

**\*\*\*No CD available. Recording problems.**

**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 AUGUST 11, 2014**

**PRESENT:** Councilman Henwood, Councilman Doran, Councilman Monte (via telephone), Councilman Vidal and Councilman Bartolomeo

**PRESIDING:** Mayor James F. Delaney

**ALSO PRESENT:** Borough Clerk Barbara Rae and Borough Attorney Philip Boggia.

**ABSENT:** Councilman Jordan and Borough Administrator Franz.

**OPEN PUBLIC MEETING ACT**

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

**MOMENT OF SILENCE**

Mayor Delaney asked for a moment of silence.

**SALUTE TO FLAG**

Councilman Doran led the Pledge of Allegiance.

**CONFERENCE**

1. Michael Mills and Christa Gaffrian of Mills & Schnoering Architects were present to provide the Governing Body with a presentation of the Historic Old Borough Hall and hold discussions regarding Phase 2 which is the interior design for the Volunteer First Aid Squad.
2. A billboard with a legend was on display.
3. A review was presented of the phases that were already performed.
4. Phase 2 includes the exterior repair and rehabilitation. The brick would be clean and there would be replacement of brick. There would be a change in the entrance to where the Police Department was formerly housed. This would be changed back to the way it was.

**OPEN MEETING TO PUBLIC**

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

Peter DePaul, 606 Undercliff Avenue:

- Commended Mayor and Council for moving ahead with the quality space for the Ambulance Squad.

Sandip , 40 Garden Place:

- Spoke about public safety at Garden Place.
- Commented about River Road traffic light and crosswalk.
- Spoke about the ramp on the corner.
- Spoke about two accidents that occurred last month.
- Suggested placing signage in LED saying “Do Not Enter.”

George Sporis, 258 Old River Road:

- Spoke about parking issues and the need for more handicapped spots.
- Believes speed limit should be reduced.
- Happy to volunteer his time.

Michael Messeri, 264-266 Old River Road:

- Gave a recap of the parking situation and the steps taken to resolve parking issues at Old River Road.
- Attorney to prepare Parking Ordinance.

Mary Hogan, 606 Undercliff Avenue:

- Had question about the Bill List.
- Commented on Resolution 2014-202
- Referenced last meeting and Councilman Vidal's comments about TERMS.
- Asked about the Little League Field.

Valory Bardinas, 16 Hudson Terrace:

- Referenced copy of Performance and Maintenance Bond.
- Understood we paid Waterside \$3.7 up front.
- Referenced maps at the last meeting
- It's been back and forth with the LSRP.
- Believes that numbers don't jive, didn't include Little League Field and asked where the data is from.

Denis Gallagher, 18 Arlington Terrace:

- Complained that meetings are not being televised.
- Councilman Henwood to look into.

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

Mayor Delaney responded to comments noting that the Little League Field had been tested and came back clean. He noted that the purpose of First Environment's amendment was for waste clarification and how the contractor would be required to do this.

Councilman Vidal said that testing is going to be done for the classification of contaminants or minerals – just to classify it – so rather wait for successful bidder doing the job, we do it rather than wait another 45 days.

Councilman Henwood agreed that the Borough has to delineate it anyway, so he feels that we should go ahead. He also stated that two weeks ago the Little League Field was tested and came back clean. Councilman Henwood stated that they are responsive to get the remediation done safely, quickly and expertly.

Borough Attorney commented on the indemnification clause set forth in proposals by First Environment. He explained that when the actual contract is prepared we do not include the indemnification clause.

Borough Attorney Boggia gave an update in relation to the Old River Road Parking. He indicated that some of the parking would be metered. Also could be deeded parking spaces.

Councilman Henwood spoke about taping meetings on line.

## **APPROVAL OF MINUTES**

The following minutes were listed for approval: July 14, 2014 Regular Meeting and July 14, 2014 Closed Meeting.

## **MOTION**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Doran

A motion to approve the minutes of the July 14, 2014 Regular Meeting and the July 14, 2014 Closed Meeting.

On roll call the vote was as follows:

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

### **RECEIPT OF BIDS**

None.

### **ADOPTION/PUBLIC HEARING OF ORDINANCES**

**1.Ord. No. 1511-2014** An Ordinance of the Borough of Edgewater, in the County of Bergen, New Jersey, Appropriating a \$30,000 Grant to Be Received by the Borough for Post Sandy Planning in and For the Borough of Edgewater, in the County of Bergen, New Jersey

The Clerk read the Notice of Ordinance and Ordinance No. 1511-2014.

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 14th day of July, 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 11th day of August, 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:

**ORDINANCE NO. 1511-2014**  
**AN ORDINANCE OF THE BOROUGH OF EDGEWATER,  
IN THE COUNTY OF BERGEN, NEW JERSEY,  
APPROPRIATING A \$30,000 GRANT TO BE RECEIVED  
BY THE BOROUGH FOR POST SANDY PLANNING IN  
AND FOR THE BOROUGH OF EDGEWATER, IN THE  
COUNTY OF BERGEN, NEW JERSEY**

BE IT ORDAINED BY THE BOROUGH COMMITTEE OF THE BOROUGH OF EDGEWATER, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than a majority of all members thereof affirmatively concurring), AS FOLLOWS:

**Section 1.** The \$30,000 Post Sandy Planning Assistance Grant expected to be received by the Borough from the New Jersey Department of Community Affairs is hereby appropriated for the purpose of providing funds for the development of a Strategic Recovery Planning Report that will evaluate the impacts of Superstorm Sandy on the Borough and identify goals, strategies and priorities for recovery, including all work and materials necessary therefor and incidental thereto.

**Section 2.** The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local

Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect in accordance with law.

**JAMES F. DELANEY**, Mayor

**ATTEST:**

**BARBARA RAE, RMC, CMC**  
Borough Clerk

**INTRODUCED: July 14, 2014**  
**ADOPTED: August 11, 2014**  
**APPROVED: August 11, 2014**

The Clerk confirmed receipt of the certification of publication of Ordinance 1511-2014 in the July 24th, 2014 edition of the Record.

The Mayor opened the meeting to the public to comment on Ordinance 1511-2014. No one wished to be heard therefore the Mayor closed the meeting to the public to comment on Ordinance 1511-2014.

The Clerk then read the following:

**MOTION**

August 11, 2014

**INTRODUCED:** Councilman Henwood  
**SECOND:** Councilman Doran

**AN ORDINANCE OF THE BOROUGH OF EDGEWATER, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING A \$30,000 GRANT TO BE RECEIVED BY THE BOROUGH FOR POST SANDY PLANNING IN AND FOR THE BOROUGH OF EDGEWATER, IN THE COUNTY OF BERGEN, NEW JERSEY, is hereby adopted.**

On roll call the vote was as follows:

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

**COMMUNICATIONS/PETITIONS**

1. Memorandum from C.F.O. Joseph Iannaconi – Note Sale

Notify Governing Body of the Sale of \$22,065,000 Borough of Edgewater General Obligation Notes, consisting of \$21,584,000 General Capital Bond Anticipation Notes, \$450,000 Marina Utility Bond Anticipation Notes and \$31,000 Special Emergency Notes

2. Letter from L. Ward

Letter from Lynne Ward of the Edgewater Harbor thanking the Fire Department and other First Responders for their quick response and for containing the fire at the Pier at Edgewater Harbor. Thanks to their quick response the surrounding buildings were kept safe and there were no injuries. They are looking forward to rebuilding the pier.

**INTRODUCTION OF ORDINANCES**

1. **Ord. No. 1513-2014** An Ordinance of the Borough of Edgewater, County of Bergen, State of New Jersey, Amending and Supplementing Chapter 240 of the Code of the Borough of Edgewater to Revise Certain Regulations Pertaining to the Distance Between Driveways

During discussion of the proposal, Councilman Bartolomeo expressed concerns. He is not sure this is the right solution. He believes we need more time to further study the issue.

**MOTION**

August 11, 2014

**INTRODUCED:** Councilman Bartolomeo

**SECOND:** Councilman Vidal

A motion to Table Ordinance 1513-2014.

On roll call the vote was as follows:

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

2. **Ord. No. 1514-2014** An Ordinance of the Borough of Edgewater, County of Bergen, New Jersey, Amending Ordinance No. 1474-2012 of the Borough Finally Adopted on May 24, 2014 Providing for Various Improvements to Veteran's Field in and for the Borough of Edgewater and Appropriating \$13,700,000 Therefor, and Providing for the issuance of \$13,015,000 in bonds or Notes of the Borough of Edgewater to Finance the Same

Clerk read Ordinance 1514-2014 by title only as follows:

**BOROUGH OF EDGEWATER  
ORDINANCE NO. 1514-2014**

**AN ORDINANCE OF THE BOROUGH OF EDGEWATER, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING ORDINANCE NO. 1474-2012 OF THE BOROUGH FINALLY ADOPTED ON MAY 24, 2012, PROVIDING FOR VARIOUS IMPROVEMENTS TO VETERAN'S FIELD IN AND FOR THE BOROUGH OF EDGEWATER AND APPROPRIATING \$13,700,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$13,015,000 IN BONDS OR NOTES OF THE BOROUGH OF EDGEWATER TO FINANCE THE SAME**

The Clerk then read the following:

**RESOLUTION**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECONDED:** Councilman Doran

**AN ORDINANCE OF THE BOROUGH OF EDGEWATER, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING ORDINANCE NO. 1474-2012 OF THE BOROUGH FINALLY ADOPTED ON MAY 24, 2012, PROVIDING FOR VARIOUS IMPROVEMENTS TO VETERAN'S FIELD IN AND FOR THE BOROUGH OF EDGEWATER AND APPROPRIATING \$13,700,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$13,015,000 IN BONDS OR NOTES OF THE BOROUGH OF EDGEWATER TO FINANCE THE SAME and passes its first reading and will be considered for final passage and public hearing on**

September 15, 2014 at 7:00 pm at the Edgewater Municipal Building, 55 River Road, Edgewater, New Jersey.

On roll call the vote was as follows:

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

At this point in the meeting, Councilman Henwood asked Ms. Bardinias and Ms. Hogan to be quiet or take their conversations outside. He stated that their behavior is rude and distracting.

Mayor Delaney had asked them to please be quiet.

### **COMMITTEE REPORTS**

Councilman Henwood reported that the new DPW hire is an asset to the Borough.

Spoke about a Request from Senator Menendez opposing New York to us from theirs.

Borough Attorney Boggia also reported that the Colony is still pursuing approval with the DEP to legalize existing docks. Some conservation easements proposed.

Councilman Doran – No report.

Councilman Vidal – No report.

Councilman Bartolomeo reported on the Borough's Health Fair scheduled for September 20, 2014 at the Community Center. All are welcome. For further information call 201-943-1700 ext. 6005.

### **RESOLUTIONS**

A motion to approve Resolutions 2014-191 to 2014-202 was made by Councilman Henwood and seconded by Councilman Vidal.

On roll call the vote was as follows:

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

### **RESOLUTION 2014-191**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Vidal

**WHEREAS** the Mayor and Council have received a request from Sharon Carroll, requesting use of the Senior Citizen Bus and driver for transportation for a day trip to the Annual Senior Picnic in Van Saun Park, Paramus, New Jersey; and

**WHEREAS** said trip will be held on Tuesday, September 16, 2014 (rain date Tuesday September 23<sup>rd</sup>); and

**WHEREAS** participants will depart from the Edgewater Community Center at 9:30a.m. and return to the Edgewater Community Center at 12:30 p.m.; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council that permission is hereby granted to Sharon Carroll's request for use of the Senior Citizen Bus and driver upon availability on the above listed date; and

**BE IT FURTHER RESOLVED** by the Mayor and Council that if for some reason the trip needs to be rescheduled, permission is hereby granted for the use of the bus based on availability.

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

**RESOLUTION  
2014-192**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Vidal

**WHEREAS**, the Borough of Edgewater currently has a contract with the County of Bergen for the purpose of 9-1-1 (PSAP) Communication Services which is due to expire; and

**WHEREAS**, the Borough of Edgewater is desirous of consolidating its 9-1-1 communications and public safety dispatch service with the County of Bergen for the period of five years commencing on September 1, 2014 through August 31, 2019; and

**NOW, THEREFORE** in consideration of the promises, covenants, terms and conditions herein, the parties agree as follows:

1. Bergen County Communications, operated by the Bergen County Police Department, shall provide 9-1-1 communication service to the Municipality at an annual cost of \$.75 (Seventy-Five cents), per resident, based upon the 2010 census. The annual payment shall be made on or before September 1st. Payment shall be sent to: Bergen County Treasurer, County of Bergen, One Bergen County Plaza, Hackensack, NJ 07601, or to such other address as the County may direct upon notice in writing.
2. The term of this Agreement shall be five (5) years, commencing September 1, 2014 through August 31, 2019. The County may, at its option, renew this Agreement on terms and conditions mutually agreeable to the parties at the time of renewal.
3. The Municipality is currently receiving 9-1-1 communications service via Bergen County Communications. The Municipality does not need to make any changes to the way it presently does business, vis-à-vis, 9-1-1 communications in order to have County Communications continue to provide 9-1-1 services.
4. The County shall provide 9-1-1 communications for the Municipality twenty-four (24) hours a day, seven (7) days a week that will include call taking of all 9-1-1 calls and will include all medical pre-arrival instructions as per the New Jersey Office of Emergency Telecommunications guidelines. County Communications shall engage translation service from the "language line" to handle 9-1-1 calls and administrative calls from non-English speaking persons. The County will not provide any dispatching services for the Municipality.
5. The County's obligations contemplated under this Agreement shall be performed under the supervision and direction of the County's Communications Director, County 911 Coordinator, within the Bergen County Police Department.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to sign the contract between the Borough of Edgewater and the County of Bergen.

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

**RESOLUTION  
2014-193**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Vidal

**WHEREAS**, the Mayor and Council of the Borough of Edgewater have been advised of the proposed settlement of a property tax appeal filed by Three Y, LLC (hereinafter the “Tax Appeal”), under Docket Number 016323-2013, and;

**WHEREAS**, the subject property is located at Block 93 Lots 1 and 2.01, and is more commonly known as 163 Old River Road and 135 Old River Road on the tax assessment map of the Borough, and;

**WHEREAS**, the said Governing Body has been advised as 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.

**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 provisions set forth the attached Schedule “A”, and;

**BE IT FURTHER RESOLVED** that with respect to same, 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.

#### **SCHEDULE “A”**

A. The terms of the aforesaid tax appeal settlement shall consist of the following:

2013 Appeal: \$1,000,000

B. In addition to the foregoing, the Subject Properties’ assessment shall be set at a total amount not to exceed \$1,000,000 in the 2014 tax year, and not to exceed \$975,000 in 2015.

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

#### **RESOLUTION 2014-194**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Vidal

Resolution 2014-194, Salaries & Wages, is attached to the end of these minutes.

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

#### **RESOLUTION 2014-195**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Vidal

Resolution 2014-195, Salaries & Wages, is attached to the end of these minutes.

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

#### **RESOLUTION 2014-196**

August 11, 2014

**INTRODUCED:** Councilman Henwood  
**SECOND:** Councilman Vidal

Resolution 2014-196, Services & Supplies, is attached to the end of these minutes.

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

**RESOLUTION  
2014-197**

August 11, 2014

**INTRODUCED:** Councilman Henwood  
**SECOND:** Councilman Vidal

**WHEREAS** the Borough of Edgewater Police Department is in need of traffic and crowd control barricades; and

**WHEREAS** the Chief of Police had budgeted for the purchase of one hundred (100) barricades; and

**WHEREAS** the Chief of Police obtained three (3) quotes from the following:

The Tamis Corporation                      100 cones @ \$146.00 per cone      \$14,600.00\  
Pittsburgh, PA

Certified Speedometer Service   100 cones @ \$164.00 per cone      \$16,400.00  
Old Tappan, NJ

fsIndustries                                      100 cones @ \$200.00 per cone      \$20,000  
Providence, RI

**WHEREAS** lowest quote submitted was by The Tamis Corporation, located at 10700 Frankstown Road, Suite 105, Pittsburgh, Pa. 15235-3052 in the amount of \$14,600; and

**NOW THEREFORE BE IT RESOLVED** by the Edgewater Mayor and Council that it hereby authorizes the Borough of Edgewater to purchase one hundred (100) cones in an amount not to exceed \$14,600.00; and

**BE IT FURTHER RESOLVED** I, Joseph Iannaconi, Jr., do hereby certify that the quoted cost for the referenced equipment is \$14,600.00 as quoted on July 25, 2014 and whereby funding is available as authorized by C and funds are available in capital ordinance **1502-2013**.

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

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

**RESOLUTION  
2014-198**

August 11, 2014

**INTRODUCED:** Councilman Henwood  
**SECOND:** Councilman Vidal

**WHEREAS** during budget discussions, the Police Chief had requested various pieces of equipment for use by the Edgewater Police Department; and

**WHEREAS** the Police Chief has received a proposal by Lakeside Plastics, Inc., located at Oshkosh, W., for the purchase of 200 traffic cones under State Contract #CMC 0001 in the amount of Two Thousand Five Hundred Ninety Six Dollars and zero cents (\$2,596.00); and

WHEREAS, I, Joseph Iannaconi, Jr., Chief Financial Officer, do hereby certify that funding is available for this purpose under Bond Ordinance No.1502-2013:

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

NOW THEREFORE BE IT RESOLVED by the Governing Body that the Police Chief is hereby authorized to purchase 200 traffic cones at a cost not to exceed \$2,596.00.

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

**RESOLUTION  
2014-199**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Vidal

**WHEREAS** it is required by the Attorney General Guidelines that Police Officers must qualify with their weapons twice per year; and

**WHEREAS** in preparation for weapon qualifications for the police personnel, it is necessary to purchase ammunition for pistols and rifles, targets, assault rifle cleaning kits, lights and switches for night fire; and

**WHEREAS** Eagle Point Gun /T. J. Morris and Son submitted a quote in the amount of \$7,445.96 and East Coast Emergency Lighting, Inc. submitted a quote in the amount of \$4,300.20 under State Contract 81388 for a combined cost of \$11,746.16 ; and

**WHEREAS**, I, Joseph Iannaconi, Jr., Chief Financial Officer, do hereby certify that funding is available for this purpose under Bond Ordinance No.1502-2013:

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

**NOW THEREFORE BE IT RESOLVED** by the Governing Body that the Police Chief is hereby authorized to purchase the items outlined in the July 30, 2014 quotation submitted by Eagle Point Gun/T.J. Morris and Son in the amount not to exceed \$7,445.96 and the items outlined in the quote submitted by East Coast Emergency Lighting Inc. dated July 29, 2014 a total amount not to exceed \$11,746.16.

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

**RESOLUTION  
2014-200**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Vidal

**RESOLUTION OF THE BOROUGH OF EDGEWATER  
DIRECTING THE UNDERTAKING OF A  
CONTINUING DISCLOSURE REVIEW AND  
AUTHORIZING PARTICIPATION IN THE  
MUNICIPALITIES CONTINUING DISCLOSURE  
COOPERATION INITIATIVE OF THE SECURITIES  
AND EXCHANGE COMMISSION**

**WHEREAS**, the Borough of Edgewater, in the County of Bergen, New Jersey (the "Issuer") has previously issued, or was an "obligated person" in connection with, one or more series of bonds and notes ("Obligations"), including Obligations issued in the past five (5) years pursuant to one or more preliminary and final official statements; and

**WHEREAS**, in connection with the issuance of the Obligations, the Issuer agreed, pursuant to Rule 15c2-12 (the "Rule") of the Securities and Exchange Commission (the "SEC"), to provide certain information to the former nationally recognized municipal securities information repositories or to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system, including, but not limited to, audited financial statements, certain financial information and operating data and notices of ratings changes and other events; and

**WHEREAS**, the SEC has recently focused on what it believes is widespread failure of local government issuers across the nation to meet their continuing disclosure obligations and misrepresentations in official statements of past compliance with continuing disclosure obligations; and

**WHEREAS**, in an effort to remedy these perceived issues, the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative (the "MCDC Initiative"), a program currently scheduled to end for issuers at 12:00 a.m. on December 1, 2014, that encourages issuers of municipal bonds and notes to self-report possible material misstatements or omissions made in the past five (5) years in an official statement or statements regarding compliance with prior continuing disclosure undertakings; and

**WHEREAS**, by participating in the MCDC Initiative, issuers agree to accept certain non-monetary penalties; and

**WHEREAS**, recently, the Division of Local Government Services issued Local Finance Notice 2014-9 warning local government officials of possible consequences for failing to identify past noncompliance with continuing disclosure requirements and determining whether to take advantage of the MCDC Initiative, and recommending that local government officials proactively take steps to self-identify their own levels of compliance with their continuing disclosure undertakings and consult their public finance professionals to determine if it is advisable to participate in the MCDC Initiative; and

**WHEREAS**, the Issuer desires to conduct a disclosure review which will (i) summarize the results of the Issuer's prior compliance with its secondary market disclosure obligations and (ii) compare those results to the statements made by the Issuer in the last five (5) years in its official statement or statements regarding past compliance (the "Disclosure Review"); and

**WHEREAS**, based on the results of the Disclosure Review, the Issuer further desires to delegate to the Chief Financial Officer, in consultation with the Issuer's general counsel, bond counsel, financial advisor, auditor and other finance professionals, the authority to prepare and submit all documentation required to enter the Issuer's bond and note issues into the MCDC Initiative, as necessary.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF EDGEWATER, IN THE COUNTY OF BERGEN, NEW JERSEY, AS FOLLOWS:**

**Section 1.** The Issuer hereby determines to undertake a Disclosure Review, and directs its Chief Financial Officer to undertake same with the assistance of the Issuer's general counsel, auditor, bond counsel and financial advisor.

**Section 2.** The Chief Financial Officer of the Issuer is hereby authorized and delegated the authority to determine if the Issuer shall participate in the MCDC Initiative if, after consultation with the Issuer's officials and professionals, it is determined that the Issuer may have made materially inaccurate statements in its bond and/or note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its obligations issued during the last five (5) years prior.

**Section 3.** The Chief Financial Officer of the Issuer is hereby authorized to execute and deliver any and all documents and instruments, including the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative, and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions, including the Disclosure Review, contemplated by this resolution.

**Section 4.** Any action taken by the Chief Financial Officer, or any other officer or employee of the Issuer, with respect to the Disclosure Review, the engagement of a disclosure specialist and participation in the MCDC Initiative is hereby ratified and confirmed.

**Section 5.** This resolution shall take effect immediately.

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

**RESOLUTION  
2014-201**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Vidal

**STATE LOCAL COOPERATIVE HOUSING INSPECTION PROGRAM**

**WHEREAS** the Borough of Edgewater is desirous to renew their participation in the State Local Cooperative Housing Inspection Program; and

**WHEREAS** under this program, the Borough has requested and received authorization to conduct the State mandated inspections of hotels and multiple dwellings within the Borough of Edgewater's jurisdiction on behalf of the Bureau of Housing Inspection during the period from July 1, 2014 to June 30, 2015; and

**WHEREAS** in order to pay the Borough of Edgewater for conducting these State inspections during the Fiscal Year 2015, the Bureau has allocated the sum of \$2,600.00. This amount is based upon the number of hotels, motels and multiple dwellings in the Borough of Edgewater that will require inspections during the Fiscal Year 2015; and

**NOW, THEREFORE BE IT RESOLVED** by the Borough of Edgewater that Mayor James Delaney is hereby authorized to sign the acceptance of this authorization for the Borough of Edgewater to renew its participation in the State Local Cooperative Housing Inspection Program.

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

**RESOLUTION  
2014-202**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Vidal

**First Environment Technical Support for Veterans Field - Amendment to Scope of Work to Perform Additional Sampling Based on August 6, 2014 Proposal**

**WHEREAS**, the Borough of Edgewater required 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**, on May 19, 2014, by Resolution 2014-136, the Borough accepted and awarded a contract for Professional Services for Remediation Testing and Monitoring at Veterans Field to First Environment Inc., with offices located at 91 Fulton Street, Boonton, New Jersey, 07005; and

**WHEREAS**, said contract was subsequently amended by Resolution Number 2014-174, 2014-189 and 2014-190 which were adopted on July 14, 2014; and

**WHEREAS**, the Borough has received and reviewed a Proposal submitted by First Environment dated August 6, 2014 in the amount of \$24,800.00, expanding the scope of services to be performed by First Environment, a copy of which is attached hereto; and

**WHEREAS**, the scope of work set forth in the August 6, 2014 Proposal includes additional sampling which will ultimately serve to expedite the upcoming remedial action efforts that are expected to commence in September, 2014 and will include the collection of 15 samples from select areas of the to be performed at Veterans Field for waste classification analysis; and

**WHEREAS**, I, Joseph Iannaconi, the Borough's Chief Financial Officer hereby certifies that funds have been appropriated and are available for this purpose through Ordinance No. 1474

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

**NOW, THEREOF, BE IT RESOLVED** by the Mayor and Council of the Borough of Edgewater that the Professional Services Proposal submitted by First Environment to expand their services as outlined in their proposal dated August 6, 2014 in the amount of \$24,800.00 is hereby accepted.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to execute a contract to effectuate the purposes of this Resolution.

**BE IT FURTHER RESOLVED** that the Borough Clerk shall publish notice of this contract amendment in the official newspaper of the Borough.

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

## **OLD BUSINESS**

Councilman Vidal asked if the Borough has reached out to anyone regarding the outfalls storm drains located in the area of 880 River Road.

## **NEW BUSINESS**

Borough Attorney Boggia commented on Resolution 2014-200. He explained the meaning of the resolution and how the SEC implemented a plan.

## **MAYOR/COUNCIL REQUESTS**

Mayor Delaney issued the following Proclamation:

***PROCLAMATION  
FOR  
STAND UP TO CANCER***

***WHEREAS*** three years ago, a young lady named Jacqueline Li was starting her Freshman year at the University of Toronto at which time she was diagnosed with a rare cancer; and

***WHEREAS*** although the best doctors in the world were puzzled by this type of cancer – Ms. Li put up a fight. Her hopes never diminished despite painful chemo and even more painful radiation treatments; and

*WHEREAS she never became discouraged or embarrassed despite losing her long locks of hair due to chemo treatments and knowing that there was nothing more to be done, Ms. Li's heart was uplifted on the theory of there is still a chance ... a chance she may get married one day, have children, finish college, start her own business and travel the world to Japan, Hong Kong and France; and*

*WHEREAS, she fought to the last minute of her life at the young age of 23. That was Jacqueline Li. Her story of living life was so inspirational that in the last few months of her life, her church made a video documenting her journey. The day she passed, her video went viral and was seen in over 51 countries. Celebrities all over the world were blogging and tweeting about Jacqueline, her story and her inspirations on the living;*

*WHEREAS, Stand Up To Cancer (SU2C) is a groundbreaking initiative that was created to accelerate innovative cancer research that will get new therapies to patients quickly and save lives now. SU2C is bringing together the best and the brightest researchers and encouraging collaboration instead of competition among the entire cancer community; and*

*NOW THEREFORE BE IT RESOLVED that at the request of Jacqueline Li's family, I, James F. Delaney, Mayor of the Borough of Edgewater, do hereby proclaim August 2, 2014, as 'STAND UP TO CANCER DAY' in memory of Jacqueline Li and to all of those who have succumbed to cancer.*

JAMES F. DELANEY, Mayor

ATTEST:  
BARBARA RAE, RMC, CMC  
Borough Clerk

**CLOSED SESSION DISCUSSION:**

**Personnel:**

- Police Communications Clerks
- Police DOP Sergeant List
- A & E

**Litigation:**

- Waterside Construction

**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, the Borough of Edgewater desires to meet in private and/or Executive Session to discuss matters that are permitted by the exceptions to the Open Public Meetings Act as indicated herein:

- \_\_\_\_\_ 1. Any matter which, by express provision of Federal law or State statute or court rule shall be rendered confidential or excluded from discussion in public;
- \_\_\_\_\_ 2. Any matter in which the release of information would impair a right to receive funds from the federal government;
- \_\_\_\_\_ 3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy;
- \_\_\_\_\_ 4. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.
- \_\_\_\_\_ 5. Any matter involving the purchase, lease, or acquisition of real estate with public funds, the setting of a banking rates or investment of public funds, where it could

adversely affect the public interest if discussion of such matters were disclosed;

- \_\_\_\_\_ 6. Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law;
- \_\_\_XX 7. Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer;
- \_\_\_XX 8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
- \_\_\_\_\_ 9. Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or commission for which the responding party bears responsibility.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council shall recess into private and/or Executive and Closed Session to discuss the aforementioned subject matter and the minutes of same may be disclosed at such time in the future as the GOVERNING BODY in its discretion may determine according to law.

On roll call the vote was as follows:

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

The governing body returned from Closed Session.

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

**ALSO PRESENT:** Mayor Delaney, Borough Clerk Barbara Rae and Borough Attorney Philip Boggia.

**ABSENT:** Councilman Monte, Councilman Jordan and Administrator Gregory S. Franz

**RESOLUTION  
2014-203**

August 11, 2014

**INTRODUCED:** Councilman Henwood  
**SECOND:** Councilman Vidal

**WHEREAS** the Borough of Edgewater is in the beginning process of hiring candidates to be appointed to the position of Police Communications Clerk; and

**WHEREAS** successful candidates shall be assigned to work in the Edgewater Police Department under the direction of the Police Chief and ranking shift commanders; and

**WHEREAS** by supplementing the various shifts with Police Communications Clerks, this will allow additional Police Officers to patrol the streets of the Borough; and

**WHEREAS**, Linda Merse, Ivan Cecilio and Nolan Hill have made application for this position and were successfully interviewed and recommended by the Police Chief to serve in the position of Police Communications Clerks; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council that the following are hereby appointed to serve in the position of Police Communications Clerks effective September 1, 2014 pending a successful completion of a background investigation, training, a physical, drug and alcohol test and proof of a valid driver's license:

Linda Merse – Edgewater, New Jersey  
Ivan Cecilio – Edgewater, New Jersey  
Nolan Hill – Edgewater, New Jersey

**BE IT FURTHER RESOLVED** this position is a full-time position that consists of a 35 hour work week schedule which shall be assigned by the Police Chief; and

**BE IT FURTHER RESOLVED** that the salary for this position shall be \$28,000 with full medical benefits with an employee contribution towards the health plan premium.

On roll call the vote was as follows:

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

**MOTION**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Doran/Councilman Vidal

A motion to authorize Special Counsel Tim Corriston to commence litigation in Federal Court against all responsible parties re: Veteran's Field.

On roll call the vote was as follows:

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

**MOTION**

August 11, 2014

**INTRODUCED:** Councilman Henwood

**SECOND:** Councilman Doran

Motion to adjourn.

On roll call the vote was as follows:

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

Barbara Rae, RMC, CMC  
Borough Clerk

**APPROVED:** September 15, 2014