

REGULAR COUNCIL MEETING
April 26, 2023

91 Newark Pompton Turnpike
Riverdale, New Jersey 07457
7:30pm



BOROUGH OF RIVERDALE
NEW JERSEY



Council Chambers
91 Newark-Pompton Turnpike
Riverdale, N.J. 07457

BOROUGH OF RIVERDALE

2023 Regular Council Meeting

AGENDA

Phone: (973) 835-4060
Website: www.riverdaleNJ.gov

April 26, 2023 – 7:30 p.m.

MAYOR
Paul M. Carelli

BOROUGH COUNCIL
Vinny Pellegrini
Steve Revis
Dave Desai
Matt Oswald
Paul Purcell
Michael Kheyfets

CALL TO ORDER

Mayor Paul M. Carelli Presiding

- Roll Call
- Statement of Compliance w/ Open Public Meetings Act
- Pledge of Allegiance to the Flag

APPROVAL OF MINUTES

Borough Council

- April 12, 2022

PRESENTATION

Ronald Mondello, Esq.

- Cannabis Presentation / Ronald Mondello, Esq.

OPEN PUBLIC COMMENTS ON RESOLUTIONS

General Public

Members of the public are invited to comment at this time on any resolution.

RESOLUTIONS - CONSENT AGENDA

Borough Council

All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.

- 73-2023:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH APRIL 26, 2023 FOR 2022/2023 BILLS IN THE TOTAL AMOUNT OF \$1,362,076.42
- 74-2023:** AUTHORIZE PAYMENT REQUEST #1 FOR THE NEWARK POMPTON TURNPIKE AND COTLUSS ROAD IMPROVEMENTS TO AMERICAN ASPHALT & TRUCKING, LLC, 818 SUMMER AVE FLOOR 1, NEWARK, NJ 07104 IN THE AMOUNT OF \$240,944.72
- 75-2023:** RESOLUTION APPOINTING TOM BOORADY OF DARMOFALSKI ENGINEERING ASSOCIATES AS THE PART-TIME ZONING OFFICER FOR THE BOROUGH OF RIVERDALE

MAYOR REPORT

Mayor Paul M. Carelli



Council Chambers
91 Newark-Pompton Turnpike
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COUNCIL COMMITTEE REPORTS

Borough Council

Council Committees reports and updates since the last meeting

- Personnel Councilman Kheyfets
- Utilities Councilman Oswald
- Communications Councilman Purcell
- Public Works Council President Pellegrini
- Public Safety Councilman Revis
- Finance/Sewer Councilman Desai

NEW BUSINESS

Borough Council

- Sample Tree Removal-Replacement Ordinance (New Stormwater Regulations)
- Altice Franchise Agreement Ordinance (attached for review)

OPEN PUBLIC COMMENTS

Members of the public are invited to comment at this time on any issues, whether or not on the agenda

ADJOURNMENT

Additional items may be added to this agenda. Final action may be taken on all matters listed or added to this agenda. This agenda was prepared as of 4/25/2023 with all available information as of this date.

A.J. Jalloh, Borough Clerk.

April 12, 2023

The Council Workshop meeting of the Borough of Riverdale Mayor and Council opened on the above date at 7:30 p.m. with the Pledge of Allegiance.

Mayor Carelli presiding.

ROLL CALL: Present: Oswald, Purcell, Revis, Pellegrini
Absent: Desai, Kheyfets

The Municipal Clerk announced that proper notice of this meeting was made as to time, date, place and agenda.

APPROVAL OF MINUTES:

March 22, 2022

Councilman Oswald set forth the motion, seconded by Councilman Purcell, to approve the above listed minutes as read.

ROLL CALL: Ayes: Oswald, Purcell, Revis, Pellegrini
Absent: Desai, Kheyfets
Abstain: None
(4 ayes, 0 nays, 2 Absent - motion carried)

PUBLIC HEARING AND ADOPTION OF ORDINANCE

1) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 01-2023

ORDINANCE AMENDING CHAPTER 47, "POLICE DEPARTMENT", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE

The Municipal Clerk read the notice for the second reading and final adoption.

Mayor Carelli opened the meeting to the public for comments.

There being no comments, Mayor Carelli closed the public portion.

ALL IN FAVOR

Councilman Revis set forth the motion, seconded by Councilman Oswald,

RESOLVED that Ordinance No. 01-2023 as read on second reading at this meeting, be adopted and finally passed.

ROLL CALL: Ayes: Oswald, Purcell, Revis, Pellegrini
Nays: None
Absent: Desai, Kheyfets
Abstain: None
(4 ayes - 0 nays - 2 Absent - motion carried)

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 22 - A

OPEN PUBLIC COMMENTS ON RESOLUTIONS:

Mayor Carelli opened the meeting to the public for comments.

There being no comments, Mayor Carelli closed the public session.

April 12, 2023

RESOLUTIONS – CONSENT AGENDA:

Councilman Pellegrini set forth the motion, seconded by Councilman Oswald to approve the following resolutions:

- 65-2023:** AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH APRIL 12, 2023 FOR 2022/2023 BILLS IN THE TOTAL AMOUNT OF \$275,729.57
- 66-2023:** RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN THE BOROUGH OF RIVERDALE AND BJ'S WHOLESALE CLUB, INC.
- 67-2023:** RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERDALE IN SUPPORT OF THE LOCATION AND OPERATION OF A CANNABIS TESTING LABORATORY FACILITY BY HIGHGRADE LABS OF NEW JERSEY, LLC.
- 68-2023:** RESOLUTION AMENDING RESOLUTION# 59-2023 AUTHORIZING THE HIRING OF STEPHANIE COLELLA AS A PART-TIME SALARIED CLERICAL ASSISTANT FOR THE BOROUGH OF RIVERDALE AT AN ANNUAL PART-TIME SALARY OF \$26,000.00
- 69-2023:** RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF RIVERDALE AND COLLIERS ENGINEERING & DESIGN, INC FOR TASK# 2 TITLED REDEVELOPMENT PLAN PREPARATION
- 70-2023:** RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER (1) FOR ADDITIONAL CONSTRUCTION RELATED SERVICES FOR THE MORRIS AVENUE WATER MAIN PROJECT IN THE AMOUNT OF \$4,385.25 – NEW TOTAL CONTRACT AMOUNT \$11,585.25
- 71-2023:** RESOLUTION AUTHORIZING THE HIRING OF MARK LIME AS THE PROPERTY MAINTENANCE INSPECTOR FOR THE BOROUGH OF RIVERDALE AT AN ANNUAL SALARY OF \$6,000
- 72-2023:** AUTHORIZING PAYMENT REQUEST #3 FOR THE INDEPENDENCE PARK RETAINING WALL REPLACEMENT PROJECT MIKE FITZPATRICK CONTRACTORS, INC., 18 COZY LAKE RD, PO BOX 430, OAK RIDGE, NJ 07438 IN THE AMOUNT OF \$103,135.20

ROLL CALL: Ayes: Oswald, Purcell, Revis, Pellegrini
Absent: Desai, Kheyfets
(4 ayes – 0 nays - 2 Absent - motion carried)

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 23 - A THROUGH H

MAYOR REPORT:

Mayor Carelli reported that the Gala went off without a hitch, I think everyone had a good time. There was close to 550 guests and we received very good feedback. We have the Memorial Day Parade coming up and other things scheduled for the rest of the year. They are getting ready to pave Newark Pompton Turnpike soon. He will be meeting with Heidi and Chris to go over some things for the budget. Hopefully we can introduce maybe at the next meeting or first meeting in May. The new girl is working out well and she will be the Planning Board Secretary and has agreed to take on that responsibility.

COMMITTEE REPORTS:

UTILITIES: Councilman Oswald reported that tomorrow they should be paving down at the park. They will be there for two days. Once they are done there will be some concrete to connect the existing walkway between the field to the new walkway that goes behind the wall.

COMMUNICATIONS: No report.

April 12, 2023

PUBLIC WORKS: Council President Pellegrini reported that Newark Pompton is almost ready to pave. All the sewer work is done and the sewer authority had to replace three manholes.

PUBLIC SAFETY: Councilman Revis reported that the mayor is working with the CFO and Lisa getting the Fire Department budgeting and requisitions procedure in order. As far as the PD you are working with Duffy on PBA issues in order. You are also working on new car order and hire so that should be happening quickly.

BOROUGH CLERK REPORT: No report.

BOROUGH ATTORNEY REPORT: No report

NEW/OTHER BUSINESS:

The mayor was contacted today by Bill Palatucci who is now representing Altice and he was asking about the Franchise deal and I told him to contact Lisa.

OPEN PUBLIC COMMENTS:

Mayor Carelli opened the meeting to the public for comments.

There being no further comments, Mayor Carelli closed the public session.

ADJOURNMENT:

Council President Pellegrini set forth the motion, seconded by Councilman Oswald to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 7:48PM

Respectfully Submitted:

Abubakar T. Jalloh, Municipal Clerk



BOROUGH OF RIVERDALE NEW JERSEY



Resolution No: 73-2023

Date of Adoption: April 26, 2023

TITLE:

**AUTHORIZING PAYMENT OF BILLS AND THE ISSUANCE OF CHECKS FOR THE PERIOD THROUGH
APRIL 26, 2023 FOR 2022/2023 BILLS IN THE TOTAL AMOUNT OF \$1,362,076.42**

BE IT RESOLVED by the Borough Council of the Borough of Riverdale, New Jersey that,

WHEREAS, certain bills which are contained on the bills list which is annexed hereto and incorporated herein have been submitted to the Borough of Riverdale for payment, and;

WHEREAS, pursuant to N.J.S.A. 40A:5:16, it has been certified to the governing body that the goods or services for which said bills were submitted have been received by or rendered to the Borough of Riverdale, and;

WHEREAS, the Chief Financial Officer of the Borough of Riverdale has certified to the governing body that there are funds legally appropriated and available in the current operating budget for the payment of said bills and that the said payment will not result in the disbursement of public monies or in the encumbering of same in excess of the 2022/2023 appropriation for said purpose;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Riverdale that the Borough Clerk and Mayor be and are hereby authorized to sign checks in payment of the bills set forth in the annexed schedule.

RECORD OF COUNCIL VOTE

Motion – by Councilman: _____ Second - by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Pellegrini						Oswald				
Revis						Purcell				
Desai						Kheyfets				

A.J. Jalloh, Borough Clerk

Paul M. Carelli, Mayor

This resolution, when adopted, must remain in the possession of the Borough Clerk. Certified copies are available

P.O. Type: All
Format: Detail without Line Item Notes
Range: 2-First to 3-Last
Rcvd Batch Id Range: First to Last
Vendors: All
Department Page Break: No
Print Alpha, Revenue, & G/L Accounts: Y
Open: N Void: N Paid: N
Held: Y Aprv: N Rcvd: Y
Bid: Y State: Y Other: Y Exempt: Y
Include Non-Budgeted: Y
Subtotal CAFR: Yes Subtotal Department: Yes

Account	Description	Item Description	Amount	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	PO Type
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Fund: CURRENT FUND
CAFR: GENERAL GOVERNMENT
Department: ADMINISTRATIVE & EXECUTIVE

3-01-20-701-299	A&E MISCELLANEOUS								
23-00430	1 PRINT005	PRINTING IMAGES	INV#8259 CENTENNIAL PROGRAMS	1,565.00	R	04/03/23	04/11/23		
23-00468	1 ALPHA005	ALPHA DOG SOLUTIONS INC	INV#25424 APRIL WEBSITE	590.00	R	04/11/23	04/17/23		
23-00494	1 01516	DEER PARK DIRECT/8029	ACCT#0437458029 MAIN OFFICE	27.58	R	04/18/23	04/18/23		
23-00494	2 01516	DEER PARK DIRECT/8029	ACCT#0437458086 POLICE	15.29	R	04/18/23	04/18/23		
23-00507	1 MCAMC005	MCAMC	2023 MEMBERSHIP	50.00	R	04/19/23	04/20/23		
23-00514	1 01516	DEER PARK DIRECT/8029	ACCCT#0438043432 COM CENTER	77.97	R	04/21/23	04/21/23		
23-00515	1 00660	PITNEY BOWES BANK INC RESERVE	REFILL POSTAGE MACHINE	1,000.00	R	04/20/23	04/20/23		
23-00516	1 TRIST005	TRI-STATE TECHNICAL SERVICES	INV#33771 MAY MICROSOFT	120.00	R	04/21/23	04/21/23		
23-00527	1 DAILY005	DAILY RECORD	LEGAL AD - INTRODUCE ORDINANCE	41.34	R	04/21/23	04/21/23		
23-00527	2 DAILY005	DAILY RECORD	LEGAL AD - ADOPTED ORDINANCE	13.26	R	04/21/23	04/21/23		
				<u>3,500.44</u>					
Department Total: ADMINISTRATIVE & EXECUTIVE				3,500.44					

Department: LEGAL SERVICES

3-01-20-712-201	LEGAL SERVICES - CONTRACTUAL EXPENSES								
23-00014	5 01578	MURPHY MCKEON P.C.	INV#9672 APRIL RETAINER	2,500.00	R	01/17/23	04/21/23		B
3-01-20-712-299	LEGAL SERVICES MISCELLANEOUS								
23-00015	4 01578	MURPHY MCKEON P.C.	INV#9725 MARCH LEGAL SERVICES	2,165.14	R	01/17/23	04/21/23		B
Department Total: LEGAL SERVICES				4,665.14					
CAFR Total: GENERAL GOVERNMENT				8,165.58					

Account P.O. Id Item Vendor	Description Item Description	Amount	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date Invoice	PO Type
CAFR: LAND USE ADMINISTRATION							
Department: PLANNING BOARD							
3-01-21-720-299	PLANNING BOARD MISCELLANEOUS						
23-00502 1 00085	BARBARULA AND ASSOCIATES PLANNING BOARD LEGAL SERVICES	1,000.00	R	04/18/23	04/19/23		
Department Total: PLANNING BOARD		1,000.00					
CAFR Total: LAND USE ADMINISTRATION		1,000.00					
CAFR: INSURANCE							
Department: INSURANCE PREMIUMS OTHER							
3-01-23-730-000	INSURANCE PREMIUMS OTHER						
23-00462 2 MORRI020	MORRIS COUNTY MUNICIPAL JOINT MULTI LINE	36,719.00	R	04/10/23	04/10/23		
Department Total: INSURANCE PREMIUMS OTHER		36,719.00					
Department: WORKERS' COMPENSATION FUND							
3-01-23-732-000	WORKERS' COMPENSATION FUND						
23-00462 1 MORRI020	MORRIS COUNTY MUNICIPAL JOINT 2ND INSTALLMENT 2023	26,345.00	R	04/10/23	04/10/23		
Department Total: WORKERS' COMPENSATION FUND		26,345.00					
Department: GROUP INSURANCE - WITHIN "CAP"							
3-01-23-733-000	GROUP INSURANCE - WITHIN "CAP"						
23-00529 1 01135	HORIZON BCBSNJ #00 DENTAL 5/1-6/1	539.73	R	04/21/23	04/21/23		
23-00530 1 01136	HORIZON BCBSNJ #01 DENTAL 5/1-6/1	217.13	R	04/21/23	04/21/23		
		<u>756.86</u>					
Department Total: GROUP INSURANCE - WITHIN "CAP"		756.86					
CAFR Total: INSURANCE		63,820.86					
CAFR: PUBLIC SAFETY FUNCTIONS							
Department: POLICE DEPARTMENT							
3-01-25-745-299	POLICE DEPT MISCELLANEOUS						
23-00179 1 MARIN010	MARIN CONSULTING ASSOC. duffy performance / accountibi	300.00	R	02/03/23	04/18/23	14544	

Account	Description					First	Rcvd	Chk/Void		PO
P.O. Id	Item Vendor	Item Description	Amount	Stat/Chk	Enc Date	Date	Date	Invoice		Type
3-01-25-745-299		POLICE DEPT MISCELLANEOUS								
		Continued								
23-00380	1 00535	MORRIS COUNTY DETECTIVE ASSOC	2023 dues	100.00	R	03/16/23	04/11/23	2023035		
23-00437	1 JCNET005	JC NETWORK SOLUTIONS	INV#3019 REMOTE SUPPORT	400.00	R	04/04/23	04/11/23			
23-00437	2 JCNET005	JC NETWORK SOLUTIONS	FORTINET 1 YEAR PROTECTION	653.70	R	04/04/23	04/11/23			
23-00438	1 00017	NJ STATE ASSOCIATION OF	INV#IN-14411 CHARLES QUANT	600.00	R	04/04/23	04/11/23			
23-00465	1 00695	GOLD TYPE BUSINESS MACHINES	INV#0000039923 E-TICKETS	650.00	R	04/11/23	04/18/23			
23-00466	1 THEBA005	THE BANCORP	INV#589131 POLICE CAR LEASES	11,757.00	R	04/11/23	04/11/23			
23-00473	1 NJEZP005	NJ E-ZPASS	ACCT#2000517115036	3.00	R	04/11/23	04/17/23			
				<u>14,463.70</u>						
		Department Total: POLICE DEPARTMENT		14,463.70						
Department: FIRE DEPARTMENT										
3-01-25-752-299		FIRE DEPT MISCELLANEOUS								
23-00242	1 00649	SPECTRUM COMMUNICATIONS	Kenwood Rugged Mics	280.80	R	02/16/23	04/18/23			
		Department Total: FIRE DEPARTMENT		280.80						
		CAFR Total: PUBLIC SAFETY FUNCTIONS		14,744.50						
CAFR: PUBLIC WORKS FUNCTIONS										
Department: ROAD REPAIRS & MAINTENANCE										
3-01-26-765-299		ROAD REPAIRS & MAINT MISC								
23-00330	1 AMERIO25	AMERICAN WOODCARVING LLC	10 ft.sign post and cap painte	280.00	R	03/02/23	04/17/23			
23-00448	1 01817	TILCON NEW YORK INC	2.05 tons of 9.5M64 asphalt	172.01	R	04/06/23	04/10/23	2528446		
23-00456	1 SITE0005	SITEONE LANDSCAPE SUPPLY	Kalahari herbicide 5 lb.	93.52	R	04/06/23	04/17/23			
23-00510	2 01868	BOROUGH OF BLOOMINGDALE	1ST QRT STREET SWEEPING	500.00	R	04/19/23	04/20/23			
23-00523	1 00909	TREASURER-STATE OF NEW JERSEY	INV#230420060 STORMWATER	1,050.00	R	04/21/23	04/21/23			
				<u>2,095.53</u>						
		Department Total: ROAD REPAIRS & MAINTENANCE		2,095.53						
Department: VEHICLE MAINTENANCE										
3-01-26-767-201		VEHICLE MAINTENANCE - POLICE								
23-00453	1 00037	P & A AUTO PARTS	wiper blades	33.92	R	04/06/23	04/20/23	15044-255633		

April 21, 2023
01:39 PM

BOROUGH OF RIVERDALE
Bill List By Budget Account

Page No: 4

Account P.O. Id Item Vendor	Description Item Description	Amount	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date Invoice	PO Type
3-01-26-767-201 23-00497 1 01054	VEHICLE MAINTENANCE - POLICE ROUTE 23 AUTO MALL #122-75471	Continued <u>95.00</u> 128.92	R	04/18/23	04/20/23		
3-01-26-767-202 23-00208 1 00839	VEHICLE MAINTENANCE - FIRE FIRE & SAFETY SERVICES LTD E-32 Power Steering pumps	10,469.85	R	02/10/23	04/20/23		
3-01-26-767-299 23-00444 1 00643	VEHICLE MAINTENANCE - DPW LUCKY BRAKE INC INV#368950	15.99	R	04/06/23	04/21/23		
Department Total: VEHICLE MAINTENANCE		10,614.76					
Department: PUBLIC BUILDINGS & GROUNDS							
3-01-26-772-299 23-00373 1 00426	BUILDINGS & GROUNDS O/E HOME DEPOT CREDIT SERVICES 8 ft. step ladder	145.00	R	03/16/23	04/20/23		
23-00442 1 00931	R & M SERVISTAR HARDWARE INC INV#D127697	41.79	R	04/06/23	04/20/23		
23-00442 2 00931	R & M SERVISTAR HARDWARE INC INV#B97612	7.98	R	04/06/23	04/20/23		
23-00442 3 00931	R & M SERVISTAR HARDWARE INC INV#D127949	47.97	R	04/06/23	04/20/23		
23-00442 4 00931	R & M SERVISTAR HARDWARE INC INV#B97861	2.99	R	04/06/23	04/20/23		
23-00442 5 00931	R & M SERVISTAR HARDWARE INC INV#D128005	18.99	R	04/06/23	04/20/23		
23-00442 6 00931	R & M SERVISTAR HARDWARE INC INV#B97948	48.97	R	04/06/23	04/20/23		
23-00445 1 00074	RIVERDALE POWER MOWER INC INV#82291	19.90	R	04/06/23	04/17/23		
23-00445 2 00074	RIVERDALE POWER MOWER INC INV#82327	18.95	R	04/06/23	04/17/23		
23-00445 3 00074	RIVERDALE POWER MOWER INC INV#82344	315.00	R	04/06/23	04/17/23		
23-00450 1 00082	RER SUPPLY LLC 22 yds. of black mulch	616.00	R	04/06/23	04/21/23		
23-00452 1 00548	ALL MAINTENANCE PRODUCTS INC. INV#145838	495.00	R	04/06/23	04/10/23		
23-00478 1 00062	TREASURER-STATE OF NEW JERSEY REG#1433-00128-001	<u>182.00</u> 1,960.54	R	04/14/23	04/17/23		
Department Total: PUBLIC BUILDINGS & GROUNDS		1,960.54					
CAFR Total: PUBLIC WORKS FUNCTIONS		14,670.83					
Department: BOARD OF HEALTH							
3-01-27-785-299 23-00476 1 00204	BOARD OF HEALTH MISCELLANEOUS PEQUANNOCK TOWNSHIP 2ND QRT HEALTH SERVICES	13,939.50	R	04/14/23	04/17/23		

Account P.O. Id Item Vendor	Description Item Description	Amount	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date Invoice	PO Type
3-01-27-785-299 23-00509 1 01868	BOARD OF HEALTH MISCELLANEOUS BOROUGH OF BLOOMINGDALE	Continued 1ST QRT 2023 ANIMAL CONTROL					
		3,573.00	R	04/19/23	04/20/23		
		17,512.50					
	Department Total: BOARD OF HEALTH	17,512.50					
	CAFR Total:	17,512.50					
Department: PUBLIC LIBRARY							
3-01-29-800-299 23-00519 1 01547	PUBLIC LIBRARY MISCELLANEOUS RIVERDALE PUBLIC LIBRARY	2ND QRT 2023 PAYMENT					
		15,000.00	R	04/21/23	04/21/23		
	Department Total: PUBLIC LIBRARY	15,000.00					
	CAFR Total:	15,000.00					
Department: ELECTRICITY							
3-01-31-825-000	ELECTRICITY						
23-00474 1 00023	JERSEY CENTRAL POWER & LIGHT	100134416880-SCOREBOARD	0.00	R	04/12/23	04/17/23	
23-00474 2 00023	JERSEY CENTRAL POWER & LIGHT	100008079673-52 NPT	21.85	R	04/12/23	04/17/23	
23-00474 3 00023	JERSEY CENTRAL POWER & LIGHT	100008173617-56 POST LANE	4.57	R	04/12/23	04/17/23	
23-00474 4 00023	JERSEY CENTRAL POWER & LIGHT	100008224725-FIRE DEPT	513.54	R	04/12/23	04/17/23	
23-00474 5 00023	JERSEY CENTRAL POWER & LIGHT	100008260281-WEDGEWOOD	299.77	R	04/12/23	04/17/23	
23-00474 6 00023	JERSEY CENTRAL POWER & LIGHT	100066557800-57 LOY	459.95	R	04/12/23	04/17/23	
23-00474 7 00023	JERSEY CENTRAL POWER & LIGHT	100102697347-PUMP STATION	254.62	R	04/12/23	04/17/23	
23-00474 8 00023	JERSEY CENTRAL POWER & LIGHT	100024665133-DALTON DR	2,057.33	R	04/12/23	04/17/23	
23-00474 9 00023	JERSEY CENTRAL POWER & LIGHT	100076676574-211 HAMBURG TPK	41.24	R	04/12/23	04/17/23	
23-00474 10 00023	JERSEY CENTRAL POWER & LIGHT	100125339729-211 HAMBURG TPK	4.09	R	04/12/23	04/17/23	
23-00474 11 00023	JERSEY CENTRAL POWER & LIGHT	100059005270-ROCK CREEK	4.75	R	04/12/23	04/17/23	
23-00474 12 00023	JERSEY CENTRAL POWER & LIGHT	100006861882-NPT	44.14	R	04/12/23	04/17/23	
23-00474 13 00023	JERSEY CENTRAL POWER & LIGHT	100007188566-HAMBURG TPK	36.59	R	04/12/23	04/17/23	
23-00474 14 00023	JERSEY CENTRAL POWER & LIGHT	100080890187-211 HAMBURG TPK	33.20	R	04/12/23	04/17/23	
23-00479 1 00023	JERSEY CENTRAL POWER & LIGHT	100100313475-83 NPT	620.62	R	04/14/23	04/17/23	
23-00479 2 00023	JERSEY CENTRAL POWER & LIGHT	100006861932-NPT	70.52	R	04/14/23	04/17/23	
23-00479 3 00023	JERSEY CENTRAL POWER & LIGHT	100057818203-87 NPT	160.78	R	04/14/23	04/17/23	
23-00479 4 00023	JERSEY CENTRAL POWER & LIGHT	100006798530-108 RIVERDALE RD	294.42	R	04/14/23	04/17/23	
23-00479 5 00023	JERSEY CENTRAL POWER & LIGHT	100006799793-MUNICIPAL BLDG	985.41	R	04/14/23	04/17/23	

Account P.O. Id Item Vendor	Description Item Description	Amount	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date Invoice	PO Type
3-01-31-825-000	ELECTRICITY						
23-00481 1 00023	JERSEY CENTRAL POWER & LIGHT 100113355711-OAL	33.70	R	04/17/23	04/17/23		
		5,941.09					
	Department Total: ELECTRICITY	5,941.09					
Department: STREET LIGHTING							
3-01-31-826-000	STREET LIGHTING						
23-00481 2 00023	JERSEY CENTRAL POWER & LIGHT 100007858234-STREET LIGHTING	1,243.72	R	04/17/23	04/17/23		
	Department Total: STREET LIGHTING	1,243.72					
Department: TELEPHONE							
3-01-31-827-000	TELEPHONE						
23-00467 1 01412	TELESYSTEM APRIL 2023 ACCT#9958499	66.73	R	04/11/23	04/17/23		
23-00484 1 01586	SPECTROTEL ACCT#145610 INV#11513427	3,381.01	R	04/18/23	04/18/23		
23-00531 1 00938	CABLEVISION 07870038913019-COMM CENTER	106.99	R	04/21/23	04/21/23		
23-00531 2 00938	CABLEVISION 07870032355019-91 NPT	29.95	R	04/21/23	04/21/23		
23-00531 3 00938	CABLEVISION 07870011573012-POLICE DEPT	177.73	R	04/21/23	04/21/23		
23-00531 4 00938	CABLEVISION 07870418844024-FIRE DEPT	0.00	R	04/21/23	04/21/23		
		3,762.41					
	Department Total: TELEPHONE	3,762.41					
Department: GASOLINE							
3-01-31-833-000	GASOLINE						
23-00469 1 WEXBA010 WEX BANK	ACCT#0496006362271 MARCH FUEL	9,433.81	R	04/11/23	04/17/23		
23-00471 1 WEXBA005 WEX BANK	INV#88276041 MARCH FUEL USAGE	85.00	R	04/11/23	04/17/23		
23-00471 2 WEXBA005 WEX BANK	INV#88223286 MARCH FUEL USAGE	198.59	R	04/11/23	04/17/23		
		9,717.40					
	Department Total: GASOLINE	9,717.40					

Account P.O. Id Item Vendor	Description Item Description	Amount	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date Invoice	PO Type
Department: REFUSE & TRASH							
3-01-31-837-000 23-00520 1 01428	REFUSE & TRASH MORRIS COUNTY MUA ACCT#100033 MARCH TIPPING FEES	11,917.45	R	04/21/23	04/21/23		
Department Total: REFUSE & TRASH		11,917.45					
CAFR Total:		32,582.07					
Department: MUNICIPAL COURT							
3-01-42-855-299	MUNICIPAL COURT/MISCELLANEOUS						
23-00403 1 BARRI005	BARRIA, SONIA INTERPRETER SERVICES	140.00	R	03/22/23	04/17/23		
23-00423 1 00229	MUNICIPAL RECORD SERVICE 2" EXPANDABLE JACKETS 1 BOX	190.00	R	04/03/23	04/11/23		
23-00423 2 00229	MUNICIPAL RECORD SERVICE SHIPPING & HANDLING	35.00	R	04/03/23	04/11/23		
23-00475 1 NJCAA005	NJCAA 4/28 MEETING -ELIANNA KIESLING	65.00	R	04/12/23	04/17/23		
23-00475 2 NJCAA005	NJCAA 4/28 MEETING -BROOKE BONIELLO	65.00	R	04/12/23	04/17/23		
23-00512 1 GRAND010	GRAND HOTEL HOTEL FOR BCMCAA CONFERENCE	324.00	R	04/20/23	04/21/23		
23-00513 1 BCMCA005	BCMCAA BCMCAA SPRING CONFERENCE	300.00	R	04/20/23	04/21/23		
		<u>1,119.00</u>					
Department Total: MUNICIPAL COURT		1,119.00					
CAFR Total:		1,119.00					
3-01-55-001-001	SCHOOL TAXES PAYABLE						
23-00518 1 00099	BOROUGH OF RIVERDALE MAY TAX LEVY	725,397.67	R	04/21/23	04/21/23		
Department Total:		725,397.67					
CAFR Total:		725,397.67					
Fund Total: CURRENT FUND		894,013.01					
Fund: WATER/SEWER OPERATING ACCOUNT							
Department: WATER/SEWER UTILITY FUND							
3-05-55-500-299	WATER/SEWER OPERATING MISCELLANEOUS						
23-00215 1 SAMUE005	SAMUEL STOTHOFF maintenance on well	2,200.00	R	02/10/23	04/17/23		
23-00410 1 00586	MAIN POOL & CHEMICAL INC 55 GAL SODIUM HYPOCHLORITE	266.20	R	03/28/23	04/17/23		
23-00415 1 00749	L.BECKER & SON INC. HYDRANT REPAIR NPT & COTLUSS	1,930.00	R	03/30/23	04/11/23		
23-00470 1 00003	VERIZON 4/1/23-4/30/23	260.12	R	04/11/23	04/17/23		
23-00470 2 00003	VERIZON ACCT#2507171170000154	23.12	R	04/11/23	04/17/23		

Account	Description	Item Description	Amount	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	PO Type
3-05-55-500-299	WATER/SEWER OPERATING MISCELLANEOUS Continued								
23-00472	1 00054	ANDERSON & DENZLER ASSOC INC. INV#1227 MARCH WATER ENGINEERI	491.50	R	04/11/23	04/17/23			
23-00472	2 00054	ANDERSON & DENZLER ASSOC INC. INV#1228 MARCH SEWER ENGINEERI	311.70	R	04/11/23	04/17/23			
23-00482	1 01941	PASSAIC VALLEY WATER INV#17982 WHSLE WTR MARCH 2023	31,736.62	R	04/18/23	04/18/23			
23-00483	1 01941	PASSAIC VALLEY WATER INV#17983 COLIFORM ANALYSIS	72.00	R	04/18/23	04/18/23			
23-00528	1 00003	VERIZON 4/16-5/15	260.12	R	04/21/23	04/21/23			
			<u>37,551.38</u>						
	Department Total: WATER/SEWER UTILITY FUND		37,551.38						
	CAFR Total:		37,551.38						
	Fund Total: WATER/SEWER OPERATING ACCOUNT		37,551.38						
	Year Total:		931,564.39						
Fund: GENERAL CAPITAL									
Department: ORDINANCE #8-2021 (GENERAL CAPITAL)									
C-04-21-008-204	TECHNOLOGY UPGRADES								
23-00436	1 01319	DELL COMPUTER CORP. QUOTE#3000148331398.1	3,289.95	R	04/04/23	04/18/23			
23-00436	2 01319	DELL COMPUTER CORP. 3-DELL 22 MONITOR P2222H 21.5"	520.77	R	04/04/23	04/18/23			
			<u>3,810.72</u>						
C-04-21-008-402	UTILITY TRUCK / MASON DUMP TRUCK								
21-01178	1 01315	CIOCCA FMFL INC 2022 FORD F350 REGULAR CAB	57,680.25	R	10/29/21	04/17/23			
	Department Total: ORDINANCE #8-2021 (GENERAL CAPITAL)		61,490.97						
	CAFR Total:		61,490.97						
Department: ORDINANCE #2-2022 (ROAD IMPROVEMENTS)									
C-04-22-002-000	ORDINANCE #2-2022 (ROAD IMPROVEMENTS)								
22-01282	2 AMERIO35	AMERICAN ASPHALT & TRUCKING PAYMENT #1 NPT & COTLUSS	240,944.72	R	10/12/22	04/21/23			B
	Department Total: ORDINANCE #2-2022 (ROAD IMPROVEMENTS)		240,944.72						
	CAFR Total:		240,944.72						
	Fund Total: GENERAL CAPITAL		302,435.69						
	Year Total:		302,435.69						

Account P.O. Id Item Vendor	Description Item Description	Amount	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date Invoice	PO Type
Fund:	GRANTS (CURRENT FUND)						
G-02-03-100-022 23-00510 1 01868	CLEAN COMMUNITIES - 2022 BOROUGH OF BLOOMINGDALE 1ST QRT STREET SWEEPING	4,500.00	R	04/19/23	04/20/23		
	Department Total:	4,500.00					
	CAFR Total:	4,500.00					
	Fund Total: GRANTS (CURRENT FUND)	4,500.00					
	Year Total:	4,500.00					
Fund:	OTHER TRUST						
T-11-55-286-003 23-00517 1 00838	RESERVE - CENTENNIAL CARELLI, PAUL REIMBURSE FOR FLOWERS FOR GALA	31.96	R	04/21/23	04/21/23		
	Department Total:	31.96					
	CAFR Total:	31.96					
	Fund Total: OTHER TRUST	31.96					
Fund:	DOG TRUST ACCOUNT						
T-12-56-286-850 23-00447 1 NJDHSS14 NJ	RESERVE FOR DOG LICENSE FUND Dept. of Health & Senior NJ DOG REPORT FOR MARCH 2023	80.40	R	04/06/23	04/10/23		
	Department Total:	80.40					
	CAFR Total:	80.40					
	Fund Total: DOG TRUST ACCOUNT	80.40					
Fund:	OPEN SPACE TRUST ACCOUNT						
T-25-56-286-850 23-00449 1 00082	RESERVE - OPEN SPACE TRUST FUND RER SUPPLY LLC 16 yards of platground mulch	304.00	R	04/06/23	04/21/23		
	Department Total:	304.00					
	CAFR Total:	304.00					
	Fund Total: OPEN SPACE TRUST ACCOUNT	304.00					
	Year Total:	416.36					

April 21, 2023
01:39 PM

BOROUGH OF RIVERDALE
Bill List By Budget Account

Page No: 10

Account	Description			First	Rcvd	Chk/Void		PO
P.O. Id	Item Vendor	Item Description	Amount	Stat/Chk	Enc Date	Date	Invoice	Type
Fund: WATER CAPITAL FUND								
Department: ORDINANCE #14-2017								
W-06-55-415-105 WATER METERS								
21-01349	4 00054	ANDERSON & DENZLER ASSOC INC. INV# 8570 WATER PROJECT	567.00	R	12/16/21	04/18/23		B
21-01349	5 00054	ANDERSON & DENZLER ASSOC INC. INV #8645 WATER PROJECT	3,534.75	R	04/18/23	04/18/23		B
21-01349	6 00054	ANDERSON & DENZLER ASSOC INC. INV# 8716 WATER PROJECT	283.50	R	04/18/23	04/18/23		B
			<u>4,385.25</u>					
Department Total: ORDINANCE #14-2017			4,385.25					
CAFR Total:			4,385.25					
Fund Total: WATER CAPITAL FUND			4,385.25					
Year Total:			4,385.25					
<hr/>								
Total Charged Lines: 111		Total List Amount: 1,243,301.69	Total Void Amount: 0.00					

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	3-01	894,013.01	0.00	894,013.01	0.00	0.00	894,013.01
WATER/SEWER OPERATING ACCOUNT	3-05	<u>37,551.38</u>	<u>0.00</u>	<u>37,551.38</u>	<u>0.00</u>	<u>0.00</u>	<u>37,551.38</u>
Year Total:		931,564.39	0.00	931,564.39	0.00	0.00	931,564.39
GENERAL CAPITAL	C-04	302,435.69	0.00	302,435.69	0.00	0.00	302,435.69
GRANTS (CURRENT FUND)	G-02	4,500.00	0.00	4,500.00	0.00	0.00	4,500.00
OTHER TRUST	T-11	31.96	0.00	31.96	0.00	0.00	31.96
DOG TRUST ACCOUNT	T-12	80.40	0.00	80.40	0.00	0.00	80.40
OPEN SPACE TRUST ACCOUNT	T-25	<u>304.00</u>	<u>0.00</u>	<u>304.00</u>	<u>0.00</u>	<u>0.00</u>	<u>304.00</u>
Year Total:		416.36	0.00	416.36	0.00	0.00	416.36
WATER CAPITAL FUND	W-06	4,385.25	0.00	4,385.25	0.00	0.00	4,385.25
Total of All Funds:		<u><u>1,243,301.69</u></u>	<u><u>0.00</u></u>	<u><u>1,243,301.69</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>1,243,301.69</u></u>

April 12, 2023
11:40 AM

BOROUGH OF RIVERDALE
Bill List By P.O. Number

P.O. Type: All
Range: 22-00573 to 22-00573
Format: Detail without Line Item Notes
Vendors: All
Rcvd Batch Id Range: First to Last
Include Non-Budgeted: Y
Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	chk/Void Date	Invoice
22-00573	04/28/22	01007 MIKE FITZPATRICK & SON INC	103,135.20	C-04-22-001-000		B ORDINANCE# 01-2022 (RETAINING WALL)	R	04/28/22	04/12/23		

Total Purchase Orders: 1 Total P.O. Line Items: 1 Total List Amount: 103,135.20 Total Void Amount: 0.00

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
GENERAL CAPITAL	C-04	103,135.20	0.00	103,135.20	0.00	0.00	103,135.20
Total of All Funds:		<u>103,135.20</u>	<u>0.00</u>	<u>103,135.20</u>	<u>0.00</u>	<u>0.00</u>	<u>103,135.20</u>

April 21, 2023
10:54 AM

BOROUGH OF RIVERDALE
Bill List By P.O. Number

P.O. Type: All
 Range: 23-00521 to 23-00521
 Format: Detail without Line Item Notes
 Vendors: All
 Rcvd Batch Id Range: First to Last

Open: N Paid: N Void: N
 Rcvd: Y Held: Y Aprv: N
 Bid: Y State: Y Other: Y Exempt: Y

Include Non-Budgeted: Y

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
23-00521	04/21/23	COLLI010 COLLIERS ENGINEERING & DESIGN									
1		REDEVELOPMENT	393.75	T-16-55-287-002	B	DEVELOPER'S ESCROW (Z-ESCROW)	R	04/21/23	04/21/23		0000833742
2		REDEVELOPMENT	9,077.03	T-16-55-287-002	B	DEVELOPER'S ESCROW (Z-ESCROW)	R	04/21/23	04/21/23		0000826190
3		REDEVELOPMENT	6,168.75	T-16-55-287-002	B	DEVELOPER'S ESCROW (Z-ESCROW)	R	04/21/23	04/21/23		0000818282
			15,639.53								

Total Purchase Orders: 1 Total P.O. Line Items: 3 Total List Amount: 15,639.53 Total Void Amount: 0.00

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
ESCROW - (Z-ESCROW)	T-16	15,639.53	0.00	15,639.53	0.00	0.00	15,639.53
Total of All Funds:		<u>15,639.53</u>	<u>0.00</u>	<u>15,639.53</u>	<u>0.00</u>	<u>0.00</u>	<u>15,639.53</u>



BOROUGH OF RIVERDALE NEW JERSEY



Resolution No: 74-2023

Date of Adoption: April 26, 2023

TITLE:

AUTHORIZE PAYMENT REQUEST #1 FOR THE NEWARK POMPTON TURNPIKE AND COTLUSS ROAD IMPROVEMENTS TO AMERICAN ASPHALT & TRUCKING, LLC, 818 SUMMER AVE FLOOR 1, NEWARK, NJ 07104 IN THE AMOUNT OF \$240,944.72

WHEREAS, the Borough of Riverdale advertised and received bids for the Newark Pompton Turnpike AND Cotluss Road Improvements on September 27, 2022, and;

WHEREAS, American Asphalt & Trucking, LLC, 818 Summer Ave Floor 1, Newark, N.J. submitted the lowest conforming bid in the amount of \$974,702.28 and;

WHEREAS, an award of contract to AMERICAN ASPHALT & TRUCKING, LLC and the certification of funds was approved by Resolution 176-2022 on October 12, 2022, and;

WHEREAS, AMERICAN ASPHALT & TRUCKING, LLC has submitted Payment Request #1 for work completed to date that was reviewed and recommended for payment by the Borough Engineer.

NOW THEREFORE, BE IT RESOLVED, that Borough Council of the Borough of Riverdale, New Jersey does hereby authorize Payment Request #1 for the Newark Pompton Turnpike and Cotluss Road Improvements to American Asphalt & Trucking, LLC, 818 Summer Ave Floor 1, Newark, NJ 07104 in the amount of \$240,944.72

RECORD OF COUNCIL VOTE

Motion – by Councilman: _____ Second - by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Pellegrini					Oswald				
Revis					Purcell				
Desai					Kheyfets				

A.J. Jalloh, Borough Clerk

Paul M. Carelli, Mayor

This resolution, when adopted, must remain in the possession of the Borough Clerk.
Certified copies are available.

PAYMENT APPLICATION

TO: Borough of Riverdale 91 Newark Pompton Turnpike Riverdale, NJ 07457 Attn: Accounts Payable	PROJECT NAME AND LOCATION: Improvements to Newark Pompton-Turnpike & Cotliss Rd.	APPLICATION # 1 PERIOD THRU: 04/13/2023 PROJECT #s: DATE OF CONTRACT: 10/12/2022	Distribution to: <input type="checkbox"/> OWNER <input type="checkbox"/> ARCHITECT <input checked="" type="checkbox"/> CONTRACTOR <input type="checkbox"/> <input type="checkbox"/>
FROM: American Asphgali & Trucking LLC 818 Summer Ave Newark, NJ 07104	ARCHITECT: Thomas A. Boorady, PE		
FOR:			

CONTRACTOR'S SUMMARY OF WORK

Application is made for payment as shown below.
Continuation Page is attached.

1. CONTRACT AMOUNT	\$974,746.83
2. SUM OF ALL CHANGE ORDERS	\$77,987.20
3. CURRENT CONTRACT AMOUNT (Line 1 +/- 2)	\$1,052,734.03
4. TOTAL COMPLETED AND STORED (Column G on Continuation Page)	\$245,861.96
5. RETAINAGE:	
a. 2.00% of Completed Work (Columns D + E on Continuation Page)	\$4,917.24
b. 0.00% of Material Stored (Column F on Continuation Page)	\$0.00
Total Retainage (Line 5a + 5b or Column I on Continuation Page)	\$4,917.24
6. TOTAL COMPLETED AND STORED LESS RETAINAGE (Line 4 minus Line 5 Total)	\$240,944.72
7. LESS PREVIOUS PAYMENT APPLICATIONS	\$0.00
8. PAYMENT DUE	\$240,944.72
9. BALANCE TO COMPLETION (Line 3 minus Line 6)	\$811,789.31

SUMMARY OF CHANGE ORDERS	ADDITIONS	DEDUCTIONS
Total changes approved in previous months	\$0.00	\$0.00
Total approved this month	\$77,987.20	\$0.00
TOTALS	\$77,987.20	\$0.00
NET CHANGES	\$77,987.20	

Contractor's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) the Work has been performed as required in the Contract Documents, (2) all sums previously paid to Contractor under the Contract have been used to pay Contractor's costs for labor, materials and other obligations under the Contract for Work previously paid for, and (3) Contractor is legally entitled to this payment.

CONTRACTOR: American Asphgali & Trucking LLC

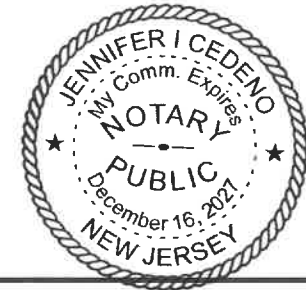
By: [Signature] Date: 4/13/2023

State of: New Jersey

County of: Essex

Subscribed and sworn to before me this 13th day of April 2023

Notary Public: Jennifer Cedeno
My Commission Expires: Dec 16, 2027



ARCHITECT'S CERTIFICATION

Architect's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) Architect has inspected the Work represented by this Application, (2) such Work has been completed to the extent indicated in this Application, and the quality of workmanship and materials conforms with the Contract Documents, (3) this Application for Payment accurately states the amount of Work completed and payment due therefor, and (4) Architect knows of no reason why payment should not be made.

CERTIFIED AMOUNT \$240,944.72 [Signature]

(If the certified amount is different from the payment due, you should attach an explanation. Initial all the figures that are changed to match the certified amount.)

ARCHITECT: [Signature] **Thomas Boorady**
By: [Signature] **Borough Engineer** Date: 4/19/2023

Neither this Application nor payment applied for herein is assignable or negotiable. Payment shall be made only to Contractor, and is without prejudice to any rights of Owner or Contractor under the Contract Documents or otherwise.

CONTINUATION PAGE

PROJECT: Improvements to Newark
Pompton-Tumpike & Cotluss Rd.

APPLICATION #: 1
DATE OF APPLICATION: 04/13/2023
PERIOD THRU: 04/13/2023
PROJECT #s:

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT		D COMPLETED WORK		E AMOUNT THIS PERIOD	F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H % COMP (G / C)	I BALANCE TO COMPLETION (C-G)	RETAINAGE (If Variable)	
		QTY	\$ AMT	AMOUNT PREVIOUS PERIODS	E							
					AMOUNT THIS PERIOD							
1	DRUM \$0.01 PER UNIT	10.00	\$0.10	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$0.10		
2	TRAFFIC CONE \$0.01 PER UNIT	40.00	\$0.40	0.00	\$0.20	20.00	\$0.00	\$0.20	50%	\$0.20		
3	CONSTRUCTION SIGNS \$300.00 PER UNIT	8.00	\$2,400.00	0.00	\$1,800.00	6.00	\$0.00	\$1,800.00	75%	\$600.00		
4	HMA PATCH \$0.01 PER Ton	100.00	\$1.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$1.00		
5	FUEL PRICE ADJUSTMENT ALLOWANCE \$17,000.00 PER DOLLAR	1.00	\$17,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$17,000.00		
6	ASPHALT PRICE ADJUSTMENT ALLOWANCE \$23,000.00 PER DOLLAR	1.00	\$23,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$23,000.00		
7A	FINAL CLEANUP - NEWARK-POMTPON TURNPIKE ONLY \$50,000.00 PER LS	1.00	\$50,000.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$50,000.00		
7B	FINAL CLEANUP - COTLUSS ROAD ONLY \$6,653.00 PER LS	1.00	\$6,653.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$6,653.00		
8	HMA MILLING, 2" DEPTH \$3.92 PER SY	1,700.00	\$6,664.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$6,664.00		
9	HMA MILLING, 3" DEPTH \$3.92 PER SY	22,200.00	\$87,024.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$87,024.00		
	SUB-TOTALS		\$192,742.50	\$0.00	\$1,800.20		\$0.00	\$1,800.20	1%	\$190,942.30		

CONTINUATION PAGE

PROJECT: Improvements to Newark
Pompton-Turnpike & Cotliss Rd.

APPLICATION #: 1
DATE OF APPLICATION: 04/13/2023
PERIOD THRU: 04/13/2023
PROJECT #s:

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT		D COMPLETED WORK		E AMOUNT THIS PERIOD	F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H % COMP (G / C)	I BALANCE TO COMPLETION (C-G)	RETAINAGE (If Variable)	
		QTY	\$ AMT	AMOUNT PREVIOUS PERIODS	E							
					AMOUNT THIS PERIOD							
10	TACK COAT \$0.01 PER Gal.	1940.00	\$19.40	0.00	0.00	\$0.00	0.00	\$0.00	0%	\$19.40		
11	HOT MIX ASPHALT 9.5 M 64 SURFACE COURSE (2") \$91.94 PER Ton	210.00	\$19,307.40	0.00	0.00	\$0.00	0.00	\$0.00	0%	\$19,307.40		
12	HOT MIX ASPHALT 12.5 M 64 SURFACE COURSE (3") \$91.94 PER Ton	4,200.00	\$386,148.00	0.00	0.00	\$0.00	0.00	\$0.00	0%	\$386,148.00		
13	HOT MIX ASPHALT 9.5 M 64 INTERMEDIATE COURSE \$1.00 PER Ton	20.00	\$20.00	0.00	0.00	\$0.00	0.00	\$0.00	0%	\$20.00		
14	HOT MIX ASPHALT 12.5 M 64 INTERMEDIATE COURSE \$1.00 PER Ton	420.00	\$420.00	0.00	0.00	\$0.00	0.00	\$0.00	0%	\$420.00		
15	INLET, TYPE A, USING NEW CASTING \$4,000.00 PER UNIT	1.00	\$4,000.00	0.00	1.00	\$0.00	0.00	\$4,000.00	100%	\$0.00		
16	INLET, TYPE B, USING NEW CASTING \$4,250.00 PER UNIT	30.00	\$127,500.00	0.00	29.00	\$0.00	0.00	\$123,250.00	97%	\$4,250.00		
17	INLET, TYPE E, USING NEW CASTING \$6,000.00 PER UNIT	1.00	\$6,000.00	0.00	1.00	\$0.00	0.00	\$6,000.00	100%	\$0.00		
18	CONCRETE SIDEWALK, 4" THICK \$88.65 PER SY	350.00	\$31,027.50	0.00	215.10	\$0.00	0.00	\$19,068.62	61%	\$11,958.89		
19	CONCRETE SIDEWALK, REINFORCED, 6" THICK (ADA) \$100.00 PER SY	50.00	\$5,000.00	0.00	63.23	\$0.00	0.00	\$6,323.00	126%	(\$1,323.00)		
	SUB-TOTALS		\$772,184.80	\$0.00	\$160,441.82	\$0.00	\$0.00	\$160,441.82	21%	\$611,742.99		

CONTINUATION PAGE

PROJECT: Improvements to Newark
Pompton-Tumpike & Cottuss Rd.

APPLICATION #: 1
DATE OF APPLICATION: 04/13/2023
PERIOD THRU: 04/13/2023
PROJECT #s:

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT		D COMPLETED WORK		E AMOUNT THIS PERIOD	F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H % COMP (G / C)	I BALANCE TO COMPLETION (C-G)	RETAINAGE (If Variable)	
		QTY	\$ AMT	AMOUNT PREVIOUS PERIODS	E							
					AMOUNT THIS PERIOD							AMOUNT THIS PERIOD
20	CONCRETE DRIVEWAY, REINFORCED, 6" THICK \$100.00 PER SY	60.00	\$6,000.00	0.00	\$0.00	\$11,680.00	\$0.00	\$11,680.00	195%	(\$5,680.00)		
21	DETECTABLE WARNING SURFACE \$350.00 PER SY	14.00	\$4,900.00	0.00	\$0.00	\$4,550.00	\$0.00	\$4,550.00	93%	\$350.00		
22	GRANITE CURB \$40.00 PER LF	2,150.00	\$86,000.00	0.00	\$0.00	\$69,160.00	\$0.00	\$69,160.00	80%	\$16,840.00		
23	TRAFFIC STRIPES, 4" \$0.66 PER LF	9,400.00	\$6,204.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$6,204.00		
24	TRAFFIC STRIPES, 6" \$0.99 PER LF	8,600.00	\$8,514.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$8,514.00		
25	TRAFFIC MARKING SYMBOLS, LONG LIFE THERMOPLASTIC \$7.70 PER LF	500.00	\$3,850.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$3,850.00		
26	TRAFFIC MARKING LINES, 12", LONG LIFE THERMOPLASTIC \$2.14 PER LF	600.00	\$1,284.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$1,284.00		
27	TRAFFIC MARKING LINES, 24" LONG LIFE THERMOPLASTIC \$4.29 PER LF	200.00	\$858.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$858.00		
28	REGULATORY AND WARNING SIGN, STEEL "U" POST AND \$303.00 PER UNIT	40.00	\$12,120.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$12,120.00		
29	CUSTOM SIGN, STEEL "U" POST AND BREAKSWAY \$303.00 PER UNIT	50.00	\$15,150.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$15,150.00		
SUB-TOTALS			\$917,064.80	\$0.00	\$0.00	\$245,831.82	\$0.00	\$245,831.82	27%	\$671,232.99		

CONTINUATION PAGE

PROJECT: **Improvements to Newark
Pompton-Tumpike & Cottuss Rd.**

APPLICATION #: **1**
DATE OF APPLICATION: **04/13/2023**
PERIOD THRU: **04/13/2023**
PROJECT #s:

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT		D COMPLETED WORK		E AMOUNT THIS PERIOD	F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)		H BALANCE TO COMPLETION (C-G)	I RETAINAGE (If Variable)
		QTY	\$ AMT	AMOUNT PREVIOUS PERIODS	% COMP (G / C)						
30	GUIDE SIGN, STEEL "U" POST AND BREAKAWAY SUPPORT, \$303.00 PER UNIT	10.00	\$3,030.00	0.00	\$0.00	0.00	\$0.00	0.00	0%	\$3,030.00	
31	SOLAR FLASING BEACON \$13,500.00 PER UNIT	4.00	\$54,000.00	0.00	\$0.00	0.00	\$0.00	0.00	0%	\$54,000.00	
32	RESET WATER VALVE BOX \$0.01 PER UNIT	55.00	\$0.55	0.00	\$0.00	0.00	\$0.00	0.00	0%	\$0.55	
33	RESET MANHOLE, USING EXISTING CASTING \$1.00 PER UNIT	45.00	\$45.00	0.00	\$1.00	1.00	\$0.00	1.00	2%	\$44.00	
34	RESET GAS VALVE BOX \$0.01 PER UNIT	18.00	\$0.18	0.00	\$0.00	0.00	\$0.00	0.00	0%	\$0.18	
35	TOPSOIL SPREADING, 4" THICK \$0.01 PER SY	550.00	\$5.50	0.00	\$4.00	400.00	\$0.00	400.00	73%	\$1.50	
36	FERTILIZING AND SEEDING, TYPE D \$0.01 PER SY	550.00	\$5.50	0.00	\$4.00	400.00	\$0.00	400.00	73%	\$1.50	
37	STRAW MULCHING \$0.01 PER SY	550.00	\$5.50	0.00	\$0.00	0.00	\$0.00	0.00	0%	\$5.50	
38	REMOVAL OR CURB \$0.01 PER LF	2,150.00	\$21.50	0.00	\$17.29	1,729.00	\$0.00	1,729.00	80%	\$4.21	
39	REMOVAL OF SIDEWALKS AND DRIVEWAY APRONS \$0.01 PER SY	380.00	\$3.80	0.00	\$3.86	385.83	\$0.00	385.83	102%	(\$0.06)	
	SUB-TOTALS		\$974,182.33	\$0.00	\$245,861.96	\$0.00	\$245,861.96	25%		\$728,320.37	

CONTINUATION PAGE

PROJECT: **Improvements to Newark
Pompton-Turnpike & Cotliss Rd.**

APPLICATION #: 1
DATE OF APPLICATION: 04/13/2023
PERIOD THRU: 04/13/2023
PROJECT #s:

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT		D COMPLETED WORK		E AMOUNT THIS PERIOD	F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H % COMP (G / C)	I BALANCE TO COMPLETION (C-G)	RETAINAGE (If Variable)	
		QTY	\$ AMT	AMOUNT PREVIOUS PERIODS	COMPLETED WORK							
					AMOUNT THIS PERIOD							AMOUNT THIS PERIOD
40	SAWCUTTING		\$14.50	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$14.50			
	\$0.01 PER LF	1,450.00		0.00	0.00	0.00	0.00		1,450.00			
41	SIGN REMOVAL		\$550.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$550.00			
	\$50.00 PER UNIT	11.00		0.00	0.00	0.00	0.00		11.00			
42	Change Order # 1		\$29,100.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$29,100.00			
	\$0.00 PER	0.00		0.00	0.00	0.00	0.00		0.00			
43	Change Order # 2		\$48,887.20	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$48,887.20			
	\$0.00 PER	0.00		0.00	0.00	0.00	0.00		0.00			
TOTALS			\$1,052,734.03	\$0.00	\$245,861.96	\$0.00	\$245,861.96	23%	\$806,872.07			



BOROUGH OF RIVERDALE NEW JERSEY



Resolution No: 75-2023

Date of Adoption: April 26, 2023

TITLE:

**RESOLUTION APPOINTING TOM BOORADY OF DARMOFALSKI ENGINEERING ASSOCIATES
AS THE PART-TIME ZONING OFFICER FOR THE BOROUGH OF RIVERDALE**

WHEREAS, Chapter 66 of the Code of the Borough of Riverdale, Section 66-1 establishes the position of Zoning Officer; and

WHEREAS, the Code provides the position shall be appointed by the Mayor subject to the consent of the Council.; and

WHEREAS, the Borough wishes to appoint Tom Boorady of Darmofalski Engineering Associates as the part-time Zoning Officer for a term of April 1, 2023 through December 31, 2023 for an annual part-time salary rate of \$15,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Riverdale, that the Borough hereby appoints Tom Boorady from Darmofalski Engineering Associates to serve as the Zoning Officer for the period of April 1, 2023 through December 31, 2023.

RECORD OF COUNCIL VOTE

Motion – by Councilman: _____ Second - by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Pellegrini						Oswald				
Revis						Purcell				
Desai						Kheyfets				

A.J. Jalloh, Borough Clerk

Paul M. Carelli, Mayor

This resolution, when adopted, must remain in the possession of the Borough Clerk. Certified copies are available

Ordinance # [] – Tree Removal-Replacement Ordinance

SECTION I. Purpose:

An ordinance to establish requirements for tree removal and replacement and penalties for noncompliance in *[insert name of municipality]* to protect the environment, public health, safety and welfare.

[Municipalities that are accredited with the [NJ Urban and Community Forestry Program](#) may continue to follow their town's established forestry program requirements provided their accredited program addresses tree removal and replacement commensurate with this model ordinance. If the tree removal or replacement portion of their program is less stringent than this ordinance, then that portion of this model ordinance must still be adopted. The details of a municipality's program shall be incorporated by reference as part of the municipality's adopted ordinance. Please contact the [NJ Urban and Community Forestry Program](#) to obtain further information regarding becoming an accredited municipality and their requirements.]

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

- A. "Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.
- B. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a tree generally measured at a point four and a half feet above ground level from the downhill side of the tree.
- C. "Tree of Significance" means any tree that is recognized by the municipal governing body or local historical organization(s) as being of significance due to its size, unique value, age, rarity, or the aesthetic, botanical, ecological, and historical value.
- D. "Homeowner" means a person(s) who owns a residence.
- E. "Nuisance tree" means any tree, or limb thereof, that has an infectious disease or insect; is dead or dying; obstructs the view of traffic signs or the free passage of

pedestrians or vehicles; is causing obvious damage to structures (such as building foundations, sidewalks, etc); or threatens public health, safety, and welfare.

- F. "Person" means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.
- G. "Planting strip" means the part of a street right-of-way between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.
- H. "Street Tree" means a tree planted in the sidewalk or a planting strip in the public right-of-way.
- I. "Tree" means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.
- J. "Tree removal" means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, and improper grading and/or soil compaction around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of tree treatments intended to manage invasive species.

SECTION III. Regulated Activities:

A. Optional Application Process:

1. Any person planning to remove a street tree with DBH of 2.5" or more or any non-street tree with DBH of 6" or more on their property shall submit a Tree Removal Application to ***[Municipal Officials]***. ***No tree shall be removed until municipal officials have reviewed and approved the removal.***

[The municipality may choose to impose application fees. If so, the following language may be used, with revisions as deemed appropriate.]

[Optional for municipalities: Applicants will be subject to an application fee as per Table 1 below.]

B. Tree Replacement Requirements

1. Within a five-year period, any person who removes one or more street tree(s) with a DBH of 2.5" or more, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.

2. For applicants, other than “Homeowners”:
 Within a five-year period, any person, other than a homeowner, who removes one or more tree(s) with a DBH of 6” or more per acre, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.

3. For Homeowner applicants:
 Within a five-year period, any person that removes more than three (3) trees per acre that fall into categories 1, 2, or 3, combined, or anyone (1) tree in categories 4 or 5 in the Tree Replacement Requirements table below, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.

The species type and diversity of replacement trees shall be in accordance with (*insert municipality provided tree list*). *[The municipality shall provide a list of approved trees that are acceptable to be planted as replacement trees, or at a minimum develop a list of trees that shall not be used as replacement trees. It is permissible for a municipality to include a procedure for approval of a tree not on the approved list.]*

Replacement tree(s) shall meet the Required Actions in Table below, and shall be planted within twelve (12) months of the date of removal of the original tree(s). Replacement tree(s) shall be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months. Trees planted in temporary containers or pots do not count towards tree replacement requirements.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Required Action	Application Fee <i>[Municipality may choose to include and determine appropriate fees.]</i>
1	DBH of 2.5” (for street trees) or 6” (for other trees) to 12.99”	Replant 1 tree in accordance with Appendix A, with a minimum DBH of 1.5” for each tree removed	<i>TBD by town</i>
2	DBH of 13” to 22.99”	Replant 2 trees in accordance with Appendix A, with minimum DBHs of 1.5” for each tree removed	<i>TBD by town</i>
3	DBH of 23” to 32.99”	Replant 3 trees with minimum DBHs of 1.5” for each tree removed	<i>TBD by town</i>

4	DBH of 33" or greater	Replant 4 trees with minimum DBHs of 1.5" for each tree removed	<i>TBD by town</i>
5	Tree of Significance*	Replant 5 trees with minimum DBHs of 1.5" for each tree removed	<i>TBD by town</i>

*Tree of Significance removals shall be approved by the *[Municipal Officials]*.

C. Replacement Alternatives:

1. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the municipality.
 - b. Pay a fee of (*amount to be set by municipality*) per tree removed. This fee shall be placed into a fund dedicated to tree planting.

SECTION IV. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the following cases. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption [*the municipality shall define what "proper justification" is such as photos, statements from licensed tree expert or arborist*]:

- A. Clearing, cutting, and/or removal of trees which is necessary to service, maintain, or ensure the continued safe use of a lawfully existing structure, right-of-way, field, park, and/or garden.
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan;
- D. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- E. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- F. Nuisance trees may be removed with no fee or replacement requirement.

SECTION V. Enforcement:

This ordinance shall be enforced by the *[Police Department and/or other Municipal Officials of insert name of municipality]* during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$ *[amount per tree to be established by municipality, but shall not be less than the amount of the required replacement tree(s) and cost of planting]* *[Municipalities may require the planting of additional trees in lieu of a fine]*. The removal of a tree of significance is not subject to a fine limit.

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Adoption Date: _____

Approved By: _____

BOROUGH OF RIVERDALE

ORDINANCE NO. _____

AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE BOROUGH OF RIVERDALE, NEW JERSEY TO CABLEVISION OF OAKLAND, LLC

WHEREAS, the governing body of Borough of Riverdale (hereinafter referred to as the “Borough”) determined that Cablevision of Oakland, LLC (hereinafter referred to as “the Company” or “Cablevision”) had the technical competence and general fitness to operate a cable television system in the Municipality (as defined in Section 1 of this Ordinance), and by prior ordinance granted its municipal consent for Cablevision to obtain a non-exclusive franchise (the “Franchise”) for the placement of facilities and the establishment of a cable television system in the Municipality; and

WHEREAS, by application for renewal consent filed with the Borough and the Office of Cable Television on or about August 29, 2019, Cablevision has sought a renewal of the Franchise; and

WHEREAS, the Borough having held public hearings has made due inquiry to review Cablevision’s performance under the Franchise, and to identify the Borough’s future cable-related needs and interests and has concluded that Cablevision has substantially complied with its obligations under the Franchise and applicable law and has committed to certain undertakings responsive to the Borough’s future cable-related needs and interests;

WHEREAS, the Borough has accordingly concluded that the consent should be renewed subject to the requirements set forth below; and that, provided Cablevision’s proposal for renewal embodies the commitments set forth below, the Borough’s municipal consent to the renewal of the Franchise should be given; and

WHEREAS, imposition of the same burdens and costs on other competitors franchised by the Borough is a basic assumption of the parties;

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

SECTION 1. DEFINITIONS

SUBJECT TO FINAL REVIEW AND APPROVAL BY ALTICE MANAGEMENT

For the purpose of this Ordinance the terms defined above shall have the meanings there indicated, and the following additional terms shall have the following meanings:

- (a) “Act” or “Cable Television Act” shall mean that statute of the State of New Jersey relating to cable television, known as the Cable Television Act, N.J.S.A. 48:5A-1 et seq.
- (b) “Application” shall mean Cablevision’s application for Renewal of Municipal Consent, which application is on file in the Borough Clerk’s office and is incorporated herein by reference and made a part hereof, except as modified, changed, limited or altered by this Ordinance.
- (c) “Board” shall mean the Board of Public Utilities of the State of New Jersey or its successor agency.
- (d) “Borough” shall mean the governing body of the Borough Riverdale in the County of Morris, and the State of New Jersey.
- (e) “Company” shall mean Cablevision of Cablevision of Oakland, LLC (“Cablevision”) the grantee of rights under this Ordinance.
- (f) “FCC” shall mean the Federal Communications Commission.
- (g) “Federal Act” shall mean that federal statute relating to cable communications commonly known as the Cable Communications Policy Act of 1984, 47 U.S.C. Section 521 et seq. and the Telecommunications Act of 1996, or as those statutes may be amended.
- (h) “Federal Regulations” shall mean those federal regulations relating to cable television services, 47 C.F.R. Section 76.1 et seq. (and, to the extent applicable, any other federal rules and regulations relating to cable television, including but not limited to, those described in 47 C.F.R. Section 76.3), or as such regulations may be amended.
- (i) “Municipality” shall mean the area contained within the present municipal boundaries of the Borough of Riverdale in the County of Morris, State of New Jersey.
- (j) “Standard installation” shall mean the installation of drop cable to a customer’s premise where the distance from the point of entry into the building being served is less than 150 feet from the active cable television system plant.
- (k) “State” shall mean the State of New Jersey.

SUBJECT TO FINAL REVIEW AND APPROVAL BY ALTICE MANAGEMENT

- (1) “State Regulations” shall mean those regulations of the State of New Jersey Board of Public Utilities relating to cable television. N.J.A.C. 14:17-1.1 et seq. and N.J.A.C. 14:18-1 et seq., or as such regulations may be amended.

SECTION 2. STATEMENT OF FINDINGS

A public hearing concerning the consent herein granted to Cablevision was held after proper public notice pursuant to the terms and conditions of the Act. Said hearing having been held and fully open to the public, and the Borough having received all comments regarding the qualifications of Cablevision to receive this consent, the Borough hereby finds Cablevision possesses the necessary legal, technical, character, financial and other qualifications to support municipal consent, and that Cablevision’s operating and construction arrangements are adequate and feasible.

SECTION 3. GRANT OF AUTHORITY

The Borough hereby grants to Cablevision its non-exclusive consent to place in, upon, along, across, above, over, and under its highways, streets, alleys, sidewalks, public ways, and public places in the Municipality poles, wires, cables, and fixtures necessary for the maintenance and operation in the Municipality of a cable television system or other communications facility, and for the provision of any communication service over such facilities as may be authorized by federal or State regulatory agencies. Operation and construction, pursuant to said consent, is conditioned upon prior approval of the Board of Public Utilities.

SECTION 4. DURATION OF FRANCHISE

This consent granted herein shall be non-exclusive and shall be for a term of ten (10) years from the date of issuance of a Certificate of Approval by the Board.

SECTION 5. EXPIRATION AND SUBSEQUENT RENEWAL

If Cablevision seeks successive consent, it shall, prior to the expiration of this consent, apply for a municipal consent and certificate of approval in accordance with N.J.S.A 48:5A-16, and applicable state and federal rules and regulations. In accordance with N.J.S.A. 48:5A-25.1, both the Borough and Cablevision shall be bound by the terms of this municipal consent until such time as Cablevision converts the municipal consent (and any certificate of approval) into a system-wide franchise.

SECTION 6. FRANCHISE TERRITORY

SUBJECT TO FINAL REVIEW AND APPROVAL BY ALTICE MANAGEMENT

The consent granted under this Ordinance to Cablevision shall apply to the entirety of the Municipality and any property hereafter annexed.

SECTION 7. SERVICE AREA

Cablevision shall be required to proffer video programming service along any public right-of-way to any person's residence within the portion of the Franchise territory, as described in the Application for municipal consent, at Cablevision's schedule of rates for standard and nonstandard installation.

SECTION 8. EXTENSION OF SERVICE

The Petitioner shall provide cable television service along any public right-of-way in the Borough to any person's residence at tariffed rates for standard and nonstandard installation. Installations to commercial establishments shall be constructed in accordance with the Petitioner's commercial line extension policy.

SECTION 9. FRANCHISE FEE

Pursuant to the terms and conditions of the Cable Television Act, Cablevision shall pay to the Borough, as an annual franchise fee, a sum equal to two percent (2%) of the actual gross revenues received from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception services in the Municipality. In the event applicable law hereinafter permits a larger franchise fee to be collected, but does not fix the amount thereof, the Borough and Cablevision shall negotiate in good faith with respect to the amount thereof; provided, however, that nothing herein shall be construed to permit the Borough to require payment of a franchise fee by Cablevision that is higher than the fee paid by all other cable television service providers offering service in the Municipality.

Cablevision may use electronic funds transfer to make any payments to the Borough required under this Ordinance.

SECTION 10. FREE SERVICE

Cablevision shall, subject to federal law and FCC rules and orders, upon written request, provide free of charge, one (1) standard installation and monthly cable television reception service to all State or locally accredited public schools and all municipal public libraries, as well as municipal buildings located within the Municipality and used for municipal government purposes.

Subject to federal law and FCC rules and orders, upon written request from the Borough, the Company shall provide without charge, basic cable modem service to state

SUBJECT TO FINAL REVIEW AND APPROVAL BY ALTICE MANAGEMENT

and locally accredited elementary and secondary schools and municipal public libraries in the Municipality, as follows: (1) one standard installation per school or library; (2) one cable modem per installation; and, (3) basic cable modem service for the term of this Ordinance for each installation. This offer shall be subject to the terms, conditions and use policies of the Company, as those policies may exist from time to time.

SECTION 11. CONSTRUCTION/SYSTEM REQUIREMENTS

Cablevision shall perform construction and installation of its plant and facilities in accordance with applicable State and federal law. The Company shall be subject to the following additional construction requirements with respect to the installation of its cable plant and facilities in the Municipality:

(a) In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways or other surfaces, the Company shall at its sole expense restore and replace such disturbances in as good a condition as existed prior to the commencement of said work.

(b) If at any time during the period of this consent, the Borough shall alter or change the grade of any street, alley or other way or place, the Company, upon reasonable notice by the Borough shall remove or relocate its equipment, at its own expense.

(c) Upon request of a person holding a building or moving permit issued by the Borough, the Company shall temporarily move or remove appropriate parts of its facilities so as to permit the moving or erection of buildings or for the performance of other work. The expense of any such temporary removal or relocation shall be paid in advance to the Company by the person requesting the same. In such cases, the Company shall be given not less than fourteen (14) days prior written notice in order to arrange for the changes required.

(d) During the exercise of its rights and privileges under this consent, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places of the Borough so as to prevent the branches of such trees from coming in contact with the wires, cables, conduits and fixtures of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the Company's facilities.

SECTION 12. TECHNICAL AND CUSTOMER SERVICE STANDARDS

Cablevision shall comply with the technical and customer service standards established for the cable industry under applicable federal and State laws, rules and regulations.

SECTION 13. LOCAL OFFICE OR AGENT

Cablevision shall establish and maintain during the entire term of this consent a local area business office or agent for the purpose of receiving, investigating and resolving complaints regarding the quality of service, equipment malfunctions and similar matters. Said office shall be open daily during normal business hours, and in no event less than 9:00 a.m. to 5:00 p.m., Monday through Friday, with the exception of holidays.

SECTION 14. DESIGNATION OF COMPLAINT OFFICER

The Office of Cable Television is hereby designated as the complaint officer for the Borough pursuant to the provisions of N.J.S.A. 48:5A-26. All complaints shall be reviewed and processed in accordance with N.J.A.C. 14:17-6.5.

SECTION 15. LIABILITY INSURANCE

Cablevision agrees to maintain and keep in force and effect at its sole cost at all times during the term of this consent, sufficient liability insurance naming the Borough as an additional insured and insuring against loss by any such claim, suit, judgment, execution or demand in the minimum amounts of five-hundred thousand dollars (\$500,000) for bodily injury or death to one person, and one million dollars (\$1,000,000) for bodily injury or death resulting from any one accident or occurrence stemming from or arising out of the Company's exercise of its rights hereunder.

SECTION 16. PERFORMANCE BOND

Cablevision shall obtain and maintain, at its sole cost and expense, during the entire term of this Agreement, a bond to the Borough in the amount of twenty-five thousand dollars (\$25,000.00). Such bond shall be to insure the faithful performance of its obligations as provided in this Franchise.

SECTION 17. RATES

The rates of the Company for cable television service shall be subject to regulation to the extent permitted by federal and State law.

SECTION 18. EMERGENCY USES

Cablevision shall be required to have the capability to override the audio portion of the system in order to permit the broadcasting of emergency messages by the Borough pursuant to state and federal requirements. The Company shall in no way be held liable for any injury suffered by the Borough or any other person, during an emergency, if for

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any reason the Borough is unable to make full use of the cable television system as contemplated herein. The Borough shall utilize the state-approved procedures for such emergency uses.

SECTION 19. EQUITABLE TERMS

In the event that the service of another multi-channel video program provider not subject to the Borough's regulatory authority within the Municipality creates a significant competitive disadvantage to Cablevision, the Company shall have the right to request from the Borough lawful amendments to its Franchise that relieve it of burdens which create the unfair competitive situation. Should the Company seek such amendments to its Franchise, the parties agree to negotiate in good-faith appropriate changes to the Franchise in order to relieve the Company of such competitive disadvantages. If the parties can reach an agreement on such terms, the Borough agrees to support the Company's petition to the Board for modification of the consent in accordance with N.J.S.A 48:5A-47 and N.J.A.C. 14:17-6.7.

If the parties are unable to reach an agreement on appropriate amendments to the franchise, the Borough acknowledges that the Company shall have the right to petition the Board directly for such amendments in accordance with N.J.S.A. 48:5A-47 and N.J.A.C. 14:17-6.7; provided, however, the Borough shall be under no obligation to support Cablevision's request for such relief from the Board.

In any subsequent municipal consent, Borough shall require, at a minimum, the same terms and conditions of any other provider of multi-channel video programming subject to the Borough's regulatory authority as those contained in the instant consent. In the event such subsequent consent does not contain the same terms and conditions as the instant consent, Borough agrees to support the Company's petition to the Board for modification of the consent in accordance with NJSA 48:5A-47 and NJAC 14:17-6.7 to relieve the Company of competitive disadvantages identified in the Company's petition.

SECTION 20. REMOVAL OF FACILITIES

Upon expiration, termination or revocation of this Ordinance, Cablevision at its sole cost and expense and upon direction of the Board, shall remove the cables and appurtenant devices constructed or maintained in connection with the cable services authorized herein, unless Cablevision, its affiliated entities or assignees should, within six (6) months after such expiration, termination or revocation obtain certification from the FCC to operate an open video system or any other federal or state certification to provide telecommunications.

SECTION 21. PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS

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- A. Cablevision shall continue to make available non-commercial public, educational and governmental (PEG) access services available to the residents of the Municipality as described in the Application for municipal consent. All Cablevision support for PEG access shall be for the exclusive benefit of Cablevision's subscribers.
- B. The Borough agrees that Cablevision shall retain the right to use the PEG access channel, or portion thereof, for non-PEG access programming, during times when the Borough is not utilizing the channel for purposes of providing PEG access programming. In the event that the Company uses said PEG access channel for the presentation of such other programming, the PEG programming shall remain the priority use and the Company's rights with respect to using the channel for non-PEG programming shall be subordinate to the Borough's provision of PEG access programming on such channel.
- C. Cablevision shall continue to provide and maintain the access return lines at the Borough Building, 251 Preventorium Road, for use by the Borough in the production of non-commercial educational and governmental access programming on the cable system. Cablevision shall have discretion to determine the format and method of transmission of the PEG access programming provided for in this Section 21.
- D. **[TO BE DISCUSSED]** In consideration for the rights granted in this Ordinance, Cablevision shall provide the Borough with a one-time PEG grant of up to ____ dollars (\$____.00) payable as follows: (1) an initial grant payment of dollars (\$____.00) within 90 days of the issuance of the Certificate of Approval by the Board of Public Utilities (the "Initial Grant"); and (2) a grant up to ____ (\$____.00) provided in annual installments of ____ dollars (\$ _____.00) each, upon written request by the Borough (the "Annual Grant"). Each installment of the Annual Grant shall be payable to the Borough annually during the term of this Franchise, within ninety (90) days from receipt of the Borough's written request. Cablevision shall not be obligated to make any additional payments beyond year five of the franchise term.
- E. The Borough agrees that the Initial Grant and the Annual Grant provided pursuant to Paragraph D shall be used by the Borough for any cable and/or other telecommunications related purpose and/or for the exclusive support of PEG access programming, such as the purchase and/or rental of PEG access equipment and facilities. On request, the Borough shall provide Cablevision with a certification of compliance with this Section 21(E).
- F. The Company shall have no further obligation to provide any PEG grant payments due and payable after the date upon which the Company converts the municipal consent granted herein to a system-wide franchise in accordance with N.J.S.A. 48:5A-25.1.

SECTION 22. INCORPORATION OF APPLICATION

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All of the commitments contained in the Application and any amendment thereto submitted in writing to the Borough by the Company except as modified herein, are binding upon Cablevision as terms and conditions of this consent. The Application and any other written amendments thereto submitted by Cablevision in connection with this consent are incorporated in this Ordinance by reference and made a part hereof, except as specifically modified, changed, limited, or altered by this Ordinance, or to the extent that they conflict with State or federal law.

SECTION 23. CONSISTENCY WITH APPLICABLE LAWS

This consent shall be construed in a manner consistent with all applicable federal, State and local laws; as such laws, rules and regulations may be amended from time to time.

SECTION 24. SEPARABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

SECTION 25. NOTICE

Notices required under this Ordinance shall in writing and shall be mailed, first class, postage prepaid, to the addresses below. Either party may change the place where notice is to be given by providing such change in writing at least thirty (30) days prior to the time such change becomes effective. The time to respond to notices under this Ordinance shall run from receipt of such written notice.

Notices to the Company shall be mailed to:

Altice USA
1 Court Square West, 49th Floor
Long island City, NY 11101

Attention: Senior Vice President for Government Affairs

With a copy to:

Cablevision of Oakland, LLC
c/o Altice USA
1 Court Square West
Long island City, NY 11101 Attention: Legal Department

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Notices to the Borough shall be mailed to:

Borough of Riverdale
91 Newark-Pompton Turnpike
Riverdale, NJ 07457
Attention: Borough Administrator

Notwithstanding anything herein to the contrary, regulatory notices from Cablevision to the Borough which are required pursuant to State and federal rules and regulations may be served electronically upon the Borough, instead of by first class mail as described above, to an email address provided by the Borough.

SECTION 26. EFFECTIVE DATE AND BOARD OF PUBLIC UTILITY APPROVAL

This Ordinance shall take effect upon issuance of a Certificate of Approval as issued by the Board of Public Utilities that incorporates the material terms of this Ordinance. Nothing herein shall alter the right of the Company to seek modification of this Ordinance in accordance with N.J.S.A 48:5A-47 and N.J.A.C. 14:17-6.7. In accordance with N.J.S.A. 48:5A-25.1, the terms of this Ordinance will no longer be in effect upon Cablevision converting the municipal consent (and any certificate of approval) into a system-wide franchise.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon the passage, and publication as required by law.

Signed this ____ day of _____, 20__.

Mayor

Attest: _____
Clerk