

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 JULY 14, 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 asked for a moment of silence.

SALUTE TO FLAG

Councilman Doran led the Pledge of Allegiance.

PRESENTATION:

1. Retired Police Officer Michael Sapanaro

Mayor Delaney read the following in its entirety:

**BOROUGH OF EDGEWATER
OFFICE OF THE MAYOR
CITIZEN CITATION AWARD
FOR GETTING INVOLVED
PRESENTED TO
MICHAEL SAPANARO**

WHEREAS on Thursday, June 12, 2014, Mr. Michael Sapanaro, a 97 year old resident and retired Police Officer who served the Borough of Edgewater approximately 38 years ago, was a patron at the Edgewater River Mart, located at 880 River Road; and

WHEREAS while Mr. Sapanaro was conducting business in River Mart, an individual came into the store and committed a "Strong Arm Robbery", whereby the suspect went behind the counter taking cigarettes; and

WHEREAS when the owner of the store attempted to stop him, the actor punched the owner knocking him to the ground; and

WHEREAS, Mr. Sapanaro, despite the obvious risk to himself, attempted to stop the individual from assaulting the store owner and was punched, knocked to the ground and kicked by the actor; and

WHEREAS even at the age of 97 years old, Mr. Sapanaro continued to display the attributes of a dedicated Police Officer; and

WHEREAS in addition to his bravery, Mr. Sapanaro has shown that he is a man who holds a strong sense of community and concern for people by “getting involved”; and

NOW, THEREFORE BE IT RESOLVED, that I, James F. Delaney, Mayor of the Borough of Edgewater, do hereby thank Mr. Sapanaro on behalf of the Governing Body and present this “Citizen Citation Award for Getting Involved” to Michael Sapanaro.

Dated this 14th day of July, 2014

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

**JAMES F. DELANEY,
Mayor**

Mayor Delaney then presented the Award to Mr. Sapanaro. The Governing Body and all present applauded. Mr. Sapanaro thanked the Mayor and Council.

CONFERENCE

Kathryn Gregory, Borough Planner and Dan Kaufman, Borough Engineer:
Discussion regarding Driveway aprons Ordinance

Mayor Delaney stated that Ms. Gregory and Mr. Kaufman were invited to the meeting to continue the discussion of the draft Ordinance regarding drive way aprons on new developments.

- Mr. Kaufman distributed pictures of a 2 car garage and a sample building overhang.
- Wants the Governing Body to understand the effects of the implementation of the proposed Ordinance.
- Reviewed pictures and gave an idea of what the Borough is trying to do.
- Spoke about what a drive way has to look like to get a spot in front.
- Reviewed possible problems.
- Responded to questions from Councilman Henwood.
- Councilman Henwood expressed concerns. Councilman Vidal also spoke on the issue.

MOTION

July 14, 2014

INTRODUCED: Councilman Vidal

SECOND: Councilman Bartolomeo

To give direction to Borough Attorney to prepare an ordinance to amend Chapter 240 reflecting Section B1F which would be from 40 feet to 20 feet regardless.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilman Doran	Yes
Councilman Monte	Yes
Councilman Vidal	No
Councilman Jordan	Absent
Councilman Bartolomeo	No

OPEN MEETING TO THE PUBLIC

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

Mary Hogan, 606 Undercliff Avenue:

- Question regarding Resolution 2014-180 – about the new Ambulance. Asked about the cost and paper work.
- Questioned the Ordinance establishing the position of a “dispatcher” on Agenda. Position had already been filled last month. Asked about advertisement for that and another position being filled tonight.
- Referenced and read from new contract.

- Spoke about the hiring of First Environment for possible contamination of ground water at the Marina.– asked why events are being held there.
- Asked about Resolution 2014-174 and the increase in Veterans Field payments for First Environment.
- Asked about stockpiles on site and why they are not covered.
- Also asked about increase in cost to accommodate requests from Council Members.
- Does not remember discussions regarding the increases.
- Asked where drums containing contaminated material have been transported to.
- Asked about certain clauses in contract.
- Spoke about suit by Terms against the Borough.

Tom Tansey, 611 Undercliff Avenue:

- Clarified his remarks at the last meeting regarding Veterans Field, Green Acres and the acquisition of the Edgewater Marina.
- Referenced Voter Referendum for the Marina.
- Referenced March 6, 2000 Mayor and Council Minutes where Ms. Hogan suggested Borough apply to State for over and beyond the 2.3 million voters had approved in November. Initial discussion about ferry service brought by Mayor Christiansen.
- Believes minutes show growing concern that the acquisition of the Marina for 2.3 million is not going to work out.
- Agrees with Ms. Bardinas that Mr. Desatnick did vote for Green Acres.
- Noted Ms. Bardinas' comments about the ROSI list.

Valory Bardinas, 16 Hudson Terrace:

- Explained why she was supportive of Green Acres funding.
- Spoke about what she claimed was racist and inflammatory past political literature.
- Noted the law said you cannot close Parks to anyone.
- Commented on parking problems and variances being given out.
- Quoted from September 19, 2011 minutes where one of the first public discussions about the contamination of the Park takes place.
- Referenced March 26, 2014 Council meeting where they stated that the goal is to get Veterans Field remediated and to negotiate aggressively. Spoke about possible litigation and asked if the Council still feels that way. Believes former Mayor Christiansen should be included in the litigation.
- Asked for status regarding the DEP and contamination on the Vreeland site? Asked about 38 COAH.
- Asked about insurance.
- Asked about Waterside.
- Asked for results of the June 7th mediation with Judge Mecca.

Peggy Wong, North Bergen, NJ

- Said she is present on behalf of the Hudson River Waterfront Conservancy, which she is a member of. Also said that questions she is asking are more personal.
- Asked about fire on pier by Haven Restaurant and if pier is part of the Walkway. Believes that Edgewater has checkered history with walkway.
- Borough must make sure that walkway designs and regulations are adhered to. Might have to monitor more closely.
- Reexamination of the Master Plan. – Land Use Regulations requires Borough to notify County and adjoining municipalities of the changes. Asked if they have been notified.
- Spoke about the affects on North Bergen.
- Borough should follow through with municipal land use regulations and notify surrounding towns.

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

Mayor Delaney responded about the resolution for the ambulance. Administrator Franz spoke about the budget. Administrator Franz spoke about the dispatcher and mechanic positions. Explained why

positions were not advertised in the Bergen Record. Did not advertise for these positions because of quantity of applications already on file. Spoke about employment applications received on a regular basis. Also spoke about cost of advertising in the Bergen Record. Made decision to go with applications on file. Procedurally, either way is appropriate. Will take direction from Governing Body in the future if it wants. Councilman Henwood also commented and explained that he was comfortable with both hires.

Regarding First Environmental: Most of the items mentioned by Ms. Hogan were from a draft contract which was submitted by First Environmental. That is the usual procedure. Most of those items get stricken when reviewed by the Borough Attorney.

Councilman Henwood wanted it confirmed and known that there is no issue at the Marina. Borough Attorney and Administrator agreed that there is no contamination issue at the Marina. Administrator spoke about the stock piles. Also spoke about the use of the Community Center.

Administrator Franz spoke about Resolution 2014-182 on the agenda.—Resolution to appoint First Environment as Licensed Site Remediation Professional for the Edgewater Marina. Violations exist for neighboring gas station site, not the Marina.

Borough Attorney Boggia commented about the hiring of TERMS and questions raised about them not fulfilling their obligation. Collective judgment of Governing Body and Special Counsel that it would be in the Borough's best interest to bring in an independent LSRP. Councilman Henwood also commented. Borough Attorney further commented that the Special Counsel is going to pursue those responsible parties.

Mayor Delaney and Borough Attorney Boggia noted that the DEP has been to the field and the Vreeland site within the last month. Are aware of the situation and are continuing to monitor. There is no evidence that 38 COAH was built on contaminated land. June 7th mediation was cancelled. Borough will pursue all additional costs.

Mayor informed Ms. Wong that he has every confidence that the surrounding municipalities were notified. Borough Attorney Boggia said that information the Borough has is that the pier is private property.

Councilman Monte publicly thanked the people at Grand Cove for going above and beyond to restore the walkway incurring substantial costs.

Councilman Vidal spoke about the invoice from First Environmental. Believes invoice needs to be reviewed.

APPROVAL OF MINUTES

The following minutes were listed for approval: June 2, 2014 Work & 2 Closed Sessions and June 16, 2014 Regular:

MOTION

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Vidal

A motion to approve the minutes of the June 2, 2014 Regular Meeting, the June 2, 2014 1st Closed Session, the June 2, 2014 2nd Closed Session and the June 16, 2014 Regular 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

RECEIPT OF BIDS

Clerk noted the following:

- 1. Bid for Vacuum Sweeper – see resolution 2014-172
- 2. New Roof for Community Center – see resolution 2014-184

ADOPTION/PUBLIC HEARING OF ORDINANCE

- 1. **1507-2014** An Ordinance of the Borough of Edgewater Amending and Supplementing Chapter 37 of the Borough Code to Mandate Direct Deposit For Municipal Employees Pursuant To N.J.S.A. 52:14-15f

The Clerk read the Notice of Ordinance and Ordinance No. 1507-2014.

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 16th day of June, 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 14th day of July, 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. 1507-2014**

**AN ORDINANCE OF THE BOROUGH OF EDGEWATER AMENDING AND
SUPPLEMENTING CHAPTER 37 OF THE BOROUGH CODE TO MANDATE
DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES PURSUANT TO N.J.S.A.
52:14-15f**

WHEREAS, P.L. 2013 c. 28, authorizes local governments to mandate direct deposit for certain governmental employees effective after July 1, 2014; and

WHEREAS, P.L. 2013 c. 28 permits governing bodies to grant exemptions on such terms and conditions as they deem necessary.

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

Section 1. Chapter 37 of the Borough Code is amended and supplemented by adding a new Article IV, "Direct Deposit," as follows:

Article IV

Direct Deposit

- § 37-9** Direct deposit mandatory.
- § 37-10** Exemption for seasonal and temporary employees.
- § 37-11** Exemption requests for full-time employees.

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- § 37-9** Direct deposit mandatory.

All full time employees and elected public officials who receive compensation from the Borough of Edgewater are mandated to have direct deposit of their compensation as of July 1, 2014, in accordance with Chapter 28 P.L. 2013, as defined under C.52:14-15f (b).

- § 37-10** Exemption for seasonal and temporary employees.

Seasonal and temporary employees who are employed by the Borough of Edgewater are exempt from the direct deposit mandate.

- § 37-11** Exemption requests for full-time employees.

Municipal employees and elected public officials may request an exemption from the direct deposit mandate, in writing addressed to the Borough of Edgewater Administrator. Such requests will be presented to the Governing Body for its consideration within thirty (30) days. The Governing Body may grant such an exemption by resolution and only for good cause.

Section 2. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 3. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect upon final passage, adoption and publication according to law, or on July 1, 2014, whichever date later occurs.

JAMES F. DELANEY, Mayor

ATTEST:

BARBARA RAE, RMC, CMC
Borough Clerk

INTRODUCED: June 16, 2014
ADOPTED: July 14, 2014
APPROVED: July 14, 2014

The Clerk confirmed receipt of the certification of publication of Ordinance 1507-2014 in the June 19th, 2014 edition of the Record.

The Mayor opened the meeting to the public to comment on Ordinance 1507-2014. No one wished to be heard therefore the Mayor closed the meeting to the public to comment on Ordinance 1507-2014.

The Clerk then read the following:

MOTION

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Monte/Councilman Vidal

WHEREAS AN ORDINANCE OF THE BOROUGH OF EDGEWATER AMENDING AND SUPPLEMENTING CHAPTER 37 OF THE BOROUGH CODE TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES PURSUANT TO N.J.S.A.52:14-15f was introduced on June 16, 2014 is hereby adopted.

No discussion:

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

1508-2014 An Ordinance of the Borough of Edgewater, County of Bergen, State of New Jersey, Amending Chapter 71 of the Code of the Borough of Edgewater Entitled "Officers and Employees" Article IX to Create the Position of Police Communications Clerk, Formerly Known as Dispatchers.

The Clerk read the Notice of Ordinance and Ordinance No. 1508-2014.

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 16th day of June, 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 14th day of July, 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. 1508-2014**

**AN ORDINANCE OF THE BOROUGH OF EDGEWATER, COUNTY OF BERGEN,
STATE OF NEW JERSEY, AMENDING CHAPTER 71 OF THE CODE OF THE
BOROUGH OF EDGEWATER ENTITLED "OFFICERS AND EMPLOYEES"
ARTICLE IX TO CREATE THE POSITION OF POLICE COMMUNICATIONS
CLERK, FORMERLY KNOWN AS DISPATCHER**

BE IT ORDAINED by the Mayor and Council of the Borough of Edgewater as follows:

Section 1. Chapter 71, Article IX of the Borough of Edgewater Code is amended to read as follows:

**ARTICLE IX
Police Communications Clerks**

- § 71-24. Positions created.**
- § 71-25. Police Communications Clerks considered civilian employees.**
- § 71-26. Duties.**
- § 71-27. Salaries.**
- § 71-28. Amount of Wages.**

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§ 71-24. Positions created.

There are hereby created the positions of Police Communications Clerk for assignment to the Edgewater Police Department. The number of Police Communications Clerks shall be determined by the Mayor and Council.

§ 71-25. Police Communications Clerks considered civilian employees.

The Police Communications Clerks assigned to the Police Department shall not be members thereof and shall be considered civilian employees of the Borough of Edgewater.

§ 71-26. Duties.

The duties of the Police Communications Clerks shall be such as may, from time to time, be established by regulations promulgated by the Police Chief of the Borough with the prior consent of the Mayor and Council.

§ 71-27. Salaries.

The Police Communications Clerks shall be paid such wages as shall, from time to time, be established under an appropriate ordinance of the Borough.

§ 71-28. Amount of Wages.

The wages of the Police Communications Clerks shall be set forth in the current annual Salary Ordinance of the Borough of Edgewater.

Section 2. Severability.

If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Effective date.

This Ordinance shall become effective immediately upon final passage and publication as required by law.

Section 4. Repeal of inconsistent ordinances.

All ordinances and parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

JAMES F. DELANEY, Mayor

ATTEST:

BARBARA RAE, RMC, CMC
Borough Clerk

INTRODUCED: June 16, 2014
ADOPTED: July 14, 2014
APPROVED: July 14, 2014

The Clerk confirmed receipt of the certification of publication of Ordinance 1508-2014 published in the June 19th, 2014 edition of the Record.

Mayor Delaney then opened the meeting to the public to comment on Ordinance 1508-2014 and the following were heard:

Valory Bardinas, 16 Hudson Terrace:

- Questioned the title change. Administrator Franz responded.

Mary Hogan, 606 Undercliff Avenue:

- Position has already been filled.
- Position should at least be advertised on the web site.
- Councilman Henwood spoke about additional vacancies in that position and that people will have opportunities to apply.

No one else wished to be heard therefore the Mayor closed the meeting to the public to comment on Ordinance 1508-2014.

Administrator Franz spoke about the reasoning for making the title non-competitive. Councilman Henwood and Councilman Vidal also commented.

The Clerk then read the following:

MOTION

July 14, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Bartolomeo

WHEREAS AN ORDINANCE OF THE BOROUGH OF EDGEWATER, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING CHAPTER 71 OF THE CODE OF THE BOROUGH OF EDGEWATER ENTITLED "OFFICERS AND EMPLOYEES" ARTICLE IX TO CREATE THE POSITION OF POLICE COMMUNICATIONS CLERK, FORMERLY KNOWN AS A DISPATCHER, was hereby adopted. DISPATCHER, was hereby adopted.

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

1510-2014 An Ordinance of the Borough of Edgewater, County of Bergen, New Jersey, Amending Ordinance No. 1482-2012 of the Borough Finally Adopted on November 19, 2012 Providing for Various Improvements in and For the Borough of Edgewater and Appropriating \$757,000 Therefor, and Providing for the Issuance of \$498,750 in Bonds or Notes of the Borough of Edgewater to Finance the Same.

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 16th day of June, 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 14th day of July, 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. 1510-2014

AN ORDINANCE OF THE BOROUGH OF EDGEWATER, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING ORDINANCE NO. 1482-2012 OF THE BOROUGH FINALLY ADOPTED ON NOVEMBER 19, 2012 PROVIDING FOR VARIOUS IMPROVEMENTS IN AND FOR THE BOROUGH OF EDGEWATER AND APPROPRIATING \$757,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$498,750 IN BONDS OR NOTES OF THE BOROUGH OF EDGEWATER TO FINANCE THE SAME

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

Bond Ordinance No. 1482-2012 of the Borough of Edgewater, in the County of Bergen, New Jersey, finally adopted on November 19, 2012 (the "Prior Ordinance"), is hereby amended in full to read as follows:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Edgewater, in the County of Bergen, New Jersey (the "Borough"), as general improvements. For the improvements or purposes

described in Section 3 hereof, there is hereby appropriated the sum of \$757,000 (representing a decrease of \$48,000 from the Prior Ordinance), including a \$146,500 New Jersey Department of Transportation Municipal Aid grant from the New Jersey Transportation Trust Fund to be applied for the improvement or purpose listed in Section 3(a) of this ordinance, a \$91,000 Community Development Block Grant from the U.S. Department of Housing and Urban Development for the improvement or purpose listed in Section 3(d) of this ordinance, and including the sum of \$20,750 (representing a decrease of \$2,250 from the Prior Ordinance) as the down payment required by the Local Bond Law for the improvements or purposes listed in Section 3(b), 3(c), 3(d) and 3(e). No down payment is required in connection with the purpose described in Section 3(a) for the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this purpose is and this bond ordinance involves a project to be funded by a State grant. The down payment has been made available by virtue of provision in the capital improvement fund in one or more previously adopted budget.

Section 2. In order to finance the cost of the improvements or purposes not otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$498,750 (representing a decrease of \$45,750 from the Prior Ordinance) pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvements hereby authorized and the purposes for which the bonds or notes are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: Old River Road improvements, Phase II (Gorge Road to Thompson Lane), including, without limitation, acquisition and installation of benches, curbing, lighting and trees, including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$254,000
<u>Amount of Grant:</u>	\$146,500
<u>Amount of Down Payment:</u>	\$ 0
<u>Estimated Maximum amount of Bonds or Notes:</u>	\$107,500
<u>Period or Average Period of Usefulness:</u>	10 years

- (b) Purpose: Reconstruction of Edgewater Place and Hilliard Avenue, including all work and materials necessary therefore or incidental thereto.
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| <u>Appropriation and Estimated Cost:</u> | \$230,000 |
| <u>Amount of Grant:</u> | \$ 0 |
| <u>Amount of Down Payment:</u> | \$ 11,500 |
| <u>Estimated Maximum amount of Bonds or Notes:</u> | \$218,500 |
| <u>Period or Average Period of Usefulness:</u> | 20 years |
- (c) Purpose: Reconstruction of and improvements to the municipal parking lot (Hilliard Avenue), including all work and materials necessary therefore or incidental thereto.
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| <u>Appropriation and Estimated Cost:</u> | \$30,000 |
| (representing a decrease of \$93,000 from the Prior Ordinance) | |
| <u>Amount of Grant:</u> | \$ 0 |
| <u>Amount of Down Payment:</u> | \$ 1,500 |
| (representing a decrease of \$4,500 from the Prior Ordinance) | |
| <u>Estimated Maximum amount of Bonds or Notes:</u> | \$28,500 |
| (representing a decrease of \$88,500 from the Prior Ordinance) | |
| <u>Period or Average Period of Usefulness:</u> | 15 years |
- (d) Purpose: Old Wood Road Sanitary Sewer and roadway improvements, including all work and materials necessary therefore or incidental thereto.
- | | |
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| <u>Appropriation and Estimated Cost:</u> | \$198,000 |
| <u>Amount of Grant:</u> | \$ 91,000 |
| <u>Amount of Down Payment:</u> | \$ 5,500 |
| <u>Estimated Maximum amount of Bonds or Notes:</u> | \$101,500 |
| <u>Period or Average Period of Usefulness:</u> | 10 years |
- (e) Purpose: Reconstruction of the portion of Oxen Hill – Edgewater Road located in the Borough to Class B standards (as provided in the Local Bond Law), including all work and materials necessary therefore or incidental thereto.
- | | |
|---|----------|
| <u>Appropriation and Estimated Cost:</u> | \$45,000 |
| (representing an increase of \$45,000 from the Prior Ordinance) | |
| <u>Amount of Grant:</u> | \$ 0 |
| <u>Amount of Down Payment:</u> | \$ 2,250 |
| (representing an increase of \$2,250 from the Prior Ordinance) | |
| <u>Estimated Maximum amount of Bonds or Notes:</u> | \$42,750 |
| (representing an increase of \$42,750 from the Prior Ordinance) | |
| <u>Period or Average Period of Usefulness:</u> | 10 years |

(f) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(g) The estimated cost of the improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond 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 amended 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 Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 14.66 years (representing a decrease of 0.42 years from the Prior Ordinance).

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$498,750 (representing a decrease of \$45,750 from the Prior Ordinance), and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$75,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCED: June 16, 2014

ADOPTED: July 14, 2014

APPROVED: July 14, 2014

Attest:

BARBARA RAE, RMC, CMC

JAMES F. DELANEY, Mayor

Borough Clerk

The Clerk confirmed receipt of the certification of publication of Ordinance 1510-2014 published in the June 19th, 2014 edition of the Record.

Mayor Delaney reviewed the proposal noting it was not adding any debt.

Mayor Delaney then opened the meeting to the public to comment on Ordinance 1510-2014. No one wished to be heard therefore the Mayor closed the meeting to the public to comment on Ordinance 1510-2014.

The Clerk then read the following:

MOTION

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Doran

WHEREAS AN ORDINANCE OF THE BOROUGH OF EDGEWATER, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING ORDINANCE NO. 1482-2012 OF THE BOROUGH FINALLY ADOPTED ON NOVEMBER 19, 2012 PROVIDING FOR VARIOUS IMPROVEMENTS IN AND FOR THE BOROUGH OF EDGEWATER AND APPROPRIATING \$757,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$498,750 IN BONDS OR NOTES OF THE BOROUGH OF EDGEWATER TO FINANCE THE SAME, was introduced on June 16, 2014 and was hereby adopted.

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

Clerk advised Governing Body of the following:

1. Notice of Intent to Submit NJPDES Permit – Closed Hess Edgewater Terminal, 615 River Road, Edgewater, New Jersey.

NewFields LLC has been contracted by Hess Corporation to apply to the NJDEP for a NJPDES Discharge to Surface Water Permit in connection with a groundwater remediation project at the referenced site. Written comments or objections may be submitted within 30 days receipt of the notice.

2. Notice from Time Warner Cable re: Petition Filed for a Merger of Time Warner Cable into a wholly owned Subsidiy of Comcast.

Letter from Scarinci Hollenbeck, Attorneys at Law, informing the Borough that on behalf of Comcast Corporation and Time Warner Cable a Petition was filed with the New Jersey Board of Public Utilities seeking approval of the merger of Time Warner Cable into a wholly owned subsidiary of Comcast. Upon completion of transaction, Time Warner Cable will be a wholly owned subsidiary of Comcast. Copy of Petition is available at Time Warner Cable's Office at 200 Roosevelt Place, Palisades Park, New Jersey 07650 and the Board of Public Utilities. Written comments may be filed with the Secretary of the Board of Public Utilities.

3. Letter from New Jersey Office of the Attorney General, Division of Law and Public Safety, Division of State Police, notifying Borough that \$75,000 in Hazard Mitigation Grant Program funds are being made available to the Borough for use in supporting energy resilience needs. Clerk reviewed and answered questions from Governing Body.

INTRODUCTION OF ORDINANCES

1. **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 /Capital Budget Amendment Resolution for this ordinance.

Clerk read Ordinance 1511-2014 by title only as follows:

BOROUGH OF EDGEWATER 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**

The Clerk then read the following:

RESOLUTION

July 14, 2014

INTRODUCED: Councilman Bartolomeo

SECONDED: Councilman Vidal

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, and passes its first reading and will be considered for final passage and public hearing on August 11, 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	Yes
Councilman Jordan	Absent

Councilman Vidal Yes
Councilman Bartolomeo Yes

1512-2014 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 and Reaffirm the Recommendations Contained in the April 2014 Master Plan Reexamination as Approved by the Planning Board

Clerk read Ordinance 1512-2014 by title only as follows:

ORDINANCE 1512-2014

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 AND REAFFIRM THE RECOMMENDATIONS CONTAINED IN THE APRIL 2014 MASTER PLAN REEXAMINATION AS APPROVED BY THE PLANNING BOARD

Discussion:

Borough Attorney Boggia commented on the Ordinance noting that in April 2014 the Planning Board did a Master Plan Periodic Examination. That is the sole jurisdiction of the Planning Board. Council plays no role in the adoption of a Master Plan. Reviewed process for adopting Ordinances. Planning Board has revisited the lots and blocks to make minor changes that they felt were necessary. Majority of what they did was reaffirmation of what was in the 2012 plan. Now that the Master Plan has been brought up to date Council should update Zoning Ordinance to make it consistent with the Master Plan. Comments by Councilman Henwood.

The Clerk then read the following:

RESOLUTION

July 14, 2014

INTRODUCED: Councilman Henwood

SECONDED: Councilman Monte

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 AND REAFFIRM THE RECOMMENDATIONS CONTAINED IN THE APRIL 2014 MASTER PLAN REEXAMINATION AS APPROVED BY THE PLANNING BOARD 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 Yes
Councilman Jordan Absent
Councilman Vidal Yes
Councilman Bartolomeo Yes

COMMITTEE/COUNCIL LIAISON REPORT

Councilman Henwood – Regarding Police, happy to have opportunity to strengthen coverage in town. Spoke about report from Neglia.

Councilman Doran – none.

Councilman Monte – Read from June 2014 Month Report submitted by Police Chief Skidmore. Spoke about monitoring of vehicles at the Commons. Noted that Officer Candidates Carrano and Wetklow will begin the Police Academy in July. Spoke about the importance of appointing Mr. Lopez in time for him to attend the Emergency Communication Training at the Police Academy in July.

Councilman Vidal – none.

Councilman Bartolomeo – Regarding Recreation- Spoke about events at the Marina. Attendance has been good.

Regarding **Building Department** - Between May and June collected \$306,000 in fees.

RESOLUTIONS

Regarding Resolution 2014-174 Councilman Henwood asked Administrator Franz if he was comfortable with the figures. Councilman Vidal also commented on the resolution. It was noted that Councilman Vidal has done a good job in taking the lead and verifying equipment, etc.

A motion to approve Resolutions 2014-172 to 2014-188 was made by Councilman Henwood 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 2014-172

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

A Resolution Awarding a Contract for the Purchase of One (1) New 2014 or Newer Single-Engine Hydrostatic Pure Vacuum Sweeper to Northeast Sweepers

WHEREAS, the Borough of Edgewater has accepted publicly-advertised sealed bids for One (1) New 2014 or Newer Single-Engine Hydrostatic Pure Vacuum Sweeper or an approved equivalent for use by the Department of Public Works; and

WHEREAS, one (1) bid was received in accordance with the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the low bid was submitted by Northeast Sweepers, in the amount of one hundred eighty-five thousand dollars (\$185,000.00); and

WHEREAS, after review of Northeast's bid, it appears that Northeast has submitted all required documentation and is therefore the lowest responsible and responsive bidder; and

WHEREAS, the Borough is therefore desirous of awarding this contract to Northeast; and

WHEREAS, an appropriate Certification of the Availability of Funds has been provided.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Edgewater, that the above-referenced contract is hereby awarded as follows:

<u>Bidder</u>	<u>Amount</u>
Northeast Sweepers 143 Valley Street Belleville, New Jersey 07109	\$185,000.00

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and empowered to execute all documents necessary to effectuate the purposes of this Resolution, subject to approval as to form by the Borough Attorney.

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

**RESOLUTION
2014-173**

July 14, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Bartolomeo

WHEREAS, there exists in the Borough of Edgewater a Volunteer Fire Department and applications have been submitted for membership and approved by the Volunteer Fire Department Membership Committee, and

WHEREAS, the Bylaws of the Edgewater Volunteer Fire Department requires approval of all applicants by the Mayor and Council, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the applicant listed below is hereby appointed as a member of the Edgewater Volunteer Fire Department:

1. Peter James St. Germain
Leonias, NJ

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

**RESOLUTION
2014-174**

July 14, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Bartolomeo

First Environment Technical Support for Veterans Field - Amendment to Scope of Work

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 the Proposal for Professional Services for Remediation Testing and Monitoring at Veterans Field, submitted by First Environment Inc., with offices located at 91 Fulton Street, Boonton, New Jersey 07005 in the amount of \$46,950.00, and

WHEREAS, the Borough has received and reviewed an Amendment to the Proposal submitted by First Environment dated June 24, 2014 in the amount of \$131,347.50, expanding the scope of services as outlined in said proposal, a copy of which is attached hereto; and

WHEREAS certain line items that were not part of the May 13, 2014 submitted proposal will now include a Self-Implementing Plan (SIP) preparation, Remedial Action Work Plan (RAWP) preparation, Quality Assurance Project Plan (QAPP) preparation, third party data validation, surveying, private utility mark-out and additional bid specification development; 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 amendment to the Professional Services Proposal submitted by First Environment to expand their services as outlined in their proposal dated June 24, 2014 in the amount of \$131,347.50 is hereby accepted.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the Amendment to the Professional Services Proposal; and

BE IT FURTHER RESOLVED that the Borough Clerk shall publish a copy of adopting resolution within 10 days of adoption.

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

**RESOLUTION
2014-175**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

Resolution Awarding Contract to Connell Foley for Professional Legal Services as Special Counsel to Assist the Borough with the Veteran's Field Improvement Project

WHEREAS, the Borough of Edgewater has the need for and requires professional legal services in connection with the Veteran's Field Improvement Project and therefore on March 26, 2014, adopted Resolution 2014-085 appointing Connell Foley, located at 85 Livingston Avenue, Roseland, NJ 07068

WHEREAS in said resolution the Borough had previously approved a fee not to exceed \$25,000 without obtaining prior approval from the Governing Body; **and**

WHEREAS the Borough has received an invoice from Connell Foley with a balance due in in the amount of \$14,887.76, a copy attached, which shall exceed the \$25,000 allotted amount; **and**

NOW, THEREFORE BE ADVISED that the Mayor and Council hereby approve the payment of \$14,887.76 to Connell Foley; and

BE IT FURTHER RESOLVED by the Mayor and Council hereby approve an additional fee not to exceed \$50,000 without prior council approval is hereby granted effective immediately; and

BE IT FURTHER RESOLVED that, 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. 1474-2012

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

BE IT FURTHER RESOLVED that the Borough Clerk shall publish a copy of adopting resolution within 10 days of adoption.

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

**RESOLUTION
2014-176**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

Resolution 2014-176, Salaries & Wages, is attached to the end of these minutes.

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

**RESOLUTION
2014-177**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

Resolution 2014-177, Salaries & Wages, is attached to the end of these minutes.

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

**RESOLUTION
2014-178**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

Resolution 2014-178, Salaries & Wages, is attached to the end of these minutes.

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

**RESOLUTION
2014-179**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

Resolution 2014-179, Services & Supplies, is attached to the end of these minutes.

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

**RESOLUTION
2014-180**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

**Resolution Authorizing Competitive Bidding for the Purchase of a new 2015 Ford
100 E Super Type III Ambulance for the Volunteer First Aid Squad**

WHEREAS the Edgewater Volunteer First Aid Squad provides emergency medical services to the Borough of Edgewater and operates three (3) ambulances; and

WHEREAS the newest ambulance is a 2006 model and the oldest is a 1997 model; and

WHEREAS it is the recommendation of the Volunteer First Aid Squad and the Borough Mechanic that the oldest 1997 model be replaced; and

NOW THEREFORE BE IT RESOLVED that the Edgewater Mayor and Council hereby authorize the competitive bidding for a new 2015 Ford 100 E Super Type III Ambulance; and

BE IT FURTHER RESOLVED that , I, Joseph Iannaconi, Jr., Chief Financial Officer, has allocated the necessary funds for this purchase in capital bond ordinance 1502-2013 section 006:

JOSEPH IANNAONI, JR., C.F.O.

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

**RESOLUTION
2014-181**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

Resolution Supporting A900 Loosening Restrictions on Stream Cleaning

WHEREAS sediment, debris, garbage, brush and trees that accumulate in our waterways contributes to serious flooding that causes property damage and threatens personal safety; and

WHEREAS restrictions on stream cleaning, de-silting and de-snagging projects by counties or municipalities are currently onerous and restrictive; and

WHEREAS, Assembly Bill A900 will allow municipalities and counties to properly, quickly and economically clean and de-silt streams to help prevent flooding;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Edgewater hereby support A900 and urge quick action be taken on it to help relieve the flooding issues that occur throughout New Jersey; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Assembly Environment and Solid Waste Committee; Assemblyman Vincent Prieto and Assemblywoman Angelica M. Jimenez; the New Jersey State League of Municipalities; and all Bergen County municipalities.

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

**RESOLUTION
2014-182**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

Resolution to appoint First Environment as Licensed Site Remediation Professional for the Edgewater Marina

WHEREAS A need exists for a Licensed Site Remediation Professional for the Edgewater Marina, 989 River Road, Edgewater New Jersey and,

WHEREAS due to the environmentally sensitive nature of the Edgewater Marina and prior Underground Storage Tank removals the New Jersey Department of Environmental Protection requires yearly monitoring and reports such as the Notification of Retention Form, Annual Remediation Fee Reporting Form, and the Receptor Evaluation Form and,

WHEREAS the NJDEP has existing case files on the subject matter; 97-02-20-1617 & 02-07-19-0036-37

NOW THEREFORE BE IT RESOLVED that the Edgewater Mayor and Council hereby appoint and authorize First Environment, 91 Fulton Street, Boonton, New Jersey 07005 as a non-bid professional service as per N.J.S.A. 40A:11-5(1ai)

BE IT FURTHER RESOLVED that I, Joseph Iannaoni, Jr., Chief Financial Officer, hereby certify that funding is available for this purpose in the Marina Utility Account:

JOSEPH IANNAONI, JR., C.F.O.

BE IT FURTHER RESOLVED that said agreement shall not exceed \$2,500 as per the proposal dated July 9, 2014; and

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

**RESOLUTION
2014-183**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

Resolution to Appoint Temporary Part Time Fire Inspector

WHEREAS the Edgewater Fire Prevention Bureau performs fire safety inspections for all commercial and residential properties and,

WHEREAS the State of New Jersey licenses all qualified fire inspectors who fulfill the necessary training and,

WHEREAS the Edgewater Fire Prevention Bureau employs several part time licensed fire inspectors to perform safety inspections throughout the Borough and,

WHEREAS a licensed inspector within the Edgewater Fire Prevention Bureau will be on temporary medical leave creating a void for regular inspections; and

NOW THEREFORE BE IT RESOLVED by the Edgewater Mayor and Council that it hereby appoints Thomas Quinton Jr. as a temporary part time fire inspector at an hourly rate of \$15.68 with no benefits for a period not to exceed 90 days; and

BE IT FURTHER RESOLVED I, Joseph Iannaoni, Jr. hereby certify that funds are available for and are in effect under the current salary ordinance

JOSEPH IANNAONI, JR., C.F.O.

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

**RESOLUTION
2014-184**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

A Resolution Awarding a Contract for the New Roof on the Edgewater Community Center to Willcof Construction

WHEREAS the Borough of Edgewater has accepted publicly-advertised sealed bids for the Construction of a New Roof on the Edgewater Community Center; and

WHEREAS seven (7) bids were received June 18, 2014 in accordance with the New Jersey Local public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and with seven (7) perspective bidders ranging in price from \$105,750 to \$289,000

WHEREAS the lowest bid was submitted by Willcof Construction, in the amount of one hundred five thousand, seven hundred fifty dollars (\$105,750.00); and

WHEREAS the contractor is authorized to utilize the manufacturers recommended "Deck Defense" deck covering in lieu of grade #30 felt for an additional cost of \$2,940.00 in consideration of a credit of \$2,100.00 factored into the award for the use of #30 felt; and

WHEREAS after review of Willcof's bid, it appears that Willcof has submitted all required documentation and is therefore the lowest responsible and responsive bidder; and

WHEREAS the Borough is therefore desirous of awarding this contract to Wilcof; and

WHEREAS I, Joseph Iannaconi, Jr., Chief Financial Officer, hereby certifies that the necessary funds for this work has been allocated in capital bond ordinance 1502-2013 section 006:

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Edgewater that the above-referenced contract is hereby awarded as follows:

<u>Bidder</u>	<u>Amount</u>
Willcof Construction 162 E. Franklin Street Hamilton, NJ 08610	\$105,750.00

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and empowered to execute all documents necessary to effectuate the purposes of this Resolution, subject to approval as to form by the Borough Attorney.

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

**RESOLUTION
2014-185**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

Resolution Authorizing the Payment of Affordable Housing Trust Fund Monies for Professional Services Associated with the Rehabilitation of Edgewater Housing Authority Housing at 27 Dempsey Avenue and 300 Undercliff Avenue

WHEREAS there exists a need for affordable housing within the Borough of Edgewater and,

WHEREAS the New Jersey Council on Affordable Housing has provided for the creation of an affordable housing trust fund in each community who participates in the COAH program and,

WHEREAS the trust fund is created with contributions from developers who receive approval for development projects with the Borough of Edgewater and,

WHEREAS on January 17, 2012 by way of resolution 2012-050, a request was made by the Borough of Edgewater to the Council on Affordable Housing for the approval of an affordable spending plan for the rehabilitation of Edgewater Housing Authority properties at 27 Dempsey Avenue and 300 Undercliff Avenue and,

WHEREAS on May 29, 2012 an agreement was executed on behalf of the Borough of Edgewater and the Edgewater Housing Authority for the use of \$400,000 in Affordable Housing Trust Fund Monies consistent with the submitted spending plan and,

WHEREAS on July 20, 2012, the Borough of Edgewater was notified by the Council on Affordable Housing that the submitted spending plan authorized by resolution 2012-050 was approved; and

NOW THEREFORE BE IT RESOLVED the Edgewater Mayor and Council authorize the chief financial officer and housing liaison to prepare a payment in the amount of \$5,832.25 to LS

Engineering Associates Corporation, 150 River Road, Building E, Suite E2, Montville New Jersey 07045 from the Edgewater COAH trust account; and

BE IT FURTHER RESOLVED that I, Joseph Iannaconi, Jr., do hereby certify that funding in the amount of \$5,832.25 is available for this purpose from the Affordable Housing Trust Fund Account:

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

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

**RESOLUTION
2014-186**

July 14, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Bartolomeo

CLOSE OF CONTRACT

BE IT RESOLVED by the Mayor and Council of the Borough of Edgewater, Bergen County, New Jersey that the contract for Marina Wave Screen Repairs was constructed by Reicon Group, LLC., 1983 Richmond Terrace, Staten Island, NY 10302 in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer. The said construction is hereby accepted and final payment in the amount of Two Hundred Seventy Four thousand Two Hundred Fifty Dollars and Zero Cents (\$274,250.00) is hereby approved.

This resolution shall take effect immediately.

DATED: _____

APPROVED:

JAMES F. DELANEY, Mayor

NEA FILE: EDGWMUN 14.010

I, Barbara Rae, Borough Clerk of the Borough of Edgewater, Bergen County, New Jersey, hereby certify that the above Resolution was adopted by the Mayor and Council of the Borough of Edgewater at a regular meeting held on July 14, 2014.

BARBARA RAE, RMC, CMC
Borough Clerk

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

**RESOLUTION
2014-187**

July 14, 2014

INTRODUCED: Councilman Henwood
SECOND: Councilman Bartolomeo

SUMMER HELP RESERVE/STAND BY LIST

WHEREAS the following applicants have applied for either a Summer Camp Counselor or Summer Camp Supervisor positions for the Borough's Summer Camp Program:

CAMP COUNSELORS

Mikki Lee Oates

Nolan Xavier Hill

Roberto Santiago

Steven Jano

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

**RESOLUTION
2014-188**

July 14, 2014

INTRODUCED: Councilman Henwood

SECOND: Councilman Bartolomeo

WHEREAS the Borough of Edgewater Police Chief has budgeted for the lease/purchase of a 2014 Police Interceptor Base Vehicle All Wheel Drive; and

WHEREAS the Borough of Edgewater provides for the leasing and purchasing of vehicles in its yearly operating budget – vehicles line item; and

WHEREAS the following Police vehicle will be purchased under New Jersey State Contract #82925 for one (1) 2014 Police Interceptor Base Vehicle, All Wheel Drive for a total of \$25,303.00 and; and

WHEREAS the Borough of Edgewater will enter into an agreement with Ford Motor Credit and Winner Ford; and

BE IT FURTHER RESOLVED that I, Joseph Iannaconi, Jr., Chief Financial Officer, do hereby certify that funding is available for this purchase under the Police Department – Operating Budget – Vehicles line item:

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

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

OLD BUSINESS

At Councilman Henwood's request, Borough Attorney Boggia gave a brief update on the removal of the Binghamton Ferry Boat. Party representing owner said they had reached agreement with new prospective tenant who would be responsible for the removal of the boat. They are pursuing all required permits. Will have further update at next meeting.

Councilman Vidal spoke about the outfall at 880 River Road. Said we need to start a dialogue with Neglia. Cindy Randazzo of the DEP said that there might be things we can do without a permit. Administrator Franz spoke about Resolution 2014-181.

NEW BUSINESS

Councilman Vidal said that he is still getting phone calls about pjc

Administrator Franz said that drainage is a big concern.

ATTORNEY

No report.

ADMINISTRATOR REPORTS

1. **Hess Property** – Already addressed in Clerk's correspondence.

2. **Marina DEP** – Approved resolution for LSRP. DEP is looking at wrong property. First Environment should clear that up.

3. **Shadyside Parking** – Meeting held. Referenced written report provided to Governing Body. Awaiting a draft copy of the discussion items.

4. **Edgewater Colony** – Had reported on at previous meeting. Wants to reinforce as we get into the River Road Improvements along with the replacement land in the environmental easement in the Colony. Municipal owned lots 1 and 3 are going to be included in the Open Space Property. Want to be clear that the Engineer is moving on so that can have a comprehensive plan before the property gets restricted.

5. **Mills Schnoering Architect** – went to old Borough Hall for to inspect to provide a proposal for the renovation so that the First Aid Squad could be housed there. Have to prepare budget for the project if they will be appointed to continue with the project. Questions from Councilman Henwood. Mills Schnoering to come to the next meeting.

All other items are for closed.

Wants to add for Closed: 1) Retiree's health coverage and 2) personnel for building maintenance.

BOROUGH CLERK

25 year club will be held on Monday, December 8, 2014 at 6:00 p.m.

CLOSED SESSION DISCUSSION

Personnel:

Police Department:

- a. PBA Negotiations
- b. Dispatchers
- c. Special Police
- d. Employee Retirement

Department of Public Works:

- a. Contract Negotiations

Retirees Health Coverage

Personnel for Building Maintenance

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:

- _____ L 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;
- ___~~XX~~___ 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;

- _____ 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	Yes
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 Monte, Councilman Vidal, and Councilman Bartolomeo

ALSO PRESENT: Mayor Delaney, Administrator Gregory S. Franz and Borough Attorney Philip Boggia.

ABSENT: Councilman Jordan and Borough Clerk Barbara Rae

MOTION

July 14, 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: August 11, 2014