

**BOROUGH OF RIVER EDGE
MAYOR AND COUNCIL
WORK SESSION MINUTES
MONDAY, APRIL 4, 2016**

PRESENT:

Mayor	Edward J. Mignone
Councilman	Vito Acquafredda
Councilman	Alphonse Bartelloni
Councilwoman	Ellen Busteed
Councilwoman	Mary Davis
Councilwoman	Kathleen Murphy
Councilman	Thomas Papaleo

ALSO PRESENT:

Borough Attorney	Thomas Sarlo
Borough Administrator	Alan Negreann
Borough Clerk	Stephanie Evans

ABSENT:

None

Mayor Mignone called the meeting to order 6:30 PM by reading the Open Public Meetings Act.

MOTION TO SUSPEND WORK SESSION AND ENTER INTO CLOSED SESSION

Motion by Councilwoman, second by Councilman Bartelloni
All in favor 6-0

CLOSED SESSION TOPICS

Closed Session		Statutory
Docket #	Item Title or Description	Reference
16-4/4-1	Litigation 7-Eleven 584 Kinderkamack Road Associates, LLC Tom Sarlo, Esq. – Status Update	N.J.S.A. 10:4-12 (8)

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MOTION TO ADJOURN CLOSED SESSION AND RESUME WORK SESSION & 7:00 PM.

Motion by Councilwoman Murphy, second by Councilwoman Davis
All in favor 6-0

BOROUGH ADMINISTRATOR'S TOPICS

1. Fifth Avenue, Section 3, Special Assessments – Mr. Negreann stated that recently the project was completed and was sponsored by the Department of Transportation on Fifth Avenue, Section III. Just to refresh everyone's memory this was the resurfacing of the road, curbs, sidewalks, and driveway aprons, etc. prior to this Section II we had some additional funding which took care of three properties in Section III. So when that was complete we did our special assessments and we had confirmations by the Assessor and the Mayor and Council, those bills were sent out and was based on estimates that were done early on by the borough engineer with bond counsel making it a part of our

ordinance. Section III again was possible to include three new homes in this project and beyond what we anticipated about a year and half earlier. Because we had three more new homes into this process it reduced everybody's overall cost. His purpose in making this part of the work session tonight is to basically disclose that we will be doing special assessments on Section III residents, all have received notice that they are subject to the special assessment and there will be some refunds due to the three homes that were part of Section II because that estimate was higher. Please remember because we received the Department of Transportation funding they are not being assessed for construction cost of the curbs, sidewalks, driveway aprons, it's their share of the engineering costs as well as a small \$25.00 administrative charge as well. Most of them, as you can see in the materials that were provided, \$200-300 depending upon their linear footage. That that was provided to you will now go to Assessor who will look everything over and do an affidavit that he is in agreement with what he sees or will make a recommendation for correction. Then in about two months we will have a hearing. We will provide this information to the homeowners, having a hearing here at which time they will have the opportunity to have input on the special assessments. If you are in agreement and there are no changes then we will go ahead and confirm those assessments and send out the bills. There is no required action for tonight, this is just for information purposes and make sure it's on the record.

2. Swim Club Quasi Entity Charge, Waiver of \$125.00 – Mr. Negreann started by saying that the Mayor and Council are aware that Quasi status was recently approved by the Joint Insurance Fund on behalf of the application that the governing body made before that fund. There is a \$125.00 charge for that and it's a onetime charge of \$125.00. It is his recommendation that it be waived and that the borough pay that on behalf of the swim club. He can't to his recollection recall whenever we ever collected this type of fee from some of the other quasi's that have had this status. If we have a motion on that then at the next meeting we can put a resolution on to waive it and pay it on their behalf. A motion was made to waive the fee for the Swim Club.

Motion by Councilwoman Murphy, second by Councilwoman Davis to approve.

All in favor 5-0

Abstain: Bartelloni

WORK SESSION CONSENT AGENDA

1. Enter into Agreement with Boswell McClave Engineering for Professional Traffic Consulting Engineering Services in the amount not to exceed \$5,000.00.

Councilwoman Murphy asked Mayor Mignone if he had worked for this firm, Mayor Mignone replied yes in 2002.

