

## **MINUTES**

Mayor and Council Regular Meeting  
Monday, March 9, 2020  
Immediately Following Work Session

### **CALL TO ORDER –**

Mayor Papaleo called the meeting to order at 7:45 p.m. in the Council Chambers of the Borough Hall.

### **SILENT PRAYER – FLAG SALUTE**

Mayor Papaleo called for a moment of silent prayer and asked everyone to remember Edwin Crane, a young father who recently passed away and to keep in mind his family at that this time. The Mayor asked Councilman Gautier 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 20<sup>th</sup> 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 –**

Councilwoman Busteed, Councilman Chinigo, Councilman Gautier, Councilwoman Kaufman, Councilwoman Kinsella, Councilwoman Montisano-Koen and Mayor Papaleo were present.

### **APPROVAL OF MINUTES -**

On motion by the minutes of the Mayor and Council Closed Session Meeting of February 24, 2020 were approved on the following roll call: Councilwoman Busteed, Councilman Gautier, Councilwoman Kinsella, Councilwoman Kaufman and Councilwoman Montisano-Koen voted yes; Councilman Chinigo abstained.

On motion by the minutes of the Mayor and Council Regular Meeting of February 24, 2020 was approved on the following roll call: Councilwoman Busteed, Councilman Gautier, Councilwoman Kinsella, Councilwoman Kaufman and Councilwoman Montisano-Koen voted yes; Councilman Chinigo abstained.

### **PROCLAMATIONS & AWARDS –**

Mayor Papaleo read the Proclamation Declaring March 2020 as Women's History Month as follows:

#### ***PROCLAMATION***

*WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and*

*WHEREAS, American women have played and continue to play a critical economic, cultural, and social*

role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

*WHEREAS*, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

*WHEREAS*, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

*WHEREAS*, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

*WHEREAS*, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

*WHEREAS*, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history.

**NOW, THEREFORE, BE IT RESOLVED** that I, Thomas Papaleo, Mayor of the Borough of River Edge, in recognition thereof, do hereby proclaim the month of **March 2020** as:

***"Women's History Month"***

*In Witness Whereof*, I have hereunto set my hand and caused the Seal of the Borough of River Edge to be affixed this March 9, 2020.

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Mayor Thomas Papaleo

*Dated: March 9, 2020*

Mayor Papaleo presented the proclamation to Councilwoman Busteed, Councilwoman Kaufman, Councilwoman Kinsella and Councilwoman Montisano-Koen.

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Mayor Papaleo read the Proclamation Celebrating Girl Scout Week as follows:

**PROCLAMATION**

*WHEREAS*, throughout the long history of Girl Scouts, certain traditions remain meaningful and important and are still practiced today; and

*WHEREAS*, every year the week containing Girl Scout Birthday (March 12th) is bookended by celebrating the connection between Girl Scouts and their faith; and

*WHEREAS*, Girl Scout Week begins the Sunday before March 12th (a day known as "Girl Scout Sunday") and extends through the Saturday following March 12th (a day known as "Girl Scout Sabbath"); and

*WHEREAS, the Girl Scout Birthday on March 12<sup>th</sup> commemorates the day in 1912 when Juliette Gordon Low officially registered the organization's first 18 girl members in Savannah, Georgia and this year represents the 108th birthday; and*

*WHEREAS, since its founding in 1912, Girl Scouts has enjoyed the support of religious organizations and together they have enriched the spiritual lives of Girl Scout members, each of whom strives from the perspective of their own personal belief to live up to the Girl Scout Promise and Law.*

*NOW, THEREFORE, BE IT RESOLVED that I, Thomas Papaleo, Mayor of the Borough of River Edge, in recognition thereof, do hereby proclaim:*

*March 8 - 14, 2020 as:*

*Girl Scout Week*

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*Mayor Thomas Papaleo*

*Dated: March 9, 2020*

Mayor Papaleo presented the proclamation to Girl Scout members and their leaders.

#### **PUBLIC COMMENTS ON ANY ITEM ON THIS AGENDA –**

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

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

#### **MONTHLY REPORTS –**

Shade Tree Commission	-	January 2020
Tax Collector	-	January & February 2020
Tax Collector - Annual Statement of Receipts	-	2019
Library Board of Trustees	-	March 2020
Historic Commission	-	February 2020

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

Stephanie Evans, Borough Clerk read the title of Ordinance #20-3 into the record as follows:

Ordinance #20-2 – AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING PART 1 OF THE RIVER EDGE BOROUGH CODE ENTITLED “ADMINISTRATIVE LEGISLATION”.

Tom Sarlo, Esq.-explained the ordinance.

On motion by Councilman Chinigo, seconded by Councilwoman Kinsella the first reading of Ordinance #20-2 **as amended** was approved unanimously as follows:

AN ORDINANCE OF  
THE BOROUGH OF RIVER EDGE  
ORDINANCE #20-2

AN ORDINANCE OF THE BOROUGH OF RIVER EDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING PART 1 OF THE RIVER EDGE BOROUGH CODE ENTITLED “ADMINISTRATIVE LEGISLATION”.

**BE IT RESOLVED** by the Mayor and Council of the Borough of River Edge, County of Bergen and State of New Jersey that Part 1 of the Code of the Borough of River Edge, entitled “Administrative Legislation” shall be amended and supplemented as follows:

**Section 1. Composition of Boards and Commissions**

- A.** All members appointed to any Board or Commission in the Borough of River Edge shall be at least 18 years of age and a resident of the Borough or River Edge.
- B.** Each Board or Commission is permitted to have one non-voting Member who shall be a River Edge student enrolled in high school. The term for the non-voting Member shall be for one year, commencing on September 1 and expiring on August 31 of the following calendar year. A vacancy occurring otherwise than by expiration of the term shall be filled for the balance of the unexpired term in the same manner as original appointment.
- C.** If an existing member is a non-resident, or if another Statute, rule or regulation allows for non-resident members to a Board or Commission, that Statute, rule or regulation shall supersede this Ordinance.

**Section 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Section 3.** If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance.

**Section 4.** This Ordinance shall become effective immediately upon adoption and publication according to law.

ATTEST:

APPROVED:

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Stephanie Evans  
Borough Clerk

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Thomas Papaleo  
Mayor

Councilwoman Busteed—said that the Environmental Commission has a minor who was appointed by the former Mayor and asked what the impact will be to that individual when this ordinance passes. She asked if they would become the non-voting member and then appoint a new adult? Tom Sarlo, Esq. — said yes, he would not be grandfathered in and would lose his seat and become a non-voting member. That seat would now become vacant. They could appoint someone or they could keep it open until he comes of age and then appoint him to a regular term.

Councilwoman Busted-asked if it would reduce the amount of members that can be appointed to the committee? She asked if they could fill that vacancy?

Tom Sarlo, Esq.-said yes, they can fill it but he would have to then wait for a vacancy to open up.

Councilman Chinigo-suggested that they change the term to one-year in the ordinance, so that more students have an opportunity to join.

Councilman Gautier-suggested that the wording say “at least one year” and if they want to continue....

Councilwoman Kaufman-thought that the commission was hoping to get a sophomore so that they could stay for a while.

Tom Sarlo, Esq.-said that he’ll do whatever the preference of the Mayor and Council is.

Councilman Chinigo-suggested that they do the one year baseline and let the commission interview their own people. He feels that they should write the ordinance in such a way that the power rests with them on who to appoint and say it’s a one year term and they could be reappointed.

Tom Sarlo, Esq.-explained how the ordinance will read after these changes.

Councilwoman Busted-asked if the appointment would be made by the Mayor or by the commission?

Mayor Papaleo-thought that the commission was choosing the person.

Councilman Chinigo-feels that the commission should do the appointing.

Mayor Papaleo-said that as long as it’s clear that when they come of age, the appointment would come through the Mayor and Council.

Tom Sarlo, Esq.-said that if they’re in the non-voting category, they don’t automatically get a spot.

Councilwoman Busted-asked if this would apply to committees as well?

Tom Sarlo, Esq.-replied no, committees are ad hoc which are appointments by the Mayor and Council.

A discussion continued on proposed changes.

Councilwoman Busted-asked if the young man on the Environmental Commission has to resign his commission seat and be appointed by the commission as a non-voting member?

Tom Sarlo, Esq.-said he doesn’t need to resign because he will no longer be eligible to be that.

Councilwoman Busted- thought that in order to fill a vacancy, the seat has to be vacant so he would have to resign the seat.

Mayor Papaleo-stated that it becomes vacant as soon as the ordinance is passed.

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## **RESOLUTIONS - By Consent**

On motion by Councilwoman Busted, seconded by Councilwoman Kinsella to approve resolutions #20-96 through #20-100 were approved unanimously.

### #20-96 Authorize Tax Collector to Refund 1<sup>st</sup> Quarter 2020 Tax Overpayments

WHEREAS, the tax office has received duplicate and/or tax overpayments for the 1<sup>st</sup> Quarter 2020 taxes on the following property(s); and

WHEREAS, a written request was received from their mortgage company to refund the overpaid amount directly to the mortgage company.

NOW, THEREFORE, BE IT RESOLVED that the Account Supervisor is hereby authorized to issue a refund check in the following amount and the Tax Collector to adjust her records accordingly.

BLOCK/LOT

HOMEOWNER/ADDRESS

AMOUNT

815/2

Sartori, Nicholas  
131 Kensington Road  
River Edge, NJ 07661

2,954.74

Make check payable to:

Lereta LLC  
1123 S. Parkview Drive  
Covina, CA 91724-3748  
Attn: Refunds Department

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#20-97 Authorize Tax Collector to Refund 2020 1<sup>st</sup> Quarter Tax Overpayment

WHEREAS, the tax office has received duplicate and/or tax overpayments for the 1<sup>st</sup> Quarter 2020 taxes on the following property(s); and

WHEREAS, a written request was received from their mortgage company to refund the overpaid amount directly to the mortgage company.

NOW, THEREFORE, BE IT RESOLVED that the Account Supervisor is hereby authorized to issue a refund check in the following amount and the Tax Collector to adjust her records accordingly.

<u>BLOCK/LOT</u>	<u>HOMEOWNER/ADDRESS</u>	<u>TYPE</u>	<u>AMOUNT</u>
1103/33	Figueroa, Adam 207 Valley Road River Edge, NJ 07661	Duplicate	6,005.71

Make check payable to: CORE LOGIC TAX SERVICES  
P.O. Box 9202  
Coppell, TX 75019-9978  
Attn: Centralized Refunds

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#20-98 Approval to Waive a Portion of the Police Outside Duty Rate for Vanessa Rosabal, 936 Myrtle Avenue, River Edge, New Jersey

WHEREAS, Vanessa Rosabal had a rotting tree removed from her front yard; and

WHEREAS, at the request of the tree company, a police officer was requested for traffic duty due to the location of the tree; and

WHEREAS, Vanessa Rosabal 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; and

WHEREAS, the Mayor and Council have indicated that the outside duty rate of the \$135.00

be waived and that the actual overtime rate of the police officer assigned to that duty be charged.

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

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#20-99 Purchase of Fuel for the Department of Public Works Through the Bergen County Cooperative Pricing System

WHEREAS, the Borough of River Edge desires to purchase gasoline and diesel fuel from Rachles/Michele’s Oil Company, 116 Kuller Road, Clifton, New Jersey 07011; and

WHEREAS, the vendor, Rachles/Michele’s Oil Co. is an approved Cooperative Pricing participant, bearing the Contract #17-42; and

WHEREAS, the Chief Financial Officer has certified that funds are available from Account #0-01-31-447-166 for diesel fuel in the amount not to exceed \$35,000.00 and #0-01-31-447-168 for gasoline in the amount not to exceed \$35,000.00 of the Current Fund for a total amount not to exceed \$70,000.00; and

WHEREAS, N.J.A.C. 5:34-1.2 requires that any local contracting unit purchasing pursuant to N.J.S.A. 40A:11-11(5), 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 Cooperative Pricing System bid on the purchase of gasoline and diesel fuel as per the Bergen County Cooperative Pricing System’s specifications in an amount not to exceed \$70,000.00.

March 9, 2020

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#20-100 Transfer of Funds in the Budget Appropriation Reserve

WHEREAS, various 2019 bills have been presented for payment this year, which bills were not covered by a purchase order number and/or recorded in the time of transfer between the 2019 Budget Appropriation Reserve in the last two months of 2019; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months on the succeeding year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of River Edge that the transfer in the amount of \$160,000.00 be made between the 2019 Budget Appropriation Reserve as follows:

FROM:	Financial Administration S/W	9-01-20-130-011	\$65,000.00
	Employee Group Health	9-01-23-220-090	\$65,000.00
	Recycling S/W	9-01-26-305-011	\$30,000.00

TO:	Police & Fire Retirement System	9-01-36-475-100	\$30,000.00
	Public Employee Retirement System	9-01-36-471-100	\$10,000.00
	Public Works Repair & Maintenance S/W	9-01-26-290-011	\$30,000.00
	Police S/W	9-01-25-240-011	\$90,000.00

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Councilwoman Kaufman read resolution #20-101 into the record.

On motion by Councilwoman Kaufman, seconded by Councilman Chinigo, resolution #20-101 was approved unanimously.

#### #20-101 Payment of Bills

At a Regular Meeting of the Mayor and Council of the Borough of River Edge, County of Bergen, State of New Jersey, held on March 9, 2020

BE IT RESOLVED that the Mayor and Council of the Borough of River Edge approve the following expenditures.

CURRENT FUND ACCOUNT	\$120,026.00
CAPITAL FUND ACCOUNT	\$120,687.35
GRANT FUND ACCOUNT	\$ 3,908.60
ANIMAL CONTROL ACCOUNT	\$ 183.00
TRUST OTHER ACCOUNT	\$ 9,596.85
OPEN SPACE ACCOUNT	\$ 1,804.20
PAYROLL ACCOUNT	\$ 16,332.56
DEVELOPER'S ESCROW ACCOUNT	\$ 250.00
RECREATION ACCOUNT	\$ 4,407.24

March 9, 2020

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**UNFINISHED BUSINESS – None**

**NEW BUSINESS –**

Mayor Papaleo-said that he would like to go back to the practice of listing items under unfinished business that haven't been completed just as a reminder to themselves and the public that they're working on it. He would like to list the videoing of council meetings recognizing that we're working on it.



Motion by Councilman Chinigo, seconded by Councilman Gautier to re-instate a list of items under unfinished business including videotaping the council meetings.

Councilwoman Kinsella-reported that she has taken on the 2020 Census with regard to getting the word out. She thanked Stephanie for sending her information of who she should contact. After contacting a few people, a grant proposal was submitted for \$10,000 and we were approved for \$4,000.

Mayor Papaleo-thanked Councilwoman Kinsella and Ray Poerio for aiding in that grant application.

## **COUNCIL COMMENTS –**

Councilman Chinigo-extended his condolences to the Crane family on the loss of their husband and father Ed Crane who is a friend of his and will be sorely missed.

Councilwoman Montisano-Koen-also extended her condolences to the Crane family. She reported that she attended the Governor's Corona Virus Briefing and felt that it was well organized but what was said at that meeting has probably changed at this point in time. They provided a number of resources which she has passed on to the Mayor for him to distribute. She said that although things are changing constantly, they have resources in place and the information is continually updated. She was happy to see that the borough website has a link to at least preventative measures on the virus.

Councilwoman Kinsella-also conveyed her condolences to the Crane family.

Councilwoman Kaufman-said that regarding the census, no one should be afraid to fill out the forms because the census agency is not allowed to share the information with any other government agency. If they do, there is a \$250,000 fine. She wanted to assure everyone that the information is private and stressed the importance of filling it out. She reported that they had their second budget meeting on Saturday and they will be introducing within the next few weeks.

Mayor Papaleo-said that Councilwoman Kaufman represented the Borough today at a Bergen County Mayor's meeting and asked if she wanted to share anything from that meeting?

Councilwoman Kaufman-said that they talked about the census and the corona virus outbreak and that the County will hold training tomorrow for first responders. There is telemedicine phone number available from New Bridge Landing and a state emergency line that you can call 24/7.

Councilman Gautier-also offered his condolences to the Crane family.

Mayor Papaleo-also offered his condolences to the Crane family and thanked the council for all that they do with their committees, commissions and boards. He especially thanked Councilwoman Kaufman for representing him at the meeting at the County. He announced that they will be having a meeting about our preparedness on Wednesday, March 11<sup>th</sup> at 4 p.m. where our nurse, our OEP, department heads and superintendents will be in attendance. They will discuss and coordinate what we might be doing if we need to shut down the schools which will be a decision that the local and county health departments will make. They will discuss how the coroner virus may affect our employees, how are they protected and how we will proceed. He said that our OEM Coordinator was very impressed with the plans that our DPW Superintendent has prepared which he will be sharing at the meeting on March 11<sup>th</sup>. He said that the Council is welcome to attend, but due to the Open Public Meetings Act they wouldn't be able to speak if they have a quorum.

## **ADJOURNMENT – 8:05 P.M.**

On motion by Councilwoman Busteed, seconded by Councilman Chinigo to adjourn the meeting at 8:05 p.m. was unanimously approved.

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Mayor Thomas Papaleo

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Stephanie Evans, Borough Clerk

Dated: