leasing and funding of facilities for this purpose; and

WHEREAS, the Chief Financial Officer certifies that funds are available from Account #01-2010-27-3602-100 of the Current Fund for 2019 in the amount of \$18,000.00 subject to the Governing Body making sufficient funds available in the year 2019 budget; and

WHEREAS, the Mayor and Council have reviewed a lease agreement prepared by the Borough Attorney and reviewed by the Contracts Committee and have accepted the form of that agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor is hereby authorized to sign said lease agreement on file with the Borough Clerk and the Borough Clerk is authorized to attest said signature for a lease period commencing January 1, 2019 and ending December 31, 2019.

November 5, 2018

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Councilman Gautier-said that he reviewed the information that was provided on both vendors and asked what the reason is for awarding a contract to Edmonds especially since they were \$11,000 higher than InterSoft.

Alan Negreann-explained that the other company is less expensive but this is what we call a competitive contracting bid. In competitive contracting, different weights are assigned to different criteria. So even though they scored higher because of the lower cost, overall it was judged that the other software company was better in terms of its price and other factors considered.

Councilman Gautier-asked if the other software was going to reduce manpower?

Alan Negreann-replied no it's not going to reduce manpower but there are a number of features which will make us more efficient over our current system and will position you for the future in terms of other types of services that we could provide.

Councilman Gautier-asked if we're going with this company because their system is more efficient?

Alan Negreann-said that he's not saying it's more efficient, but it does have some efficiencies over our present system.

Councilman Gautier-asked if the other system that's being considered, have the efficiencies over the .....

Alan Negreann-replied no, when we looked at the software, the Edmonds system had more bells and whistles than the other system and is positioned much better for the future. He, the Tax Collector and Accounts Supervisor all recommend it. He said that Councilman Gautier is correct in his observation that the other cost was lower.

#### #18-342 Award of Integrated Tax Collection/Financial Account System

WHEREAS, the Governing Body of the Borough of River Edge authorized the issuance of an RFP for the acquisition of an Integrated Tax Collection/Financial Accounting System via resolution #18-289 dated September 4, 2018; and

WHEREAS, N.J.S.A. 40A:11-4.1(a) authorizes competitive contracting for the purchase or licensing of proprietary computer software designed for contracting unit purposes; and

WHEREAS, on October 17, 2018 two (2) sealed proposals were received from Edmonds & Associates and InterSoft Technologies International, LLC; and

WHEREAS, Alan P. Negreann, QPA along with a committee evaluated the RFP's submitted and rendered a report and recommendation to the Governing Body; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1859-650 of the Capital Fund in the amount of \$20,000.00 and Account #04-2150-1712-700 of the Capital Fund in the amount of \$16,735.00, not to exceed a total of \$36,735.00.

NOW, THEREFORE, BE IT RESOLVED that a contract is hereby awarded to



Edmunds & Associates, 301 Tilton Road, Northfield, New Jersey 08225 and the Mayor and Clerk are hereby authorized to sign said contract for the Borough.

November 5, 2018

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Councilman Bartelloni read resolution #18-343 into the record.

On motion by Councilman Bartelloni, seconded by Councilman Chinigo to approve resolution #18-343.

#18-343 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	\$8,757,749.55
CAPITAL ACCOUNT	\$ 229,821.36
RECREATION ACCOUNT	\$ 3,604.06
ANIMAL WELFARE ACCOUNT	\$ 2,902.80
SELF INSURANCE ACCOUNT	\$ 4,913.07
TRUST OTHER ACCOUNT	\$ 5,842.11
OPEN SPACE ACCOUNT	\$ 761.99
TRUST OTHER DEVELOPERS ACCOUNT	\$ 1,825.00

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 time claims would be paid.

November 5, 2018

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**OPEN HEARING OF THE PUBLIC -**

On motion by Councilman Chinigo, seconded by Councilman Papaleo to open the hearing of the public was unanimously approved.

**CLOSE HEARING OF THE PUBLIC -**

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilwoman Davis to close the hearing of the public was unanimously approved.

**COUNCIL COMMENTS –**

Councilman Chinigo-congratulated Mary Davis for being recognized as New Jersey Realtor of the Year over the weekend and said it was a great honor and is thrilled that this recognition was bestowed upon her. He has been working on the interlocal agreement with the school board and after speaking with Dr. Ben Dov on Saturday, he has an idea of what their looking for. He has spoken with other interested parties such as the Rec Commission and is working on drafting something that he will soon be able to present to Mr. Sarlo for his review and once he approves it, he will circulate it to the Council. Once the Council approves it, then they can get it to the school board to go through their process. He attended the

Korean Day festivities on Saturday and felt that it was a wonderful exposition. Everything that was shown to them such as their dances, martial arts and art was something really special and feels fortunate to have it in our community.

Councilwoman Davis-reported that the River Edge Fire Department held their tri-boro drill yesterday at the New Bridge Landing Apartment complex and had over 55 firefighters participate. River Edge Ambulance was also there on a standby basis and the Police Department did a great job with the traffic control. They still have a lot of pre-planning to do before construction nears completion but the drill itself was a big success. She complimented the Chief and his department for being so pro-active. She reported that our Health Inspector, Joanna was able to find 3 noise ordinances regarding dogs which she sent to Tom Sarlo and the Mayor.

Tom Sarlo, Esq.-said that he will have a draft ready for the next work session.

Councilwoman Davis-had attended the SCORE meeting today and said that they could care less about taxes because all of them have frozen their taxes. They were very interested in the Community Center and hoped that they will actually get to see it. She told them they are hoping it will be constructed within the year. She said that Alphonse displayed the plans and they were all very welcoming.

Councilman Papaleo-also congratulated Mary on being named Realtor of the Year for New Jersey. He reported that Beautification did not meet in November but they will be meeting this Thursday and they continue to do their fall plantings. The DPW will attempt to put all of the snowflakes up at the end of November, beginning of December. He said that the Mayor and Council have tasked him with speaking to DPW about the heating concerns on the first floor of Borough Hall. He reached out to the DPW and reported that it seems that when the system was switched over from heat to air conditioning back in May, there was a leak. The leak was identified and repaired. Soon after that a valve failed, was replaced and failed again. DPW had a service contract that was not being properly serviced by the company that we had so they switched. They had to switch again because that company called and said that they will no longer be servicing us because of the distance to travel to River Edge from central New Jersey. The DPW went through a series of service companies that they were attempting to bring on board. It appears that what has occurred is that there was a failure on the mother board of the system. DPW was finally able to negotiate with a new service company that is actually a subsidiary of the company that designed the system, LG Certified System. They were here last week and had the computer software and instruments to evaluate and found that the valve had failed again and there were still some leaks that were identified. The DPW then ordered the materials. In the meantime, Mayor Mignone had authorized the DPW to purchase 4 heaters for the first floor because they were sitting there in coats. He spoke with Geeta and she told him that they had already purchased two heaters out of their budget. The parts that were ordered are coming from Korea, so there was a known delay after the service assessment was completed. As of today, those parts have not yet come in so there are still issues with the first floor temperature control. The Council had also asked about the bench that the Environmental Protection Commission wanted to place in town. The question was where should the bench be placed. The DPW workers did not want to make the decision without Lisa Hessman who was on vacation. He spoke with Lisa today who said that she thought the bench should be placed in one of the parks because John always had an affection for the parks and considered them his pride and joy. Rick, Chris and Jason asked if we could have a ceremony to dedicate the street and the bench at the same time. That would of course delay any celebration if the Council chooses to do that. Councilman Papaleo had been asked a questions about the leaves, because the leaves are typically picked up starting the first Monday in November. The leaf vacuum was down but it has been repaired. The new CAT has arrived and it has gone through a brief training period and now is out on the road. He reported on the new storm drain vacuum that they use to vacuum out storm drains so we don't get flooding, has been delayed. The reason for the delay is there is a shortage of commercial cabs and chassis that are being manufactured, which is part of the trade war fallout. They originally thought it would be coming in right about now, but they haven't even started manufacturing yet because they don't have cabs or chassis to build it. They'll looking at late spring for the cabs and chassis to come in and then 160 days to build it so we're looking about this time next year because of the trade wars. It was explained to him that some of the items come from Canada and other countries which causes a huge back log.

Council President Busted-suggested that they wait for Mayor Mignone to return before they have a conversation with regard to the street dedication and bench placement. Everyone agreed.

Councilman Bartelloni-reminded everyone that on November 15<sup>th</sup> at 7 p.m. at the Library they will be having a discussion panel regarding sexual violence and encouraged everyone to come out in support. He hopes that this will be the first of many discussion panels that they can have on serious topics. River Dell High School has a program where they try and match students who need community service hours and the like with senior citizens. The students will come and do snow removal for our seniors so if anyone knows anyone who might be interested to let them know. He brought it up at SCORE today and informed them that if they were interested to contact the Borough to get on the list to receive free snow removal services. He asked if anyone knows of any students at the high school who need service hours to contact Ms. Luberto and she will set them up. He also attended the Korean Day festivities and thought that the programming was amazing and the food was fantastic. On a personal note, his 5-6 girls

on the River Dell Soccer Team won this year and very proud of them. His 3-4 Team came in second. He said that they're a great group of girls and he loves coaching. He said that they definitely need to re-seed at KBG because the field is very torn up after a long season. He also said that Oradell has started construction today to redo the field at DPAC. They're hoping it's complete in the spring. He said that the Ethernet line that we needed was installed today by DPW so he will be able to hook up the last piece of equipment to the TV so we can get River Edge TV going. He hopes that once everyone is trained, we'll be up and running by the end of the year. He attended the SCORE meeting today and they spoke a lot about the Community Center and many of them still think that they'll never see it and think that it's 3 to 5 years off. He tried to assure them that it was not. Carolyn, our Rec Director did meet with our architect and based on her recommendations, there were some proposed changes which he will circulate to everyone. He said that the traffic study is underway and the speed limit counter is out in front of the library which was lent to us by Paramus because ours was broken. He thinks that the traffic engineer has had enough time to get a sense of the traffic in that area to render a report. He feels that once the Mayor returns, they can get that done. He reported that Costa Engineering has come up with different configurations for parking depending on what the traffic study shows so that the project can move forward sooner than later.

Councilman Gautier-congratulated Mary Davis and said that being named New Jersey Realtor of the Year is a great honor. He also attended the Korean event on Saturday and said that it was amazing. The music and martial arts presentation were truly impressive. He also attended SCORE today and spoke with the members and said that they were welcoming as always. On a personal note, the second grade red bulls were undefeated as well and attributes that to great coaching.

Council President Busted-also congratulated Councilwoman Davis on this great honor and feels that she brings accolades to the entire borough for her professionalism. She thanked the League of Women Voters and the PTO's from Cherry Hill and Roosevelt who hosted a candidates forum for war vet candidates and felt that it's great to see people wanting to be engaged regardless of what side of the isle they're on. She also commented that the Korean Day program was wonderful and thanked the River Edge Korean Parents Network for sharing pieces of their culture with us. Council President Busted also thanked the Rec Commission for sponsoring a wonderful Halloween parade last week which was superbly attended and was happy to see so many new families participate. She was able to attend the SCORE meeting for a short period of time today and thanked them as always for hosting. She wanted to let the Council know that Carolyn Baldanza has expressed to her some of the frustration she's having with our email server and she's having a difficult time even communicating with the Commission. Many emails are getting bounced back and she was concerned with re-scheduling the Halloween parade that people weren't being notified. Council President Busted said that we need to do something to improve our communication with the public in that respect. She wanted to recognize this Council for taking proactive steps regarding e-cigarettes and vaping and feels that they've really worked together as a team to respond to concerns of our residents and is hopeful that Oradell will follow our lead. She thanked the schools and the Police Department for working together on how they're going to enforce it and again feels that they've taken steps to put a licensing fee in place for any establishment that sells those products. The funds will go back to preventative education and again thanked the Council for working proactively on that. She wanted to follow-up with Mr. Sarlo about a memo regarding the opting out from the cannabis sales.

Tom Sarlo, Esq. – said that he'll circulate something in anticipation of discussing it at the next work session.

Council President Busted-reminded everyone to exercise their right to vote tomorrow. Regardless of where you stand, you cannot give up your right to vote and encouraged everyone to get out and vote.

#### **ADJOURNMENT – 6:35 P.M.**

On motion by Councilman Bartelloni, seconded by Councilman Gautier to adjourn the meeting at 6:35 p.m. was unanimously approved.

#### **MOTION TO GO INTO CLOSED SESSION**

On motion by Councilman Chinigo, seconded by Councilman Bartelloni to approve resolution #18-344 was unanimously approved.

#### #18-344 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 November 5, 2018 regular session meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session</u> <u>Docket #</u>	<u>Item Title or Description</u>	<u>Statutory</u> <u>Reference</u>
18-11/5-1	Litigation – COAH Deadline Brian Chewcaskie, Esq., Tom Behrens	N.J.S.A. 10:4-12(7)

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.

November 5, 2018

**MOTION TO ADJOURN CLOSED SESSION – 7:00 P.M.**

On motion by Councilman Chinigo, seconded by Councilman Bartelloni to adjourn the closed session at 7:00 p.m. was unanimously approved.

\_\_\_\_\_  
Mayor Edward J. Mignone

Attest:

\_\_\_\_\_  
Stephanie Evans, Borough Clerk  
Dated: