

MINUTES

Regular Meeting of the Mayor and Council
Monday, December 10, 2018
6:00 P.M.

CALL THE MEETING TO ORDER –

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

SILENT PRAYER – FLAG SALUTE

Mayor Mignone called for a moment of silent prayer and asked everyone to remember Sally Tarpey, mother of DPW employee Roger Tarpey. Mayor Mignone asked Councilwoman Busted to lead the salute to the flag.

SUNSHINE STATEMENT -

Mayor Mignone 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, Councilman Papaleo and Mayor Mignone were present.

Motion by Councilman Chinigo, seconded by Councilman Gautier, resolution #18-360 was unanimously approved.

#18-360 Resolution to Go Into Closed Session and Exclude the 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 December 10, 2018 work session meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session</u>		<u>Statutory</u>
<u>Docket #</u>	<u>Item Title or Description</u>	<u>Reference</u>
18-12/10-1	Disclosure – Open Public Meetings Act	N.J.S.A. 10:4-13 & 14

- 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.

December 10, 2018

APPROVAL OF MINUTES –

On motion by Councilman Bartelloni, seconded by Councilman Gautier, the minutes of the Mayor and Council Work Session and Regular Meeting of November 19, 2018 were unanimously approved.

PROCLAMATIONS & AWARDS – NONE

APPOINTMENTS & PERSONNEL CHANGES –

Mayor Mignone administered the Oath of Office to Sergeant Dennis Griffith.

Mayor Mignone-congratulated Sergeant Griffith and said that we're proud to have him in our leadership ranks and knows that he'll carry on in the great tradition that the River Edge Police has always had. He wished him the best of luck.

On motion by Councilman Papaleo, seconded by Councilman Bartelloni, the separation of Thomas Dekker, Laborer in the Department of Public Works, effective November 20, 2018 was unanimously approved.

On motion by Councilwoman Busted, seconded by Councilman Chinigo, the salary change of Matthew Mulick, from an annual Patrol Officer 17th grade salary of \$56,038.00 to Patrol Officer 16th grade - \$64,443.00, effective December 8, 2018 was unanimously approved.

On motion by Councilman Gautier, seconded by Councilman Chinigo, the resignation of Lisa Sulikowski, Deputy Court Administrator effective December 31, 2018 was unanimously approved.

On motion by Councilman Gautier, seconded by Councilman Chinigo, the appointment of Lauren Cerullo to the Recreation Commission from Alternate #1 to fill the unexpired term of Chris Ilg through December 31, 2019, effective December 11, 2018 was unanimously approved.

On motion by Councilwoman Busted, seconded by Councilman Chinigo, the appointment of Anna Delia to the Recreation Commission as Alternate #1 to fill the unexpired term of Lauren Cerullo through December 31, 2019, effective December 11, 2018 was unanimously approved.

CORRESPONDENCE –

- Report - Alan P. Negreann, Admin/CFO – 11/17/18
Re: Damage to Public Property
- Report - Alan P. Negreann, Admin/CFO – 11/26/18
Re: Revenue Report
- Report - Moody's Investor Service – 11/21/18
Re: Annual Comment on River Edge
- Letter - State of New Jersey, DEP – 11/30/18
Re: Classification Exception Area – 55 Kinderkamack
- Letter - Lisa Sulikowski, Deputy Court Administrator – 12/3/18
Re: Letter of Resignation
- Letter - BCUA – 12/4/18
RE: Notice of Hearing for Proposed 2019 Rates
- Letter - Superior Court of New Jersey – 12/6/18
Re: Municipal Court Session Cancellations

MONTHLY REPORTS –

- Historic Commission - October 2018
- Tax Collector - October 2018
- Shade Tree Commission - April, May & September 2018

ORDINANCES – 1ST READING – NONE

ORDINANCE – 2ND READING – NONE

RESOLUTIONS - By Consent

On motion by Councilman Papaleo, seconded by Councilwoman Davis, resolution #18-361 through #18-382 were unanimously approved.

