

MINUTES

Mayor and Council Regular Meeting

Monday, September 9, 2019

8:00 P.M

CALL TO ORDER –

Council President Busted called the meeting to order at 7:20 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 as we embark upon the 18th anniversary of the September 11 attacks that we take a moment to remember those that were lost and all of the first responders who continue to suffer terrible health related illnesses as a result of their heroic efforts. Council President Busted asked Councilwoman Kaufman to lead the salute to the flag.

STATEMENT –

Statement of Compliance with Open Public Meeting Act: This meeting complies with the Open Public Meeting Act by notification on December 21st of this location, date and time to the Ridgewood News and the Record and by posting of same on the municipal bulletin board and Borough Web Site and filing a notice of the same with the Municipal Clerk.

ROLL CALL –

Council President Busted, Councilman Chinigo, Councilwoman Davis, Councilman Gautier, Councilwoman Kaufman and Councilman Papaleo were present.

APPROVAL OF MINUTES –

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of Work Session of August 12, 2019 were approved on the following roll call: Council President Busted, Councilwoman Davis, Councilman Gautier, Councilwoman Kaufman and Councilman Papaleo voted yes; Councilman Chinigo abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Regular Session of August 12, 2019 were approved on the following roll call: Council President Busted, Councilwoman Davis, Councilman Gautier, Councilwoman Kaufman and Councilman Papaleo voted yes; Councilman Chinigo abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session of August 12, 2019 were approved on the following roll call: Council President Busted, Councilwoman Davis, Councilman Gautier, Councilwoman Kaufman and Councilman Papaleo voted yes; Councilman Chinigo abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session of August 20, 2019 were approved on the following roll call: Council President Busted, Councilman Chinigo, Councilwoman Davis, Councilwoman Kaufman and Councilman Papaleo voted yes; Councilman Gautier abstained,

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Work Session Meeting of July 8, 2019 were unanimously approved.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Regular Meeting of July 8, 2019 were unanimously approved.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of July 8, 2019 were unanimously approved.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of February 6, 2017 were approved on the following roll call: Council President Busted, Councilman Chinigo, Councilwoman Davis and Councilman Papaleo voted yes; Councilman Gautier and Councilwoman Kaufman abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of May 15, 2017 were approved on the following roll call: Council President Busted, Councilman Chinigo, Councilwoman Davis and Councilman Papaleo voted yes; Councilman Gautier and Councilwoman Kaufman abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of June 5, 2017 were approved on the following roll call: Council President Busted, Councilman Chinigo, Councilwoman Davis and Councilman Papaleo voted yes; Councilman Gautier and Councilwoman Kaufman abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of July 11, 2017 were approved on the following roll call: Council President Busted, Councilman Chinigo, Councilwoman Davis and Councilman Papaleo voted yes; Councilman Gautier and Councilwoman Kaufman abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of September 18, 2017 were approved on the following roll call: Council President Busted, Councilman Chinigo, Councilwoman Davis and Councilman Papaleo voted yes; Councilman Gautier and Councilwoman Kaufman abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of October 2, 2017 were approved on the following roll call: Council President Busted, Councilman Chinigo, Councilwoman Davis votes yes; Councilman Gautier, Councilwoman Kaufman and Councilman Papaleo abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of October 17, 2017 were approved on the following roll call: Councilman Chinigo and Councilwoman Davis voted yes; Council President Busted, Councilman Gautier, Councilwoman Kaufman and Councilman Papaleo abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of November 20, 2017 were approved on the following roll call: Council President Busted, Councilman Chinigo, Councilwoman Davis and Councilman Papaleo voted yes; Councilman Gautier and Councilwoman Kaufman abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of

the Closed Session Meeting of December 4, 2017 were approved on the following roll call: Council President Busted and Councilman Chinigo voted yes; Councilwoman Davis, Councilman Gautier and Councilman Kaufman abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of December 11, 2017 were approved on the following roll call: Council President Busted and Councilman Chinigo voted yes; Councilwoman Davis, Councilman Gautier and Councilman Kaufman abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of December 18, 2017 were approved on the following roll call: Council President Busted, Councilman Chinigo, Councilwoman Davis and Councilman Papaleo voted yes; Councilman Gautier and Councilwoman Kaufman abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of December 19, 2017 were approved on the following roll call: Council President Busted, Councilman Chinigo, Councilwoman Davis and Councilman Papaleo voted yes; Councilman Gautier and Councilwoman Kaufman abstained.

On motion by Councilman Papaleo, seconded by Councilwoman Kaufman the minutes of the Closed Session Meeting of December 26, 2017 were approved on the following roll call: Council President Busted, Councilman Chinigo, Councilwoman Davis and Councilman Papaleo voted yes; Councilman Gautier and Councilwoman Kaufman abstained.

PUBLIC COMMENTS ON ANY ITEM ON THIS AGENDA –

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

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

APPOINTMENTS & PERSONNEL CHANGES –

On motion by Councilman Gautier, seconded by Councilwoman Davis, the salary increase of Gomattie Birnbaum, Accounts Supervisor from an annual salary of \$68,355.00 to \$68,835.00 due to an increase in longevity from \$960.00 to \$1,440.00, effective June 19, 2019 was approved unanimously.

On motion by Councilman Chinigo, seconded by Councilwoman Davis, the salary increase of Brian Esteves, Patrol Officer from an annual salary of \$56,038.00 to a Patrol Officer 16th Grade salary of \$64,443.00 effective September 7, 2019 was approved unanimously.

On motion by Councilman Chinigo, seconded by Councilwoman Davis, the salary increase of Zach Hamm, Patrol Officer from an annual salary of \$56,038.00 to a Patrol Officer 16th Grade salary of \$64,443.00 effective September 7, 2019 was approved unanimously.

On motion by Councilman Papaleo, seconded by Councilman Gautier, the separation of Joseph Daniele, part-time summer help in the Department of Public Works effective August 28, 2019 was unanimously approved.

On motion by Councilman Gautier, seconded by Councilman Chinigo, the hire of Sean McLoughlin as a part-time School Crossing Guard at an hourly probationary rate of \$16.00 with a six-month probationary period, effective date contingent upon training and medical examination was unanimously approved.

On motion by the Councilman Gautier, seconded by Councilman Chinigo, the hire of Thomas Callari as a part-time School Crossing Guard at an hourly probationary rate of \$16.00 with a six-month probationary period, effective date contingent upon training and medical examination was unanimously approved.

On motion by Councilman Gautier, seconded by Councilman Chinigo, the hire of Harry Wells as a part-time School Crossing Guard at an hourly probationary rate of \$16.00 with a six-month probationary period, effective date contingent upon training and medical examination was unanimously approved.

CORRESPONDENCE –

Mayor Edward J. Mignone - Letter of Resignation

MONTHLY REPORTS –

Alan Negreann– Damage to Public Property Report	-	August 8, & August 23, 2019
Tax Collector	-	July 2019
Land Use Board	-	June 2019
Land Use Board	-	July 2019
Library Board of Trustees	-	September 2019

ORDINANCES – 2ND READING –

Stephanie Evans read the title of Ordinance #19-19 into the record as follows:

Ordinance #19-19 AN ORDINANCE APPROPRIATING \$25,000.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE PURCHASE OF EQUIPMENT, IMPROVEMENT OF BOROUGH BUILDINGS AND GROUNDS

Ordinance #19-19 was introduced by Councilman Papaleo, seconded by Councilman Gautier and unanimously approved at the August 12, 2019 meeting as follows:

BOROUGH OF RIVER EDGE ORDINANCE #19-19

AN ORDINANCE APPROPRIATING \$25,000.00 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE PURCHASE OF EQUIPMENT, IMPROVEMENT OF BOROUGH BUILDINGS AND GROUNDS

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 purchase of equipment for improvements desired in Section 2 of this ordinance are hereby authorized as improvements and purchases to be made by the Borough of

River Edge, New Jersey for the purpose of the purchase of said equipment and the making of said improvements, there are hereby appropriated the sum of \$25,000.00 of which \$25,000.00 is from the General Capital Fund Balance.

SECTION 2. The improvement and purchases are authorized as follows:

- a. Repairs and improvement to public buildings and grounds,
- b. Repair and improvement of the elevator in the Public Safety Building.

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.

Mayor Edward J. Mignone

Attest:

Stephanie Evans, Borough Clerk
Dated:

OPEN PUBLIC HEARING ON THE ORDINANCE – Ordinance #19-19

On motion by Councilman Chinigo, seconded by Councilman Papaleo to open the public hearing on Ordinance #19-19 was unanimously approved.

CLOSE PUBLIC HEARING ON THE ORDINANCE – Ordinance #19-19

There being no comments by the public, the motion by Councilman Chinigo, seconded by Councilwoman Davis to close the public hearing on Ordinance #19-19 was unanimously approved.

ADOPTION – Ordinance #19-19

On motion by Councilman Chinigo, seconded by Councilman Papaleo to adopt Ordinance #19-19 was unanimously approved.

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On motion by Councilman Gautier, seconded by Councilwoman Davis to **Table** Ordinance #19-20 was unanimously approved.

Ordinance #19-20 was introduced by Councilman Gautier, seconded by Councilwoman Kaufman and approved unanimously at the August 12, 2019 meeting as follows:

THE BOROUGH OF RIVER EDGE
ORDINANCE NO. 19-20

AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE

OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 400 "VEHICLES AND TRAFFIC" ARTICLE II "PARKING, STANDING AND STOPPING".

WHEREAS, the Mayor and Council has deemed it in the best interest of the public health, safety and welfare to supplement, amend and revise its Vehicles and Traffic Ordinance as codified in Chapter 400 of the River Edge Borough Code to provide for angle parking along Bogert Road from Howland Avenue to Reservoir Avenue; and

WHEREAS, Article II, §400-10, entitled "Angle parking" provides for angle parking in all commercial parking yards and parking places open to the public or to which the public is invited situated within 100 feet of the center line of Kinderkamack Road in the Borough of River Edge from Main Street to Voorhis Avenue, and

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

SECTION 1. §400-10 is hereby amended and supplemented by the addition of the following section:

Angle parking shall be permitted upon the following streets, portions of streets or designated points:

<u>Name of Street</u>	<u>Side</u>	<u>Angle (degrees)</u>	<u>Location</u>
Bogert Road	East	45	From a point 195 feet south of the easterly curb line of Howland Avenue to Reservoir Avenue

SECTION 2. Except as set forth in Sections 1, the balance of Chapter 400 shall not be affected by this Ordinance.

SECTION 3. This chapter is intended to supplement existing ordinances and other laws pertaining to Chapter 400, entitled "Vehicles and Traffic" of the River Edge Borough Code and shall not be construed to excuse any person from complying with such other ordinances and laws.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any part, sections, provisions, or total of any of the aforementioned sections are held to be invalid or unenforceable by any court, the findings or judgments of which court are applicable in the State of New Jersey, that the balance and remainder of such sections shall remain in full force and effect as an Ordinance of the Borough of River Edge.

SECTION 6. This Ordinance shall become effective immediately upon adoption and publication according to law.

ATTEST:

APPROVED:

Stephanie Evans
Borough Clerk

Edward Mignone
Mayor

RESOLUTIONS - By Consent

On motion by Councilwoman Kaufman, seconded by Councilman Gautier, resolutions #19-296

through #19-309 were approved unanimously.

#19-296 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 June and July 2019.

<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	\$6,600,000.00	CMF	\$6,600,000.00	\$91,708.84	\$6,491,708.84	\$2.23

*Interest through 7/31/19

September 9, 2019

#19-297 Resolution Permitting the Possession and Consumption of Alcoholic Beverages at a Block Party on Van Saun Drive and Lozier Terrace

WHEREAS, on or about September 9, 2019, the Borough of River Edge granted permission to Daisy Ortiz-Berger, 162 Van Saun Drive, River Edge, New Jersey, to hold a block party on Van Saun Drive and Lozier Terrace on Saturday, September 14th starting at 3:00 p.m. to midnight (rain date Saturday, September 28th) in accordance with Borough Ordinance #1678; and

WHEREAS, Daisy Ortiz-Berger 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.

September 9, 2019

#19-298 Purchase of Pagers for the Fire Department Through State Contract

WHEREAS, the Borough of River Edge desires to purchase eight (8) pagers from Motorola Solutions, Inc.; and

WHEREAS, the vendor, Motorola Solutions, Inc., 123 Tice Boulevard, Woodcliff Lake, New Jersey 07677 is an approved State Contract participant, bearing the State Contract #83909; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account

#04-2150-55-1910-350 of the Capital Fund in the amount not to exceed \$3,288.00; and

WHEREAS, N.J.A.C. 5:34-1.2 requires that any local contracting unit purchasing pursuant to N.J.S.A. 40A:11-12, must award the contract by a resolution of the Governing Body.

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk is authorized to accept the State Contract bid on the purchase of eight (8) pagers for the Fire Department as per the State's specifications in an amount not to exceed \$3,288.00.

September 9, 2019

#19-299 Resolution Authorizing the Borough of River Edge to Participate in the Union County Cooperative Pricing Agreement

WHEREAS, N.J.S.A. 40A:11-1 *et. seq.* authorized contracting units to enter into cooperative Pricing Agreements; and

WHEREAS, the County of Union hereinafter referred to as "the Lead Agency" has offered voluntary participation in a renewal participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and

WHEREAS, the Borough of River Edge in the County of Bergen desires to participate in the Union County Cooperative Pricing Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge, County of Bergen, State of New Jersey authorizes the Borough of River Edge to participate in the Union County Cooperative Pricing Agreement with the County of Union upon its approval by the Division of Local Government Services.

BE IT FURTHER RESOLVED, that the County of Bergen as Lead Agency is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et. seq.* and all of the provisions of the revised statutes of the State of New Jersey).

BE IT FURTHER RESOLVED, that the Borough Administrator and Borough Clerk are hereby authorized to execute said agreement on behalf of the Borough of River Edge.

September 9, 2019

#19-300 Authorize Refund of Construction Permit

WHEREAS, Applied Service Corp., 38 Old Beaver Run Road, Lafayette, New Jersey 07848 was issued construction permit #19-0175 in the amount of \$75.00 for removal of an underground oil tank at 166 Tenney Avenue; and

WHEREAS, mistakenly a duplicate permit was issued and paid for.

NOW, THEREFORE, BE IT RESOLVED that the Accounts Supervisor is hereby authorized to issue a check in the amount of \$75.00 to Applied Service Corp.

September 9, 2019

#19-301 Authorize Cancellation of Accounts Payable

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

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

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

<u>P.O. #</u>	<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
30130	Robert Costa	\$ 45.00	Emergency Repairs
30667	Thomas A. Sarlo, P.C.	\$3,310.00	Borough Attorney Services
32150	Robert Costa	\$4,530.00	Design Borough Hall Ramp
33279	Robert Costa	\$1,500.00	Van Saun Culvert
33735	Robert Costa	\$1,000.00	Route 4 Turnbridge Rd to Rt 9W
33736	Robert Costa	\$ 500.00	County Bridge/Walls
34678	Matthew Giacobbe, Esq.	\$ 20.14	Personnel Matter

September 9, 2019

#19-302 Authorize Mayor and Administrator to Sign the State of New Jersey, Department of Law & Public Safety, Division of Highway Traffic Safety "Drunk Driving Enforcement Fund Application 2019"

BE IT RESOLVED that the Mayor and Administrator are hereby authorized to sign the State of New Jersey, Department of Law & Public Safety, Division of Highway Traffic Safety "Drunk Driving Enforcement Fund Application 2019".

September 9, 2019

#19-303 Award Contract for the School Zone Flashing Replacement Project to HBC Company, Inc., 131 Washington Street, Lodi, New Jersey 07644

WHEREAS, there is a need to replace school flasher signs in the Borough of River Edge; and

WHEREAS, the River Edge Police Department has solicited three (3) quotations, the lowest received from HBC Company, Inc. in the amount of \$21,075.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1913-450 of the Capital Fund in an amount not to exceed \$21,075.00.

NOW, THEREFORE, BE IT RESOLVED that the contract is hereby awarded to HBC

Company, Inc., 131 Washington Street, Lodi, New Jersey 07644 in the amount not to exceed \$21,075.00.

September 9, 2019

#19-304 Authorize Mayor and Clerk to Sign an Agreement with the City of Hackensack for the Use of the Hackensack Sewer System

BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to sign an agreement with the City of Hackensack for the Borough of River Edge's use of the Hackensack Sewer System by Rugova Restaurant, 250 Johnson Avenue, River Edge, New Jersey based upon the terms listed below.

SEWER CONNECTION AGREEMENT
INTERLOCAL AGREEMENT

This AGREEMENT was made as September 9, 2019, between the BOROUGH OF RIVER EDGE in the COUNTY OF BERGEN, STATE OF NEW JERSEY, and the CITY OF HACKENSACK in the COUNTY OF BERGEN, STATE OF NEW JERSEY

RECITALS

WHEREAS, Rugova Restaurant is a restaurant located within the Borough River Edge at 250 Johnson Avenue; and

WHEREAS, Rugova Restaurant has a sewer connection which services the premises located at 250 Johnson Avenue, River Edge, New Jersey and the sewer facilities are owned by the City of Hackensack; and

WHEREAS, the City of Hackensack and the Borough of River Edge are desirous of entering into an Agreement for compensation to be paid by the Borough of River Edge to the City of Hackensack for the sewerage flow from Rugova Restaurant into the Hackensack sewerage facilities.

NOW THEREFORE, in consideration of the mutual terms and conditions contained herein, the undersigned parties agree as follows:

1. SCOPE OF SERVICE: The City of Hackensack does hereby agree to accept the sewerage and effluent flowing from Rugova Restaurant located at 250 Johnson Avenue, River Edge, New Jersey.

2. COMPENSATION: In consideration of the City of Hackensack's acceptance of sewerage flow from Rugova Restaurant into the sewerage systems and facilities of the City of Hackensack, River Edge does hereby agree to the City of Hackensack the following payment schedule over the next (5) years.

2019 - \$600.00 2020-\$800.00 2021-\$1000.00 2022 -\$1200.00 2023-\$1400.00 per year, during the term of this Agreement payable in advance with in the first thirty day of each calendar year.

3. TERMS OF AGREEMENT: The terms of this Agreement shall retro to commence on January 1, 2019 and terminate on December 31, 2023. The parties do hereby agree to enter negotiations for the extension of the within Agreement for an additional term prior to expiration of

this Agreement at a charge which shall be deemed fair and reasonable to the parties hereto. Should the Borough no longer need the service it reserves the right to cancel this agreement with 30 days' notice.

IN WITNESS HEREOF, the undersigned parties do place their hands and seals on the date first above written.

ATTEST:

BOROUGH OF RIVER EDGE

Stephanie Evans, Borough Clerk

Edward J. Mignone, Mayor

ATTEST:

CITY OF HACKENSACK

Deborah Karlsson, City Clerk

John P. Labrosse, Mayor

September 9, 2019

#19-305 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 Special Counsel for a Personnel Matter

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 April 8, 2019 via resolution #19-154 in the amount of \$5,000.00 and amended via resolution #19-273 in the amount of \$4,225.00 on August 12, 2019; 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 #01-2010-20-1552-028 of the Current Fund in an amount not to exceed \$3,000.00.

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 \$3,000.00 .
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.

September 9, 2019

#19-306 Award Contract to AA Berms LLC for the 2019 ADA Curb & Sidewalk Replacement at Various Locations

WHEREAS, there is a need to improve curbs and sidewalks at various locations in the Borough of River Edge; and

WHEREAS, the Borough Engineer has solicited six (6) quotations; and

WHEREAS, the Borough Engineer has received two (2) proposals, the lowest from AA Berms, LLC, P.O. Box 180, Belleville, New Jersey in the amount of \$32,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04- 2150-55-1818-200 of the Capital Fund in the amount of \$ 32,000.00.

NOW, THEREFORE, BE IT RESOLVED that the contract is hereby awarded to AA Berms, LLC in the amount of \$32,000.00 and the Mayor and Borough Clerk are hereby authorized to sign said contract for the Borough.

September 9, 2019

#19-307 Approval to Waive a Portion of the Police Outside Duty Rate for Let It Grow, Inc.

WHEREAS, Let It Grow, Inc. hosted a benefit located at Ackerson Street on September 7, 2019; and

WHEREAS, Let It Grow requested two (2) uniformed officers for the duration of the benefit; and

WHEREAS, Let It Grow has made an appeal to the Mayor and Council to waive the administrative fee portion of the \$135.00 per hour rate and be billed for the officer’s overtime rate.

NOW, THEREFORE, BE IT RESOLVED that the Police Department and the Chief Financial Officer are instructed to adjust their billing accordingly and to notify Let It Grow of the fee to be paid for the services provided.

September 9, 2019

Council President Busted-explained that the County of Bergen has asked River Edge and a few other municipalities in Bergen County to partner with them to be a participant in the discussion of how to develop a clean energy plan for the county. This does not behold us to any money or doing

anything in the future, it's just to participate in the process. She said that they've asked us to participate because of all of our efforts with environmental work and because of our commitment to environmental protection.

#19-308 Authorize Participation with the County of Bergen for the Community Energy Plan Grant

WHEREAS, the County of Bergen intends to submit an application to the NJ BPU for the Community Energy Plan Grant; and

WHEREAS, as a requirement of the grant the County is looking for community partners to take part in the planning process if approved.

THEREFORE BE IT RESOLVED, the Governing Body of the Borough of River Edge authorizes participation with the County of Bergen for the aforesaid grant.

September 9, 2019

#19-309 Amend Agreement with Robert Costa, Borough Engineer for Professional Services Related to the 2019 Riverside Road Resurfacing Program - Inspection

WHEREAS, there exists a need for expert professional engineering services related to the 2019 Riverside Road Resurfacing Program - Inspection; and

WHEREAS, the Borough of River Edge has previously awarded a contract to Robert Costa, Borough Engineer via resolution #19-230 dated June 11, 2019 in the amount of \$6,000.00; and

WHEREAS, additional funding is required for professional services related to the 2019 Riverside Road Resurfacing Program - Inspection; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #04-2150-55-1913-130 of the Current Fund in the amount not to exceed \$2,500.00; and

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

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

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

WHEREAS, the Mayor and Council have examined resumes, biographies, work experience; and

WHEREAS, the Mayor and Council have reviewed price and other factors when considering

supporting reasons for awarding this contract; and

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

Principal/Project Engineer.....	\$ 65.00
Principal Land Surveyor.....	\$ 75.00
Survey Field Crew.....	\$150.00
Senior Designer.....	\$ 65.00
Senior Drafter.....	\$ 55.00
Computer Drafting	\$ 75.00
Technical/Administrative Assistant	\$ 65.00
Field Inspector.....	\$ 80.00

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Robert Costa, Costa Engineering Corp., 325 South River Street, Suite 302, Hackensack, New Jersey 07601 in the amount not to exceed \$2,500.00; and
2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and
3. The contract is awarded without competitive bidding as "Professional Service" in accordance with 40A:11-5(l)(a) of the Local Public Contracts Law because the service performed is by a person authorized to practice a recognized profession.

September 9, 2019

Councilwoman Kaufman read resolution #19-310 into the record.

On motion by Councilwoman Kaufman, seconded by Councilman Chinigo, resolution #19-310 was unanimously approved.

#19-310 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	\$3,184,311.04
CAPITAL ACCOUNT	\$ 714,681.12
RECREATION ACCOUNT	\$ 64,028.99

ANIMAL WELFARE ACCOUNT	\$	3.60
TRUST OTHER ACCOUNT	\$	25,943.94
OPEN SPACE ACCOUNT	\$	7,050.63
TRUST OTHER DEVELOPERS ACCOUNT	\$	10,015.00

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

September 9, 2019

PUBLIC COMMENTS –

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

Officer Patrick Diamond-President PBA Local 201- said that he is here representing 24 officers and ranking officers of the River Edge Police Department. He also recognized borough employees and members of Local 108 which represents the River Edge Department of Public Works who are in attendance tonight. He said that they're here tonight to speak about the current state of the Borough. While both labor unions are currently in negotiations with the borough, he wanted to take a minute to raise the following points. In 2010 the borough went in to dire financial straits after a down turning economy, reduction of state aid and the purchase of two properties, one known as Cherry Blossom Park and the former American Legion building which has recently become a new parking lot. The perfect storm resulted in borough employees taking 120 hours of furlough time in one year and 48 hours the next year. We were one of the only towns in Bergen County that instituted furlough time. Furlough time was not accepted by contractual employees and were threatened with layoffs of four police officers in our union. On top of that, we were given raises of 0% for the years 2010 and 2011 and contracts that were massively gutted and not comparable to any town in Bergen County let alone our neighborhood towns. Former Council members answer to that was "well you agreed to it". They were right, except it was under the premise of layoffs which he is not sure would have been the case and after the fact seemed to be more of a threat and not a promise. In the interim all three divisions of labor in this town, the Police Department, Public Works and borough employees have lost many employees to other towns for more comparable contracts and comprehensive benefits than what we are offered here in River Edge including vision and dental care that our members do not get. The Police Department alone has lost ten members to other departments which leads to a constant state of teaching, training and loss of experience to the borough and its residents. Fast forward to 2019. The borough has regained its footing with the surplus of funds for emergencies, the borough has gotten through multiple budget sessions that has tightened the capital improvement programs. What has remained constant is the budgets of employees of this town, who are constantly praised by the residents and this Governing Body, were strong armed into when times were tough and have not changed when times have improved as seems to be the case at this time. Now in 2019 we are looking at the prospect of having an additional borough owned building which will have to be maintained. A building that since the beginning as gone through an identity crisis. First it was going to be for senior citizens who seemed to be happy with the Temple at a reasonable cost, then it was going to be a rain location for camp

which later determined would not have the capacity due to our well-run summer program. The idea of having a place for teens to hang out has also been floated but it seems that the activities would be limited due to the size of the space. Last, it was to be used for organizations to have meeting space and was also said that the Recreation Director would plan additional programming. Yet when pressed by concerned residents about future programming costs to use, the answer in short has been “if we build it they will come” without any concrete answers or plans. In talking about meeting space, he wanted to mention that council chambers if frequently available along with the public safety meeting room across the hall, the court room, the meeting space at Company #1 as well as the Library. They all are borough owned buildings and should have no different insurance than the use of a proposed community center would be. The spaces may very well accommodate the organizations in need of space that don't know they are available to them. As far as a teen center, he was told that River Edge had attempted a teen center in the early 2,000's which was held at the First Congregational Church on Friday nights. After a few years of programs, attendance lacked and the idea fizzled out. The community center had an additional price tag of \$2.6 million dollars. Since the projects inception, prior work order changes and building re-designs, there have been projections that the project will be over \$3 million dollars for approximately 6,500 square foot building and a maximum capacity of less than 300 people. There stands to be dissension among residents on the need to spend such a large sum of money of what is ultimately being delivered. From the employee view, while the borough infrastructure is in need of upgrades including technology, communication and roadways, the borough is moving full steam ahead on the project that is estimated to be over \$2.6 million dollars. We ask that we take our concerns into account as we move forward. The project seems to be more of a luxury while many aspects of the borough's responsibilities are underfunded. He thanked them for their time, consideration and attention. He also thanked all of the employees who came out tonight and all that they do with this lovely town on a daily basis.

Chris Tabor, Shop Steward for DPW Local 108 – he is speaking on behalf of the union employees working at the Department of Public Works in the Borough of River Edge. We are members of R.W.D.S.U. UFCW, 1.3 million strong. The President of Local 108, Charles Hall is with us today. He said he wanted to take this opportunity to provide the Council with some history of our collective bargaining with the borough. We are very concerned about our current collective bargaining agreement that was modified in 2010 which was a difficult period across the state including the Borough of River Edge. The agreement had many give backs but the one specific concern was the wage appendix for salary steps. The way the steps are outlines, effects the growth of pre-2010 employees and puts employees hired thereafter in the annual wage which is not competitive to the job titles in the DPW. In fact, the wage scale in the DPW is near the bottom compared to other municipalities in the country and other surrounding towns. Since 2010 the town has constantly reduced benefits from their employees but seem to find funding for all types of projects. We believe some of these projects are not popular with the citizens of the borough. Now one of the largest and most costly projects to the taxpayers has been started and it seems to have no direction or actual purpose yet. We believe that this project needs to be more thought out to serve the residents better and to be put on hold until the borough fixes its current infrastructure and its employees contracts. Other towns that have had layoffs have either paid employees back for the time lost or have given back throughout new contracts. River Edge has not. Our research shows that River Edge Department of Public Works has the highest number of step to top pay, 32 years. It could be up to 64 years if a Laborer decides to switch to a titled position. That would be 32 steps per title which would take 64 years to get to top pay. Also, the Laborer position is one of the lowest paid in Bergen County topping at \$58,000 up to 32 years of service. Most employees will retire before they reach top scale. We have looked at other contracts and the average number of steps is 9 and the average salary is \$75,000 for a Laborer. As you can see River Edge's steps for top pay is well below the norm. The State of New Jersey has recognized how expensive it is to live in New Jersey and have put average workers on track to \$15.00 an hour. We at DPW are skilled workers who serve this community. All that the employees are asking for is that the borough start working

towards giving back to the people that keep this town great and go above and beyond their duties for the residents of this town. This town is one of the safest, best plowed and cleanest towns in Bergen County and that's because of the hard working employees of River Edge.

Nancy Kennedy – 220 Manning Avenue feels that the Council is at a crossroads. She feels that they have opportunities and you can either make this town a really great place or make people like her, move out. She received her tax bill this year which was quite a hefty raise. She was told that Cherry Hill is contemplating an addition. Why, because we've put in high density housing. We now have all these apartments coming in, so now we have more students and the state mandates that you have to have so much space per student. We want our properties to continue to be valuable because that's what attracts people to the town. You know that coming the road, we the taxpayers are going to have to pay for an addition to the schools and now we have sort of stormy clouds coming. She said that people are talking about a recession and when recessions happen, budgets go down. She again feels that they are at a crossroads because right now they have lovely parking lot and they haven't gone out to bid for this building which is millions of dollars. They've never put it to a referendum, they've never asked people and just sort of shoved it at us and basically said "you elected us, done deal, too bad". She feels that they should hold off to see what happens because if we go into a recession, people aren't going to be able to afford this. What's going to happen next year because the tax increase this year was quite a shock. She said it's too high and feels that it's only going to get higher. She said that if they had the money put aside, they should keep it for the lean times coming because she feels not only in River Edge, statewide and throughout the country, we're heading into rough weather and we should keep our powder dry.

On motion by Councilman Gautier, seconded by Councilman Chinigo to close public comments was unanimously approved.

COUNCIL COMMENTS –

Councilman Gautier reported that the Library was pleased that the site work was not too disruptive to the Library and their operations and in fact they had record breaking attendance and participation in the summer reading program which should be commended. He was notified that they have been bequeathed \$10,000. He also reported that they have concerns about their HVAC system. They have 4 units right now. 1 was replaced this year, 3 are older so they're concerned that next year 1 or 2 may go down as well. He said that the Library Board would like set up a meeting with the sub-committee of the community center and possibly become a part of that sub-committee.

Councilman Papaleo said that being a teacher and having had a student who lost his father in 9/11, he wanted to remind our residents that we will be having a memorial service in front of Borough Hall at 6 p.m.

Councilwoman Davis said that she spoke with Carol Mah who in charge of the seniors at the Temple about the new contract for the coming year. She said that it ended up working out pretty well last year so they weren't going to argue about anything. The main holidays for the Temple were not on a Monday or Tuesday so it didn't affect them and they were happy about that. She reported that the Ambulance Service has responded to 491 calls so far this year. For August there were 63 calls; 34 medical, 10 falls, 10 motor vehicle accidents, 6 combination of psych overdose and intoxication, 2 injuries, 1 choking. They took patients to Hackensack 17 times, Pascack Valley 8, Holy Name 8, New Bridge 7, Valley 7 and Englewood 2 and they responded to Oradell twice. She reported that the Fire Department responded to 26 alarms for the month of August. They had 2 drills, 1 meeting, a cooking fire and carbon monoxide and smoke alarms. They also visited Grace Lutheran Church during their Day Camp to teach them fire prevention.

Councilman Chinigo thanked everyone for coming in. He said that they've heard them but are not allowed to comment with ongoing negotiations but they were heard and they've listened. He reminded everyone that school is back in session and encouraged everyone to drive carefully. During the summer

with less cars on the road people tend to drive a little faster so again asked that everyone remember that we have young children around town and to be a little more cautious. He thanked Ed Mignone and his family for all that he did, their sacrifices and again wished them luck. He also reminded everyone that River Edge Day is right around the corner on October 6th and hopes to see everyone there.

Councilman Gautier-said that although they cannot comment on collective bargaining at this time, he believes that the best solutions are collective solutions and hopes that they can come to a mutually beneficial compromise.

Council President Busted-thanked all of the individuals who had their hand in running the 2nd Annual Teen Night that was held in River Edge this year. She said many members of our Police Department were instrumental and she's heard wonderful things about how organized it was, especially from a police standpoint. She thanked Carolyn Baldanza for introducing new activities for the over 300 kids that attended. She alerted the Council that Brandon Cho will be working on his Eagle Scout project to repair the boat shed and she wished him the best of luck. Council President Busted said that Superintendent Milito is aware of the project and she will invite Brandon to come before the council when the project is finished. As Councilman Papaleo mentioned, Dick Berry has agreed to organize the September 11th observance which will be held on the 11th in front of Borough Hall at 6 p.m. In case it rains, the ceremony will move to the Council Chambers. She invited everyone to come out and remember everyone who was lost especially our 5 residents and honor the first responders who heroically went in for days, weeks and months and are now suffering terrible health consequences as a result. Finally, she informed everyone that the Green Team Chairperson, Bonnie Stewart has submitted our renewal for Sustainable New Jersey and said that she submitted the highest number of points and hopes that we will attain Silver status. She thanked the borough employees and bargaining units who came and spoke with us tonight and said that they appreciate their comments and looks forward to ongoing conversations.

ADJOURNMENT – 7:53 P.M.

On motion by Councilman Chinigo, seconded by Councilman Papaleo to adjourn the meeting at 7:53 p.m. was unanimously approved.

Council President Ellen Busted

Stephanie Evans, Borough Clerk
Dated: