

**MINUTES OF A WORK SESSION OF THE EDGEWATER MAYOR AND COUNCIL
HELD IN CONFERENCE ROOM 3, ROOM NO. 215 IN THE MUNICIPAL BUILDING,
LOCATED AT 55 RIVER ROAD, EDGEWATER, COUNTY OF BERGEN, STATE OF
NEW JERSEY ON OCTOBER 3, 2016**

SALUTE TO THE FLAG:

Council President Monte led the Pledge of Allegiance.

OPEN PUBLIC MEETINGS ACT

Council President Monte read the following:

“In compliance with New Jersey’s Open Public Meetings Act, Chapter 231 of P.L. 1975, I hereby declare that adequate notice of this meeting has been provided specifying that this meeting would be held on this date, October 3, 2016, in the Municipal Building, 55 River Road, Edgewater, New Jersey at 7:00 p.m. This notice was published in the Record and Jersey Journal, posted on the bulletin board in the lobby of the Borough Hall and posted on the Borough’s website.”

PRESIDING: Council President Monte

PRESENT ON ROLL CALL: Councilman Henwood, Councilwoman Lawlor, Councilman Monte, Councilwoman Fischetti and Councilman Bartolomeo

ALSO PRESENT: Borough Clerk Annamarie O’Connor, Administrator Gregory S. Franz and Borough Attorney Joseph R. Mariniello, Jr.

ABSENT: Mayor Michael McPartland and Councilman Vidal

OPEN MEETING TO THE PUBLIC

MOTION

October 3, 2016

INTRODUCED: Councilman Bartolomeo

SECOND: Councilwoman Fischetti

A motion to open the meeting to the public.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilman Lawlor	Yes
Councilman Monte	Yes
Councilman Vidal	Absent
Councilwoman Fischetti	Yes
Councilman Bartolomeo	Yes

Council President Monte opened the meeting to the public and the following were heard:

Valory Bardinas, 16 Hudson Terrace:

- Spoke about the condition of certain Borough properties. Referenced pictures.

- Open Public Space Marina Grant restricts on site parking of boats. Referenced prior discussions.
- Asked about Pilot Program for Waterford Towers. No longer age restricted. Asked for status of agreement. Borough Attorney Mariniello, Jr. to look into.
- Asked about Closed Session Litigation listed on the Agenda.

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

Administrator Franz spoke about three (3) resolutions on the Agenda. Explained that action was required tonight and that proper notice had been given.

The resolutions follow:

CONSENT AGENDA

1. 2016-244 Pilot Program for Electronic Tax Sale
2. 2016-245 Charge a fee for Delinquent Notice
3. 2016-248 Authorize Bergen County Community Development Block Grant Application

A motion to approve Resolutions 2016-244, 2016-245 and Resolution 2016-248 was made by Councilman Bartolomeo and second by Councilwoman Lawlor.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilman Lawlor	Yes
Councilman Monte	Yes
Councilman Vidal	Absent
Councilwoman Fischetti	Yes
Councilman Bartolomeo	Yes

RESOLUTION 2016-244

October 3, 2016

INTRODUCED: Councilman Bartolomeo

SECOND: Councilwoman Lawlor

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs, and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Borough of Edgewater wishes to participate in the pilot program for an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Edgewater, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

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

**RESOLUTION
2016-245**

October 3, 2016

INTRODUCED: Councilman Bartolomeo

SECOND: Councilwoman Lawlor

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the rules and regulations require a municipality to send three (3) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Borough of Edgewater wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Edgewater that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2016 electronic tax sale.

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

**RESOLUTION
2016-248**

October 3, 2016

INTRODUCED: Councilman Bartolomeo

SECOND: Councilwoman Lawlor

. **WHEREAS**, a Bergen County Community Development grant of \$10,000 has been proposed for FY 2017 CDBG ADA Accessibility at Edgewater Public Library in the Borough of Edgewater, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of Edgewater, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Edgewater hereby confirms endorsement and authorization of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited upon approval of funding.

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

A. ORDINANCES: FOR ADOPTION (FOR THE NEXT REGULAR MEETING)

1. ORDINANCE #2016-1537
AN ORDINANCE OF THE BOROUGH OF EDGEWATER, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 240 OF THE BOROUGH CODE TO IMPLEMENT AFFORDABLE HOUSING
2. ORDINANCE 2016-1538
AN ORDINANCE OF THE BOROUGH OF EDGEWATER IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE HISTORIC BOROUGH HALL PHASE III IMPROVEMENTS IN AND FOR THE BOROUGH OF EDGEWATER AND APPROPRIATING \$1,500,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$1,425,000 IN BONDS OR NOTES OF THE BOROUGH OF EDGEWATER TO FINANCE THE SAME.
3. ORDINANCE #2016-1539
AN ORDINANCE OF THE BOROUGH OF EDGEWATER, COUNTY OF BERGEN, STATE OF NEW JERSEY, ORDINANCE ADDING AN ORDINANCE ENTITLED "RESTRICTING THE SALE OF DOGS AND CATS FROM PET SHOPS" OF THE REVISED GENERAL ORDINANCES OF THE BROOUGH OF EDGEWATER, COUNTY OF BERGEN AND STATE OF NEW JERSEY"

Council President Monte read the title of each above Ordinance. These Ordinances will have a public hearing and will be considered for adoption at the next regular meeting on October 17, 2016.

Administrator Franz responded to questions from Councilman Henwood on Ordinance 2016-1538.

B. RESOLUTIONS: Consent agenda FOR THE NEXT REGULAR MEETING.

1. 2016-242 New First Aid Squad Member
2. 2016-243 Authorize and Advertise for RFQ's
3. 2016-246 Tax Assessor Policy
4. 2016-247 Shared Service Agreement Street Sweeper
5. 2016-249 Pilot Compliance Committee

Borough Administrator Franz responded to a question about Resolution 2016-247.

REQUESTS/MATTERS FOR DISCUSSION

Borough Administrator

Open Items

- Best practice Survey**
Edgewater Housing Authority
Edgewater Marina
- Edgewater Marina Building**

Administrator Franz spoke about the consent agenda resolutions. Spoke about the Best Practice Survey, the Edgewater Housing Authority and the Marina. Borough has met all of the Best Practice Policies. There is no reduction in State Aid.

CLOSED SESSION

- A & E Personnel**
- Police Personnel**
- Litigation**

RESOLUTION AUTHORIZING EXECUTIVE SESSION

October 3, 2016

Introduced: Councilwoman Lawlor

Second: Councilman Bartolomeo

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;
- X 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;
- X 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
Councilwoman Lawlor	Yes
Councilman Monte	Yes
Councilman Vidal	Absent
Councilwoman Fischetti	Yes
Councilman Bartolomeo	Yes

The governing body returned from Closed Session.

PRESENT ON ROLL CALL: Councilman Henwood, Councilwoman Lawlor, Councilman Monte, Councilwoman Fischetti and Councilman Bartolomeo

ALSO PRESENT: , Administrator Gregory S. Franz, Borough Clerk Annamarie O'Connor and Borough Attorney Joseph R. Mariniello, Jr.

ABSENT: Mayor McPartland and Councilman Vidal

MOTION

October 3, 2016

INTRODUCED: Councilwoman Lawlor

SECOND: Councilman Henwood

Motion to return to the Open Portion of the meeting.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilwoman Lawlor	Yes
Councilman Monte	Yes
Councilman Vidal	Absent
Councilwoman Fischetti	Yes
Councilman Bartolomeo	Yes

MOTION

October 3, 2016

INTRODUCED: Councilman Bartolomeo

SECOND: Councilwoman Lawlor

Motion to adjourn.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilwoman Lawlor	Yes
Councilman Monte	Yes
Councilman Vidal	Absent
Councilwoman Fischetti	Yes
Councilman Bartolomeo	Yes

Annamarie O'Connor, RMC
Borough Clerk

APPROVED: October 17, 2016