Motion by Councilwoman Busteded, second by Councilman Papaleo

All in favor 6-0

FOR DISCUSSION

1. Swim Club – Flyers Posted at Bus Stops – Mr. Negreann explained that while riding down Kinderkamack Road he noticed that there were fliers adhered to the bus shelters, and when he looked at them, they appeared to be from the swim club stating what services they provide and their rates of pay. We reached out to the swim club asking them to appear before Mayor and Council to explain the necessity for them, perhaps what their timeline is and their present use. It is our custom and past practice is that when the borough's public property is involved, whether it be our symbol or logo or public property the entity that requires use just come before us with their plan if what they

intend to do. He hoped someone from the swim club was here to address that tonight. Darlene Ross was present and is a member of the swim club's committee and she apologizes for taking their time on this. She had no idea this was what was needed to do this. She explained that she takes the train to work and stated that the train station shelter isn't under the same rules because it usually has fliers on it. She stated the swim club three years ago had 435 members and a waiting list, now they are down to 450 members and no waiting list. She thought that when people move to town they take the bus to work and what harm would it be to put fliers out to which she apologized. Mr. Negreann asked how long would this be up, through the summer. Ms. Ross replied not even, most people if they are going to join they join by July, there are stragglers after that. This just an effect to try and find new people that moved into town. Councilwoman Murphy asked if there were other fliers up there also, she has seen other things posted at the bus shelters, not just the swim club. Mr. Negreann said he didn't know if they saw this flier and someone assumed it was ok to put fliers up and started putting those up as well. Of if these were up there prior to this one, but yes you are right on some of the bus stops there are additional fliers that have appeared or were there. Ms. Ross said there is no way to know perhaps there should be a sign that says "post no bills, owned by the Mayor and Council". If she knew she had to come here she would have. Councilwoman Davis asked if they were taken down, and Ms. Ross said when she rode by 1 or 2 were still there, Mr. Negreann stated he didn't remove any postings. Ms. Ross asked if the borough owned the train station shelters, Mr. Negreann replied that shelter isn't ours, it New Jersey Transit. Mayor Mignone stated that the bus shelter we have to maintain, we pay to maintain that. That is why there is a difference between the shelters. Mr. Ross asked for permission to keep them up until July 4th. Councilman Papaleo asked how they were posted, by tape, Mr. Ross replied yes by tape. He asked that if our DPW was required to maintain that, which means that if we leave fliers up and other people put fliers up we are now in the process of constantly removing glue. Mayor Mignone said this was a question for Mr. Sarlo, would it be a problem if we did only allow borough postings versus public, or once you open the door to one, you open the door to everybody. Mr. Sarlo's response was that was a really valid argument. Councilman Papaleo said the reason he was bring that up was because he is the liaison to DPW, so this would be something he would bring up to John Lynch. Councilwoman Murphy suggested putting something up where there is the big banner, the beginning of town, put the banner there. Ms. Ross said that New Milford runs a huge banner across River Drive/Road, and she wanted to know what the rules were for that. Councilwoman Murphy replied you just ask for permission and then put the banner up. Mr. Negreann said on public property, council could decide to allow a banner. Across the street, he believes if it's going to hang from the utility poles then Public Service has to be consulted. Sometimes they want some sort of certificate of insurance that is involved. But certainly 140 Kinderkamack or some other public property that can approved the Mayor and Council. Mayor Mignone stated that he knows we have approved the message on the message board, he doesn't know if it's on the website, it was confirmed by several councilmembers it was on the website. He didn't think would be any objection to having fliers in the lobby. Councilwoman Murphy stated that the borough is the landlord for the property, so they are involved. Councilman Papaleo thought the fliers would have to be removed from the bus stops, that would be prudent especially if that opens the door, and if we don't have "do not post" on the bus stops we need to add a "do not post" . He didn't know if that legally fulfills or bars people from posting but there should be some notice. He asked Mr. Sarlo what his thoughts were, and Mr. Sarlo replied you could put a small sign up stating " no posting/no solicitation" , he didn't think there was ever any problem there previously. Councilman Papaleo said he walks sometimes past the bus stops and they get pretty

shabby from the residue, they do come down put the residue is left. He would be in support of a banner at the beginning of town or anything else, but the bus stops should be prohibited. Mr. Negreann asked Ms. Ross to do a sketch of the banner and provide it the council to look at. Ms. Ross questioned we do a sketch of the banner and come back here, is that how it works. Mr. Negreann replied yes. (simultaneous talking) Councilwoman Murphy said that if you go down there you can see there is about 20 feet on one side and you can take up the other side which is about another 10 feet. (simultaneous talking) Ms. Ross asked about the one, just in your experience, would you get the one that is used in New Milford, they use it for library sales, other stuff, and carnivals. (simultaneously talking) Councilwoman Murphy said it has been brought up here time and time again, like can we put something across, then it comes up...(simultaneously talking). Mr. Negreann stated we have had a bad experience in hanging things across the street just from the wind it tends to rip. You can speak with Bobbi Conway about the banners we tried to put up across the street. Councilwoman Murphy asked how New Milford's survive that. Mr. Negreann said he didn't know, maybe they have holes in it. (simultaneous talking) Mayor Mignone said it's a question of where it's anchored, and who had jurisdiction over it, it may become a zoning issue. Sometimes banners are treated under zoning as separate signage, he wasn't sure exactly how the ordinance is written and it would have to be clarified. Councilwoman Murphy asked if we could consult with New Milford, Mayor Mignone to check with our own ordinance first regarding public and/or public banner or if it's under the jurisdiction of a sign ordinance and if it isn't then we can check with them to see how it written. He knows in Fort Lee they have two poles that the borough installed using anchors. That's not say there isn't an avenue for it, we just need to make sure we get all our ducks in a row first. Councilman Papaleo said that once the plan is done, next year will just be duplicating whatever you do this. I think the council will support whatever you do on a yearly basis. You should consider that this is a new plan going forward. He wanted to confirm the number of members as 435 in previous years, and last year was only 415. Ms. Ross replied 535 a copy years back, it was increased to 535 because the waiting list was so long and it was discouraging people. About 3 years ago it was at 535 with a waiting list, as of our budget which was done for 460 members, and as of this year we already have 30 people who have given up their memberships which is normal, their kids age-out. The key is where are the next 30, they are riding the bus. We are down 85 from the peak (inaudible). So if you are not a member or if you are a pool member and would like to come for the day we will provide guess passes. Councilwoman Murphy said it almost at a crisis mode, when you read the reports about what is going on at all the pools in Bergen County. Tenafly and Bergenfield went bankrupt. Ms. Ross said it has the potential to get ugly. Ms. Ross thanked the council for their time and apologized again. Mayor Mignone asked if the council agreed with Councilman Papaleo's position, not allowing any postings at the bus stops. Councilman Acquafredda asked how do we get other postings removed. It was the consensus of the council that DPW do it. Mayor Mignone stated that if we put up a "no posting" notice, then we have an enforcement mechanism. A motion was made to post a sign regarding "no posts/no bills" for the bus stops.

Motion by Councilman Papaleo, second by Councilwoman Busteded.

All in favor 6-0

2. Farmer's Market Ordinance & Resolution – Mr. Sarlo stated that he provided the Mayor and Council with three documents this week. The first one was an ordinance establishing a Farmer's Market, the changes were made with regards to the discussion that were held

at the last meeting. Today he received an email from the Board of Health with one minor change, Section 2, paragraph A, they would like to remove "of the Board of Health Department". Basically it will read "ensuring compliance, this is the Farmer's Market Committee, ensuring compliance with orders of the River Edge Board of Health. They feel that the Bergen County Department of Health is outside of their jurisdiction and therefore it should be basically removed. Here we are talking about the Farmer's Market Committee so if an order comes down from county he still thinks the Farmer's Market Committee needs to enforce it, they really don't have a problem removing it. He still thinks they will need to enforce it whether it's in our ordinance or not. To please them he doesn't have an issue with regards to that. That would satisfy that ordinance, he believes with everybody's thing. The next document is the resolution, per again for the Mayor and Council to start moving it forward and getting things moving before the ordinance is established is to do a resolution pretty much creating the Farmer's Market. He did add in there about allowing it for this year setting the days and the hours so you don't have to another resolution, again they would ask that same thing be removed is the compliance with orders, sub-section A, of the Bergen County Department of Health, to keep it consistent. If you are ok with the resolution you can adopt it tonight with that change. He thinks the whole purpose of the resolution was to appoint the committee so they can start getting rules and regulations, so those three names if you want can be listed or inserted tonight and basically approved. The resolution is temporary, it creates things, and once the ordinance is established anything that is in the ordinance will take precedent with regard to other things. Mayor Mignone wanted to make two suggested changes to the ordinance regarding the committee, item C, he recommends that the committee consist of four people not three, one shall be a member of the Board of Health, one shall be a member of the council, the third shall be appointed by the council, and the fourth shall be appointed by the Mayor. Mr. Sarlo asked Mayor Mignone to repeat the recommendation again, everything stays the same? Mayor Mignone stated again, one committee person shall be from the Board of Health, one shall be a member of the council, the third person shall be a borough resident appointed by the council, and the fourth person is appointed by the Mayor. Mr. Negreann mentioned there was resolution number 158 listed which could be amended for tonight if you have appointments in mind for tonight. Mayor Mignone (inaudible) to that, the only other whether it here or we could do it by the rules, is he thinks to be a little more flexible is the market manager section where we say the person must be on site, he thinks they should be on site or represented by designee that is approved by the committee. So if we have someone who can't be there all the time, every time, you have someone else. Mr. Sarlo agreed, and stated that was section 3. Mayor Mignone stated those were the only two suggestions he had. Mr. Sarlo made the changes to his copy of the draft ordinance. Mayor Mignone said that when the committee selects a manager, the manager can select a designated person at that point. Mr. Sarlo said if it's unforeseen the manager can send an email. Mayor Mignone said let's give the manager some flexibility that's all. Mr. Sarlo agreed as long as everyone else was in agreement with the changes, he was happy with them. He also said with this ordinance if you want to list for introduction he will have those two changes for that. Mayor Mignone said he didn't know regarding the resolution if you wanted to by default give the same days and location as last year we have something. Councilman Papaleo said he would use the same as last year. Mr. Sarlo stated that it could always be extended if it was doing well. Mayor Mignone said it was on Tuesdays, and you could pick the first week of June, or date specific by saying June 1st through October 31st. Councilman Papaleo asked if there was some discussion, he couldn't remember who he heard this from, that some of the vendors would want to move to a weekend. Mayor Mignone said that should be deferred to the committee, a couple of the

vendors he had spoken to said they noticed a difference in their participation and their sales when it went from Thursdays to Tuesdays, he only spoke with a handful of vendors, but sales didn't improve. He didn't know if that was how the majority felt or not but that something was related to him, but he thinks whoever the manager is that is something for them to discuss. Councilwoman Davis said Oradell has their Farmer's Market on Sunday. Councilman Papaleo suggested the council remain silent on that and let the committee decide. Mayor Mignone said we should establish it as a baseline, we can come back and change it. Councilwoman Busted said (inaudible), Mayor Mignone said ok, and Mr. Sarlo said yes. Mr. Sarlo stated the hours of operation will be Tuesday for now. Mayor Mignone said to keep it the same for now and the committee can always change it. Councilman Bartelloni said currently the hours are 12-6, maybe change it to 1-7. He knows from his own personal experiences that sometimes you get home and would love to go but by time he got home from work it was shut down. Mayor Mignone said he thinks we can be more flexible here too, it will be the discretion of the committee and the manager to speak with the vendors to see if that is something they will accommodate. Mayor Mignone asked if the council had a nominee for council. Councilman Papaleo said he does have a nomination, he was approached by Theresa Esposito. She had read and watched council's deliberations and approached him and asked to be a part of it. To disclose, she is his sister-in-law, but that was not why she approached him. She has been involved in other committees, such as 4th of July, she assists Beautification even though she isn't a member. Mayor Mignone asked for a second, which Councilwoman Busted seconded. A motion was made to nominate Theresa Esposito to the Farmer's Market Committee as the Council's designee.

Motion by Councilman Papaleo, second by Councilwoman Busted.

All in favor 6-0

Mayor Mignone asked who would be a representative from the council itself, to which Councilman Papaleo nominated Councilwoman Mary Davis. A motion was made to nominate Councilwoman Davis as the member of council.

Motion by Councilman Papaleo, second by Councilman Bartelloni

All in favor 6-0

Mayor Mignone stated that his appointment would be JoEllen Schlossberg as the Mayor's appointment.

Councilwoman Busted stated that the Board of Health's representative would be Patty Cordts

Mr. Sarlo said the council could adopt the resolution tonight with the changes, reading the changes into the record, along with the appointments. Councilman Papaleo asked if a motion was needed, Mr. Sarlo said yes for the changes. A motion was made to amend the resolution to reflect the changes.

Motion by Councilman Papaleo, second by Councilwoman Murphy.

All in favor 6-0

Mr. Sarlo explained that the last ordinance is the Board of Health talking about Food Handler's Certification, which kind of goes hand-in-hand with the Farmer's Market Food Handler's Certification did not address. They had no other changes except for he believes, it was if there is a mention of a Board of Health, which he thinks it wasn't in here, no. There was no mention here, so that was fine. Mayor Mignone said it did

mention the form of application and fees shall be determined, Mr. Sarlo said he was sorry and meant the County Board of Health, they wanted to keep in consistent. He didn't believe it mentions it there. He did receive one other email from them later today about 5 pm, they wanted to not only address the Farmer's Market in the Food Handler's Certification but also now it would address another portion of it for non-profit and volunteer organizations. They are saying number one all non-profit volunteer organizations the fee would be waived, number two if any organization is planning or intends on selling cooked foods that are not cooked or prepared at a certified restaurant it must be one within that organization who is in charge of selling the food to have a Food Handler's Certification. They give an example the person in charge of the concession stand at Memorial Park must have a Food Handler's Certification. The facility is obviously is inspected annually. Food Handler's Certification is an online course. They go on to say in the email that this goes for all different organizations that serve at St. Peter's Church, the cafeteria is inspected annually but different organizations who cook there must have one member who will be accountable for the proper cooking and serving of foods. Mayor Mignone stated that he thinks it's already covered under this now we have a definition of temporary retail food establishment and we have a definition of retail and our ordinance requires that if you are a food establishment you have to have the certification. Councilwoman Busted said she thought what this was saying is that its addressing non-retail food, Mayor Mignone stated that its already under temporary, because it talks about church suppers, picnics, fairs, all those kind of things. Councilwoman Busted said to let Mr. Sarlo, she believes that that is a food establishment bring those items in for sale at those event because we talked about that with the Board of health at length. Mr. Sarlo agreed and said that is how they are interpreting that, if somebody is coming in to sell food at carnival or whether it's a mobile truck or just somebody coming in to sell...Mayor Mignone said it states to prepare on site or prepared elsewhere... Mr. Sarlo said it be changed to include non-profits and volunteer organizations, he will go back and talk to the Board of Health. Mayor Mignone said to just go back and clarify the definition, and Mr. Sarlo agreed. Mayor Mignone said as long as it's covered, and Mr. Sarlo stated it is covered. Mayor Mignone said under temporary retail you can add something under there. Councilman Bartelloni asked about the "temporary retail". Mayor Mignone said it states operates at a fixed location with a fair, carnival, circus, public exhibition or similar transitory including church suppers, picnics or other organizational meetings. Councilman Bartelloni said he just wanted to make sure you didn't have to be selling something because it seems that what they want goes a little beyond just selling it, like any time you prepare food..retail to him means a sale. Mayor Mignone said that under retail food it says public or non-profit organization serving food or catering, kitchen, commissary, box lunch, mass market, Mr. Sarlo added pancake breakfasts things like that would need to obtain a Food Handler's Certification, and that language could be included under temporary to keep in consistent. Councilman Acquafredda asked if these was just when we want to sell, what if it's a donation with no charge. What if we just have food for people to sample. Mr. Sarlo said the thinks that any time you are giving food out it needs to be...Councilwoman Acquafredda said retail implies sale...Councilwoman Murphy mentioned like the Lion's Club pancake breakfast, someone's going to have to have a Food Handler's Certification. Mr. Sarlo said that what they want according to the email that is what they look for. Councilman Bartelloni said like AOH at 4th of July would have to have it. Councilwoman Murphy said the vendors on 4th of July or in the park prior to the music in park will have to have certification. It was agreed by Mayor Mignone and Mr. Sarlo that they would have to anyway. (simultaneous talking) Councilwoman Busted said the Board of Health has explained that retail food

establishments that come into the borough to sell food are familiar with this process, it's not unusual, most municipalities not all require them to produce a Food Handler's Certification and they know to contact the borough ahead of time. This would be tightening up anyone who may not be familiar with that process. To ensure the public safety of our residents for people who attend our public events. Councilwoman Murphy asked if there had been any outbreak of anything recent years. Mayor Mignone said how would we know, it would not have to be widespread, it could be a couple of people that get sick. Councilwoman Busted that when Mr. Sarlo met with the Board of Health, they have an obligation to make sure that the public safety and health and welfare is met when any food is served within the borough. This is their obligation and that is why they are coming forth and making these recommendations. Mayor Mignone said it's a borough event, and Mr. Sarlo agreed and added for this ordinance. Councilman Bartelloni said your gut reaction is this is overkill but it isn't, it's to maintain uniformity, it makes sense. He would ask the board to maybe to try and do a good job to publishing the change so that the groups may not know that they have to have this and you don't want them to get jammed up. Councilwoman Busted said there needs to be a notification once whatever is adopted, outreached to those organizations to make sure they understand what is required to help them through that process. Councilman Papaleo asked if that would be the Board of Health's responsibility to let them know. Mr. Sarlo said it falls within our jurisdiction. (simultaneous talking) Councilwoman Murphy said that if they show up for 4th of July and they don't have this will they be shut down. Councilman Papaleo's response was yes. Mayor Mignone said that a person who does this for a living...Councilwoman Murphy said you have volunteers doing this as a fund raiser... Mayor Mignone said that was what Councilwoman Busted was making a point of saying they will be informed by the Board of Health and this is their responsibility. Councilman Bartelloni said he will make sure that at the 4th of July Committee meetings we let everyone know. Mr. Sarlo said that maybe give them a list of the organizations that you think...Mayor Mignone said basically it's the Lions Club, the AOH, and maybe the Knights of Columbus. Mr. Sarlo said there is a good chance somebody has a Food Handler's Certification. Councilwoman Murphy mentioned the Fire Department, Councilwoman Davis mentioned church suppers. Councilman Bartelloni mentioned the Fire Department doing the car show. Councilman Acquafredda said it sounds parallel to the fliers in the bus stop, innocently enough the swim club did because of the dire straight needs to puts them up and now we are telling them take them down. Mr. Sarlo said they are talking about PTA bake sales, it is pretty encompassing. Mayor Mignone asked about the pancake breakfast at the church is not a borough function, it's a public function, the bake sale is a school function, Mr. Sarlo said it would still fall under the Board of Health. Councilman Bartelloni stated that any time someone sells an item of food someone would have to have a Food Handler's License. Mr. Sarlo said he would make those changes and then distribute to the Board of Health and Council. Hopefully we can have this and the changes to the ordinance listed for first reading so we can have it adopted before the start of the Farmer's Market.

UNFINISHED BUSINESS

Grove Street
Library Roof and HVAC-Finish Barrel Vault
Borough of River Edge Senior/Community Center
Generator – Fire Company #2- Pre-Construction Meeting
Shade Tree Commission
Social Media Policy
Sidewalk and Curb Responsibility

LESO Program

Mayor Mignone stated that when Mr. Monaghan sat in for Mr. Sarlo some questions were raised regarding some possible suggestions for modifications to the Shade Tree ordinance. Mr. Sarlo stated he hasn't received anything and he will reach out to Mr. Monaghan. He asked if there anything particular, Mayor Mignone said it was in the minutes and he thinks it can be discussed at the next meeting. Mr. Sarlo said he will go back and come up with some ideas. Mayor Mignone said it streamlining some procedures and some other jurisdiction issues.

Mayor Mignone mentioned the update on Social Media Policy saying it was reviewed at the Personnel Sub-Committee meeting this evening. Another modified version, he thinks the next step is to finalize our version and then have Mr. Sarlo compare it to the requirements under the JIF. We have to update our Personnel Manuel to reflect social media type issues and make sure the JIF policy requires we have it. Which he thinks we probably do. Mr. Sarlo replied he would work on it. Councilwoman Murphy remarked that the State of New Jersey doesn't have a social media policy at this point and she just submitted some recommendations from the Library Director for Mr. Sarlo to review. Mr. Sarlo said he would pass it along to the committee, it looks like the Library Board wants their own social media policy, he doesn't think there will be several social media polices. Mayor Mignone said once Mr. Sarlo reviews the revised policy it can then be distributed. Mr. Negreann wanted to make one point of order the Library's policy still has to meet the JIF's standards because they have JIF coverages. Mr. Sarlo said he thinks it's going to be one policy for the entire borough, they are not going to have their own policy. Mr. Negreann stated that we have a model and standard that we have to meet. Mayor Mignone stated that once we finalize ours we can distribute to all the parties and see if there is another issues. He thinks a lot of concerns will be addressed. Councilman Bartelloni said that on that issue he doesn't know what the Personnel Sub-Committee came up with but if you are looking at the form that is on the JIF website, he thinks that is Wyckoff's and it is very strict and not what he saw in other social media policies. He wouldn't compare it to that one. Mayor Mignone replied we are talking about JIF having very specific recommendations that they want us...Councilman Papaleo said they were minimalist limitations for JIF...Mayor Mignone said they were more overreaching, more broad kind of policy, not very specific in that regard. Mr. Sarlo said that what we will do is submit to the JIF and they can sign off on it. Mr. Negreann said he would show the communication/recommendations and he thinks ours probably goes beyond what they are looking for, and it is easy to meet their standards.

Mr. Negreann wanted to speak about the Generator for Fire Company #2, we have a pre-construction meeting scheduled for April 12. Councilman Papaleo said that he see the correspondence going back and forth. What is the tentative schedule from that time on, not holding anyone to an exact date. Mr. Negreann's reply was that we will determined that at the pre-construction meeting, the borough engineer will work with the contractor to come up with that timetable which will be in the minutes. Mayor Mignone stated that it is probably specified in the bid documents. He thinks the hardest part of this is building the platform that this has to go on. The actually electrical is probably very straight forward.

Councilman Papaleo asked about the status of the community center. Councilman Acquafredda stated there was another meeting next week, no it's the week after. He will confirm it. Mayor Mignone said that they reviewed the conceptional program and they are starting to put some concepts together. They are going to come back next time with

our final comments and then it can come before council. Councilman Papaleo said just because some people have been asking him about it. It does include parking, since we will be moving the parking, and handicapped parking is included and I told them that was true. He did mention that he had a strong desire to see some sort of outdoor wrap around porch that would be doubled wide that could provide for activities for the summer camp. Councilman Bartelloni said they were meeting this Thursday at 6 pm.

Councilman Papaleo asked the status of the barrel vault. Mr. Negreann stated he had nothing to report on that. Councilwoman Murphy stated they are waiting for the weather to get better. Mayor Mignone said he asked Mr. Pulice if he was still late and waiting for shop drawing or something from the contractor. He knows they are working on that part. A mockup was to be done first because we said ...(simultaneous talking)

Councilwoman Murphy stated that when she went to a Board of Education meeting she asked about, she knows when she was signing bills we are paying for the nurse for St. Peter's out of our bills, so when she went to the Board of Ed. She realized that we don't pay for Yeshiva's nurse or the other nurse. The Board of Ed said they pay Mid-Bergen and then Mid Bergen pays us and then ...so does that work, why do we pay for the nurse. Mr. Negreann explained its state regulations on non-public school nursing. He believes the grant money that comes to us pays for St. Peter's, and he believes Yeshiva is paid for by our portion through Mid Bergen. Councilwoman Murphy said it doesn't show up on the bill list, like the nurse for St. Peter's does. Mr. Negreann said it may be paid directly by Mid-Bergen, he would have to ask Sam Yanovich why it's handled that way. Councilwoman Murphy said so the two get paid from them and we pay the other, so that seems very strange. Mr. Negreann said once he finds out he will get to council.

NEW BUSINSESS

MOTION TO OPEN TO THE PUBLIC

By: Councilwoman Murphy

2nd: Councilwoman Busted

All in favor 6-0

Cindy Bequeaith, 745 7th Ave -- She wanted to address a few concerns. One is, she knows there is something on the agenda regarding policy for curbs and sidewalks, may that be addressed now, and Mayor Mignone replied she can speak now that would be fine. Ms. Bequeaith said that sidewalks don't apply to her, she doesn't have one, but curbs do apply to her. Mr. Art DeRosa came out the other day, she is the only house on that street that actually is below, the level of the house is built below the level of the street, so she has a driveway that goes down. The curb to go into her driveway goes down, at one point in her curb at the end of her driveway its only about that high. So when there is a rain of any consequence and the water comes down the street because the drain is at her corner, and there are places that puddle. The water comes right to that place that's low and it comes down her driveway. We have already put in a French drain and we end up going out there with brooms. She not only has to stop the water at the top of the driveway coming down but it still comes down with such mass that we actually have to push the water from the side of her house to go into the backyard. She doesn't know whose responsibility it is, we certainly didn't put the curbing in. Mayor Mignone asked if she was saying the lower part is about 1/2 inch high. Ms. Bequeaith said the higher side is towards Continental. Mayor Mignone asked if her drop curb goes up how high about an 1-1^{1/2}, drops curbs are generally an 2^{1/2} to an 1 1/2 that is the standard. What he would recommend is that it be brought to the Sewer Sub-Committee because he

doesn't know if it's an issue of the curbing that is actually going to work, he didn't know if this was a borough issue or a homeowner issue. If it's a borough issue what is the best way to address it, it may not just be a curb, look at the drainage in the area so it may not just be a matter of putting an inlet in or is it a grading issue, is it the way the street is milled or paved, it could be some technical reasons. Ms. Bequeaith said that was why Mr. DeRosa came out to look at it and he took pictures of it. Mayor Mignone said accordingly to code it is a compliant drop curb, that doesn't necessarily mean it is correct. You don't want a drop curb that is less than an 1 ½ cause then you have a problem with cars going in and out of the driveway. The standard for a drop curb is a ½ to 1 ½ inches. If the borough does say it's a borough issue and we replace it with a whole 1 ½ he doesn't know if that will solve the problem. That is why we need to look at it to solve the problem. Ms. Bequeaith said there are places in the road that goes like this right past her house before we get to the drain and there are puddling issues there as well. So what she is getting at is she doesn't know if it's a curb issue and who is going to be responsible there is nothing more she can do except to pay \$6,000 to dig a big trench and do a drain down to the end. DPW looked at the drain last year and the is... Mayor Mignone said he can say this, Mr. Sarlo may not agree with him, but if the borough drainage is impacting then we have to do something. But that is not to say there are not alternate solutions or whether there are some homeowner responsibilities also because if replacing the drop curb with a higher drop curb could solve the problem that is one thing. Then we get into this jurisdiction issue as to who is responsible for that. But that is why he thinks a better venue would be the Sewer Sub-Committee where we can talk about it technically and Mr. Costa would be able to go out before the meeting so he has some feedback for us and then we would be able to come back with some real recommendations. Ms. Bequeaith said the second thing she wants to address in regards to... at this point

Nancy Lustenberger, 730 7th Ave. appeared before Mayor and Council and stated that since 1989 the road hasn't been paved and there are dips, highs and lows, PSE&G has done all sorts of work, the water collects at the end of her driveway creating a terrible ice mess in the winter. Again the curb is very low, and again that is why she is thinking the town never repaved the road, because if they come by and put a roadway on top all the curbs are going to have to be lifted. But if they do the grading like they should it shouldn't create a problem. The drainage on that street doesn't drain completely down, it sits at the end of everyone's driveway. Mayor Mignone said it obviously is a situation that should be referred to our borough engineer. Ms. Lustenberger asked when, as she was told the street would be repaved in 2014 back in 2011/2012. Wales Avenue was done, they came down to the dog's leg and stop, Webb Ave. was done all the way down and around on 8th Ave., they have never done 7th Ave. Mayor Mignone said he doesn't recall the list for this year or where it ranks. All the streets are ranked accordingly by the DPW in terms of priority. He asked Councilman Papaleo to follow up with Mr. Lynch. And also ask Mr. Costa to go out and evaluate the ponding and the drainage situation. Also he asked Mr. Negreann to have Mr. Costa take a look and provide feedback for the next Sewer Sub-Committee meeting.

Cindy Bequeaith wanted to bring up the house across the street from Ms. Lustenberger, whose owner past away a little over a month ago. Right now there are newspapers sitting in front of the house and she has no idea on how to get in touch with the family. Also there is a couch that has been outside for about 2-3 weeks and no one from the town has even followed up. She doesn't know who walks around to see who leaves furniture in front of the homes and keeps up the beautification of the town. Mayor Mignone said that Code Enforcement will if he is in that area or specifically driving around that street. Ms.

Bequeaith asked how often Code Enforcement drives around. Councilwoman Murphy said he does 15 hours a week, which was raised up from 11 hours. Councilwoman Davis said the house is being sold and it needs a complete clean out. She also said that she called the son about the couch and he said he didn't know who put the couch outside either. Mayor Mignone said it is definitely a property maintenance issue that Mr. De Rosa could address. A discussion about removing the couch, getting a dumpster, nothing can be done until the house is sold. Mayor Mignone asked Councilman Papaleo to ask Mr. Lynch as a courtesy to reach out to the carting company and maybe they can pick it up. Mr. Sarlo said if it's on the front lawn, its private property. Again simultaneous conversations were ongoing. Councilman Papaleo stated he wasn't comfortable reaching out to Mr. Lynch if Ms. Bequeaith hadn't done so yet. If a resident has made the request and DPW has failed to do anything, then he would be glad to intercede. If this is on private property, Mayor Mignone said that if the homeowner called the company to pick it up its going to sit there because no one has notified them it's a bulk pick up. That is why he is asking that Mr. Lynch call them and say it's a bulk pick up...(simultaneous talking) Councilman Papaleo said he thinks it should be done, but it should go through Mr. Negreann to Mr. Lynch, not through him as a liaison and he wants to maintain a good relationship with Mr. Lynch and he doesn't think the council should be directing him to do something like this and it should go through the BA. That would be a more appropriate way of respecting his position as DPW Superintendent. Councilman Bartelloni felt it was more of a code enforcement issue, he doesn't know what right DPW has to go on private property to remove something. Mayor Mignone said he wasn't ask for that he was just asking for him to notice the carting company that we have a homeowner or no to present the homeowner to call in. Councilman Bartelloni said it has to be someone property unless the woman died in testate and it is going to the State, it's somebody's property. (simultaneous talking) It was agreed it would be handled. Councilman Papaleo said these issues can take on a life of their own, people can contest it and why is the council getting involved on private property. Mayor Mignone stated will be addressed.

Councilwoman Murphy wanted to make one other comment, she wanted to say the issue on Greg Tanzier's Sprinklers was fixed as per Mr. DeRosa. The salt shed is gone, the equipment that was along the Hackensack River is gone. It seems like they have contained the equipment behind the fence, there is still some equipment on the side of the building, but it looks better. Mayor Mignone asked about the issue of overnight operations, Councilwoman Murphy said they might be winding down but they are still there at 11 at night. She can understand due to the nature of their business, if the weather is bad they plow the streets, but right now it's a great improvement. She wanted to ask about the recent storm, she knows that a house caught on fire, and a tree fell on someone's house. She asked if there were any power outages. Mayor Mignone said nothing that he was aware of or nothing that he was notified of.

MOTION TO CLOSE THE PUBLIC HEARING

By: Councilwoman Murphy

2nd: Councilwoman Busteded

All in favor 6-0

MOTION TO ADJOURN AT 8:00 PM

By: Councilwoman Murphy

2nd: Councilman Bartelloni

All in favor 6-0