

MINUTES

Regular Meeting of the Mayor and Council

Monday, June 25, 2018

8:00 P.M.

CALL THE MEETING TO ORDER –

Council President Busted called the meeting to order at 8:09 p.m. in the Council Chambers of the Borough Hall.

SILENT PRAYER – FLAG SALUTE

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

SUNSHINE STATEMENT -

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

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

APPROVAL OF MINUTES –

On motion by Councilman Bartelloni, seconded by Councilman Chinigo, the minutes of the Mayor and Council Work Session and Regular Meeting of June 11, 2018 were approved on the following roll call: Councilman Bartelloni, Councilwoman Busted, Councilman Chinigo voted yes; Councilman Papaleo abstained; Councilman Gautier and Councilwoman Davis were absent.

PROCLAMATIONS & AWARDS – NONE

OPEN PUBLIC COMMENTS ON ANY ITEM ON THE AGENDA –

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

APPOINTMENTS & PERSONNEL CHANGES –

On motion by Councilman Papaleo, seconded by Councilman Chinigo, the appointment of Gary Wilhelm, Jr. to the River Edge Volunteer Fire Department, effective June 25, 2018 was approved unanimously.

CORRESPONDENCE –

Notice	-	River Edge Board of Education – 6/11/18 Re: Meeting Notice – June 13, 2018
Letter	-	PSE&G – 6/18/18 Re: Petition with NJ BPU for rate increases

MONTHLY REPORTS –

Historic Commission	-	May 2018
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ORDINANCES – 1ST READING – NONE

ORDINANCE – 2ND READING –

Stephanie Evans, Borough Clerk read the title of Ordinance #18-13 into the record as follows:

Ordinance #18-13 – AN ORDINANCE OF THE BOROUGH OF RIVER EDGE AMENDING AND SUPPLEMENTING CHAPTER 33, FIRE DEPARTMENT OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE ESTABLISHING ELIGIBILITY REQUIREMENTS FOR MEMBERS OF THE JUNIOR FIREFIGHTERS AUXILIARY PROGRAM

Ordinance #18-13 was introduced by Councilman Gautier, seconded by Councilwoman Busted and unanimously approved at the June 11, 2018 meeting as follows:

AN ORDINANCE OF
THE BOROUGH OF RIVER EDGE

ORDINANCE #18-13

AN ORDINANCE OF THE BOROUGH OF RIVER EDGE AMENDING AND SUPPLEMENTING CHAPTER 33, FIRE DEPARTMENT OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVER EDGE ESTABLISHING ELIGIBILITY REQUIREMENTS FOR MEMBERS OF THE JUNIOR FIREFIGHTERS AUXILIARY PROGRAM

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: Chapter 33, Fire Department, Article II, Junior Fire Fighters Auxiliary, shall be amended as follows:

1. §33-4, Age and residency requirement be and is hereby replaced with the following:

No person shall be eligible for membership in the Junior Firefighters Auxiliary who is younger than 16 years of age or older than 17 years of age. All applicants shall either reside within the Borough of River Edge or shall be related by blood, marriage, or adoption to an active member of the River Edge Fire Department

Section 2: Any and all ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3: This Ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST:

APPROVED:

Stephanie Evans
Borough Clerk

Edward Mignone
Mayor

OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-13

On motion by Councilman Papaleo, seconded by Councilman Chinigo to open the public hearing on Ordinance #18-13 was unanimously approved.

CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-13

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilman Bartelloni to close the public hearing on Ordinance #18-13 was unanimously approved.

ADOPTION – Ordinance #18-13

On motion by Councilman Papaleo, seconded by Councilman Papaleo to adopt Ordinance #18-13 was unanimously approved.

Stephanie Evans, Borough Clerk read the title of Ordinance #18-14 into the record as follows:

Ordinance #18-14 AN ORDINANCE OF THE BOROUGH OF RIVER EDGE ADOPTING REGULATIONS RESTRICTING THE PLANTING, GROWING OR CULTIVATING OF BAMBOO

Ordinance #18-14 was introduced by Councilman Chinigo, seconded by Councilwoman Davis and unanimously approved at the July 11, 2018 meeting as follows:

**BOROUGH OF RIVER EDGE
ORDINANCE NO. #18-14**

AN ORDINANCE OF THE BOROUGH OF RIVER EDGE ADOPTING REGULATIONS RESTRICTING THE PLANTING, GROWING OR CULTIVATING OF BAMBOO

THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVER EDGE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Purpose.

It is determined that certain types of the bamboo plant are invasive, often difficult to control and can cause significant damage to property. The purpose of this section is to preserve and protect public and private property in the Borough of River Edge from the damaging spread of bamboo, to protect indigenous and other plant materials from the invasive spread of bamboo and to maintain the general welfare of the residents of the Borough of River Edge.

SECTION 2. Definitions.

Bamboo: Woody perennial grass plant species classified under the taxonomic family *Poaceae*, that may be known as monopodial (running) bamboo, sympodial (clumping) bamboo, “common” bamboo, golden bamboo, arrow bamboo; and including, but not limited to, the following species:

- a. *Arundinaria*
- b. *Bambusa*
- c. *Chimonobambusa*
- d. *Dendrocalamus*
- e. *Fargesia*
- f. *Phyllostachys*
- g. *Pleioblastus*
- h. *Pseudosasa*
- i. *Sasa*
- j. *Sasaella*
- k. *Semiarundinaria*

Bamboo Owner: Any property owner or resident who has planted and/or grows bamboo, or who maintains bamboo on the property, or who permits bamboo to grow or remain on a property prior to the effective date of this ordinance.

Buffer Zone: A clear distance of ten (10') from any property line, street; public property or Borough right-of-way, or from any neighboring property, whichever is the most restrictive for the bamboo owner.

Borough/Code Enforcement Officer: Borough employee designated as the Code Enforcement Officer for the Borough of River Edge, or his designee.

SECTION 3. **Prohibition.**

No owner, tenant or occupant of a property, or person, corporation or other entity shall plant, install or cause or permit the planting or installation of bamboo upon any property located within the Borough of River Edge.

Any existing bamboo may not be replanted or replaced after any such bamboo has died, destroyed, uprooted or otherwise removed,

Any person who plants or replants bamboo within the Borough limits after the effective date of this Ordinance shall be in violation therefore, and subject to penalties as set forth herein.

SECTION 4. **Duty to Confine.**

In the event any bamboo is located upon any property within the Borough of River Edge, prior to the effective date of this prohibition, the owner and occupant of said property shall jointly and severally be required to confine such species to prevent the encroachment, spread, invasion or intrusion of same onto any other private or public property or public right-of-way.

Within sixty (60) days of the adoption of this article, bamboo owners shall notify the Code Enforcement officer, in writing, by certified mail, return receipt requested, confirming the presence of bamboo on the property prior to the effective date of this ordinance.

- a. No existing bamboo shall not be permitted to remain in any Buffer Zone and shall be removed.
- b. Bamboo that has been confirmed to have already encroached onto another property prior to the effective date of this ordinance shall be removed from the affected property by the bamboo owner and restore the affected property to pre-existing conditions at the bamboo owner's expense, as well as ensure compliance with the other provisions of this article.
- c. In lieu of confining the species, the property owner or occupant may elect to totally remove the bamboo from the property and all affected properties.
- d. Failure to properly confine such bamboo shall require removal as set forth below. The cost of said removal shall be at the bamboo property owner's expense.
- e. This duty to confine shall not apply if the property owner and/or occupant can establish to the satisfaction of the Borough that the bamboo which is on his/her property at the time of the adoption of this Ordinance originated on another property.
- f. Bamboo owners that fail to comply with the requirements of this article within one hundred twenty days (120) from the adoption of this ordinance shall be subject to penalties as set forth herein.

SECTION 5. **Removal.**

- a. In the event any bamboo located upon any property within the Borough of River Edge, prior to the effective date of this prohibition, is found to have encroachment of bamboo plant or root, either by receipt of a complaint or as otherwise determined by the Code Enforcement Officer after observation and/or inspection, confirms encroachment or invasion on any adjoining/neighborhood private or public property or public right-of-way (hereinafter, "the affected property"), the Borough shall serve notice to the bamboo property owner in writing that the bamboo has invaded other private or public property(s) or public right-of-way(s) and demand the removal of the bamboo from the affected property, and demand confinement in accordance with Section 4 of this article.

The Code Enforcement Officer shall provide notice to the bamboo property owner, as well as to the owner of the affected property(ies), by certified, return receipt requested mail and regular mail.

Within thirty (30) days of receipt of such notice, the bamboo property owner shall submit to the Code Enforcement Officer, a plan for the removal of the bamboo from the affected property, which plan shall include restoration of the affected property after removal of the bamboo; a copy of which shall be provided to the owner of the affected property.

Within sixty (60) days of approval of the plan of removal and restoration, the removal and restoration shall be completed to the satisfaction of the Borough.

SECTION 6. Violations and Penalties

If a bamboo owner fails to confine existing bamboo in accordance with Section 4 or does not accomplish the removal of the bamboo from such other private or public property or public right-of-way in accordance with Section 5, the Code Enforcement Officer shall cause a summons to be issued and assess a penalty of up to \$100.00 for each day the violation continues, enforceable through the Municipal Court of River Edge. Each and every day a violation of this chapter shall exist shall constitute a separate violation.

The Code Enforcement Officer may request, and the Municipal Court may grant a specific performance remedy. The Borough may also institute civil proceedings for injunctive of civil relief.

Nothing herein shall be interpreted as limiting the rights of a private property owner to seek civil relief through a Court of proper jurisdiction, nor the institution of civil proceedings against the property parties.

When an encroachment is upon public property or public right-of-way and the bamboo property owner and/or occupant has not complied with the written notice provided as set forth above, the Borough of River Edge, at its discretion, may remove or contract for the removal of such bamboo from Borough property or public right-of-way. The cost of said removal shall be the responsibility of the bamboo property owner and occupant and shall be paid or assessed as a lien against the property on which the bamboo growth originated. The cost of said removal from Borough owned property and/or public right-of-way shall include the installation of an appropriate barrier to prevent future bamboo invasion or other suitable remedy approved by the Borough.

SECTION 7. Enforcement

The requirements under this chapter shall be enforceable by the Code Enforcement Officer, his designee, including, but not limited to, the Borough Construction Official or Zoning Officer. The River Edge Police Department can also enforce provisions of this article.

SECTION 8. Repeal of Inconsistent Provisions.

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 9. Severability.

The provisions of this Ordinance are declared to be severable and if any section, subsection sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 10. Effective Date.

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

SECTION 11. Codification.

This ordinance shall be a part of the Code of the Borough of River Edge as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the

official copies of the Code.

The Borough Clerk and Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Borough of River Edge in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

ATTEST:

Stephanie Evans
Borough Clerk

Edward Mignone
Mayor

OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-14

On motion by Councilman Chinigo, seconded by Councilman Bartelloni to open public hearing on Ordinance #18-14 was unanimously approved.

CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-14

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilman Papaleo to close the public hearing on Ordinance #18-14 was unanimously approved.

ADOPTION – Ordinance #18-14

On motion by Councilman Chinigo, seconded by Councilman Bartelloni to adopt Ordinance #18-14 was unanimously approved.

Stephanie Evans, Borough Clerk read the title of Ordinance #18-15 into the record as follows:

Ordinance #18-15 ORDINANCE RESCINDING ORDINANCE #1577 ADOPTING THE NEW BRIDGE LANDING STATION REDEVELOPMENT PLAN

Ordinance #18-15 was introduced by Councilwoman Busted, seconded by Councilwoman Davis and unanimously approved at the meeting of June 11, 2018 as follows:

**BOROUGH OF RIVER EDGE
ORDINANCE NO. 18-15**

**ORDINANCE RESCINDING ORDINANCE #1577 ADOPTING THE
NEW BRIDGE LANDING STATION REDEVELOPMENT PLAN**

WHEREAS, on March 7, 2005, the Mayor and Council of the Borough of River Edge adopted Resolution No. 05-123 designating Block 1411, Lots 1.01 and 1.02, and Block 1412, Lots 2 and 3 as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, 40A:12A-1, et seq.; and

WHEREAS, on September 7, 2007, pursuant to Ordinance No. 1577, the Mayor and Council adopted a Redevelopment Plan for the redevelopment area (the “New Bridge Landing Station Redevelopment Plan”); and

WHEREAS, after the passage of 11 years without the designation of a redeveloper, the adoption of a redevelopment agreement, or any development activity, the Mayor and Council have determined it is in the best interest to rescind the New Bridge Landing Station Redevelopment Plan; and

WHEREAS, the Mayor and Council desire to rescind such Redevelopment Plan and directly assume responsibility for the preparation and implementation of a new redevelopment plan.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of River

Edge, as follows:

Section 1.

Ordinance No. 1577 adopted on September 7, 2007 is hereby repealed in its entirety.

Section 2.

The Mayor and Council shall commence the preparation of a new Redevelopment Plan for implementation by the Borough to effectuate redevelopment of the site.

Section 3.

This Ordinance shall take effect after final adoption and publication as required by law.

ATTEST:

APPROVED:

Stephanie Evans, Borough Clerk

Edward Mignone, Mayor

OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-15

On motion by Councilman Chinigo, seconded by Councilman Bartelloni to open the public hearing on Ordinance #18-15 was unanimously approved.

CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-15

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilman Bartelloni to close the public hearing on Ordinance #18-15 was unanimously approved.

ADOPTION – Ordinance #18-15

On motion by Councilman Bartelloni, seconded by Councilman Chinigo to adopt Ordinance #18-15 was unanimously approved.

Stephanie Evans, Borough Clerk read the title of Ordinance #18-16 into the record as follows:

Ordinance #18-16 ORDINANCE RESCINDING ORDINANCE #1640 ADOPTING THE JOHNSON AVENUE REDEVELOPMENT PLAN

Ordinance #18-16 was introduced by Councilman Chinigo, seconded by Councilwoman Davis and unanimously approved at the meeting of June 11, 2018 as follows:

**BOROUGH OF RIVER EDGE
ORDINANCE NO. 18-16**

**ORDINANCE RESCINDING ORDINANCE #1640 ADOPTING THE
JOHNSON AVENUE REDEVELOPMENT PLAN**

WHEREAS, on June 19, 2006, the Mayor and Council of the Borough of River Edge adopted Resolution No. 06-213 designating Block 1418, Lots 1, 2, 3, 3.01 and 4 as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, 40A:12A-1, et seq.; and

WHEREAS, on February 19, 2009, pursuant to Ordinance No. 1640, the Mayor and Council adopted a Redevelopment Plan for the redevelopment area (the “Johnson Avenue Redevelopment Plan”); and

WHEREAS, after the passage of 9 years without the designation of a redeveloper, the adoption of a redevelopment agreement, or any development activity, the Mayor and Council have determined it is in the best interest to rescind the Johnson Avenue Redevelopment Plan; and

WHEREAS, the Mayor and Council desire to rescind such Redevelopment Plan and directly assume responsibility for the preparation and implementation of a new redevelopment plan.

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

Section 1.

Ordinance No. 1640 adopted on February 19, 2009 is hereby repealed in its entirety.

Section 2.

The Mayor and Council shall commence the preparation of a new Redevelopment Plan for implementation by the Borough to effectuate redevelopment of the site.

Section 3.

This Ordinance shall take effect after final adoption and publication as required by law.

ATTEST:

APPROVED:

Stephanie Evans, Borough Clerk

Edward Mignone, Mayor

OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-16

On motion by Councilman Chinigo, seconded by Councilman Bartelloni to open the public hearing on Ordinance #18-16 was approved unanimously.

CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-16

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilman Bartelloni to close the public hearing on Ordinance #18-16 was unanimously approved.

ADOPTION – Ordinance #18-16

On motion by Councilman Chinigo, seconded by Councilman Papaleo to adopt Ordinance #18-16 was unanimously approved.

Stephanie Evans, Borough Clerk read the title of Ordinance #18-17 into the record as follows:

Ordinance #18-17 ORDINANCE RESCINDING ORDINANCE #1711 ADOPTING THE BOROUGH OF RIVER EDGE KINDERKAMACK REDEVELOPMENT AREA PLAN

Ordinance #18-17 was introduced by Councilwoman Busted, seconded by Councilwoman Davis and unanimously approved at the June 11, 2018 meeting as follows:

BOROUGH OF RIVER EDGE
ORDINANCE NO. 18-17

ORDINANCE RESCINDING ORDINANCE #1711 ADOPTING THE BOROUGH OF RIVER EDGE KINDERKAMACK REDEVELOPMENT AREA PLAN

WHEREAS, on December 4, 2006, the Mayor and Council of the Borough of River Edge adopted Resolution No. 06-357 designating Block 1413, Lots 1, 2.01, 4 and 5 as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, 40A:12A-1, et seq.; and

WHEREAS, on August 2, 2010, pursuant to Ordinance No. 1711, the Mayor and Council adopted a Redevelopment Plan for the redevelopment area (the “Borough of River Edge Kinderkamack

Redevelopment Area Plan”); and

WHEREAS, after the passage of 8 years without the designation of a redeveloper, the adoption of a redevelopment agreement, or any development activity, the Mayor and Council have determined it is in the best interest to rescind the Borough of River Edge Kinderkamack Redevelopment Area Plan; and

WHEREAS, the Mayor and Council desire to rescind such Redevelopment Plan and directly assume responsibility for the preparation and implementation of a new redevelopment plan.

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

Section 1.

Ordinance No. 1711 adopted on August 2, 2010 is hereby repealed in its entirety.

Section 2.

The Mayor and Council shall commence the preparation of a new Redevelopment Plan for implementation by the Borough to effectuate redevelopment of the site.

Section 3.

This Ordinance shall take effect after final adoption and publication as required by law.

ATTEST:

APPROVED:

Stephanie Evans, Borough Clerk

Edward Mignone, Mayor

OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-17

On motion by Councilman Chinigo, seconded by Councilman Bartelloni to open the public hearing on Ordinance #18-17 was unanimously approved.

CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #18-17

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilman Papaleo to close the public hearing on Ordinance #18-17 was unanimously approved.

ADOPTION – Ordinance #18-17

On motion by Councilman Chinigo, seconded by Councilman Papaleo to adopt Ordinance #18-17 was unanimously approved.

RESOLUTIONS - By Consent

On motion by Councilman Papaleo, seconded by Councilman Chinigo, resolution #18-230 and #18-231 were unanimously approved.

#18-230 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Dorchester Road

WHEREAS, on or about June 26, 2018, the Borough of River Edge granted permission to Johnny Porco, 183 Dorchester Road, River Edge, New Jersey, to hold a block party on Dorchester Road between Elm Avenue and Oak Avenue on Saturday, July 14th starting at 11:00 a.m. (rain date July 15th) in accordance with Borough Ordinance #1678; and

WHEREAS, Johnny Porco has requested that the possession and consumption of alcoholic beverages be permitted in connection with said block party; and

WHEREAS, Borough Code Section 114-15 allows the Governing Body to permit the possession and consumption of alcoholic beverages in or on a public street or sidewalk in connection with an authorized block party.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of River Edge that persons age 21 and over be and hereby are permitted to possess and consume alcoholic beverages at the block party described above, on the date and time specified herein.

June 25, 2018

#18-231 Amend Agreement with Matthew Giacobbe, Esq., Cleary Giacobbe Alfieri Jacobs, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747 for Professional Services as Labor Attorney for the Borough

WHEREAS, there exists a need to retain legal services for the purpose of Labor and Employment Services; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Matthew Giacobbe, Esq., Cleary Giacobbe Alfieri Jacobs, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747 on January 1, 2018 via resolution #18-04 in the amount of \$3,000.00; and

WHEREAS, additional funding is required for legal services; 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, Matthew Giacobbe, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Matthew Giacobbe, 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 Matthew Giacobbe, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #01-2010-20-1552-168 of the Current Fund in an amount not to exceed \$5,000.00.

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 to execute an amended agreement with Matthew Giacobbe, Esq., Cleary Giacobbe Alfieri Jacobs, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747 in the amount not to exceed \$5,000.00.
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

June 25, 2018

Councilman Bartelloni read resolution #18-232 into the record as follows:

On motion by Councilman Bartelloni, seconded by Councilman Papaleo, resolution #18-232 was unanimously approved.

#18-232 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	\$214,596.04
CAPITAL ACCOUNT	\$ 21,102.87
TRUST OTHER ACCOUNT	\$ 2,753.03
OPEN SPACE ACCOUNT	\$ 15,551.88
TRUST OTHER DEVELOPERS ACCOUNT	\$ 8,170.00

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.

June 25, 2018

OPEN HEARING OF THE PUBLIC -

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

Casey Connors-259 Adams Avenue-spoke with regards to the Community Center and suggested that they build it parallel to Kinderkamack Road from the west side of the Cultural Center to Millbrook. This could house the ambulance and fire department and the town could sell the two parcels of land. He asked why some sidewalks got paved on Fifth Avenue but the rest didn't?

Alan Negreann-explained that part of Fifth Avenue was done through a DOT grant which included curbs, sidewalks & aprons and the other part was just a street resurfacing project.

Casey Connors- asked if the sidewalks were part of that bonding that we pay for in our taxes?

Alan Negreann-again explained that the sidewalks were part of the DOT grant.

Casey Connors-said that anytime you pave curb to curb, like you did on Fifth Avenue, you are responsible for fixing and repairing all sidewalks and curb cuts. He said that these regulations are all under Section 504.

Mr. Rosenberg, Esq.- said that he will have Tom Sarlo look into it.

Casey Connors-said that he's been looking into it over a year.

Antoinette Kofler-42 Tenney Avenue-said that she is very uncomfortable to come here tonight because she felt that she has gone through the proper channels by writing to the Mayor and Council, Traffic & Safety, Chief Cariddi and the Code Enforcer concerning issues that she has seen in town. She complained about the property behind Dante's Deli which is a horrible mess. There's a house behind the new construction that looks like it's falling apart and the property looks like a junk yard. She has addressed this to Mr. DeRosa. She has received letters stating what will be done and nothing has changed. She doesn't understand why this is being allowed in this town. She is happy with some of the improvements that have been done around town but has made a list with addresses of the properties that need to be addressed.

Council President Busteed-asked if she has that list with her?

Antoinette Kofler-replied yes, I'll give you a copy. She said that she has spoken to Mr. DeRosa several times and feels that she has gone through all of the proper channels.

Alan Negreann-explained that there are instances where building permits have been extended while under construction so we would have to look into each circumstance.

Antoinette Kofler-said that she doesn't know what the statutes are with having a home with no siding on it.

Councilman Bartelloni-said that a few years back during the recession, the Christie administration did away with the timetable for permits and doesn't know if they've ever been reinstated.

Councilman Papaleo-said that he has brought the same issue up and Mr. Sarlo addressed it and as of that time the Christie administration did away with timetable for permits.

Antoinette Kofler-said "so that means that they can have a home without siding indefinitely?"

Councilman Papaleo-replied, I can't say that but agrees it's unacceptable.

Antoinette Kofler-brought up another complaint that she has addressed with Mr. DeRosa in that the condo association behind her have a landscaper that just mows and doesn't do the trim. She has all of their overgrown vegetation and is not able to open up her back door. He told her to contact Taylor Management. The President of the Townhouse Association spoke with her and assessed the situation and she agreed that it's horrible. Ms. Kofler sent a letter to Mr. Sarlo about the situation.

Council President Busted-again told Ms. Kofler that if she can give them her list, they will make sure it gets to the appropriate people to take a look at it.

Antoinette Kofler-asked why the Dante's building is not finished after all these years?

Council President Busted-explained that they have new permits and are allowed to continue to work.

Councilman Bartelloni-said that there is no time limit that we can enforce.

Antoinette Kofler-said lastly but most importantly is safety. She lives on Tenney Avenue and believes that there is only one 25 mph sign. She said that cars constantly speed up and down the street and she has brought it up to the Police Department who told her Traffic & Safety has to handle that. She feels that it should be the Police Department's responsibility.

Council President Busted-suggested that Councilman Bartelloni bring it up at the next Traffic & Safety meeting.

Councilman Bartelloni-agreed and said that he will bring it up and will also take a look at the speed sign.

Antoinette Kofler-said that she has never received a response from anyone. She said that she doesn't know what the ordinances allows but complained of a large sushi sign.

Councilman Papaleo-asked if she was talking about something other than a sign attached to a building?

Antoinette Kofler-said that it's a sign covering a window inside.

Council President Busted-asked for the address of the establishment in question so that the Code Enforcer can look into it.

Councilman Bartelloni-said without giving names, is it going north or south?

Antoinette Kofler-said it's going north.

Council President Busted-thanked Ms. Kofler for bringing this to our attention and asked that she give her information to the Clerk.

Henry Semmler-435 Bogert Road- spoke with regard to the proposed Community Center and asked what is stopping them from knocking the American Legion building down, putting a slab there and build a two story wood structure with a top floor that looks like this. He feels that you could probably do it for a million dollars without having problems with Shade Tree, Beautification or anyone else. Although you may have to repave, parking is already there. He asked why they're throwing so much money at architectural stuff already putting us in a hole, when it could've been done so easily.

Councilman Bartelloni-said that there are a lot of reasons. He asked hypothetically, what size building was Mr. Semmler thinking with a second floor wood construction?

Henry Semmler-asked what the foot print of the Legion is right now?

Councilman Bartelloni-if he had to guess probably 1,700 – 1,800 square feet.

Henry Semmler-said the footprint itself, maybe 40 x 60, times 2 for two floors.

Councilman Bartelloni-replied, possibly. We've looked at sizes of buildings in that neighborhood and as he has said before, the size and the space that SCORE has right now, would not accommodate a footprint that small. That one room is over 2,000 square feet and beyond that there is a need for meeting space in town. He said that the Library has many groups that request meeting space which he never knew about until he met with the Board of Trustees.

Henry Semmler-this is one floor.

Councilman Bartelloni-explained that once you start getting into two floors, you start getting into various ADA considerations and elevators so you're adding additional costs with a second floor.

Council President Busted-stated that this is the time for Mr. Semmler to ask a question or make a statement and not engage in a back and forth conversation.

Henry Semmler-stated that most of the residents thought that that's what was going on. If the existing building wasn't good enough, knock it down and put one there. This is 2.6 million dollars and still going. He asked in the \$2.6, does that include the removal of the trees?

Councilman Bartelloni-replied yes it's included in the site plan.

Henry Semmler-asked what is going to happen with the American Legion building and why can't the parking lot be put over it.

Michele Cariddi-193 Wayne Avenue-said that she was at the Library today with the DPW workers, Daniel & Thomas Dekker and wanted to let everyone know how hard they worked and what a treasure they are. As more and more people choose not to volunteer, she can see that the DPW will become more important to committees like Beautification. She asked where the Beautification shed will be relocated?

Councilman Bartelloni-said that they've spoken in the past and she was told that they will find a place for it. Right now he doesn't know exactly where, but promised that the shed will be there.

Michele Cariddi-agreed with Mr. Semmler and his understanding that the plan for the American Legion would be the new Community Center. She also thought that the property was purchased with the intention of making a Community Center.

Councilman Bartelloni-said that it was the plan almost a decade ago and explained that reasons why the plan was altered to what it is now. He said that Daragh O'Connor has told them numerous times that the Library is the center of the community, so it makes more sense to attach the building to the center of the community. He said that even if you had a building over by the Legion and have the same space and footprint, it wouldn't meet the needs. He also explained that you would still need the same amount of parking spaces.

Council President Busted-said she appreciates Councilman Bartelloni's explanation but they will move forward with having a public discussion at a later date where we can have a conversation.

Michele Cariddi-said that she was at the Library today and noticed that the school children were dismissed at 12:45 and the traffic situation on Elm Avenue was horrific. She thinks it would make more sense to have the exit to the proposed community center on the busier street such as Continental which is twice as wide.

Councilman Bartelloni-said the thought was not to have children crossing Continental Avenue mid-block. He said we can certainly look at putting it back on Continental and eliminating the issue that exists already. Right now if you ask him if he's comfortable putting it back, he's not but it's something the Council can explore and other Council members may have a different opinion.

Michele Cariddi-said that she was told that you can only get so close to the creek by the Library.

Councilman Bartelloni-said that the experts have looked into that and he will have to take their word on it.

CLOSE HEARING OF THE PUBLIC -

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

ADJOURN REGULAR SESSION TO GO INTO WORK SESSION - 8:40 P.M.

On motion by Councilman Bartelloni, seconded by Councilman Papaleo to adjourn the regular meeting and go back into work session was unanimously approved.

RE-OPEN - 8:44 P.M.

On motion by Councilman Bartelloni, seconded by Councilman Papaleo to re-open the regular meeting was unanimously approved.

COUNCIL COMMENTS –

Councilman Chinigo-congratulated all of the students who graduated from our elementary schools, middle school and high school and wished them luck. He also extended his condolences to the Lubben family of Oradell for their tragic loss.

Councilman Papaleo-echoed what Councilman Chinigo said and thanked the DPW for all that they do especially for their assistance for not just Beautification but to Shade Tree and all other committees.

Councilman Bartelloni-said that he gave a power point presentation to the third graders from Roosevelt School on June 14th which went really well. They asked great questions and were really engaged and said that he really enjoys doing it. He thanked Tim Carroll from the Fire Department who gave them a tour, members of the Ambulance Corps and members of the Police Department who helped out to make it a great day. Councilman Bartelloni commended Tim Carroll for his efforts during the fire in Oradell and for saving a man from the burning building. Councilman Bartelloni was at the scene and watched him climb a ladder, going on to the adjoining property and hosing it down. Again he commended Tim and the rest of the department. He reported that he feels it's imperative for them to be on TV because he constantly hears from residents who say they don't know what's going on. The Town News does not cover River Edge anymore, it's strictly Paramus and there is rarely anything in the Record about River Edge. Because our local papers don't cover us at all, people don't get a sense of what's going on in town. There is a lot of misinformation out there and he constantly gets asked questions so he's hoping by having the meetings televised, it will allow people to become more engaged if they see it on TV. He reported that the July 4th parade and festivities are moving along and he has been working with our new Rec Director, Carolyn. He said that everything is on target.

Council President Busted-also congratulated all of the graduates from pre-k to high school and wished them the best of luck. She thanked the River Edge Fire Department for their life saving efforts during the fire in Oradell and agreed that they should be recognized at a future meeting. She wished good luck to the River Dell Junior Police Academy cadets who started today and also wished good luck to the counselors, staff and campers who will be starting the Summer Playground Program tomorrow. She

thanked everyone for their patience as she ran the meeting tonight.

ADJOURNMENT – 8:50 P.M.

On motion by Councilman Papaleo, seconded by Councilman Bartelloni to adjourn the meeting at 8:50 p.m. was approved unanimously.

Edward J. Mignone, Mayor

Stephanie Evans, Borough Clerk

Dated: