

MINUTES

Special Meeting of the Mayor and Council
Monday, December 17, 2018
6:00 P.M.

CALL THE MEETING TO ORDER –

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

SILENT PRAYER – FLAG SALUTE

Mayor Mignone called for a moment of silent prayer and asked Councilman Bartelloni 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 to THE RECORD NEWSPAPER, by positioning on the bulletin board in the lobby of the Borough Hall and filing a Notice of the same with the Municipal Clerk”.

ROLL CALL – Councilman Bartelloni, Councilwoman Busteded, Councilman Chinigo, Councilwoman Davis, Councilman Gautier, Councilman Papaleo and Mayor Mignone.

On motion by Councilman Gautier, seconded by Councilman Bartelloni resolution #18-384 was unanimously approved.

#18-384 Resolution to Go Into Closed Session and Exclude Public

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

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

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

1. That the public shall be excluded from the December 17, 2018 special meeting and discussion of the hereinafter specified subject matter:

<u>Closed Session</u> <u>Docket #</u>	<u>Item Title or Description</u>	<u>Statutory</u> <u>Reference</u>
18-12/17-1	Personnel – Police Department	N.J.S.A. 10:4-12(8)

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

3. This resolution shall take effect immediately.

December 17, 2018

MOTION TO SUSPEND SPECIAL MEETING AND GO INTO CLOSED SESSION

On motion by Councilman Bartelloni, seconded by Councilwoman Busted to suspend the special meeting and go into closed session was unanimously approved.

CLOSED SESSION TOPICS

<u>Closed Session Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
18-12/17-1	Personnel – Police Department	N.J.S.A. 10:4-12(8)

MOTION TO ADJOURN CLOSED SESSION AND RETURN TO SPECIAL MEETING

On motion by Councilman Bartelloni, seconded by Councilman Chinigo to adjourn the closed session and return to the special meeting was unanimously approved.

BOROUGH ADMINISTRATOR'S TOPICS –

Website Design & Reconstruction – Alan Negreann stated that there's been some discussion and reports made on changing or restructuring the website. He knows that the Mayor had brought to the Council's attention a report from one vendor, Evogov that does this type of thing. Alan had issued a purchase order to encumber or set aside the funds as we're nearing the end of the year. It's been our practice to try and encumber funds as of this years budget as opposed to budgeting it in next years budget. Encumbering money has to be done for a particular vendor, you can't have an end of year purchase made to the Borough of River Edge. We encumbered the funds in case we were going to follow through with this particular vendor. We had only received one quotation. It has been our policy to receive three quotes for anything over \$6,000 but under \$40,000 so we would need a couple of other quotations.

Mayor Mignone-said that there were quotes but they didn't submit them in time.

Alan Negreann-said that that would be needed to complete the transaction. He thinks the Council should have a discussion on this and see where you're at because they haven't had a formal motion or vote on it. As he tells all of them during the orientation, when someone comes up with a great idea, it's not enough to smile or just nod your head you need to have a formal motion and vote in order to move forward. That's what he's looking for tonight, more guidance. If it's a topic that they want to table for now, we will deal with it in 2019.

Councilman Gautier-asked what the other two quotes were that came in late?

Mayor Mignone-replied TownWeb, CivicPlus and Suasion Communications.

Councilman Gautier-asked how their quotes were in comparison?

Mayor Mignone-replied TownWeb was \$3,000 but all you would get was a static page; CivicPlus was tens of thousands of dollars because they want to do everything from the bottom up. His feeling is that we've been talking about this for a long time because we have a website where we can't go online and get garage sales or parking permits. He's not against doing something grander as we go along but he's fairly sure that they're going to have a very challenging budget and most of the Council know, these are the types of things that get cut out. Even though \$8,300 doesn't seem like a

lot of money, when they start cutting thousands of dollars at a time it becomes an issue. He still recommends that they go forward with this because it will be much better than what we have and capabilities that we don't have now. He feels that we need a holistic approach to public information.

Councilman Gautier-asked if they decide to hire this company to do the work, will the website be vastly better than it is right now? He asked if people will be able to take out garage sale permits?

Mayor Mignone-explained that there will be a number of forms that we can put in depending on which ones are most frequently asked for. The Mayor said it will be easier to do email blasts as well.

Councilman Papaleo-asked if these forms will be live forms such as submit forms?

Councilman Gautier-asked if people will be able to pay online?

Mayor Mignone-said that its a different question because it comes down to a policy issue with the Council because there are fees involved. There are different ways of doing it so it would have to be a discussion later on.

Councilman Gautier-asked if we would have the capability if we want to?

Mayor Mignone-replied yes.

On motion by Councilwoman Davis, seconded by Councilman Bartelloni to move forward with Evogov for the website redesign was unanimously approved.

Community Center – DMR Presentation before the Land Use Board –

Alan Negreann-said that at the last work session direction was given to Costa Engineering to make a presentation before the Land Use Board. There is a section of the DMR Architects tasks, Task 2 which has already been awarded, where they would submit information to the Land Use Board. He's looking for direction from the Council to authorize them to make a presentation before Land Use.

Mayor Mignone-agrees and said that he thinks they have to. He said that the footprint is not going to change, the exterior hasn't changed and the elevation hasn't changed so that would be something the Land Use Board would want to see.

Councilman Gautier-had a question about the interior. He asked if they could change anything?

Mayor Mignone-said that he didn't say you can't, but the footprint is not going to change.

Councilman Gautier-said one of the things that he asked the last time is if we would want SCORE to be five days a week, one of the things they may want to look into is the County's nutrition program. He spoke to the person who is in charge of the nutrition program as well as the head of Senior Services about this and she will get back to him with specific information which he will forward to the Council. He will let them know what would have to take place as far as a needs assessment, etc. to be able to enter that program. If that was to take place, we would actually be able to get food for our seniors for free.

Mayor Mignone-agreed and understood that the one of the criteria was having a five day operation.

Councilman Gautier-said that one of the other conditions would be having a commercial kitchen which wouldn't have to be big but basically need a three compartment sink that could hold the largest piece of equipment, commercial dishwasher that properly sanitizes, a prep sink, a hand sink and a mop sink. He feels its something that they should definitely look into.

Mayor Mignone-asked if they cook food from scratch?

Councilman Gautier-replied no, but even so...

Mayor Mignone-explained that the issue we get into is when we have ovens and vents.

Councilman Gautier-said that what basically happens even though they don't have that stuff, they still have stoves in case they need to reheat the food. He explained that the company who has the contract with the County, brings the food and the people who work there temp the food to make sure

its 135° or higher. At that point if it is, they put it in the steam tables and it is served to the customers. If it comes in at 120° they would have to reheat the food to 165° to make sure all pathogens are destroyed.

Mayor Mignone-said that they can ask DMR to design it that way. They won't be seeing final plans for several months so they may even want to size it that way for the future and bring it to their attention.

Councilman Gautier-said especially because it's a population that's more apt to have food borne illness and you want to be as safe as possible.

Mayor Mignone-said that Costa has been authorized to start doing design so we'll need to authorize DMR to start the design process so we can get to the point where we can sit down and get into details. Right now although it's more than a concept, it's not a final plan. The Mayor looks forward to meeting with them again to nail down some of these finer details.

On motion Councilman Papaleo, seconded Councilman Chinigo to authorize DMR Architects to start the design process and make a presentation before the Land Use Board was unanimously approved.

PERSONNEL CHANGES –

On motion by Councilman Chinigo, seconded by Councilwoman Busteded, the resignation of Robert Litterio from the River Edge Police Department effective December 17, 2018 was unanimously approved.

On motion by Councilman Chinigo, seconded by Councilwoman Busteded, the resignation of Matthew R. Mulick from the River Edge Police Department effective December 18, 2018 was unanimously approved.

RESOLUTIONS – By Consent

On motion by Councilman Papaleo, seconded by Councilman Chinigo to, seconded by Councilman Chinigo to **Table** resolution #18-385 was unanimously approved.

Tabled

Tabled

Tabled

#18-385 Termination of Employment as a Non-Permanent/Probationary Police Officer

WHEREAS, Robert Litterio has been serving as a non-permanent/probationary police officer of the Borough of River Edge Police Department since January 1, 2018; and

WHEREAS, the Chief of Police has not recommended Mr. Litterio for permanent appointment as a police officer; and

WHEREAS, the Governing Body of the Borough of River Edge has reviewed the recommendation of the Chief of Police and seek to terminate Mr. Litterio's non-permanent/probationary employment.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that Mr. Litterio is hereby terminated from employment as a non-permanent/probationary police officer with the Borough of River Edge Police Department effective December 17, 2018.

BE IT FURTHER RESOLVED that the Governing Body of the Borough of River Edge hereby directs the Chief of Police to provide the reasons for the termination to Mr. Litterio.

December 17, 2018

On motion by Councilman Papaleo, seconded by Councilman Bartelloni, resolution #18-386 through #18-388 were unanimously approved.

#18-386 Amend Resolution #18-70 2018 Salary Resolution

BE IT RESOLVED that the following officers and employees of the Borough of River Edge be compensated for the year 2018 in accordance with Ordinance #18-03 as follows:

<u>Construction/Code Enforcement</u>		<u>2018</u> <u>Daily</u>
Electrical Sub-Code Inspector	P/T Dalessio, M	\$115.00

December 17, 2018

#18-387 Authorize the Release of a Performance Bond for D & L Paving Contractors, Inc., 675 Franklin Avenue, Nutley, New Jersey 07110 for the 2018 Riverside Cooperative Road Improvement Program

WHEREAS, the Borough of River Edge received a Performance Bond from D & L Paving Contractors, Inc., for the 2018 Riverside Cooperative Road Improvement Program dated May 7, 2018; and

WHEREAS, the amount of the Performance Surety Bond was \$175,000.00; and

WHEREAS, the Borough Engineer has certified that the final inspection has been made and approval is given with regard to the 2018 Riverside Cooperative Road Improvement Program and recommends that the Performance Surety Bond be released; and

WHEREAS, the Borough Clerk has received a Maintenance Surety Bond in the amount of \$213,383.00 which will run for a two year period from August 1, 2018 to August 1, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Performance Surety Bond for D & L Paving Contractors, Inc. on file with the Borough of River Edge be released in the amount of \$175,000.00.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby instructed to send a copy of this resolution to D & L Paving Contractors, Inc., 675 Franklin Avenue, Nutley, New Jersey 07110 and The Selective Insurance Company of America, Attn: Bond SBU, 40 Wantage Avenue, Branchville, New Jersey 07890.

December 17, 2018

#18-388 Emergency Appropriation

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

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

WHEREAS, the total emergency appropriation(s) created including the appropriation to be created by this resolution is \$95,185.00 and 3% of the total operations in the budget for the year 2018 is \$364,532.40.

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

1. An emergency appropriation be and the same is hereby made for in the amount of \$45,000.00 to the Police Department Salary & Wages (01-2010-25-2401-011) line item.
2. That said emergency appropriation shall be provided in full in the 2019 budget.
3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
4. That two (2) certified copies of this resolution be filed with the Director of Local Government Services

December 17, 2018 – Special Meeting

Councilman Bartelloni read resolution #18-389 into the record.

On motion by Councilman Bartelloni, seconded by Councilman Chinigo, resolution #18-389 was unanimously approved.

#18-389 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	\$318,246.51
TRUST OTHER ACCOUNT	\$ 18,084.06
TRUST OTHER DEVELOPERS ACCOUNT	\$ 662.50

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.

December 17, 2018 – Special Meeting

COUNCIL COMMENTS –

Mayor Mignone-said that he wanted to talk about Shade Tree and whether it would make sense to form a sub-committee to look at potential ordinance changes.

Councilman Papaleo-said that since he is the current liaison and will be the liaison for next year, he would assume that he would be on it.

Mayor Mignone-said yes, but first he wants to know if everyone is in favor on the concept. He feels that they need to do some fact finding as to how things operate, how we think things should operate and what has to be changed where we're responsive to the residents.

Councilman Papaleo-said that he's not ready to move in that direction tonight.

Councilman Chinigo-asked "in the direction of creating a sub-committee?"

Councilman Papaleo-said "right now, yes".

Mayor Mignone-suggested that we do it at the Reorganization meeting. The Mayor said that they've been talking about this for about 5 years now.

Councilman Papaleo-feels that it should be next years business.

Councilwoman Busted-asked how Tom would communicate with us the response from Shade Tree and whether or not they're going to do anything in response to the Mayor's suggestion?

Councilman Papaleo-said that he's not asking for anyone to make any decisions, he would assume Tom Sarlo.....

Mayor Mignone-said that he'll send a memo to Clerk who can distribute it to the Council.

Councilwoman Busted-said that she would like to have that in front of her.

Councilman Chinigo-said that he wanted to touch base with the Council on the proposed January 24th school board meeting. If everyone is ok with it, he'll let them know.

Councilwoman Busted-said that Councilman Gautier heard a rumor that Oradell had passed an ordinance, which they have done, assessing a non-resident usage fee for their fields. They will be charging non-residents \$75.00 to use their fields. Mr. Sarlo has agreed to come to the Rec Commission meeting on January 16th where there will be a conversation about said ordinance and ask Rec to make some recommendations on how they want to move forward.

Michelle Kaufman-asked if that was for the season or for each game?

Councilwoman Busted-replied, it's a per participant fee, so if you have 6 kids in the family, you'll pay \$75.00 for 6.

Mayor Mignone-thought it was for each sport.

Councilwoman Busted-said no, it doesn't look like it's for each sport it looks like it's annual. It's the responsibility of the resident to apply for the permit to participate and Oradell will be keeping track of the roster.

Mayor Mignone-thought they had tried this once before and we were not able to have it go through.

He did see Mayor Didio the other night but did not want to get into that because it was more of a social event. The Mayor said that he is not against speaking with them because it's not good faith. Councilwoman Busted-said that the Commission is aware and she is sure that word is getting out to the leagues. Again she said that Mr. Sarlo will be at the Rec Commission meeting and there will be a Central Athletic League meeting on the week following to share this information with their membership.

Councilman Chinigo-feels that it's terrible for Oradell to have done this and said that it's retaliatory. Councilman Papaleo-said the he feels it's petty and personally doesn't think we should respond in kind, we should be better people. He doesn't want to punish the children of Oradell simply because the Council of Oradell has acted in poor faith.

Councilman Chinigo-said that it also raises other questions with regard to our sports programs.

Mayor Mignone-said that it's almost like they've exhausted their appeals on the school issue but now they want to make this a per person charge. And for the same reason the schools shouldn't be is the same reason why this shouldn't be.

Councilwoman Busted -stated that it may put the River Dell programming in possible jeopardy as well.

Councilman Chinigo-agreed. He said that he knows a lot of people in town who are not going to very happy with this.

Councilman Bartelloni-said that it will affect football, soccer, lacrosse and Black Hawk travel teams.

Councilman Gautier-asked if we did respond in kind, could we use those funds to offset the cost to our residents?

Councilman Chinigo-said that Oradell doesn't have enough kids to run all these programs by themselves, they rely on River Edge. He suggested that maybe we should have our own programs in our own town and Oradell would have to find somebody else to play with their kids if that's what they want to do.

Councilman Gautier- agreed.

Councilman Bartelloni-said that they also rely heavily on River Edge parents to coach these sports.

Councilman Chinigo-agreed.

Councilwoman Busted-said that the Council will be kept abreast of where the Commission stands.

Councilman Chinigo-asked if we will be writing a letter from the Mayor and Council?

Mayor Mignone-asked if they wanted him to write a letter.....

Councilman Chinigo-thought it was a good idea to ask them to reconsider.

Mayor Mignone-asked if he has the consensus of the Council to respond this way by approaching them telling them that we're not pleased with their decision and ask them to reconsider. He asked if everyone is in agreement with that at this point.

Everyone was in agreement.

Mayor Mignone-said we'll go forward with that and see how they respond and address it after the new year.

Councilman Chinigo-thought it would've been nice of them to reach out to us and let us know that they were doing this.

Councilwoman Busted-agreed and said that's what's so upsetting.

Councilman Chinigo-said that we're neighbors, our kids go to school together and we share facilities.

Mayor Mignone-said "do we have to start looking at the newspapers to see what ordinances get posted for first reading?"

Councilman Chinigo-said that their Rec Department reached out to us several years ago because they didn't have enough girls for a basketball program and asked if we would be so kind to take their girls into our programs which we did with open arms. We didn't charge them an extra penny.

Mayor Mignone-wished everyone Happy Holidays and is proud of the accomplishments that they've

made this year particularly with the Community Center and TV.

ADJOURNMENT – 7:19 P.M.

On motion by Councilman Papaleo, seconded by Councilman Bartelloni to adjourn the meeting at 7:19 p.m. was unanimously approved.

Mayor Edward J. Mignone

Stephanie Evans, Borough Clerk
Dated: