

MINUTES

Regular Meeting of the Mayor and Council
Monday, February 26, 2018
6:30 P.M.

CALL THE MEETING TO ORDER –

Mayor Mignone called the meeting to order at 6:30 p.m in the Council Chambers of the Borough Hall.

SILENT PRAYER – FLAG SALUTE

Mayor Mignone asked everyone to take a moment of silent prayer for three people this evening; Charlene Burns, wife of Construction Official Bob Byrnes; Margo Tauberman who was the Borough's Court Administrator from 1972 to 2002 and Edith Osinsky who was a prominent well know member of Temple Avodat Shalom. The Mayor asked Borough Administrator, Alan Negreann 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 Busteded, Councilman Chinigo, Councilman Papaleo and Mayor Mignone were present, Councilman Acquafredda and Councilwoman Davis were absent.

On motion Councilman Bartelloni seconded by Councilman Chinigo resolution #18-87 was approved unanimously.

#18-87 Resolution to Go Into Closed Session and Exclude Public

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, permits the exclusion of the public from a meeting in certain enumerated circumstances; and

WHEREAS, this public body is of the opinion that such circumstances will or presently exist.

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

1. That the public shall be excluded from the February 26, 2018 regular 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>
18-2/26-1	Personnel Matter – Police Department Promotions	N.J.S.A. 10:4-12(8)

2. It is anticipated at this time that the above stated subject matter will be made public within a reasonable time, the substance of which will be released after the Mayor and Council or the specific authorized public body has reviewed and specifically accepted the data.
3. This resolution shall take effect immediately.

February 26, 2018

MOTION TO SUSPEND REGULAR SESSION AND GO INTO CLOSED SESSION

On motion by Councilman Bartelloni, seconded by Councilman Chnigo to suspend the

regular session and go into closed session was unanimously approved.

CLOSED SESSION TOPICS

<u>Closed Session Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
18-2/26-1	Personnel Matter – Police Department Promotions	N.J.S.A. 10:4-12(8)

MOTION TO ADJOURN CLOSED SESSION AND RESUME REGULAR SESSION

On motion by Councilman Papaleo, seconded by Councilman Bartelloni to adjourn the closed session and resume the regular session was unanimously approved.

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

APPROVAL OF MINUTES –

On motion by Councilman Chinigo, seconded by Councilman Bartelloni the minutes of the Mayor and Council Work Session and Regular Meeting of February 13, 2018 were unanimously approved.

PROCLAMATIONS & AWARDS – NONE

OPEN PUBLIC COMMENTS ON ANY ITEM ON THE AGENDA –

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

CLOSE PUBLIC COMMENTS ON ANY ITEM ON THE AGENDA –

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

APPOINTMENTS & PERSONNEL CHANGES –

On motion by Councilman Papaleo, seconded by Councilman Chinigo, the satisfactory completion of the six month probationary period for Jennifer Martinez, Clerical Floater in the Borough Clerk's office and salary increase from the \$16.00 hourly probationary rate to Step I - \$19.95, effective March 6, 2018 was unanimously approved.

On motion by Councilman Papaleo, seconded by Councilman Chinigo the step increase of Chris Lau, Crossing Guard from an hourly Step I hourly rate of \$18.15 to Step II - \$19.16, effective March 2, 2018 was unanimously approved.

On motion by Councilman Chinigo, seconded by Councilman Bartelloni the extension of the six-month probationary period for Edwin Alter, Land Use/Tax Assessor Clerk for an additional three months, effective February 28, 2018 was unanimously approved.

On motion by Councilman Chinigo, seconded by Councilman Bartelloni the hire of Linda Maughan as part-time Recording Secretary for the Municipal Land Use Board at a "B" scale probationary rate of \$16.00 per hour subject to a six-month probationary period, effective February 27, 2018 was unanimously approved.

On motion by Councilwoman Busted, seconded by Councilman Papaleo the appointments of Councilwoman Davis, Police Chief Cariddi, Arlene Faustini, Paul Jacobson, Paris Meyers, Jonathan Morrisette, George Siderias, Beth Chinigo and Jimmy Teehan as representatives for one-year terms through 12/31/18 to the **River Edge Municipal Alliance**, effective February 27, 2018 were unanimously approved.

CORRESPONDENCE –

Letter - State of New Jersey DEP – 2/20/18
Re: Coastal Jurisdictional Determination
Bergen County Historical Society

MONTHLY REPORTS –

Environmental Commission - January 2018
Tax Collector - 2017 Annual Statement of Receipts

ORDINANCES – 1ST READING – NONE

ORDINANCE – 2ND READING –

Stephanie Evans, Borough Clerk read the title of Ordinance #18-5 into the record as follows:

Ordinance #18-5 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR THE CALENDAR YEAR 2018

Ordinance #18-5 was introduced by Councilman Chinigo, seconded by Councilman Bartelloni as the February 13, 2018 meeting as follows:

**BOROUGH OF RIVER EDGE
ORDINANCE #18-5**

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR THE CALENDAR YEAR 2018

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Governing Body of the Borough of River Edge in the County of Bergen finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Governing Body hereby determines that a 3.5% increase in the budget for said year, amounting to \$387,158.77 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW, THEREFORE, BE IT ORDAINED, by Governing Body of the Borough of River Edge, in the County of Bergen, a majority of the full authorized membership of this Governing Body affirmatively concurring that, in the CY 2018 budget year, the final appropriations of the Borough of River Edge shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$387,158.77 and that the CY 2018 municipal budget for the Borough of River Edge be approved and adopted in accordance with this ordinance.

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

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

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

Attest:

Edward J. Mignone, Mayor

Stephanie Evans, Borough Clerk

Dated:

OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-5

On motion by Councilman Papaleo, seconded by Councilman Chinigo to open the public hearing on Ordinance #18-5 was unanimously approved.

CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-5

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilwoman Busted to close the public hearing on Ordinance #18-5 was unanimously approved.

ADOPTION – Ordinance #18-5

On motion by Councilman Papaleo, seconded by Councilman Bartelloni to adopt Ordinance #18-5 was unanimously approved.

Stephanie Evans, Borough Clerk read the title of Ordinance #18-6 into the record as follows:

Ordinance #18-6 AN ORDINANCE TO AMEND ORDINANCE #18-3 TO FIX THE SALARY, WAGES AND COMPENATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2018

Ordinance #18-6 was introduced by Councilwoman Busted, seconded by Councilman Bartelloni at the February 13, 2018 meeting as follows:

**BOROUGH OF RIVER EDGE
ORDINANCE #18-6**

AN ORDINANCE TO AMEND ORDINANCE #18-3 TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF RIVER EDGE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2018

BE IT ORDAINED by the Mayor and Council of the Borough of River Edge:

Section 1: The compensation for the full-time positions and officers of the Borough of River Edge for the year 2018 shall be as follows:

	<u>2018</u>	
	<u>Hourly</u>	<u>Annually</u>
Director of Recreation		\$16,150 - \$72,000

Section 2: This ordinance shall take effect immediately after the first publication after final passage as provided by law.

Edward J. Mignone, Mayor

Attest:

Stephanie Evans, Borough Clerk

Dated:

OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-6

On motion by Councilman Chinigo, seconded by Councilman Bartelloni to open the public hearing on Ordinance #18-6 was unanimously approved.

CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-6

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilman Bartelloni to close the public hearing on Ordinance #18-6 was unanimously approved.

ADOPTION – Ordinance #18-6

On motion by Councilman Papaleo, seconded by Councilman Chinigo to adopt Ordinance #18-6 was unanimously approved.

RESOLUTIONS - By Consent

On motion by Councilman Papaleo, seconded by Councilman Bartelloni, resolutions #18-88 through #18-101 were unanimously approved.

#18-88 Enter Into Agreement with Joseph Burgis, Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey 07675 as a Certified Municipal Planner

WHEREAS, there exists a need for a Certified Municipal Planner for site plan and subdivision; and

WHEREAS, the Planning Board approved the appointment of Joseph Burgis, Burgis Associates, Inc. as the Municipal Planner at their meeting of January 17, 2018; and

WHEREAS, the Chief Financial Officer has certified that funds are available from the Trust Other Developers Escrow Account of the Trust Other Fund subject to sufficient funds being made available by developers making deposits in accordance with the Borough's Ordinance and P.L. 1995, c.54, N.J.S.A. 40:55D-53.2 et. seq.; 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, Joseph Burgis, Burgis Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Joseph Burgis, Burgis Associates, Inc. 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 Joseph Burgis, Burgis Associates, Inc. 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, that rate of pay shall not exceed \$125.00 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 Joseph Burgis, Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey 07675; 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.

February 26, 2018

#18-89 Enter Into Agreement with Brian Chewcaskie, Esq., Gittleman, Muhlstock, Chewcaskie, 2200 Fletcher Avenue #16, Fort Lee, New Jersey 07024 for Professional Services as Municipal Land Use Board Attorney for the Borough of River Edge

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-166 of the Current Fund not to exceed \$4,500; 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, Brian Chewcaskie, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Brian 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 Chewcaskie, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the rate of pay shall not exceed \$125.00 per hour as Borough Municipal Land Use Board Attorney; and

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

WHEREAS, this contract will be retroactive to January 1, 2018.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Brian Chewcaskie, Esq., Gittleman, Muhlstock, Chewcaskie, 2200 Fletcher Avenue #16, Fort Lee, New Jersey 07024 in the amount not to exceed \$4,500.00.
2. The Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law to Brian Chewcaskie, Esq., Gittleman, Muhlstock, Chewcaskie, 2200 Fletcher Avenue #16, Fort Lee, NJ 07024.
4. A notice of this action shall be printed once in THE RIDGEWOOD NEWS.

February 26, 2018

#18-90 Authorize Release of Performance Bond to Schlomac, LLC for the Property Located at 794 Sixth Avenue, Block 303, Lot 24.02

WHEREAS, in accordance with a Developer's Agreement with the Borough, the Developer was required to provide a Performance Bond in a total amount of \$40,080.00 to secure performance of all conditions of the Planning Board's Site Plan Approval; and

WHEREAS, the Borough of River Edge received a performance surety bond in the amount of \$36,720.00 and a 10% cash deposit of \$4,080.00 from Schlomac, LLC for the property located at 794 Sixth Avenue, River Edge, New Jersey; and

WHEREAS, Schlomac LLC also posted \$270.00 for the placement of concrete monuments at all corners of the property; and

WHEREAS, the Borough Engineer has certified that the final inspection has been made and approval is given with regard to the project located at 794 Sixth Avenue, Block 303, Lot 24.02 and recommends that the Performance Bond be released; and

WHEREAS, the Borough Clerk has received a Maintenance Bond in the amount of \$6,120.00 which will run for a two (2) year period from February 15, 2018 to February 15, 2020; and

WHEREAS, the Chief Financial Officer has certified that funds are available from the Trust Other Account in the amount not to exceed \$4,350.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the above referenced Performance Bond be hereby released and the Accounts Supervisor is hereby authorized to release the cash portion of the Performance Bond and the \$270.00 for the concrete monuments in the amount totaling \$4,350.00 to Schlomac, LLC, 37 Richard Court, River Edge, New Jersey 07661.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby instructed to send a copy of this resolution to Schlomac, LLC and The Guarantee Company of North America USA, One Towne Square, Suite 1470, Southfield, MI 48075.

February 26, 2018

#18-91 Authorize Tax Collector to Cancel/Reduce and Refund the Added Assessment 2018 Taxes Due to a County Board Judgment

WHEREAS, the Tax Office has received an Added Assessment County Board Judgment for the year 2017 cancelling/adjusting the Added Assessment billing on the following properties; and

WHEREAS, the reduction in assessed value has also reduced the total tax amount billed and due for 2017; and

WHEREAS, the 2017 Added Assessment billed amount has been paid.

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

<u>Block/Lot</u>	<u>Owner/Address</u>	<u>AA Assessed</u>	<u>Revised AA</u>	<u>Refund of Taxes</u>
303/6	Zemaites, Joseph 799 Fifth Avenue River Edge, NJ 07661	98,500	44,000	1,561.92
303/12	MacRae, Duncan River Edge, NJ 07661	51,000	40,000	92.46
707/7	Vargas, Steven & Calderon, Jova 251 Voorhis Avenue River Edge, NJ 07661	195,700	0.00	1,644.86

February 26, 2018

#18-92 Introduce 2018 Budget

BE IT RESOLVED, that the Local Municipal Budget of the Borough of River Edge, Bergen County, New Jersey for the fiscal year 2018 be approved by the Mayor and Council of the Borough of River Edge, and the Clerk be and she is hereby instructed to advertise it in THE RIDGEWOOD NEWS on March 9, 2018 and that a final public hearing before passage will be held on March 26, 2018 at 7:00 p.m. in the Council Chambers and that said budget shall authorize total general appropriations of \$15,972,396.63 and the anticipated

revenues of \$3,038,523.63 leaving an amount to be raised by taxes for municipal purposes of \$12,933,873.00.

February 26, 2018

#18-93 Authorize Increase in Deferral of School Taxes

WHEREAS, under the provisions of statute the unpaid portion of the year of levy of school tax may be deferred to the extent of not more than 50% of the levy; and

WHEREAS, the annual increase in deferred school tax results in a corresponding increase in surplus; and

WHEREAS, the Local River Edge School Tax Deferred at 1/1/17 was \$7,887,202.00 and at 12/31/17 was \$8,094,783.00; and

WHEREAS, the River Dell School Tax Deferred at 1/1/17 was \$7,430,372.00 and at 12/31/17 was \$7,651,800.50.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of River Edge do hereby confirm their desire to increase the deferral of the Local River Edge and River Dell School taxes.

February 26, 2018

#18-94 Introduce Capital Budget 2018 and Capital Plan for 2018 – 2023

BE IT HEREBY RESOLVED that the Capital Budget for 2018 and the Capital Plan for 2018- 2023 are hereby approved; and

BE IT FURTHER RESOLVED that this Capital Budget and Plan be published as part of the Municipal Budget for 2018 in THE RIDGEWOOD NEWS on March 9, 2018.

February 26, 2018

#18-95 Include Item of Revenue in 2018 Budget

WHEREAS, the Borough Council of the Borough of River Edge desires to anticipate as an item of General Revenue in the 2018 budget with prior written consent of the Director of Local Government Services:

Parking Lot Fees.....\$29,500.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge, that the prior written consent of the Director of Local Government Services be requested to include as an item of General Revenue in the 2018 budget under the following caption:

Special Items of General Revenue Anticipated with Prior
Written Consent of the Director of Local Government Services:

Parking Lot Fees.....\$29,500.00

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Office of the Director of Local Government Services.

February 26, 2018

#18-96 Include Item of Revenue in 2018 Budget

WHEREAS, the Borough Council of the Borough of River Edge desires to anticipate as an item of General Revenue in the 2018 budget with prior written consent of the Director of Local Government Services:

County of Bergen Interlocal Snow Removal.....\$1,960.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge, that the prior written consent of the Director of Local Government Services be requested to include as an item of General Revenue in the 2018 budget under the following caption:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

County of Bergen Interlocal Snow Removal.....\$1,960.00

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Office of the Director of Local Government Services.

February 26, 2018

#18-97 Include Item of Revenue in 2018 Budget

WHEREAS, the Borough Council of the Borough of River Edge desires to anticipate as an item of General Revenue in the 2018 budget with prior written consent of the Director of Local Government Services:

Police Outside Duty.....\$90,000.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge, that the prior written consent of the Director of Local Government Services be requested to include as an item of General Revenue in the 2018 budget under the following caption:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Police Outside Duty.....\$90,000.00

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Office of the Director of Local Government Services.

February 26, 2018

#18-98 Include Item of Revenue in 2018 Budget

WHEREAS, the Borough Council of the Borough of River Edge desires to anticipate as an item of General Revenue in the 2018 budget with prior written consent of the Director of Local Government Services:

Cable Television.....\$157,046.78

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge, that the prior written consent of the Director of Local Government Services be requested to include as an item of General Revenue in the 2018 budget under the following caption:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Cable Television.....\$157,046.78

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Office of the Director of Local Government Services.

February 26, 2018

#18-99 Include Item of Revenue in 2018 Budget

WHEREAS, the Borough Council of the Borough of River Edge desires to anticipate as an item of General Revenue in the 2018 budget with prior written consent of the Director of Local Government Services:

Reserve for Sale of Assets.....\$10,000.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of River Edge, that the prior written consent of the Director of Local Government Services be requested to include as an item of General Revenue in the 2018 budget under the following caption:

Special Items of General Revenue Anticipated with Prior
Written Consent of the Director of Local Government Services:

Reserve for Sale of Assets.....\$10,000.00

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Office of the Director of Local Government Services.

February 26, 2018

#18-100 Amend Agreement with Robert Costa, Borough Engineer for Professional Services Related to the Crosswalk at Wayne Avenue and Kinderkamack Road – Survey/Design & Inspect

WHEREAS, there exists a need for expert professional engineering services related to the Crosswalk at Wayne Avenue and Kinderkamack Road – survey/design & inspect; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #17-362 dated November 6, 2017 in the amount of \$3,000.00; and

WHEREAS, additional funding is required for professional services related to the crosswalk at Wayne Avenue and Kinderkamack Road – survey/design & inspect; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account ##01-2010-20-1652-170 of the Current Fund in the amount not to exceed \$12,000.00; 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 \$12,000.00; 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.

February 26, 2018

#18-101 Transfer of Funds in the Budget Appropriation Reserve

WHEREAS, various 2017 bills have been presented for payment this year, which bills were not covered by a purchase order number and/or recorded at the time of transfer between the 2017 Budget Appropriation Reserve in the last two months of 2017; and

WHEREAS, N.J.S. 40A4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months on the succeeding year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that the transfer in the amount of \$6,100.00 be made between the 2017 Budget Appropriation Reserves as follows:

FROM: Revenue Administration S/W	20-1451-011	\$ 700.00
TO: Construction Official S/W	22-1951-011	\$ 700.00
FROM: Tax Assessment S/W	20-1501-011	\$5,000.00
TO: Public Works Repair S/W	26-2901-014	\$5,000.00
FROM: Revenue Administration S/W	20-1451-011	\$ 400.00
TO: Recreation Commission S/W	28-3701-011	\$ 400.00

February 26, 2018

Councilman Bartelloni read resolution #18-102 into the record.

On motion by Councilman Bartelloni, seconded by Councilman Chinigo to approve #18-102 was unanimously approved.

#18-102 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	\$121,970.66
RECREATION ACCOUNT	\$ 895.00

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.

February 26, 2018

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 Papaleo, seconded by Councilman Chinigo to close hearing of the public was unanimously approved.

COUNCIL COMMENTS –

Councilman Bartelloni-stated that he posted on Facebook that they were introducing the budget tonight hoping that someone might come or it would spur some conversation on Facebook which it did not. The topic of whether people should be able solicit contractors has raised more of a subject on the online page rather than the Borough budget. Councilman Bartelloni said that this is his sixth municipal budget and is proud of all the hard work that went into it, especially if it's his last. As he said at the Sine Die and Reorganization meeting, this would be a tough year to put a municipal budget together and it has been. As budget meetings get going, he takes the red book home to look at, study and go through every line item which is time consuming. He explained that they spend many hours talking about it, debating over it to try and come up with what they think will be a workable budget for the year. This budget sets what the priorities are for the Council for the remainder of the year. Even though you may have an idea later, if there's no money available to do it you may have to wait until next year or until November when money may be available to transfer amongst various line items. He explained that this is important because they'll know what the residents are going to face in terms of a potential tax increase and also what are the priorities and their ability to get things done this year. Having said all that, you can see that salaries and wages have gone up and there were changes in operating costs and as the Mayor pointed out, our Finance Committee will be undertaking the task of looking at the last several years budgets to see where changes can be made. At the end of the day, when you look at everything in total, this budget presents a zero tax increase on the municipal side and that's something that they can all be proud of. In particular, it was made possible by their ability to generate and recover the surplus funds that had been diminished and almost gone at the beginning of this decade. They put in place a surplus policy at the end of 2013, beginning in 2014, thanks to the hard work of Alan and his team, which has regenerated at a rate quicker than they thought. A question was asked at the last budget meeting if there was a ceiling as to how much surplus you should have, which was something that they never thought they would have to worry about. He thinks right now that the formula in place is sustainable in terms of our surplus and where it's at as opposed to where we've been since 2012 using \$425,000 per year which was 2.5% of our budget. This year, it's a little over 6 and you can see how that makes a huge difference. He feels if you keep it around that number, it has a tremendous impact on the overall budget and this year the ability to limit the tax increase to zero on the municipal side which is huge. He said that they put in the Saturday's, ate the bagels and did a tremendous job this year. He feels that because of the policies that were put in place in the past, we can keep it going into the future. Again he said that he is very proud of it and wished more people would take an interest in it because it's one of the most important things that they will do during the entire year.

Councilman Papaleo-started by thanking Councilman Bartelloni, the Finance Committee, Alan Negreann, Geeta Birnbaum, the Citizen's Budget Committee; Theresa Esposito, Al Ruhlmann, Anthony Arturi, Anthony Barbary, Ken Krautheim and Constantine Cracunescu. He said that they worked many Saturday's, worked some evenings, they brought home the books and took it very seriously and he also is very proud of this budget. He is starting his 7th year on the Council and feels that having surplus is meaningful to the budget and to do zero this year is important. We represent 25.1% of our residents tax and we only control that 25% and we made every effort especially given what the federal government did with the salt tax. Councilman Papaleo thanked Alan and said that he doesn't know what we're going to do without him because this budget was put together with his knowledge and guidance. He commended DPW for doing another great job during the last storm and informed everyone that they had a tree down on Surrey Lane where power was lost and thanked John for his leadership and doing a

phenomenal job. Councilman Papaleo reported that Shade Tree has been meeting but there's nothing extraordinary to report. Beautification has met as well as has started to plan for spring and summer plantings. He added his condolences to all those who've passed who been such an important part of our town and our borough. He also extended condolences to their families.

Councilman Bartelloni-also expressed his condolences to the families of those who recently passed away. As for the 4th of July Committee, he is working on it but asked for a volunteer from the Council to help him out because it's a lot of work. He has secured the people who provide the floats, the DJ and photo booth but is still working on getting the face painter. He has everything for the festival in the park for the 4th but is still working on getting the band for the night before and is working on the parade. He asked if any member of the Council knows of a resident who would be willing to help out it would be greatly appreciated. Councilman Bartelloni received an email from the Mayor regarding a camera system for broadcasting and he will take a look at it to see what we can do with it.

Councilwoman Busted-stated that there's not much that she can add to the comments about the budget but feels that this is a proud moment to introduce a 0% municipal increase on the 25.1% of the total tax budget that faces our residents. She thanked Alan and Geeta for always being available to answer questions and for their guidance during the budget process. She reported that the Rec Commission met last week and she thanked the commissioner's for stepping into Bobbi's very large shoes to keep the continuity of programs running. Commissioner Lauren Cerullo has taken on the River Edge Run which is scheduled for April 14th and so far, they have more runners signed up to date that in years past. There is a new charitable group running called "Team Tommy" who are running in memory of Tom Maroney and will donate money to Project 375 which a mental health awareness organization. She thanked the borough employees who have stepped up to help the Commission in making sure things run smoothly. She will let the Mayor report on where they are with the Rec Director interviews. Councilwoman Busted said that she feels good about where we are and the Commissioner's that have been involved up to this point feel that we're making very good progress. Councilwoman Busted reported that the Environmental Commission is working really well together, are fully organized and have had good attendance at their meetings. They have a social media presence now with Instagram and are working on a Facebook page. She reported that the annual River Clean-up will be held on May 12th and they were approached by Park Ridge to participate in a bi-state clean-up in the future and is happy to see that they're building a relationship with another municipality. They are working with the schools as part of the Create Program and the capstone students at Roosevelt will be working with the Environmental Commission on ways to increase composting at the schools as well as in the Borough. She thanked Tom for connecting Laura Hoogstrate with Lisa Hessman because the River Dell High School's Environmental Club is working on video public service announcements on a recycling program so we can promote it on social media and elsewhere. She thanked them for all of their hard work. She recognized that we have residents, borough employees and representatives on the Municipal Alliance and announced that they will have a meeting in early March. She thanked Marie Papaleo for being willing to sign on as Chairperson until they organize and looks forward to moving forward with that. She commented on what happened in Florida not too long ago and recognized the suffering the families are feeling as well as the organization that young people have undergone in the nation to raise awareness about gun violence and sensible gun control. She had made a statement in October after the shooting in Las Vegas that thoughts and prayers are important and would certainly extend the same but feels that action is necessary. It saddens her that this country has not gotten anywhere with any type of action since the Las Vegas shooting and we as a nation had to experience what happened last week. Today, she met with representatives from Mom's Demand Action, the Bergen County Chapter and knows members from the PTO have also met with this group. She is hopeful that we can bring to River Edge, possibly Oradell and New Milford their "Be Smart Program" on how to be smart about guns and gun storage. She feels that although they may be small action steps, they are action steps nonetheless. She will do whatever she can in support and is confident that her fellow councilmembers will as well.

Councilman Chinigo-echoed everyone's comments and condolences and offered to help Councilman Bartelloni with the 4th of July Committee. Since this is the first full year he was involved from the beginning with the budget, he is thrilled that we are able to bring a zero tax increase on the municipal portion. He is sure that the schools are working just as hard and hopefully they will bring in as close to zero as possible within the confines and restrictions that they face. In some instances they had to make tough decisions that not everyone will be happy about but they did work hard to put together a responsible budget. He hopes that the people of River Edge appreciate the Mayor and Council's hard work.

Mayor Mignone-stated that with regard to the Alliance, they have a very important mission to make a serious effort to organize it in the spirit of the state ordinance and we're hoping to expand it based on the little bit of money that we do get from the state. By bringing different stakeholders to the table we're hoping to get different perspectives making it a very vigorous Alliance that will have a positive impact on one of the biggest crises facing our country. As far as the Recreation Director, we have interviewed three candidates so far and we have four more scheduled. The Mayor stated, and he thinks Councilwoman Busted would agree, that they have some very strong candidates and they were very impressed with some of them and hope to have someone ready to come on board by April 1st. With

regard to the budget, the Mayor said his wife dreads this time of year because he locks himself in his office with his books and starts his dueling spreadsheets with Alan's. He has said time and again, that in the state statute and practice, the most important thing this Council does is prepare the budget, sets priorities which has a direct impact on finances for our residents. We are crawling back from a very very bad place to come up with this zero budget today and feels that it's a phenomenal accomplishment. It's a matter of cost control not just from the operating end but our department heads have really streamlined operations the best that they can at this point. As Councilman Bartelloni said, we've implemented a surplus policy and the Mayor thanked Alan for answering all of his questions and always responding to various requests. He asked Alan most recently, for copies of audits from 2004, 2000 and 1996 which he provided but questioned why. The Mayor said the purpose was that he wanted to look historically where the tax rates have been and since 1993 because this is the third time that we've had a zero budget. The first time was in 1994 and our fund balance did about \$5.8 million dollars and they used \$1 million dollars from surplus for revenue, pretty similar to where we are today. Our fund balance now is probably back to where we were in 2008, not as high as our all-time high in 2004 & 2005 of \$9 million plus or minus. 2007 was the last time we had a zero increase but that was a budget where they used \$3.5 million dollars as revenue which was a third of the budget. Everyone should have seen then that it was not sustainable. Between the years 2006 – 2010 the fund balance went from \$9 million to \$2.3 million and we hit a low of \$700,000. He asked Alan how much cash did we have?

Alan Negreann-replied, \$70,000 - \$80,000 for the year.

Mayor Mignone-said that if you look where we were just seven years ago to now, they should be very proud of that accomplishment. He feels that the key is to keep it going. If you look back to the mid 90's and for the most part they held the tax rate to 1%, as high as 3% and then in the late 90's it started climbing. 2000 started 1, 2% then 5 then 15% and again since 2011, we are where we are today. It was his mission when he became Finance Chair after Councilman Porco resigned, to keep the discipline going forward. He is very skeptical of anyone who says that we're going to lower taxes. He has always said that they're trying to stabilize taxes and keep them as low as possible. The Mayor displayed his tax rate spreadsheet showing that we're getting flatter and feels that that's what they need to continue to do going forward. Again, he said it's great to get to zero but in the coming years the challenge will be keeping sight of the objective which won't be easy because of increasing salary and utility costs. The Mayor feels that if they continue to keep the mindset that they've had over the past few years, they will continue to be good and proper stewards of our resident's money.

Lou Grasso-stated that he feels that it's important for residents to differentiate municipal taxes and school taxes. He feels that most people just look at the overall tax bill and just assume the increase is municipal even though there is a pie chart attached.

ADJOURNMENT – 7:13 P.M.

On motion by Councilman Papaleo, seconded by Councilman Bartelloni to adjourn the meeting at 7:13 p.m. was unanimously approved.

Mayor Edward J. Mignone

Stephanie Evans, Borough Clerk

Dated