

MINUTES OF A REGULAR SESSION OF THE EDGEWATER MAYOR AND COUNCIL HELD IN THE NANCY MERSE COUNCIL CHAMBERS, LOCATED AT 55 RIVER ROAD, EDGEWATER, COUNTY OF BERGEN, STATE OF NEW JERSEY ON MAY 19, 2014

PRESIDING: Mayor James F. Delaney

PRESENT ON ROLL CALL: Councilman Henwood, Councilman Doran, Councilman Monte, Councilman Vidal and Councilman Bartolomeo

ALSO PRESENT: Administrator Gregory S. Franz, Borough Clerk Barbara Rae and Borough Attorney Philip Boggia

ABSENT: Councilman Jordan

OPEN PUBLIC MEETING ACT

Mayor Delaney read the Open Public Meetings Act Statement into the Record.

MOMENT OF SILENCE

Mayor Delaney remembered Bridget Hargadon.

SALUTE TO THE FLAG

Councilman Vidal led the Pledge of Allegiance.

OPEN MEETING TO THE PUBLIC

Mayor Delaney opened the meeting to the public and the following were heard:

Jeff Matthieu, 5 Beverly Place:

- Referenced increased budget for police, snow removal and emts.
- Proud of DPW for exemplary snow removal job.
- Spoke about scary medical situation he and his wife experienced. Thanked Donnie Rae, the Police and Ambulance Squad for their concern and services.
- Can't think of three (3) better services/areas in Town to increase spending on.

Mary Hogan, 606 Undercliff Avenue:

- Spoke about budget, county sewer costs and promised savings.
- Had question about Resolution 2014-136.
- Borough Attorney Boggia spoke about supplementing Terms.
- Discussion included Borough Attorney Boggia, Ms. Hogan and Councilman Henwood.
- Ms. Hogan asked about Vreeland Affordable Housing. Borough Attorney Boggia explained that the DEP is the ultimate jurisdictional State Agency overseeing the project. Noted that LSRP has said there is no evidence to suggest contamination at 38 COAH.
- Expressed concerned for residents living at 38 COAH.
- Suggest trying Undercliff one way prior to making major changes.
- Mayor Delaney spoke.

Valory Bardinas, 16 Hudson Terrace:

- Asked about Councilman Henwood's request to pull the Terms Resolution. Councilman Henwood responded.
- Referenced 2011 discussions about contamination and members of the public who spoke at meetings.
- Questioned the Council's actions.

Michael Messeri, 364-365 Old River Road:

- Asked about Agenda Item Ordinance 1506-2014.

Peter DePaul, 606 Undercliff Avenue:

- Asked Mayor and Council to consider parking North Street to Route 5 one way. Time to try simple approaches prior to spending money.
- He is happy that the ball field is moving along.
- Wouldn't trust private firm working for developer.
- Edgewater taxpayers should not have to pay for it.

No one else wished to be heard therefore the Mayor closed the meeting to the public.

-Adoption of Ord. 1505-2014 Calendar Year 2014 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank
-Budget Hearing – Resolution 2014-144

Sean Ferguson, present for Steve Wielkotz, Borough Auditor of Ferraiolo, Wielkotz & Cuva was present re: the Hearing/Adoption of Budget . He noted that the State has reviewed the Borough's budget and is in the process of taking steps to approve it.

Typical home owner will pay an additional \$113 dollars more than last year for home worth \$433,000. Overall 4.9 increase in levy. Majority of increase is for police, emergency medical technicians salaries and wages and increase for public works for snow removal.

ADOPTION OF ORDINANCE/PUBLIC HEARING

1505-2014 Calendar Year 2014 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank

The Clerk read the Notice of Ordinance and Ordinance No. 1505-2014.

Notice is hereby given that the following proposed Ordinance was introduced at a meeting of the Mayor and Council of the Borough of Edgewater, State of New Jersey held on the 21st day of April, 2014 and given its first reading, and the same was then ordered to be published according to law, and that said Ordinance will be further considered for final reading and adoption at a meeting of the said Mayor and Council to be held in the Nancy Merse Council Chambers, 55 River Road, Borough of Edgewater, New Jersey on the 19th day of May, 2014 at 7:00 pm or as soon thereafter that the matter can be reached, at which time and place all persons interested will have an opportunity to be heard concerning said Ordinance.

The said Ordinance is as follows:

BOROUGH OF EDGEWATER ORDINANCE NO. 1505-2014

CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Edgewater in the County of Bergen finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.0% increase in the budget for said year, amounting to \$525,264.18 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Edgewater, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Borough of Edgewater shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$612,808.21, and that the CY 2014 municipal budget for the Borough of Edgewater be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

JAMES F. DELANEY, Mayor

ATTEST:
BARBARA RAE, RMC, CMC
Borough Clerk

INTRODUCED: April 21, 2014
ADOPTED: May 19, 2014
APPROVED: May 19, 2014

The Clerk confirmed receipt of the certification of publication of Ordinance 1505-2014 in the April 24th, 2014 edition of the Record.

The Mayor opened the meeting to the public to comment on Ordinance 1505-2014. No one wished to be heard therefore the Mayor closed the meeting to the public to comment on Ordinance 1505-2014.

The Clerk then read the following:

MOTION

May 19, 2014

INTRODUCED: Councilman Vidal
SECOND: Councilman Bartolomeo

WHEREAS CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40a:4-45.1) is hereby adopted.

Discussion:

Councilman Vidal commented on the improved budget procedures that have been put in place. Also spoke about additional assessments and recommendations.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilman Doran	Yes
Councilman Monte	Yes
Councilman Vidal	Yes
Councilman Jordan	Absent
Councilman Bartolomeo	Yes

BUDGET HEARING RESOLUTION 2014-144

Mayor Delaney opened the meeting to the public to comment on Resolution 2014-144 and the following were heard:

Valory Bardinas, 16 Hudson Terrace:

- Asked about subaccounts and the MUA Million dollar savings.
- Discussion between Ms. Bardinas and Mr. Ferguson regarding the CAP.
- Asked about new developments and ratables. Councilman Vidal responded.
- Administrator Franz also commented.

Mary Hogan, 606 Undercliff Avenue:

- Commented about the ratables.
- Asked about fund for uncollected taxes and tax appeals.
- Discussion between Ms. Hogan, Mr. Ferguson and Administrator Franz.

The Clerk then read the following:

**RESOLUTION
2014-144**

May 19, 2014

INTRODUCED: Councilman Vidal
SECOND: Councilman Bartolomeo

Resolution 2014-144, Budget Resolution, is attached to the end of these minutes.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilman Doran	Yes
Councilman Monte	Yes
Councilman Jordan	Absent
Councilman Vidal	Yes
Councilman Bartolomeo	Yes

APPROVAL OF MINUTES

The following minutes were listed for approval: April 7, 2014 Work & Closed and April 21, 2014 Regular and Closed.

MOTION

May 19, 2014

INTRODUCED: Councilman Monte
SECOND: Councilman Doran

A motion to approve the minutes of the April 7, 2014 Work Session, April 7, 2014 Closed Session, April 21, 2014 Regular Meeting and April 21, 2014 Closed Meeting.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilman Doran	Yes
Councilman Monte	Yes
Councilman Vidal	Yes
Councilman Jordan	Absent
Councilman Bartolomeo	Yes

COMMUNICATIONS & PETITIONS

None.

INTRODUCTION OF ORDINANCES

1. **1506-2014** An Ordinance Amending and Supplementing Chapter 432, "Vehicles and Traffic," to Revise the Parking Restrictions on Certain Sections of Old River Road in the Borough of Edgewater

The Clerk read Ordinance 1506-2014 by title only as follows:

**BOROUGH OF EDGEWATER
ORDINANCE NO. 1506-2014
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER
432, "VEHICLES AND TRAFFIC," TO REVISE THE PARKING
RESTRICTIONS ON CERTAIN SECTIONS OF OLD RIVER ROAD
IN THE BOROUGH OF EDGEWATER**

RESOLUTION

May 19, 2014

INTRODUCED: Councilman Doran

SECONDED: Councilman Vidal

WHEREAS an Ordinance Amending and Supplementing Chapter 432, "Vehicles and Traffic," to Revise the Parking Restrictions on Certain Sections of Old River Road in the Borough of Edgewater was introduced on May 19, 2014, and passes its first reading and will be considered for final passage and public hearing on June 16, 2014 at 7:00 pm at the Edgewater, Municipal Building, 55 River Road, Edgewater, New Jersey.

Discussion:

Mayor Delaney noted that the Ordinance revises parking in the area of the day care center. Administrator Franz responded to Councilman Henwood's question about parking meters.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilman Doran	Yes
Councilman Monte	Yes
Councilman Vidal	Yes
Councilman Jordan	Absent
Councilman Bartolomeo	Yes

COMMITTEE/COUNCIL LIAISON REPORTS

Councilman Henwood commented about the good work that has been done at the Marina. He noted that the salt removal has paid off. Thanked Tom Quinton and the DPW and Administrator Franz.

Councilman Doran - none.

Councilman Monte – Submitted correspondence/report noting Police Chief Skidmore's concerns about staffing. Also noted there were 39 criminal arrests and that motor vehicle summonses were up. Councilman Henwood asked about the tasers.

Councilman Vidal – will get information about the number of tax appeals in 2013 versus 2012.

Councilman Jordan – absent.

Councilman Bartolomeo - none.

RESOLUTIONS

Councilman Henwood asked about the resolutions for the ball field bid. Borough Attorney Boggia and Administrator Franz responded. Discussion ensued.

Administrator Franz asked that Resolution 2014-134, Resolution to Appoint Strategic Recovery Planning Consultant, be tabled because the Committee was unable to meet to make a recommendation.

A motion to approve Resolutions 2014-120 to 2014-133 and Resolutions 2014-135 to 2014-143 was made by Councilman Vidal and seconded by Councilman Bartolomeo.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilman Doran	Yes
Councilman Monte	Yes
Councilman Vidal	Yes
Councilman Jordan	Absent
Councilman Bartolomeo	Yes

**RESOLUTION
2014-120**

May 19, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Doran

WHEREAS the Mayor and Council of the Borough of Edgewater have been advised of the proposed settlement of a property tax appeal filed by Randy Stasi (herein the "Tax Appeal") under Docket Number 012103-2011; 007817-2012; and 008102-2013; and

WHEREAS the subject property consists of a two (2) adjacent parcels located at Block 89, Lot 4 and is more commonly known as 180 Old River Road on the tax assessment map of the Borough; and

WHEREAS the said Governing Body has been advised s to the merits of the subject tax appeal settlement by legal counsel and the Borough tax assessor; and

WHEREAS the proposed Tax Appeal settlement components are set forth in the Schedule "A" attached hereto and made a part hereof; and

WHEREAS it is in the best interest of the Borough to settle the subject tax appeal in accordance with the settlement proposal set forth hereinabove; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Edgewater that the settlement of the aforesaid Tax Appeal be finalized in accordance with the enclosed Schedule "A"; and

BE IT FURTHER RESOLVED that with respect to same, the Mayor, the Mayor, Borough Administrator, Borough Attorney and/or any other appropriate Borough official is hereby authorized to perform any act necessary to effectuate the purpose set forth in this Resolution.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-121**

May 19, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Doran

WHEREAS, the Borough of Edgewater presently has a Summer Work Program for students; and

WHEREAS, the Mayor and Council set an hourly rate for students in the 2014 Summer Work Program as follows:

\$ 8.50 Per Hour	1st Year
9.00 Per Hour	2nd Year
9.50 Per Hour	3rd Year
10.00 Per Hour	4th Year and above

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the above-pay schedule is hereby approved and shall go into effect immediately provided the CFO certifies that funds are available.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-122**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

A Resolution Authorizing the Borough Engineer to Prepare Bid Specifications for the Remediation of Veterans Field and Authorizing Solicitation of Bids

WHEREAS, the Borough of Edgewater has a need to perform certain remediation work at Veterans Field; and

WHEREAS, it will be necessary to prepare bid specifications concerning the work to be performed; and

WHEREAS, the scope of work shall be determined in conjunction with the Borough’s Licensed Site Remediation Professional (“LSRP”), consistent with the Remediation Action Workplan (“RAW”) and other documents to be prepared by the LSRP; and

WHEREAS, it is anticipated that the scope of work required will exceed the applicable bid threshold under the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Edgewater that the Borough Engineer is hereby authorized to prepare bid specifications and all other bidding documents in consultation with the Borough’s LSRP concerning the remediation of Veterans Field.

BE IT FURTHER RESOLVED that upon receipt of completed bid specifications and other bidding documents, the QPA and/or the Borough Clerk is hereby authorized to publicly solicit bids for this work.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-123**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

WHEREAS the Mayor and Council received requests for employment for **Summer Camp Counselors** and **DPW** workers from the following applicants:

Jaclyn O’Connor – return	\$7.50 per hr.	Amerasia, Izabella, Hinojosa	\$7.50 per hr.
Colleen Weber- new	\$7.50. per hr.	Emma Riscen –new	\$7.50 per hr.

Vincent Weber – return	\$7.50 per hr.	Michael Weber – return	2 nd . yr.
Justin Gannon – return	\$8.50 per hr.	Nicole Schlobach – return	4 th .yr
Christopher Schlobach	\$7.50 per hr.	Bruce Scholbach	Jr. Volunteer
Taj, Asa Huggins	\$8.50 per hr.	Patrick Bussanich	\$7.50 per hr.
Taylor Quinton – return	\$7.50 per hr.	Taylor Armstrong – return	2nd.yr
Holly Ann Severino	\$7.50	Nami Uchida	\$7.50 per hr.
Ashley E. Severino	2 nd . yr.	Jessica Jean Drakeford	\$7.00 per hr.
Michele Hammer	1 st yr.	Michael Armstrong	\$7.50 per hr.
Jillian Squires	2 nd yr.	Bethany Squires	\$7.50 per.hr
Michael Mercado	1 st yr.	Brian Breslin	3rd yr
Matthew Gonzales	\$7.50 per hr.	Conner Tansey	1 st yr.
Desean Robinson	\$9.00	Paige O'Brien - new	\$7.50 per hr.
Raquel Santiago	\$7.50 per hr.	Amanda DeMarco	1 st yr.
John Leon	1 st yr.	Claudia Barragan	1 st yr.
Michael Meagher	1 st yr.	Daniel Meagher	1 st yr.
David Lopez	\$ 7.50 hr.		

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-124**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

Summer Camp Supervisors

WHEREAS the Borough of Edgewater has sponsored a yearly summer camp for the children of Edgewater; and

WHEREAS every year over 300 registrants participate in an exciting, activity filled summer camp providing educational opportunities, sporting activities, crafts, and trips; and

WHEREAS in order to provide the necessary supervision and oversight of 300 children and close to 40 youth counselors, credentialed supervisors with either a New Jersey teaching certificate or a college diploma in education will be hired as supervisors; and

WHEREAS the rate of pay will be commensurate with education and or certification; and

NOW THEREFORE BE IT RESOLVED that the following individuals are hereby appointed as seasonal camp supervisors eligible to work 40 hours per week without benefits for the 2014 summer camp season

- | | |
|-------------------------------|-------------------------------------|
| Cosar Taalu - \$18.00/hr. | Carmine Cambarera - \$20.00/hr. |
| Ozgur Uyaroglu - \$18.00/hr. | A. John Huggins - \$18.00/hr. |
| Dustin Barrett - \$18.00/hr. | Sean, Francis,MacIsaac- \$18.00/hr. |
| Thomas Mandile - \$18.00/hr. | Iveth Mollinedo - \$18.00/hr. |
| La Don McLemore - \$18.00/hr. | Sadik Kokan - \$18.00/hr. |
| Danielle Mauro - \$18.00/hr. | |

BE IT FURTHER RESOLVED that appointment is conditional on a satisfactory interview, background check, and successful completion of required safety training.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-125**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

Resolution 2014-125, Salaries & Wages, is attached to the end of these minutes.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-126**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

Resolution 2014-126, Services & Supplies, is attached to the end of these minutes.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-127**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

WHEREAS the Mayor and Council received a letter from Lynne M. Grasz, President of the Edgewater Arts Council with several requests for the 21st Annual Arts Festival scheduled for Sunday, September 14, 2014. (No rain date)

WHEREAS the Edgewater Arts Council requests include the following items:

1. A donation of \$1,000 from the Borough toward payment of juried awards
2. Police support from 8:00 a.m. to 6:00 p.m. on Sunday, September 14th
3. Police poster notification that there will be no parking on Saturday, September 13th from 9:00 A.M. to 5:00 P.M. for installation of fencing
4. Police poster notification that there will be no parking on Sunday, September 14th from 6:00 a.m. to 7:00 p.m.
5. Two DPW laborers from 8:00 a.m. to 6:00 p.m. September 14th
6. Extra trash barrels and barricades in addition to cones to be placed Edgewater Commons at Edgewater Commons on September 14th at 8:00 a.m.
7. One special event unisex portable toilet, to be located behind pump station
8. One ADA compliant handicap toilet, to be located behind pump station
9. Extra trash containers
10. Parking sign placed on River Road directing traffic into Edgewater Commons on Sept. 14th
11. Setup of the Ft. Lee mobile stage on Old River Road on Sunday morning, Sept. 14th by 10:00 a.m. just north of the old firehouse. Tear down after 6:00 p.m.

WHEREAS, the Arts Council has grant money to be used toward the costs for services listed above; and

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council grant approval for the above requests by the Edgewater Arts Council for their 23rd Annual Arts Festival, which is scheduled for Sunday September 14, 2014.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-128**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

WHEREAS on August 12, 2013 the Borough of Edgewater Governing Body members passed a motion for a Resolution to implement special traffic regulations concerning the George Washington School for the safety of our children ; and

WHEREAS the council, by unanimous vote, approved said Resolution to make Undercliff Avenue a one-way south from Orchard Street to the intersection of Rt. 5 between the hours of 7:30 a.m. – 8:45 a.m. during school hours; and

WHEREAS it has been requested by the Police Chief to change the hours from 7:30 a.m. – 8:30 a.m. during school hours; and

NOW THEREFORE BE IT RESOLVED by the Governing Body that Undercliff Avenue continue to be a one-way south from Orchard Street to the intersection of Rt. 5 between the hours of 7:30 a.m. – 8:30 a.m. effective immediately.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-129**

May 19, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Doran

WHEREAS U.S. Bank Cust/Emp IV, Cap On had purchased tax sale certificate # 11-0092010 on November 2, 2011 for property known as Edgewater Road, Block Lot Qualifier 0000007900001; and

WHEREAS, the tax sale certificate to be redeemed for \$26,113.45 is effective through May 22, 2014; and

WHEREAS, no premium amount was paid; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that the Tax Collector/

Treasurer is authorized to issue a refund check drawn to the current account at T.D.

Bank in the amount of Twenty Six Thousand One Hundred Thirteen Dollars and forty-five cents (\$26,113.45) payable to:

U.S. Bank Cust/Emp IV, Cap On
2 Liberty Place
Philadelphia, Pa 19102-2513

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-130**

May 19, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Doran

WHEREAS U.S. Bank Cust/Emp V, had purchased tax sale certificate # 12-0102011 on November 28, 2012 for property known as Edgewater Road, Block Lot Qualifier 0007900001; and

WHEREAS, the tax sale certificate to be redeemed for \$56,251.70 is effective through May 22, 2014; and

WHEREAS, no premium amount was paid; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that the Tax Collector/

Treasurer is authorized to issue a refund check drawn to the current account at T.D.

Bank in the amount of Fifty Six Thousand Two Hundred Fifty One Dollars and seventy cents (\$56,251.70) payable to:

U.S. Bank Cust/Emp V
2 Liberty Place
Philadelphia, Pa 19102-2513

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-131**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

**RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY
DEVELOPMENT PROGRAM**

WHEREAS certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended and Home Investment Partnership Act of 1990, as amended; and

WHEREAS the Grantee or a unit of general local government that directly or indirectly receives CDBG funds may not sell, trade, or otherwise transfer all or any such portion of such funds to another metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives DCDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended.

WHEREAS the current Interlocal Services Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS by June 20, 2014 each municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS it is in the best interest of the Borough of Edgewater and its residents to participate in said programs.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Edgewater that it hereby notifies the Bergen County Division of Community Development no later than June 20, 2014.

I hereby certify that the above Consensus was made by the Mayor and Council on May 16, 2013.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-132**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

RESOLUTION AUTHORIZING USE OF EDGEWATER MARINA PARK

WHEREAS the Leonia-Edgewater High School Senior Class holds a yearly graduation picnic at Veterans' Field; and

WHEREAS due to the delayed opening of Veterans' Field an alternative venue was offered by the Borough of Edgewater for the 2014 Sr. Class Picnic; and

WHEREAS the Edgewater Marina Park has been requested for use by the Leonia-Edgewater High School Class of 2014 for use of a graduation picnic and organized activities to be chaperoned by both teachers and parents of the class of 2014 students; and

NOW THEREFORE BE IT RESOLVED by the Edgewater Mayor and Council that it hereby authorizes use of the Edgewater Marina Park on Thursday, June 5, 2014 for the use by Leonia-Edgewater class of 2014 for a graduation picnic.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-133**

May 19, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Doran

Resolution to Purchase Special Tactical Weapons for the Police Department

WHEREAS the Borough of Edgewater Police Department is in need of special tactical weapons for special emergency situations and,

WHEREAS special tactical weapons provide protection to both police officers and the public and,

WHEREAS the police encounter many situations whereby illegal weapons that are seized and confiscated are more powerful than their current service weapon and,

WHEREAS the Chief of Police has recommended the purchase of five (5) tactical weapons for emergent use for the safety and protection of Edgewater Police Officers and the public

NOW THEREFORE BE IT RESOLVED by the Edgewater Mayor and Council that it hereby authorize the Borough of Edgewater to purchase five (5) Sig Sauer R516-16B-P weapons and components from Eagle Point Gun/T.J. Morris & Son, of 1707 Third Street, Therefore New Jersey 08086

BE IT FURTHER RESOLVED I, Joseph Iannaconi, Jr., do hereby certify that the quoted cost for the referenced equipment is \$9,570.00 as quoted on April 10, 2014 under State Contract #A75933 and funds are available in capital ordinance 1502-2013.

JOSEPH IANNACONI, JR., C.F.O.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-135**

May 19, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Doran

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, -52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Edgewater, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-136**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

A Resolution Awarding a Professional Services Contract to First Environment, Inc. for Remediation Testing and Monitoring Services at Veterans Field and for Litigation Support Services

WHEREAS, the Borough of Edgewater requires the services of a professional Environmental Engineer to address the requirement for the remediation of the contaminated soils/historic fill detected at Veteran’s field and for litigation support services in connection therewith; and

WHEREAS, the Borough has determined that the value of these services will exceed \$17,500; and

WHEREAS, the *Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i)* permits the award of this professional services contract without the need for full public bidding procedures; and

WHEREAS, *N.J.S.A. 40A:11-5(1)(a)(i)* further requires that contracting unit publish notice that that the resolution of award and the contract itself are available for public inspection; and

WHEREAS, the Borough has reviewed a proposal dated April 24, 2014, for certain environmental engineering services from First Environment, Inc. (“First Environment”) with offices at 91 Fulton Street, Boonton, New Jersey 07005, a copy of which proposal is attached hereto, and is desirous of awarding a Contract pursuant to the terms thereof; and

WHEREAS, the initial estimated cost of the services to be provided is \$46,950.00, however, the final amount shall be determined based on the specific services requested and rendered and the hours expended, based upon the rate schedule provided by First Environment which is attached hereto; and

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

WHEREAS, I, Joseph Iannaconi, the Borough's Chief Financial Officer hereby certifies that funds have been appropriated and are available for this purpose

JOSEPH IANNACONI, JR., C.F.O.

NOW, THEREOF, BE IT RESOLVED by the Mayor and Council of the Borough of Edgewater that a professional services contract is hereby awarded to First Environment to provide the site and safety oversight/management and environmental reporting related to the soil remediation that will be performed by others at Veterans Field, as well as litigation support services, as more particularly set forth in the attached Proposal dated April 24, 2014.

BE IT FURTHER RESOLVED that this contract is awarded without competitive bids as a "professional services" Contract in accordance with *N.J.S.A. 40A:11-5(1)(a)(i)* of the *Local Public Contracts Law* because the subject matter of the contract is for professional services by a firm or professional authorized to practice within the State of New Jersey.

BE IT FURTHER RESOLVED that this Contract is being awarded pursuant to the alternative process of the *New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A-20.5*, and in compliance therewith, and the *Business Entity Disclosure Certification* and all other required forms will be placed on file with this Resolution.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the above Contract for professional services, consistent with this Resolution.

BE IT FURTHER RESOLVED that a notice of the award of the above contract shall be published in The Record as required by law within ten (10) days of the adoption of this Resolution.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-137**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

A Resolution Authorizing the Borough to Change the Health Insurance Plan Offered to Medicare-Eligible Retirees to the Aetna Zero Co-Pay Medicare Advantage Program

WHEREAS, the Borough of Edgewater is constantly exploring ways to save money for the taxpayers of the municipality; and

WHEREAS, the Borough has identified potential savings related to the Health Insurance Plan offered to eligible retirees since the plan is partially subsidized by federal government ; and

WHEREAS, the proposed plan will provide a better benefit for those eligible retirees as it will have a Zero dollar copay and better coordination of benefits as Medicare parts A, B and the borough current plan will be wrapped into one.

WHEREAS, the Borough is desirous of changing the Health Insurance Plan offered to eligible retirees to the Aetna Zero CoPay Medicare Advantage Program and reserves the right to change back to the existing plans should it no longer be advantageous.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Edgewater that the Borough Administrator, Borough Clerk, and all other relevant Borough officials and employees are hereby authorized and empowered to take all necessary steps to effectuate the purposes of this Resolution as soon as practicable.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-138**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

Transfer of Community Center Staff from Seasonal Full Time to Permanent Part Time

WHEREAS the Recreation Department requires seasonal full time staffing in order to operate the summer camp program, and

WHEREAS the Borough transfers it's recreational permanent part time staff to seasonal full time along with appointing additional seasonal full time to operate the summer camp program, and

WHEREAS in order to operate the Community Center 7 days per week averaging over 80 hours per week, permanent part time staff are needed, and

WHEREAS summer recreational programs have concluded and the borough is in need to transfer staffing from full time to permanent part time staffing to operate the community center, and

WHEREAS said appointment does not guarantee regular hours for staffers but enables the community center to prepare monthly schedules based on need, use, and programming within the community center

NOW THEREFORE BE IT RESOLVED that the following individuals are hereby appointed permanent part time community center clerks at an hourly rate of \$10.72 per hour without benefits;

Kathy Weber	Taylor Armstrong	Ra Davis
Gio Drakeford	Jaber Jaber	Jeremy Byrnes
Rosalie Berger	Patrick Viola	Jennifer Franjul
Kayla DeMarco	Anna Joo	Celine O'Shea
Barbara Hallstein		

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-139**

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

WHEREAS there is a shortage of part-time Omnibus drivers; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Edgewater that Mario Sorto, Fairview, New Jersey, is hereby appointed to fill the position of part-time Omnibus driver; and

BE IT FURTHER RESOLVED by the Mayor and Council that this appointment is effective upon written acceptance by the applicant of the offer of employment of the Borough with the following conditions:

1. Provide proof of a current CDL license with a passenger endorsement
2. Provide proof of a valid NJ Driver's License in addition to a certified copy of driving abstract from the State of New Jersey
3. Applicant must successfully pass a pre-employment substance abuse test and fit for duty test; and

BE IT FURTHER RESOLVED that the hourly wage for this position is set forth in the current salary Ordinance No. 1495 and does not include and medical/health benefits.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-140**

May 19, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Doran

WHEREAS the position of EMT (Emergency Medical Technician) exists in the Borough of Edgewater as authorized by Borough Ordinance No. 1351-2006; and

WHEREAS a vacancy exists in this position; and

WHEREAS the following candidate who has been serving in the part-time position of EMT is recommended for appointment to the position of full-time EMT:

David Lewie, Bergenfield, New Jersey

WHEREAS said candidate has provided a valid NJ EMT certification, a satisfactory physical and a satisfactory drug and alcohol screening; and

NOW THEREFORE BE IT RESOLVED by the Governing Body that the above applicant is hereby appointed to the full-time position of EMT effective immediately at a salary of \$33,220.79 as in accordance with current salary ordinance; and

BE IT FURTHER RESOLVED that this position does include full benefits once the waiting period has been met; and

BE IT FURTHER RESOLVED that the appointee shall make bi-weekly contributions towards his medical benefits.

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-141**

May 19, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Doran

WHEREAS the Borough of Edgewater has created the position of EMT (Emergency Medical Technician) as authorized by Borough Ordinance No. 1351-2006; and

WHEREAS, a vacancy exists in the part-time position of EMT; and

WHEREAS the following candidate is recommended for appointment to the position of part-time EMT:

Ronald Frato, Jr., Edgewater, NJ

NOW, THEREFORE BE IT RESOLVED by the Governing Body that the above applicant is hereby appointed to the part-time position of EMT based on the following conditions:

1. Valid New Jersey EMT Certification
2. Physical
3. Drug and Alcohol Screening
4. Background Check

BE IT FURTHER RESOLVED that the hourly rate for this position is set forth in Ordinance No. 1495-2013, shall not exceed 19.5 hours per week and does not include any health/medical benefits; and

BE IT FURTHER RESOLVED that employment is effective only upon satisfactory results of all of the conditions as outlined above

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-142**

May 19, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Doran

WHEREAS the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS the Borough Council of the Borough of Edgewater, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS the Borough Council was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS the Governor's Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June, 2014 in order to transition the grant to a fiscal rather than calendar year cycle; and

WHEREAS funding has been made available to Edgewater Municipal Alliance grant in the amount of:

DEDR	\$ 14,814.00
Cash Match	\$ 3,703.00
In Kind	\$ 11,110.00

The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance audit requirements.

APPROVED: _____
James F. Delaney, Mayor

All council members present voted aye. None opposed. None abstained.

**RESOLUTION
2014-143**

May 19, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Doran

Resolution to Hire Temporary Full Time Summer Camp Nurse without Benefits

WHEREAS the Edgewater Health Department provides public health nursing services to the residents of Edgewater as well as medical assistance to borough sponsored events, and

WHEREAS the Edgewater Health Department used to operate with one (1) full time nurse and one (1) part time nurse to provide these programs until the part time nurse voluntarily resigned in May of 2013, and

WHEREAS the State of New Jersey mandates that a health care provider be available for emergencies at summer camp programs as well as assist in providing assistance to the public health nurse; and

NOW THEREFORE BE IT RESOLVED that Danielle Miller, 288 Undercliff Avenue, Edgewater New Jersey be appointed and has all the necessary credentials to provide emergency medical care as Nurse to the Borough of Edgewater at a rate of \$25.00 an hour without benefits; and

BE IT FURTHER RESOLVED that this is a temporary appointment not to exceed 30 working days from July 17, 2014 and said appointment is conditional on a valid nursing license, satisfactory medical examination and background check.

All council members present voted aye. None opposed. None abstained.

OLD BUSINESS

Councilman Vidal asked about the Heaven Developer's Agreement which was tabled last time. Borough Attorney Boggia responded and recommended waiting for tomorrow when the DEP will be here. Hopefully Borough will receive clarification and direction. Councilman Henwood also commented on the issue.

Councilman Vidal commented on the recent excessive rainfall and the strip mall where the River Mart is. Has video of water flowing into a business there. Need to look into Phase II of the Storm water Drains. It was noted that some of the stormwater comes from the top of the Cliffs. Councilman Vidal suggested that the Borough push for some State money. Councilman Henwood and Administrator Franz also commented on the issue. Councilman Vidal spoke about Tom Quinton's concerns. Administrator Franz noted that Wholefoods also had a flooding issue. Councilman Vidal spoke about the stormwater from the top of the Cliffs. Believes that the State should take that into consideration. Should push for some State funding.

Councilman Monte asked about debris behind Outback. Discussion.

NEW BUSINESS

Mayor Delaney spoke about the flooding on North Glen Lane that comes from Myrtle Avenue. He has had numerous complaints from neighbors and damage to their property. Noted that the condition has been going on for some time. Councilman Vidal said that he also received complaints from residents and has witnessed the flooding. Noted that the problem is that the street is not what they call a dedicated street on the tax map and as such is not entitled to stormwater drains and paving. Discussion about the flooding, paving issues and solutions.

Councilman Monte spoke about increased flooding from the Cliffs.

BOROUGH CLERK

Memorial Day Observance on Monday, May 25th. 9:a.m. Mass at Holy Rosary Church with coffee following. 10:30 a.m. services at Memorial Park Services. Following services, all invited to place flags on Veterans graves in the Edgewater Cemetery. Refreshments will be served at the American Legion Hall.

MOTION

May 19, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Monte

Motion to adjourn.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilman Doran	Yes
Councilman Monte	Yes
Councilman Vidal	Yes
Councilman Jordan	Absent
Councilman Bartolomeo	Yes

Barbara Rae, RMC, CMC
Borough Clerk

APPROVED: June 16, 2014