#18-361 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the 2018 Municipal Aid Program for Bogert Road (Section 2) & Howland Avenue (Section 7) - Design & Inspect

WHEREAS, there exists a need for expert professional engineering services related to 2018 Municipal Aid Program for Bogert Road (Section 2) & Howland Avenue (Section 7) Design & Inspect; 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 #04-2150-55-1824-100 of the Capital Fund in the amount of \$73,600.00; 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 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 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 \$73,600.00; 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.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

December 10, 2018

#18-362 A Resolution Requesting Permission for the Dedication by Rider for Donations to the Borough of River Edge Stigma Free Initiative

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, the Stigma Free Initiative has as its purpose to remove the stigma

associated with mental illness thereby promoting mental health awareness in the Borough of River Edge; and

WHEREAS, a donation from an interested party has been received and other donations are anticipated to be received to promote the work of the Stigma Free Initiative; and

WHEREAS, these revenues are not subject to an accurate estimate in advance; and

WHEREAS, the Borough of River Edge desires to include in its budget a Dedicated by Rider item entitled Stigma Free Initiative; and

WHEREAS, the work of the Stigma Free Initiative will benefit the entire River Edge Community; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough The Borough Council does hereby request permission from the Director of the Division of Local Government Services to pay expenditures of the Stigma Free Initiative received from donations.

1. That such income received by the Borough is to be placed in a Specific Trust Fund and such Trust Fund shall be considered a "Dedication by Rider" to be the budget of the Local Unit per N.J.S.A. 40A:4-39 for the sole purpose stated above.
2. The Borough Clerk of the Borough of River Edge is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

December 10, 2018

#18-363 Acknowledge Receipt of Certification of Request for Emergency Purchase – Sewer Repair on Kinderkamack Road

WHEREAS, the Borough Engineer has certified that an emergency condition exists in the Department of Public Works for the emergency sewer repair on Kinderkamack Road and River Edge Road in the amount of \$11,000.00; and

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

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

December 10, 2018

#18-364 Approval to Waive Borough of River Edge Building Permit Fees to Quality Cooling, 79 Old New Bridge Road, New Milford, New Jersey 07646 for the River Edge Volunteer Ambulance Service Generator Project

WHEREAS, the Borough of River Edge wishes to waive the borough fees for all permits submitted by Quality Cooling Corp. for the River Edge Volunteer Ambulance Service Generator Project; and

WHEREAS, the Borough of River Edge has the authority to waive all permit fees for the Ambulance Service Generator Project.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey, that the Building Department is hereby authorized to waive all borough permit fees to Quality Cooling Corp., 79 Old New Bridge Road, New Milford, New Jersey 07646.

December 10, 2018

#18-365 Partial Refund of Construction Bond for Shade Trees to Quality Construction Services, LLC for 206 Lozier Terrace

WHEREAS, Quality Construction LLC, deposited a cash construction bond for shade trees adjacent to the property located at 206 Lozier Terrace in the amount of \$4,185.73 on June 1, 2016; and

WHEREAS, the Shade Tree Commission has performed a 2 year inspection and has determined that the one tree on Lozier Terrace was not negatively affected by construction activity and recommends that \$2,144.41 be released; and

WHEREAS, because there was significant excavation near the tree on Cleveland Place and the tree has shown some increased decline this year, the Shade Tree Commission will hold \$2,041.32 of the original bond amount for one (1) additional year until further evaluation.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund of \$2,144.41 from the Trust Other Account to:

Quality Construction Services LLC
P.O. Box 3353
Fort Lee, NJ 07024

December 10, 2018

#18-366 Emergency Appropriation

WHEREAS, an emergency condition has arisen with respect to a payment for the Police Department in the Borough of River Edge and no adequate provision was made in the 2018 budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total emergency appropriation(s) created including the appropriation to be created by this resolution is \$50,185.00 and 3% of the total operations in the budget for the year 2018 is \$364,532.40.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey (not less than two thirds of all the members thereof affirmatively concurring) that in accordance with the N.J.S.A. 40A:4-48:

1. An emergency appropriation be and the same is hereby made for in the amount of \$35,000.00 to the Police Department Salary & Wages (01-2010-25-2401-011) line item.
2. That said emergency appropriation shall be provided in full in the 2019 budget.
3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
4. That two (2) certified copies of this resolution be filed with the Director of Local Government Services.

December 10, 2018

#18-367 Change Order Approval and Amendatory Contract for the 2017 Sanitary and Storm Sewer Replacement at Intersection of Kinderkamack Road and River Edge Road to Jo-Med Contracting Corp., 300 South Second Street, Elizabeth, New Jersey 07206

WHEREAS, N.J.A.C. 5:34-4.2 lists the requirements for all Change Orders; and

WHEREAS, the Borough of River Edge awarded a contract to Jo-Med Contracting Corp. on August 13, 2018 via resolution #18-256; and

WHEREAS Change Order #1 reflects an increase in quantity to the contract in the amount not to exceed \$12,650.29; and

WHEREAS, the Borough Engineer has recommended the above change.

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-56-1726-200 in the amount of \$6,645.35 of the Capital Fund and Account #04-2150-56-1810-300 in the amount of \$6,004.94 of the Capital Fund in the total amount not to exceed \$12,650.29.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with Jo-Med Contracting Corp., Change Order #1 for an increase of \$12,650.29.

BE IT FURTHER RESOLVED that the exact form of this amendatory contract shall be at the discretion of the Borough Attorney and the Mayor and the Borough Clerk is hereby authorized to execute said contract, and Change Order #1.

December 10, 2018

#18-368 Authorize Tax Collector to Transfer 4th Quarter 2018 Tax Overpayment to the 1st and 2nd Quarter 2019 Taxes

WHEREAS, the property located at 733 Williams Avenue received a 4th quarter 2018 tax credit due to a County Board Judgment for 2018 on the following property; and

WHEREAS, the credit was more than the taxes owed for the 4th quarter 2018 creating an overpayment of \$1,911.35; and

WHEREAS, a written request was received from the homeowner to transfer the overpayment to the next quarters due.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector adjust her records by transferring the 4th quarter 2018 tax overpayment to the 1st and 2nd quarter 2019 taxes as follows:

<u>Block/Lot</u>	<u>Owner/Property</u>	<u>from 2018</u>	<u>to 2019</u>
411/4	Behrens, Thomas & Bresor, Leslie 733 Williams Avenue	1,911.35 <u>5.05 (2nd Qtr.)</u> 1,911.35	1,906.30 (1 st Qtr.)

December 10, 2018

#18-369 Authorize Tax Collector to Refund a 2018 Tax Overpayment Due to the 2015 Homestead Rebate Credit Issued to a Tax Exempt Property

WHEREAS, a Homestead Rebate Credit was applied to the 4th quarter 2018 taxes on the following property that became tax exempt in 2017; and

WHEREAS, a written request was received from the homeowner requesting a refund of the Homestead Benefit Credit amount.

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

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Tax Qtr.</u>	<u>Refund Amount</u>
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405/3 Barchetto, Anthony & Marilyn 4th 443.89
153 Webb Avenue
River Edge, NJ 07661

December 10, 2018

#18-370 Authorize Tax Collector to Adjust the 4th Quarter 2018 Taxes for a Senior Deduction Allowed and Refund Overpaid Taxes for 2018

WHEREAS, the following homeowner filed a Senior Application for a deduction in the amount of \$250.00 and was approved by the Tax Assessor for the year 2018; and

WHEREAS, the deduction was not listed in the 2018 Tax Duplicate; and

WHEREAS, the homeowner has paid all billed 2018 property taxes.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4th Quarter final tax billing for the \$250.00 deduction and to refund \$250 in overpaid taxes.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Deduction</u>	<u>Amount</u>
1107/31	Anthony F. Salerno 314 Van Saun Drive	Senior	\$250.00

December 10, 2018

#18-371 Change Order Approval and Amendatory Contract for the 2018 Riverside Cooperative Road Improvement Program to D & L Paving Contractors, Inc., 675 Franklin Avenue, Nutley, New Jersey 07110

WHEREAS, N.J.A.C. 5:34-4.2 lists the requirements for all Change Orders; and

WHEREAS, the Borough of River Edge awarded a contract to D & L Paving Contractors, Inc., on April 23, 2018 via resolution #18-153 in the amount of \$175,000.00 and amended via resolution #18-206 dated May 29, 2018 in the amount of \$25,015.50 and amended via resolution #18-263 on August 13, 2018 in the amount of \$12,231.18; and

WHEREAS Change Order #3 reflects an increase in price for asphalt and fuel pricing in the amount not to exceed \$1,136.33; and

WHEREAS, the Borough Engineer has recommended the above change.

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1806-500 of the Capital Fund in the amount not to exceed \$1,136.33.

NOW, THEREFORE, BE IT RESOLVED that the Borough of River Edge shall enter into a written amendatory contract with D & L Paving Contractors, Inc., Change Order #3 for an increase of \$1,136.33.

BE IT FURTHER RESOLVED that the exact form of this amendatory contract shall be at the discretion of the Borough Attorney and the Mayor and the Borough Clerk is hereby authorized to execute said contract, and Change Order #3.

December 10, 2018

#18-372 Authorize Tax Collector to Refund a 4th Quarter 2018 Duplicate Tax Payment

WHEREAS, the tax office has received a duplicate payment and/or tax overpayment for 2018 taxes on the following property(s); and

WHEREAS, a written request was received from the homeowner and/or their Mortgage Company/Title Company to refund the overpaid amount directly to the homeowner.

NOW, THEREFORE, BE IT RESOLVED that the Account Supervisor is hereby authorized to issue a check in the following amounts and the Tax Collector to adjust her records accordingly.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Refund Amount</u>
1003/18	Davenport Development LLC 426 Lafayette Avenue	2,813.76

Please make check payable to: Davenport Development, LLC
219 Changebridge Road
Montville, NJ 07045

December 10, 2018

#18-373 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, the Borough has received a deposit in its Unappropriated Reserve for Nursing Services for nonpublic Schools Grant in the amount of \$9,033.00.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body 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
 - Public & Private Programs Offset by Revenues
 - Nursing Services for Nonpublic Schools.....\$9,033.00

BE IT FURTHER RESOLVED that the like sum of \$9,033.00 and the same is hereby appropriated under the caption of:

- General Appropriations
 - (A) Operations excluded from the “CAPS”
 - Public & Private Programs Offset by Revenues
 - Nursing Services for Nonpublic Schools.....\$9,033.00

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

December 10, 2018

#18-374 Authorize Tax Collector to Refund a 4th Quarter 2018 Duplicate Tax Payment

WHEREAS, the tax office has received a duplicate payment and/or tax overpayment for 2018 taxes on the following property(s); and

WHEREAS, a written request was received from the homeowner and/or their Mortgage Company/Title Company to refund the overpaid amount directly to the homeowner.

NOW, THEREFORE, BE IT RESOLVED that the Account Supervisor is hereby authorized

to issue a check in the following amounts and the Tax Collector to adjust her records accordingly.

<u>Block/Lot</u>	<u>Name & Address</u>	<u>Refund Amount</u>
704/3	Quinn, Colin & Maguire, Gail 257 Greenway Terrace River Edge, NJ 07661	\$3,259.02

December 10, 2018

#18-375 Authorize Tax Collector to Refund a Duplicate 4th Quarter 2018 Tax Payment

WHEREAS, the tax office has received a duplicate and/or tax overpayment for the 4th Quarter 2018 taxes on the following property; and

WHEREAS, a written request was received from their mortgage company to refund the overpaid amount directly to the mortgage company.

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

<u>BLOCK/LOT</u>	<u>HOMEOWNER/ADDRESS</u>	<u>AMOUNT</u>
105/4	Calimag, Edwin 929 Myrtle Avenue	2,780.75
		Total: 2,780.75

Make check payable to: Wells Fargo Home Mortgage
MAC X2302-04D
1 Home Campus
Des Moines, IA 50328
Attn: Tax Refunds

December 10, 2018

#18-376 Authorize Tax Collector to Refund 2018 4th Quarter Tax Overpayments

WHEREAS, the tax office has received duplicate and/or tax overpayments for the 4th Quarter 2018 taxes on the following properties; and

WHEREAS, a written request was received from their mortgage company to refund the overpaid amount directly to the mortgage company.

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

<u>BLOCK/LOT</u>	<u>HOMEOWNER/ADDRESS</u>	<u>TYPE</u>	<u>AMOUNT</u>
205/15	MEAGHER 804 Bogert Road	DUPLICATE	2,427.43
208/7	PIZANNI 65 Gates Avenue	AA	69.02
211/13	KOENIG 44 Washington Avenue	AA	190.12
401/2	OZKAN 811 Bogert Road	AA	46.41
404/3	MOSCOSO 34 River Edge Road	DUPLICATE	2,844.24
503/9	MICELI	AA	152.78

707/11	220 Adams Avenue HOSEY	AA	127.31
801/3	219 Voorhis Avenue PANSARE	DUPLICATE	3,111.59
809/40	179 Manning Avenue BOWEN	AA	38.19
905/13	359 Windsor Road BRANCA	OVERPAYMENT	70.00
1004/8.02	339 Fifth Avenue GIOFFRE	DUPLICATE	1,107.22
1108/25	381 Kinderkamack Road HEYDT	DUPLICATE	3,204.00
1205/43	282 Taft Roaf OOMMEN	AA	5,776.02
1208/6	177 Mohawk Drive DEL ROSARIO	DUPLICATE	3,538.37
1208/29	194 Zabriskie Place KACZYK	AA	53.47
1209/23	71 Lakeview Street KANG	DUPLICATE	5,032.44
	206 Lozier Terrace	TOTAL:	27,788.61

Make check payable to: CORE LOGIC TAX SERVICES
P.O. Box 9202
Coppell, TX 75019-9978
Attn: Centralized Refunds

December 10, 2018

#18-377 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: General Administration O/E	01-2010-20-1002-028	\$8,000.00
TO: Public Information O/E	01-2010-20-1012-136	\$8,000.00
FROM: Mayor & Council O/E	01-2010-20-1102-041	\$1,500.00
FROM: General Administration O/E	01-2010-20-1002-028	\$2,000.00
TO: Engineering Services O/E	01-2010-20-1652-167	\$3,500.00
FROM: Finance Administration O/E	01-2010-20-1302-168	\$3,000.00
FROM: Mayor & Council O/E	01-2010-20-1102-041	\$3,000.00
TO: Engineering Services O/E	01-2010-20-1652-100	\$6,000.00
FROM: General Administration O/E	01-2010-20-1002-028	\$1,800.00
TO: Animal Welfare	01-2010-27-3402-100	\$1,800.00

December 10, 2018

#18-378 Amend Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Design of a Stormwater & Sewer Project for 2016

WHEREAS, there exists a need for expert professional engineering services related to the Design of a Stormwater & Sewer Project for 2016; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa,

Borough Engineer via resolution #16-253 dated July 11, 2016 in the amount of \$2,000.00; and

WHEREAS, additional funding is required for professional services related to the Design of a Stormwater & Sewer Project for 2016; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-56-1810-100 of the Capital Fund in the amount not to exceed \$3,500.00; 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 \$3,500.00; 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.

December 10, 2018

#18-379 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 amended via resolution #18-335 in the amount of \$5,500.00

dated November 5, 2018 and amended via resolution #18-353 in the amount of \$6,000.00 dated November 19, 2018; 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 \$3,500.00; 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 \$3,500.00; 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.

December 10, 2018

Councilman Gautier-asked why we're amending this contract?

Alan Negreann-explained that he's anticipating additional work for bid specs, design and inspection work that will be required. If they decide to go forward, the money will be in place and if they decide not to go forward, they'll rescind this portion.

Mayor Mignone- said that because we put the money in this years budget, we're going to encumber it now so we don't have to put it in the budget next year.

WHEREAS, there exists a need for expert professional engineering services related to Site Work Design for the Senior Citizens/Community Center; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #18-320 dated October 22, 2018 in the amount of \$12,000.00; and

WHEREAS, additional funding is required for professional services related to Site Work Design for the Senior Citizens/Community Center; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-100 of the Current Fund in the amount not to exceed \$6,000.00; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the annual aggregate value of the service may exceed \$17,500; 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 \$6,000.00; 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.

December 10, 2018

#18-381 Amend Agreement with Robert Costa, Borough Engineer for Professional Services Related to the Transportation Alternative Program (TAP) Grant Design

WHEREAS, there exists a need for expert professional engineering services related to the Transportation Alternative Program (TAP) Grant Design; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #16-427 dated December 5, 2016 in the amount of \$50,000.00 and amended via resolution #18-159 in the amount of \$30,000.00 dated April 23, 2018; and

WHEREAS, additional funding is required for professional services related to the Transportation Alternative Program (TAP) Grant Design; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1836-100 of the Capital Fund in the amount not to exceed \$50,000.00; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the annual aggregate value of the service may exceed \$17,500; 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 \$50,000.00; 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.

December 10, 2018

#18-382 Authorize Cancellation of Accounts Payable

WHEREAS, there exists various accounts payable on the books of the Current Fund; and

WHEREAS, the various purchase orders and contracts creating these accounts payable have been investigated and it has been determined that these should be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the following accounts payable in the following amounts are hereby cancelled.

<u>P.O. #</u>	<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
30107	Francis Campbell, Esq.	\$ 130.75	River Dell Litigation
31719	Francis Campbell, Esq.	\$5,468.75	River Dell Dissolution

December 10, 2018

Councilman Bartelloni read resolution #18-383 into the record.

On motion by Councilman Bartelloni, seconded by Councilman Chinigo resolution #18-383 was unanimously approved.

#18-383 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	\$644,520.06
CAPITAL ACCOUNT	\$278,472.17
RECREATION ACCOUNT	\$ 2,226.05
TRUST OTHER ACCOUNT	\$ 26,427.51
OPEN SPACE ACCOUNT	\$ 9,644.00
TRUST OTHER DEVELOPERS ACCOUNT	\$ 1,210.00

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.

December 10, 2018

OPEN HEARING OF THE PUBLIC -

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

CLOSE HEARING OF THE PUBLIC -

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

COUNCIL COMMENTS –

Councilwoman Davis-commented that the Christmas Tree Lighting is always enjoyed by our citizens and thanked everyone involved. She thanked the Fire Department for hosting Santa and also for bringing Santa around town. She said that many pictures were posted on Facebook. She met with Chief O’Connell regarding the 2019 budget and she also reported that the Fire Department had 23 alarms and 3 drills. She reported that Lt. Richard Neerhout completed Incident Command 400 and is now authorized to be an incident commander. Captain Gregg Cariddi completed an 8 week building construction class at the Fire Academy which is a great asset to the department especially with the new type of lightweight construction material. She reported that former Chief’s Dick Berry, Mark Mitchell and Neal Carroll completed Safety Officer certifications. Councilwoman Davis announced that the River Edge Ambulance installation dinner will be held on January 11th at the Brown Stone. Councilwoman Davis attended the SCORE meeting today and handed out the at risk fliers and explained to them what it was

all about. She reported that during the Alliance meeting they heard from Kiera McGinty and Sherry Zhu on their attendance at the fall MTI Leadership Conference. It was very inspiring to hear them speak in depth about what they learned. They have a desire to have a student run club at River Dell. She also gave a special thank you to Al Bartelloni for all of his efforts and hard work especially regarding the Community Center and for bringing new technology to Borough Hall. She said that he deserves so much credit for everything that he's done.

Councilwoman Busted-informed the Council that last year the River Edge Recreation Commission at the request of Little League, named the field at Memorial Park the Peter Cameron Memorial Field. The second part of that memorialization is that they would like to put a plaque on the snack stand with his image. They just wanted the Mayor and Council to be aware that they wanted to do that. She also thanked Councilman Bartelloni for his six years of service to the residents of River Edge and said that it's been a pleasure working with him and feels that we've accomplished many good things. She always appreciated his support on issues that she brought to the Council and again thanked him for that. She hopes that he continues his volunteer efforts in the Borough to make River Edge a better place.

Councilman Papaleo-congratulated Beautification especially Michelle and Gregg Cariddi for everything that they've done with regard to the tree lighting and decorating our Borough buildings. He also thanked DPW for putting up the aluminum tree and the snowflakes on the poles. He complimented Carolyn for doing a great job in organizing. He said that he loves to see the marching band and the Girl Scouts singing and said that it's his favorite borough event. He also thanked the Fire Department for working with the Rec Commission and for bringing Santa through town on Sunday. He thanked the Police Department for standing out in the cold and keeping the area safe for our residents. Councilman Papaleo also thanked Alphonse for all that he has done in the last 6 years on the Finance Committee, Technology Committee and Community Center. He feels that his long lasting legacy will be the work that he has done on the Finance Committee and for working hard for a conservative system of budgeting which will benefit the residents for decades to come.

Councilman Gautier-also commented on how nice the tree lighting ceremony was and thanked our DPW, Beautification Committee, Rec Commission and Fire Department for working together and doing a great job. He congratulated Sergeant Griffith on his promotion this evening and is sure that he will continue to do a great job. He also thanked Councilman Bartelloni for his many years of service.

Mayor Mignone-said that he's been referring to Al lately as the Grover Cleveland of River Edge because of his two non-consecutive terms in office. He knows he's not anticipating or ever considering another run but he will always be welcome to do so. The Mayor said that they ran together three times and said that it's been a rough year, losing Vito, losing John and although we're losing Al, thank God we're not losing him the same way. The Mayor said that he knows the value that he brought to the Council and he knows that the town would not be in the position that we're in now without his leadership. He helped draft the policies that help us get to where we are today and he took the hard votes to get to get us where we are today. With a zero increased budget, he doesn't know what more he could have done for the people of River Edge. The Mayor wished him good luck and said that 2019 is right around the corner and there will be some opportunities to run for Council again. He reminded him that the only reason he ran for Mayor is because Alphonse told him if he got there, he would run for Council and he appreciated that.

Councilman Bartelloni-congratulated Dennis Griffith on his promotion to Sergeant. Councilman Bartelloni sent Carolyn an email right after the tree lighting ceremony commending her for doing a fantastic job. It's one of his favorite events and felt that it was nicely organized this year in terms of getting up to Santa and again thanked her. He thanked the Fire Department for their help and their role in bring Santa around on Sunday. He thanked the people of River Edge for allowing him to serve them again over the past three years and thanked all of the Borough employees for all of their hard work and dedication which makes their jobs easier. He especially wanted to thank Alan, Stephanie, Judy and Tom for all of their assistance and again said that it really does make this job easier. He thanked his wife Sara for always supporting him and to his children for understanding when daddy had to go to a meeting. He especially thanked his daughters Abby and Chloe who were his campaign staff this year and walked with him every weekend knocking on doors and keeping him company. Despite the outcome, those memories alone made it all worth it. Last year around this time he started to contemplate, what was he going to do? Would he run again for Council? He was a political science major and knows what happens in mid-term elections and particularly knows how unpopular our President is in this area. He knew that anyone that had an "R" after their name was going to have an uphill battle. He knew that many people don't know you and they don't know your actual beliefs, what you stand for, where you are politically. In fact, no one has ever asked him. He knew that he would have that association. He didn't put his name in until the very last day it was due. He also felt that when he first set out, he had accomplished many of his goals. When he came on to the Council in 2011, the Borough's financial situation was bleak and a previous Council person had described it as dire. Our surplus was gone, our tax increases were high and there were furloughs and layoffs. We now have a functional surplus, our bond rating is fantastic, we've increased the compliment of police officers, we reinvested in our DPW and as the Mayor mentioned this

year we had a zero municipal tax increase. As the Finance Chair over the last two years and as a member of the Finance Committee for five years, he likes to think that he played a significant role in turning around our financial position. After we lost Vito, he started focusing on what he hadn't accomplished such as finishing the Community Center, expanding communication between the borough and residents, investing in girls athletics and finishing our TV channel. He realized that he wanted to finish the things that he started and realized that he still cared very much in trying to make this community even better. It's his belief that we all have a responsibility to our children, our neighbors and friends to make our community even better by using our God given talents to help those around us. And up here that means putting good governance over good politics and that may be why he's the Grove Cleveland of River Edge. He seems to be able to get elected but can't get re-elected. He always tried to do what was right and make smart decisions and he hopes in his time he has made things better. He feels that he put what is right over what might be popular. He thanked all those who he has had the pleasure of serving with on the dais over the last six years. He thanked them for their friendship and their dedication to this job. He said that this is not an easy job particularly in the world of social media where people have no problem taking a shot at you from the safety of their home. He thanked the Mayor for everything and said he's like a brother to him. He thanked Mary for her years of service to the Borough and for her support over the last year and being such a guiding force on this Council. He told Dario that he has enjoyed working with him on the Council, particularly on legal matters which affected the borough and was happy to have another attorney up here. He thanked Tom for his service to the borough, he thanked Joe for stepping in for Vito which he knows was not easy but wished him the best. He wished Michelle Kaufman good luck on her journey. He said that several years ago, Ellen beat him the first time he ran for re-election. He felt that it was a good thing for him and for the borough. For him, it gave him a definite sense of perspective that he didn't quite have during his first term. He said that Ellen is a dedicated public servant with excellent ideas and is happy to have had the pleasure of working with her and is proud to call her his friend. He said that that's the beauty of this Council. Despite party differences or party allegiances, you can put that aside because good ideas trump politics and that's how it should be. All he can ask is that this Council makes the Community Center a reality because he knows that everyone has campaigned on it and will be something that will serve hundreds of thousands of residents over the next 100 years. He feels that it's a worthwhile project and asked that they see it through to the end. He hopes that they will continue to improve the borough website, work with social media to let people have the information that they need to make informed decisions instead of forcing them to rely on half-truths and misinformation. He asked that they invest in girls athletics because all you have to do is take a look at the discrepancy between the fields our girls play on what is available to the boys. He asked them to change this to show all the girls in the community that they do matter. He also asked that they work with the Board of Ed and Rec Commission to make the improvements that are needed. Councilman Bartelloni wished everyone a happy holiday season, a Merry Christmas and Happy New Year and God bless you all.

MOTION TO ADJOURN REGULAR SESSION AND GO INTO CLOSED SESSION – 6:29 P.M

On motion by Councilwoman Busteded, seconded by Councilman Chinigo to adjourn the regular session and go into closed session at 6:29 p.m. was unanimously approved.

CLOSED SESSION TOPICS

<u>Closed Session</u>		<u>Statutory</u>
<u>Docket #</u>	<u>Item Title or Description</u>	<u>Reference</u>
#18-12/10-1	Disclosure – Open Public Meetings Act	N.J.S.A. 10:4-13 & 14

MOTION TO ADJOURN CLOSED SESSION - 6:45 P.M.

On motion by Councilwoman Busteded, seconded by Councilman Bartelloni to adjourn the closed session at 6:45 p.m. was unanimously approved.

Mayor Edward J. Mignone

Stephanie Evans, Borough Clerk
Dated: