

**MINUTES**  
Regular Meeting of the Mayor and Council  
Monday, May 14, 2018  
Immediately Following Work Session

**CALL THE MEETING TO ORDER –**

Mayor Mignone called the meeting to order at 7:01 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 Councilman Gautier 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 – Councilwoman Busteded, Councilman Chinigo, Councilwoman Davis, Councilman Gautier, Councilman Papaleo and Mayor Mignone were present; Councilman Bartelloni was absent.

**APPROVAL OF MINUTES –**

On motion by Councilman Chinigo, seconded by Councilwoman Davis, the minutes of the Mayor and Council Regular Meeting of April 23, 2018 were unanimously approved.

**PROCLAMATIONS & AWARDS –**

Mayor Mignone read the Proclamation Declaring the Month of May as National Poppy Sale Days as follows:

*PROCLAMATION*

*WHEREAS, the Annual Poppy Sale by the American Legion and the Veterans of Foreign Wars has been officially recognized and endorsed by the Government leaders; and*

*WHEREAS, the Poppies are assembled by disabled veterans, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans.*

*NOW, THEREFORE, I Edward J. Mignone, Mayor of the Borough of River Edge, do hereby urge the citizens of this community to recognize their merits of this cause by contributing generously to its support through the purchase of Poppies from **May 1<sup>st</sup> through May 31<sup>st</sup>, 2018**, the designated **Annual Poppy Sale** days in the Borough of River Edge, and further urge all citizens to support the American Legion Auxiliary of the Sgt. Walter Scott Brown Unit #226, the Veterans of Foreign Wars Auxiliary of the Caldorney-Klaiber-Frost Post NO. 876 of River Edge by buying and wearing a Poppy.*

*Mayor Edward J. Mignone*

*Dated: May 14, 2018*

Mayor Mignone presented the proclamation to Joseph Maugeri, VFW Commander Post 876. Joseph Maugeri explained the program for the Memorial Day ceremony.

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Mayor Mignone read the Proclamation Declaring May 13<sup>th</sup> – May 19<sup>th</sup> as National Police Week as follows:

## PROCLAMATION

*WHEREAS, in 1962, President Kennedy proclaimed May 15<sup>th</sup> as National Peace Officers Memorial Day and the calendar week in which May 15<sup>th</sup> falls, as National Police Week; and*

*WHEREAS, established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and*

*WHEREAS, recent events throughout our nation have unfortunately demonstrated a reckless disregard for the lives and safety of law enforcement officers; for instance on December 20, 2014 NYPD Officer Liu and Officer Ramos were executed at point blank range while sitting in their patrol vehicle in Brooklyn; and*

*WHEREAS, it is incumbent upon public officials and the law abiding public to proactively support our law enforcement officers who regularly face threats of violence and danger, and routinely put their lives in jeopardy to defend others, potentially resulting in injury, disability or even death to keep our neighborhoods safe, enforce the rule of law, protect our property and to respond in times of crisis; and*

*NOW, THEREFORE, BE IT RESOLVED that I, Edward J. Mignone, Mayor of the Borough of River Edge, in recognition thereof, do hereby proclaim:*

*May 13 – May 19, 2018 as:*

*National Police Week*

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*Mayor Edward J. Mignone*

*Dated: May 14, 2018*

Mayor Mignone presented the proclamation to Police Chief Cariddi. The Mayor stated that the number one priority of the Governing Body is public safety and they are at the front line of that. Like our DPW, the Mayor always receives positive feedback and praise from the public for our Police Department. He again thanked them for everything they do.

Chief Cariddi—said that on behalf of the entire department, it is an honor to serve and appreciates the proclamation.

Mayor Mignone read the following statement regarding Officer Brenton Prisendorf:

Officer Brenton Prisendorf was hire by the River Edge Police Department in November of 2014 and became a L.E.A.D. certified instructor in June of 2015. Officer Prisendorf has a long history of participating in community programs such as serving as a football coach for the New Milford Junior Football League and as a basketball coach for the New Milford Recreation Department. Officer Prisendorf and the three other L.E.A.D. instructors teach over 600 fifth and eighth grade students at Roosevelt Elementary, Cherry Hill Elementary and the River Dell Regional Middle School.

Officer Prisendorf is very supportive of the L.E.A.D. program because it provides the bridge needed to establish the necessary relationship between the Police Department and the students in the community. Officer Prisendorf understands how important it is for the Police Department to be a part of the community and it is one of the reasons why he chose to become a police officer. Officer Prisendorf states his experiences during his pro-active patrols allowed him to make a real-world connection with his students in the classroom. In addition to being a L.E.A.D. instructor, Officer Prisendorf serves as an officer in the department's Patrol Division and as one of the departments Firearms Instructors.

Chief Cariddi—stated that it is his pleasure to present Brenton with this commendation for his commitment to the youth in the community which resulted in recognition by L.E.A.D New Jersey as

Officer of the Month and is hereby awarded this commendation for exceptional service. The Chief said that he is extremely proud of his hard work which has greatly benefitted the community he serves and reflects highly on the River Edge Police Department.

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Mayor Mignone read the Proclamation Declaring May 20<sup>th</sup> – May 26<sup>th</sup> as National Public Works Week as follows:

**PROCLAMATION**

*WHEREAS, Public Works services provided in our municipality are an integral part of our citizens' everyday lives; and*

*WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as sewers, streets, drainage, public buildings, recycling, leaf collection and snow plowing; and*

*WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and*

*WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design and construction is vitally dependent upon the efforts and skill of Public Works officials; and*

*WHEREAS, the efficiency of the qualified and dedicated personnel who staff Public Works Departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.*

*NOW, THEREFORE, BE IT RESOLVED, I, Edward J. Mignone, Mayor of the Borough of River Edge do hereby proclaim the week of May 20<sup>th</sup> through May 26, 2018 as:*

***"National Public Works Week"***

*in The Borough of River Edge and I call upon all citizens and civic organizations to acquaint themselves with the issue involved in providing our Public Works and to recognize the contributions which Public works officials make every day to our health, safety, comfort and quality of life.*

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*Mayor Edward J. Mignone*

*Dated: May 14, 2018*

Mayor Mignone presented the proclamation to DPW Superintendent John Lynch and said that of all the emails that he receives, the emails regarding Public Works are always positive. It's very infrequent that someone has something negative to say. He thanked John Lynch and his department for all that they do for the town.

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Mayor Mignone read the Proclamation Declaring May 20<sup>th</sup> – May 26<sup>th</sup> as Emergency Medical Services Week as follows:

**PROCLAMATION**

*WHEREAS, emergency medical services is a vital public service; and*

*WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and*

*WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and*

*WHEREAS, the emergency medical services system consists of emergency physicians, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and*

*WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and*

*WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and*

*NOW, THEREFORE, I, Edward J. Mignone, Mayor of the Borough of River Edge do hereby proclaim:*

*May 20th – May 26, 2018  
as  
Emergency Medical Services Week*

*in River Edge, in recognition of all those engaged in emergency medical services activities and encourage the community to observe this week with appropriate programs, ceremonies and activities.*

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*Mayor Edward J. Mignone*

*Dated: May 14, 2018*

Mayor Mignone congratulated all of the EMS members who were in attendance this evening said that he and the Council appreciate the services that they perform every day. As he has said in the past, he has had to use their services in the middle of the night and when you're not feeling well it's a huge comfort to know that five minutes after you place the call, someone will be there to help. He again commended them for all that they do. As Councilwoman Davis reminded him, our ambulance is the only totally volunteer service in this area.

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Mayor Mignone read the Proclamation Declaring the Month of May as Mental Health Month as follows:

#### **PROCLAMATION**

*WHEREAS, mental health is essential to everyone's overall health and well-being; and*

*WHEREAS, all Americans experience times of difficulty and stress in their lives; and*

*WHEREAS, promotion and prevention are effective ways to reduce the burden of mental health conditions; and*

*WHEREAS, there is a strong body of research that support user-friendly tools that all Americans can access to better handle challenges, and protect their health and well-being; and*

*WHEREAS, mental health conditions are real and prevalent in our nation; and*

*WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and*

*WHEREAS, each business, school, government agency, faith-based organization, health care provider and citizen has a responsibility to promote mental wellness and support prevention efforts.*

*THEREFORE, I, Edward J. Mignone, Mayor of the Borough of River Edge do hereby proclaim:*

*May 2018  
as  
Mental Health Month*

*in the Borough of River Edge, and as the Mayor of River Edge, I also call upon the citizens, government agencies, public and private institutions, businesses and schools in River Edge to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.*

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*Mayor Edward J. Mignone*

*Dated: May 14, 2018*

Mayor Mignone presented the proclamation to Mrs. Ouida and Arlene Faustini, our nurse who are promoting the Stigma Free initiative in the Borough.

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Mayor Mignone presented Alison Maloney with the You InspiRE award. He explained that this award is given to residents who go above and beyond in any capacity. Councilwoman Busted had recommended that Alison Maloney receive this award.

Councilwoman Busted-stated that Alison and her family have faced a terrible mental health hardship and she took her time of grieving and channeled it into something good. She organized a team for the River Edge Run called "Team Tommy" and raised money for Project 375 which is a national mental health non-profit organization which trains people about mental health and raises awareness. She truly is an inspiration by bringing this message to the forefront and having her friends and community embrace it. Councilwoman Busted thought this would be a great opportunity to recognize Alison for her bravery, courage and honesty. She thanked Mayor Mignone for recognizing her.

Alison Maloney-thanked Mayor Mignone and Councilwoman Busted for this award and stated that during the grieving process, this was the best way for her to cope. She stated that mental health is something that people don't like to talk about but it's something that should be discussed because many people suffer with it. She feels honored to have raised money and spread the word for this important issue.

Marianne Maloney-wanted to say thank you to our town and community for standing by them during a difficult time and never making them feel like an embarrassment.

Mayor Mignone-told a story of how he met Tom Maloney and felt that it was his honor to know him because he was a great guy.

**OPEN PUBLIC COMMENTS ON ANY ITEM ON THE AGENDA –**

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

**APPOINTMENTS & PERSONNEL CHANGES –**

On motion by Councilman Papaleo, seconded by Councilwoman Busted the promotion of Eric Phillips, Tree Trimmer in the Department of Public Works from a Tree Trimmer II, Step IV salary of \$57,184.00 to an annual Tree Trimmer II, Step 15 salary of \$61,609.00 effective May 15, 2018 was unanimously approved.

On motion by Councilman Papaleo, seconded by Councilwoman Busted the hire of Michael W. DeSanctis, as a seasonal part-time Park Attendant at an hourly rate of \$19.83, effective April 22, 2018 was unanimously approved.

On motion by Councilman Chinigo, seconded by Councilman Papaleo, the appointment of Benito Asuncion to the Police Auxiliary effective May 15, 2018 was unanimously approved.

On motion by Councilman Chinigo, seconded by Councilwoman Davis, the appointment of Dan Kim to the Police Auxiliary effective May 15, 2018 was unanimously approved.

Mayor Mignone administered the Oath of Office to Benito Asuncion and Dan Kim.

On motion by Councilman Chinigo, seconded by Councilwoman Davis, the salary change of Edward Blue, Patrol Officer from an annual salary of \$64,443.00 to Patrol Officer 15<sup>th</sup> Grade \$72,850.00 effective May 5, 2018 was unanimously approved.

On motion by Councilman Chinigo, seconded by Councilwoman Davis, the hire of Alyssa Cohen as Arts & Crafts Director for the Summer Camp Program at a salary of \$1,428.00, effective May 15, 2018 was unanimously approved.

#### **CORRESPONDENCE –**

- River Edge Board of Education – 4/23/18  
Re: Meeting Notice – 4/25/18
- Costa Engineering - 5-7-18  
Re: NJDEP LOI Presence/Absence Permit Application  
2015 Kinderkamack Road and Zabriskie Street
- Township of Toms River – 5-7-18  
Re: Sustainable and Resilient Communities for  
Municipal Report
- BCUA – 5/10/18  
Re: Solid Waste Cooperative Marketing Program

#### **MONTHLY REPORTS –**

Shade Tree Commission	-	January, February & March 2018
Historic Commission	-	March 2018
Beautification Committee	-	April 2018
Library Board	-	May 2018
Historic Commission	-	April 2018
Beautification Committee	-	No Quorum – May 2018

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

Stephanie Evans, Borough Clerk read the title of Ordinance #18-11 into the record as follows:

**Ordinance #18-11 - AN ORDINANCE APPROPRIATING \$20,624.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE SUPPLEMENTAL FUNDING FOR THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO THE RIVER EDGE SENIOR/COMMUNITY CENTER**

On motion by Councilman Papaleo, seconded by Councilman Chinigo the first reading of Ordinance #18-11 was approved unanimously as follows:

#### **BOROUGH OF RIVER EDGE ORDINANCE #18-11**

**AN ORDINANCE APPROPRIATING \$20,624.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE SUPPLEMENTAL FUNDING FOR THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO THE RIVER EDGE SENIOR/COMMUNITY CENTER**

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

SECTION 1. The supplemental funding for the undertaking of various improvements to the River Edge Senior/Community Center desired in Section 2 of this ordinance is hereby authorized as purchases to be made by the Borough of River Edge, New Jersey for the purpose of the purchase of said various improvements, there is hereby appropriated the sum of \$20,624.00 of which \$20,624.00 is from the General Capital Fund Balance.

SECTION 2. The purchases are authorized as follows:

- a. Supplemental funding for the undertaking of various improvements to the River Edge Senior/Community Center.

SECTION 3. The appropriation shall be made from the General Capital Fund and no debt is authorized.

SECTION 4. This ordinance shall take effect immediately after the first publication after final passage as provided by law.

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Mayor Edward J. Mignone

Attest:

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Stephanie Evans, Borough Clerk

Dated:

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**ORDINANCE – 2<sup>ND</sup> READING – NONE**

**RESOLUTIONS - By Consent**

On motion by Councilman Papaleo, seconded by Councilwoman Davis, resolutions #18-162 through #18-178 were unanimously approved.

#18-162 Approval Establishing the River Edge Farmer’s Market and Creation of the Farmer’s Market Committee

BE IT RESOLVED, by the Mayor and Council approves the operation of the River Edge Farmer’s Market, conditioned upon the following:

1. The Farmers Market shall use and be restricted to the American Legion parking lot located at 215 Continental Avenue, River Edge, New Jersey.
2. The Farmers Market is permitted every Tuesday from June 5, 2018 to October 31, 2018.
3. Permitted hours of operation will be from 2:00 P.M. to 7:00 P.M.
4. The Vendors shall be required to enter into a Use and Indemnity Agreement with the Borough of River Edge and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby creates the Farmer’s Market Committee, which will oversee, supervise, and provide rules and regulations for the operation of the farmer’s market.

A. The River Edge Farmer’s Market Committee is hereby authorized and established to serve as an advisory committee to the Mayor and Council and Board of Health, and to be responsible for overseeing market operation, recommending to the Board of Health the issuance of applicable licenses, and ensuring compliance with orders of the River Edge Board of Health and the other provisions of this section.

B. The Committee shall formulate rules and regulations regarding the operation, conduct and financial controls of the Farmer’s Market, which shall be subject to the approval of the Mayor and Council and the Board of Health.

C. The Farmer’s Market Committee shall consist of four persons. At least one committeeperson shall be a member of the Board of Health. At least one committeeperson shall be a member of the Council. At least one committeeperson shall be a Borough resident nominated by the Mayor. At least one committeeperson shall be a Borough resident nominated by the Council.

D. The members shall be appointed for one year terms. The members first appointed shall be appointed for terms ending on January 1 immediately

following the year of appointment.

E. The members of the Farmer’s Market Committee shall serve without compensation.

F. The Farmer’s Market Committee shall hold meetings at least four times per year and shall keep a record of its proceedings.

G. The Farmer’s Market Committee shall prepare and distribute to all vendors a list of rules, created and approved as set forth above in Subsection B, to ensure compliance with state, county and local health regulations and the orderly operation of the market.

H. The Farmer’s Market Committee shall not have the authority to incur any obligation in the name of or for the account of the Borough of River Edge or the Board of Health.

BE IT FURTHER RESOLVED, that the following persons have been appointed to serve on the Farmer’s Market Committee:

1. Patricia Cordts, Board of Health Designee
2. Mary Davis, Council Representative
3. Theresa Esposito, Council Designee
4. Joellen Schlossberg, Mayor’s Designee

The members’ term expires on December 31, 2018.

May 14, 2018

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#18-163 Report Investments Pursuant to the Cash Management Plan

BE IT RESOLVED that the following investments and deposits made pursuant to the Cash Management Plan of the Borough of River Edge are hereby confirmed and accepted by the Governing Body.

Months of March and April, 2018.

<u>Name of Institution</u>	<u>Amount</u>	<u>Type</u>	<u>Book Value</u>	<u>Earned Income</u>	<u>Market Value</u>	<u>Int. Rate</u>
N.J. Cash Management Fund	\$7,000,000.00	CMF	\$7,000,000.00	\$9,193.38	\$7,009,193.38	1.70

May 14, 2018

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#18-164 Resolution to Establish a Change Fund for the Recreation Department

WHEREAS, the Recreation Department and Recreation Commission assist the July 4<sup>th</sup> Committee for the celebration of the July 4<sup>th</sup> holiday in the Borough of River Edge; and

WHEREAS, the July 4<sup>th</sup> Committee has planned a large number of activities to be held in Veteran’s Memorial Park on July 4<sup>th</sup> which will require the payment of fees to participate in the activity; and

WHEREAS, the committee anticipates an extraordinary participation in this event on the part of residents of the Borough of River Edge; and

WHEREAS, it is in the best interest of the Borough and the July 4<sup>th</sup> Committee to create a change fund to facilitate the payment of these fees.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby instructed to establish a change fund for the July 4<sup>th</sup> Committee by disbursing a check to Carolyn Baldanza as custodian of the change fund not to exceed \$1,000.00.

BE IT FURTHER RESOLVED that Carolyn Baldanza as custodian of this change



fund will re-deposit the exact amount to close the change fund no later than July 6, 2018.

BE IT FURTHER RESOLVED that the authority will expire at the close of business of July 6, 2018.

May 14, 2018

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#18-165 Authorize Alan P. Spiniello, Esq. to Enter Into a Stipulation of Settlement with ERMAC Holdings LLC/TD Bank, N.A. for the Property Located at 876 Kinderkamack Road, Block 211, Lot 1

WHEREAS, the Mayor and Council of the Borough of River Edge have been advised of the proposed settlement of a tax appeal filed on behalf of ERMAC Holdings LLC/TD Bank, N.A., under Tax Court Docket No(s). 008524-2013; 007645-2014; 004882-2015; 005881-2016 and 006644-2017 for the year(s) 2013, 2014, 2015, 2016 and 2017; and

WHEREAS, the Mayor and Council having been advised of the merits of the subject tax appeal by legal counsel, the Borough's expert appraiser and/or the Borough Tax Assessor; and

WHEREAS, the above mentioned tax appeal is proposed to be settle in accordance with the Stipulation of Settlement attached hereto and made a part hereof; and

WHEREAS, it is in the best interest of the Borough of River Edge to settle the subject tax appeal in accordance with the proposed Stipulation of Settlement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of River Edge that the said tax appeal be settled and finalized in accordance with the Stipulation of Settlement attached hereto, and with respect to same, that the Mayor and any other appropriate official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

BE IT FURTHER RESOLVED that a Certificate of Availability of Funds pursuant to NJSA 40A:4-57 has been certified by the Chief Financial Officer of the Borough of River Edge.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to forward a copy of this resolution to James Anzevino, the Borough's Tax Assessor and Alan P. Spiniello, Esq.

May 14, 2018

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#18-166 Amend Certification of Chief Financial Officer with Regard to the Contract with Robert Costa, Borough Engineer for Services Related to the 2018 Road Resurfacing Program – Inspection

WHEREAS, on April 9, 2018 via resolution #18-144, the Borough of River Edge awarded a contract to Robert Costa, Borough Engineer for professional services related to the 2018 Road Resurfacing Program-Inspection; and

WHEREAS, the amount of the contract was for \$10,000.00; and

WHEREAS, the Chief Financial Officer had certified that funds were available from Account #01-2010-20-1652-166 of the Current Fund in an amount not to exceed \$10,000.00; and

WHEREAS, an error was made in the certification of funds.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that it does hereby accept the revised certification of funds provided by the Chief Financial Officer which indicates that \$10,000.00 is available from Account #04-2150-56-1810-150 of the Capital Fund.

BE IT FURTHER RESOLVED that the Chief Financial Officer and the Borough Clerk are hereby instructed to adjust their records accordingly.

May 14, 2018

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#18-167 Approval to Waive the Police Outside Duty Fee for Joseph Baglieri, 142 Manning Avenue, River Edge, New Jersey 07661

WHEREAS, Joseph Baglieri of 142 Manning Avenue, River Edge, New Jersey was assessed a Police Outside Duty fee of \$877.50 for an outside police duty to be present at sewer line repair project; and

WHEREAS, Joseph Baglieri made an appeal in writing to the Mayor and Council which was discussed at a work session held on May 14, 2018; and

WHEREAS, the Mayor and Council recommend that the \$678.80 be waived for the police outside duty services.

NOW, THEREFORE, BE IT RESOLVED that the \$678.80 fee for Police Outside Duty is waived and that the Police Department and the Chief Financial Officer are instructed to adjust their records accordingly and notify Joseph Baglieri of this action.

May 14, 2018

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#18-168 Refund of Construction Bond for Shade Trees to Quality Construction Services, LLC for the Property Located at 235 Zabriskie Place, River Edge, NJ

WHEREAS, Quality Construction Services, LLC, deposited a cash construction bond for shade trees adjacent to the property located at 235 Zabriskie Place in the amount of \$4,389.92 on March 23, 2016; and

WHEREAS, the Shade Tree Commission has performed an inspection and has determined that the trees at this location were not affected by construction activity; and

WHEREAS, the Shade Tree Commission recommends that the bond in the amount of \$4,389.92 minus \$25.00 permit fee not paid at time of bond for a total amount of \$4,364.92 be released.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund of \$4,364.92 from the Trust Other Account to:

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

May 14, 2018

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#18-169 Refund of Construction Bond for Shade Trees to Ashley Lane Properties, LLC for the Property Located at 168 Wayne Avenue, River Edge, NJ

WHEREAS, Ashley Lane Properties, LLC, deposited a cash construction bond for shade trees adjacent to the property located at 168 Wayne Avenue in the amount of \$2,729.00 on March 20, 2014; and

WHEREAS, the Shade Tree Commission has performed an inspection and has determined that the trees at this location were not affected by construction activity; and

WHEREAS, the Shade Tree Commission recommends that the bond in the amount of \$2,729.00 be released.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is authorized to make the following refund of \$2,729.00 from the Trust Other Account to:

Matthew Freeman  
Ashley Lane Properties, LLC  
180 West 20<sup>th</sup> Street, #10V  
New York, NY 10011

May 14, 2018

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#18-170 Consent to Verizon Wireless to Upgrade and Enhance its Network for 2017 by Deploying Small Network Nodes in the Public Right-of Way

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless, ("Verizon Wireless"), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may use such poles erected within the public right-of-way in the Borough of River Edge; and

WHEREAS, New Jersey law permits such use provided that there is the consent of the relevant municipality;

NOW THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN, STATE OF NEW JERSEY THAT:

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Borough of River Edge, subject to the following:
  - A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State and Local laws regarding safety requirements related to the use of the public right-of-way.
  - B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Borough of River Edge.
  - C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless and its successors and assigns, shall indemnify, defend and hold harmless the Borough of River Edge, its officers, agents and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way except to the extent resulting from the acts or omissions of the Borough of River Edge.
  - D. Verizon Wireless shall at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Borough of River Edge as an additional insured.
  - E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
  - F. Notwithstanding any provision contained herein, neither the Borough of River Edge nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
  - G. This instrument shall be adopted on behalf of the Borough of River Edge by the Borough Council of the Borough of River Edge and attested to by the Borough of River Edge Clerk who shall affix the borough of River Edge Seal thereto.
  - H. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

STATEMENT

This resolution authorizes Verizon Wireless to use poles erected within the public right-of-way of the Borough of River Edge by parties that have the lawful right to maintain such poles.

May 14, 2018

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#18-171 Declaration of Intent to Apply for the Bergen County Trust Fund Municipal Program for Park Improvements 2018 Funding Round

WHEREAS, all prospective applicants to the Trust Fund Municipal Program for Park Improvements must complete a Declaration of Intent to Apply for its proposed municipal park improvement project for 2018 grant funding; and

WHEREAS, the Governing Body has received correspondence from the Recreation Commission, which is on file with the Borough Clerk.

WHEREAS, the Declaration of Intent to apply had a deadline of April 24, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council authorizes Alan Negreann, Borough Administrator to submit the Declaration of Intent to Apply and hereby ratifies his submission of same on April 24, 2018.

May 14, 2018

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#18-172 Extend Current Solid Waste Service Contract with BCUA for an Additional Year

WHEREAS, the Borough of River Edge is in need of a facility to dispose of its solid waste; and

WHEREAS, the BCUA has developed a cooperative marketing program for the processing, transport, and disposal of solid waste; and

WHEREAS, the New Jersey Local Public Contracts Law {N.J.S.A. 40A:11-1 et seq.} authorizes and permits contracting units, such as the BCUA, and the Borough of River Edge to enter into contracts for the services contemplated herein without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(2); and

WHEREAS, this contract is awarded on a unit price basis and maybe considered an "Open Ended Contract" under N.J.A.C. 5:34-5.3, in which case certification of funds is not required until such time as the services are ordered and prior to incurring the liability by placing the order, certification of availability of funds will be made by the Chief Financial Officer, and it shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds from the Chief Financial Officer as appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized to enter into a two-year contract extension with the BCUA, for the disposal of the Borough of River Edge's solid waste for a term of two (2) years from June 1, 2018 through May 31, 2020.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to forward a copy of this resolution to the BCUA.

May 14, 2018

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#18-173 Authorizing the Municipal Tax Collector to Prepare, and Mail Estimated Tax Bills in Accordance with P.L. 1994, c72

WHEREAS, the Borough of River Edge has adopted its budget on April 9, 2018 and the County Board of Taxation is unable to certify the tax rate at this time and the municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the municipal Tax Collector in consultation with the municipal Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54-4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Governing Body requests the Director of the Division of Local Government Services to approve the estimated tax levy if exceeding 105% listed below. Approval will enable the municipality to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the

unnecessary cost of interest expenses on borrowing.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey on this 14<sup>th</sup> day of May, 2018, as follows:

1. The municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the municipality for the third installment of 2018 taxes. The Tax Collector shall proceed upon approval from the director and take such actions as permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2018 is hereby set at \$49,846,288.23.
3. In accordance with law the third installment of 2018 taxes shall not be subject to interest until the later of; the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

May 14, 2018

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#18-174 Acknowledge Receipt of Certification of Request for Emergency Purchases – Repair of Hot Water Heater and Generator at Fire Company #1

WHEREAS, the Superintendent of Public Works has certified that an emergency condition exists in Fire Company #1 for emergency repair to the hot water heater, transfer switch, electrical box, alarm panel and generator in the amount of \$20,000.00; 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 confirms and acknowledge the receipt of Certification of Request for Emergency Purchases for this emergency.

May 14, 2018

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#18-175 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Cherry Blossom Park – Verification of As-Built, Concept and Estimate of Cost to Provide Drainage

Provide Drainage

WHEREAS, there exists a need for expert professional engineering services related to Cherry Blossom Park – Verification of As-Built and Estimate of Cost to Provide Drainage; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-100 of the Current Fund not to exceed \$5,000.00; 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.

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

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

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

Technical/Administrative Assistant.....	\$ 65.00
Field Inspector.....	\$ 80.00

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$5,000.00; 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.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

May 14, 2018

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#18-176 Enter Into Agreement with Robert Costa, Borough Engineer, for Professional Services Related to the Design Concept of Extension of Stormwater System for Elizabeth Street

WHEREAS, there exists a need for expert professional engineering services related to the Design Concept of Extension of Stormwater System for Elizabeth Street; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1652-100 of the Current Fund not to exceed \$3,000.00; 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.

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

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

Principal 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 \$3,000.00; 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.
4. That a copy of the resolution be forwarded to THE RIDGEWOOD NEWS for publication.

May 14, 2018

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#18-177 Authorize Tax Collector to Refund 2<sup>nd</sup> Quarter Tax Overpayments Due to the 2015 Homestead Benefit Credit

WHEREAS, the 2015 Homestead Benefit Credits were received and revised billing for the 2<sup>nd</sup> Quarter 2018 was issued; and

WHEREAS, taxpayers paid the pre-credit 2<sup>nd</sup> Quarter tax amount billed creating an overpayment in the 2<sup>nd</sup> Quarter; and

WHEREAS, the tax office has received written requests from the following homeowners to refund the overpaid taxes directly to the homeowner.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to refund the following tax amounts and adjust her records accordingly.

<u>Block/Lot</u>	<u>Name/Address</u>	<u>Amount</u>
508/19	Lee, Mi Sun 228 Madison Avenue River Edge, NJ 07661	437.58
706/29	O'Meara, Noranne 264 Voorhis Avenue River Edge, NJ 07661	388.25
802/19	Sarafian, John 144 Voorhis Avenue River Edge, NJ 07661	448.40
1302/25	Clavell, Jose & Madeline 69 Elizabeth Street River Edge, NJ 07661	374.93

May 14, 2018

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#18-178 Acknowledge Receipt of Certification of Request for Emergency Purchases – Repair of Siren Located at Bloomfield Avenue and Kinderkamack Road

WHEREAS, the Superintendent of Public Works has certified that an emergency condition exists in the Fire Department for the emergency repair of the fire siren located at Bloomfield Avenue and Kinderkamack Road in the amount of \$7,000.00; 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 confirms and acknowledge the receipt of Certification of Request for Emergency Purchases for this emergency.

May 14, 2018

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Councilwoman Davis read resolution #18-179 into the record.

On motion by Councilwoman Davis, seconded by Councilman Chinigo, resolution #18-179 was unanimously approved.

#18-179 Payment of Bills

WHEREAS, vouchers for the payment of goods and services rendered to the Borough of River Edge have been received; and

WHEREAS, each bill has been checked by the receiving department, approved by the Chief Financial Officer and Borough Clerk and reviewed by the three members of the Finance Committee.

NOW, THEREFORE, BE IT RESOLVED that bills as listed now be confirmed for payment from the appropriate funds as follows:

CURRENT ACCOUNT	\$8,611,586.71
CAPITAL ACCOUNT	\$ 85,562.52
RECREATION ACCOUNT	\$ 5,555.85
ANIMAL WELFARE ACCOUNT	\$ 18.60
OPEN SPACE ACCOUNT	\$ 645.00
TRUST OTHER ACCOUNT	\$ 220.00
TRUST OTHER DEVELOPERS ACCOUNT	\$ 3,987.50

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.

May 14, 2018

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#### **OPEN HEARING OF THE PUBLIC –**

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

#### **CLOSE HEARING OF THE PUBLIC –**

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

#### **COUNCIL COMMENTS –**

Councilman Chinigo-congratulated everyone who received proclamations this evening especially Officer Prisendorf for receiving a commendation for his work on behalf of our children and community.

Councilwoman Davis-also congratulated everyone who received proclamations and a special congratulations to Officer Prisendorf for a job well done. She reported that the Fire Department and Ambulance Corp responded to a call where a car went into a building in the north end of town. One person was taken to the hospital and what could have been a disaster turned out relatively good. She reported that on Monday, the Fire Department took the Girl Scouts on a tour of the firehouse and soon after they left, the gasket on the water heater let go and within minutes the bottom floor flooded. Luckily one of the firemen stayed back and was there when it happened. On Monday, Alan came over with the insurance reports and within a half an hour they had an electric company there to repair and get things up and running again. As far as the Farmer's Market, they went to the elementary and middle school to ask permission to hang signs on their fences. The Middle School gave them approval to hang a banner from May through July but Dr. Ben Dov would only allow them to hang a banner for two weeks. Instead of placing one at the elementary schools, they would like to place one at the "Y" on River Edge Road where the political signs are placed. She has already spoken with John Lynch about the sign at the south end of town and would like permission from the Council to place one at River Edge Road. She reported that they have nine (9) vendors as of today.

Mayor Mignone-asked if they are the same vendors as last year or have they gotten any new?

Councilwoman Davis-explained that they lost some but have 2 new ones. She asked if they have permission to place the sign at the "Y".

Mayor Mignone-said that he's not sure they can give permission because it's not their property.

Councilwoman Davis-asked how the political signs get there?

Councilwoman Busted-said that for the political signs they obtain a permit through the Building Department.

Mayor Mignone-said that he will find out what the process is and let her know.

Councilwoman Busted-formally welcomed our new Director of Recreation and Cultural Affairs,



Carolyn Baldanza who started last week. Councilwoman Busted said that she's jumped right in so if you see her around, please welcome her to River Edge. As a result of the water explosion at the Fire Department, it brought down the lightning detection system so all the leagues were notified of the contingency of how to address if they saw lightning. She said that the Rec Commission has a meeting this week and she will find out the status of the repair so they'll know when it will get back on line. She reported that The Environmental Commission hosted the Annual Hackensack River Clean-up down at KBG Park. The Hackensack River Keeper estimated that they collected 2,600 pounds of debris which made for a very successful clean-up and she thanked the Commission and River Keeper for doing that. The Trex Challenge of collecting plastic film has continued and they have collected almost 100 lbs of plastic film at 3 locations. She encouraged everyone to keep dropping off their plastic bags to help keep it out of our garbage.

Councilwoman Davis-stated that they'll have a drop-off bin at the Farmer's Market as well.

Councilwoman Busted-congratulated Officer Prisdorf on his recognition and can't say enough about engaging our youth in the L.E.A.D. program and building relationships with the Police Department.

Councilman Papaleo-also congratulated those who received proclamations and awards and is very glad that Carolyn has begun her tenure with us. He reported that Shade Tree met on April 19<sup>th</sup> and will meet again the end of May. They continue to work to maintain our public trees and said that there was an incident with a resident who illegally removed a town tree. Based on state and federal criteria, the tree was valued at \$8,650.39. Stump removal ran about 132, DPW costs have not yet been determined and the Shade Tree Commission had an open hearing regarding this. The resident who took down the tree was not present but his cousin did come. At that time Councilman Papaleo removed himself from their deliberations because this may be an issue that ends up before the Council as to what the penalty should be. He recommended that they reach out to the Borough Administrator and Borough Attorney for guidance on how to proceed because of the precedent that will be set going forward. He reported that Beautification didn't have a quorum at their May meeting but they will be working on plantings at Borough Hall and the Library starting on May 26<sup>th</sup> and invite everyone to join. They continue to plant artificial flowers along the business district. He had nothing to report on DPW but feels that they continue to do a great job under John's leadership.

Councilman Gautier-echoed everyone's congratulations to all who received awards especially Officer Prisdorf as an instructor for the L.E.A.D. program. He also commended Alison Maloney for doing great work in promoting mental health. Councilman Gautier attended the Library Board meeting on May 1<sup>st</sup>. One of the things that they brought up is that they would like to put in a multipurpose room in one of the corners of the Library. He reported that a good majority of funding could come from the Friends of the Library and the rest they could apply for grants but would need the Mayor and Council to first commit to the project. He feels that it's a worthwhile project for the community because there are many things that they could use it for such as tutoring. On May 6<sup>th</sup>, Councilman Gautier attended the Care Fair at Fairleigh Dickinson University which is a wonderful event to provide health, wellness and support services all under one roof.

Mayor Mignone-said that on Saturday, he, Councilwoman Busted and Councilman Bartelloni were in attendance for the removal and opening of the American Legion cornerstone. They did find some preserved documents but were not able to open them at that time due to their condition. They're expectation was fulfilled as they believe it was a letter that Walter Scott Brown, who the post was named after, wrote to his mother on Mother's Day in 1918 which is why they chose to do this on Mother's Day weekend. The Mayor was glad that it turned out the way that they hoped.

#### **ADJOURNMENT – 8:07 P.M.**

On motion by Councilman Chinigo, seconded by Councilwoman Davis to adjourn the meeting at 8:07 p.m. was unanimously approved.

Attest:

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Mayor Edward J. Mignone

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Stephanie Evans, Borough Clerk

Dated: