

**BOROUGH OF RIVER EDGE
MAYOR AND COUNCIL
WORK SESSION MINUTES
TUESDAY, DECEMBER 21, 2015**

PRESENT:

Mayor	Sandy Moscaritolo
Councilwoman	Kathleen Murphy
Councilman	William Haggis
Councilwoman	Ellen Busteed
Councilman	Edward Mignone
Councilman	Thomas Papaleo

ALSO PRESENT:

Borough Attorney	Thomas Sarlo
Borough Administrator	Alan Negreann
Borough Clerk	Stephanie Evans
Councilman-Elect	Alphonse Bartelloni

ABSENT:

Councilman	Vito Acquafredda
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Mayor Moscaritolo called the meeting to order at 7:00 PM by having a roll call.

BOROUGH ADMINISTRATOR'S TOPICS – None

FOR DISCUSSION –

1. Robert Costa – Transportation Alternative Program (TAP) Streetscape – Conceptual Discussion of Improvement –

Open Public Hearing

Motion by Councilwoman Murphy, second by Councilman Mignone.
All in favor 5-0

Mr. Costa began by saying that back in 2006 his office prepared plans for the streetscape going from River Edge Road on Kinderkamack Road to the Oradell border. It was broken down into three phases. Part of that project was constructed by using Federal money that was distributed through the State, those would be the projects north of here near Bogart's Funeral Home, across the street, and you can see the brick pavers and the decorative lights that are in those areas. As that phase stopped, which would be by Bloomfield Avenue, Phase III was from there north to the Oradell border, obviously that was never completed, no negotiations ever took place. The same thing happened in Phase II from the train station on River Edge Road up the street to the "T" intersection to the left to Webb Avenue and then north to Lincoln. Those two stretches could be used under this grant that you received. Back in 2006 we estimated the cost for Phase II which is the southern part of River Edge Road roughly \$545,000.00 in hard scape. Not including obviously any acquisition costs or anything like that. To the north on Phase III was \$585,000.00, again this is similar, no acquisition costs and no negotiations took place here either. The grant amount is \$800,000.00. The plans were probably 99% complete on those two phases. Mr. Costa had dropped off copies for the Mayor and Council regarding the ones that have been constructed. Obviously you would have to upgrade them due to dates, and council changes, you would have to start review some of the work

such as right-of-ways, acquisitions, sitting down with property owners under the Federal guidelines. Mr. Negreann asked if Mr. Costa anticipated if the borough will have easements or acquisitions, and Mr. Costa replied yes there will be. According to his recollection, in 2006 Mr. Mageto with the gas station property, in order to get sidewalks through there and streetscape work, negotiations had to be done with him. On the corner on Midland near the bagel shop and also where the property line ends, it doesn't get you right to the front door of most of the stores, so you have a little no-man's land between the front door of the stores and where the actual property line is. You will have to go in and negotiation some slope rights and easements. You need to set-up Federal guidelines since you have to follow them. Mayor Moscaritolo asked if Mr. Costa has a recommendation for any type of decorative lighting, any change from the Borough's streetscape in terms of energy efficiency. Mr. Costa said that he was told that on January 19th the solar light will be delivered to DPW as a test case. One of those will be installed in front of Gary Gorski's building on Kinderkamack Road. That would be the pilot program to see whether or not the council would care to use that lighting in any of the phases. Basically you would eliminate the cost of wiring, obviously the cost to maintain over the years as far as PSE&F if you lease it. The only cost you would have is the upfront cost which would be which is higher then what a regular light would cost, but he thinks that it would be cost savings down the road, it would make sense. If we can fund it through the grant, it's a free light that continues to be free for 5-7 years, it's a good thing for going green. It is the future. The LED lights today are much better today than they were 3 or 4 years ago. Mayor Moscaritolo said he remembers when the council had preliminary discussions regarding the grant there were feelings that the streetscape should continue where it was left off going north to the Oradell border. So if the new council has the same feelings then you can design a scope of work unless the new council wants to do a different phase. Mayor Moscaritolo asked Mr. Costa if he had a recommendation. Mr. Costa stated whatever the council wants but you would have to start to put it motion. He thinks that grant if you add the cost of what it would be today, 2015-2016, you probably will get close to that \$800,000.00. Mr. Negreann stated that what he thinks the logic was this was a grant in hand and we could it use to complete up to the Oradell border and then doing River Edge Road is still very attractive because we have train station there so the Department of Transportation would look very favorable on that improvement because of proximity of the train station. Councilwoman Murphy asked where it says scope of work and school board recommendations from two schools, Cherry Hill and Roosevelt..Mayor Moscaritolo interrupted her by saying that is not the TAP grant currently being discussed. Councilman Mignone said going back to the lights if we were to go with the solar it becomes our responsibility to maintain them if they get knocked down we would have to pay to replace them, is that correct. Mr. Costa replied by saying you would have to pay, if they get knocked down he would image whoever knocked them down would have to pay the cost to replace them. We would have to hire someone to put them back up. They are probably close to \$7,000 to \$8,000. the cost is definitely higher, but again we don't have to install the conduit. If they do work which he anticipates they will work, down the road it is a much bigger savings. Again if the grant pays for it, it's basically free. If it works, then it's a good thing, he doesn't know how many times he heard Mr. Negreann say it's \$40.00 a month for hundreds of these and more and more come into play. Again you have to look at how does it last, how long is the battery, how long do the lights, LED's amount of hours is probably in the hundreds of thousands of hours for these commercial lights. You shouldn't be up there changing lightbulbs any time soon. It would be his recommendation to do it. There is a pilot coming in, if it works and everyone is satisfied, that is the way to go. Councilman Mignone asked if Mr. Costa compared his cost and quantities with what was submitted

with the application that was prepared by Ms. Casey. Mr. Costa replied no he did not, this is based on 2006 numbers but these are real quantities based on this plan. He also stated that if we received \$800,000.00 and we are estimating \$600,000.00 he doesn't think the numbers have gone up that dramatically. He sees the lights going up dramatically, we had some money in there for lights. Councilman Mignone said Ms. Casey's estimate was much higher and he wanted to see if we are missing anything. Mr. Costa said he would review the quantities. Councilwoman Murphy asked if any other town was using solar lights. Mr. Costa said many years ago he worked on the Hackensack Pathway with the County as a pilot 4 were installed at Fairleigh Dickinson, a little different then what is there, and his phone has not rang since the installation. The other phase for the County's project they were basically shifting everything over to solar. Councilman Mignone asked what the plan quantities are for lights, Mr. Costa said 24. Councilman Mignone said we are looking at about \$200,000.00 or slightly less. Mayor Moscaritolo asked if any member of the public wanted to give any input on the streetscape project or Kinderkamack Road, involving decorative lighting, sidewalks, pavers, curbs, and decorative signposts and signage, and trees going to the border of Oradell.

Catherine O'Donnell, 180 Continental Ave. -- She was concerned with a few things, such as the light on the southern end are not all that bright, the ones in New Milford seem to be much brighter. Her other concern is, she likes the solar lights, but not that it isn't that sunny out that they don't come on at 5 in the morning. She wouldn't want the lights to go out on the streetlights, she didn't know especially given (inaudible) time, how long they are going to stay on. Mr. Costa stated he would get some information and give to the council. Ms. O'Donnell asked if it would be cheaper to have a regular off the shelf light if it should get knocked down, this way we wouldn't have to wait for a special light. Mr. Costa said he thinks the idea is to match the lighting we have in place because to go with a different light he wasn't sure if the council..Ms. O'Donnell stated she was concerned with the money if it was damaged or needed to be replaced it might be cheaper to use a stock piece. Councilman Mignone stated that these were not custom, they are stock pieces with a round spot for a logo and shouldn't delay any replacement. The insignia is basically an insert and the Hadco light heads have that space. All the towns do have something similar. Mr. Costa said these particular lights Hadco teamed up with a company called SolarOne out of Massachusetts, years ago that was who did the one behind Fairleigh Dickinson, the same manufacturer. Again these are standard lights, but problem is the solar will take you longer to get a replacement, so we should buy an extra one and leave it so if one gets hit we can replace it. But right now your hands are tied by PSE&G. If one of the lights gets hit and they are responsible to fix them and when they are out, similar to the regular Cobrahead lighting. This will eliminate them and you will be in control of your destiny. Again if we order one or two extra, have it in stock, we are done. Councilwoman Murphy asked who was going to look into property acquisition, Mr. Negreann said once the field work gets started by the engineer who does the design will come up with the right-of-way issue. Councilwoman Murphy stated there was something from 2006, and Mr. Costa said we never got into acquisitions. You need to take each individual property, look at the square footage that you would need to accomplish this, whether it's a temporary easement, slope rights to do grading, what happens, like on Main and Grand, Sam Sorrensky and himself, went to individual homes, sat down with the homeowners and negotiated the takers, again the appraisals would need to be done on the land, this is a little bit different than that cause you have to follow the Federal guidelines. You need to set that up a head of time and then task your attorney with doing the same, you would have to go through the same scenario. Councilwoman

Murphy asked regarding the 2006 plans are you halfway done already and you just need to do a little bit more? Mr. Costa said he would have to do a little bit more, we would have to check to make sure there were no changes, such as surveys from 2006 to 2015. Mr. Negreann wanted to cover this now since he didn't want the council to make the assumption that Costa Engineering will be the firm to design this project, there is a competitive process that we must follow for these Federal grants. We need an engineer for the design side of it and the inspection side of it. There is some information provided to the Council tonight about a program that State has to select an engineering firm on the Safe Streets grant, not the TAP grant we are talking about. The Safe Streets grant the State will pay for that engineering design work we can talk about on another night. As well as the process we have to go through to hire an engineering firm for the design and the inspection. We will have another full work session on that aspect at another time. A motion was made to close the public hearing on the TAP grant.

CLOSE PUBLIC HEARING

Motion by Councilwoman Murphy, second by Councilman Mignone.

All in favor 5-0

Mayor Moscaritolo asked if any motion was needed for scope of work, and Mr. Negreann replied no motion was needed tonight, he just distributed the paperwork for everyone to have a decision on this grant. Mr. Costa said the only difference would be if you were to go solo and put it as an alternate and see if that is the route you want to go. There was no further discussion on the TAP grant.

2. Robert Costa – Safe Streets Grant – Conceptual Discussion of Improvements –
Mr. Negreann stated that Mr. Costa's office doesn't have a role to play in the application of this grant. This was put together by our grant consultant at the time and they had done a listing of flashing crossing signs and designating school crossings, putting in missing sections of sidewalks, walking routes to and from school, especially along Kinderkamack Rd, he provided a diagram showing that location, some textured pavements, crosswalks, curb ramps with Detectable Warning Surfaces are required. There is a section over by the Junior High School which he didn't include in this draft of the scope of work, but it could certainly be put in to improve that bike area to the middle school. The scope might change depending on the design work and ideas of the engineering firm that is hired to assist us with this. That is the general idea, to improve the safe route to school for pedestrians and bicycle riders. Mayor Moscaritolo asked how much the grant was for, Mr. Negreann stated it was for \$315,000.00. A motion was made to take public comments on the grant.

OPEN PUBLIC HEARING

Motion by Councilwoman Murphy, second by Councilman Mignone.

All in favor 5-0

Mayor Moscaritolo asked if any member of the public would like to the council any input on \$315,000.00 grant to improve sidewalks and crosswalks for school children running around our schools.

Mr. Anthony Pieroni, 743 Oak Ave. – He stated that today he found out through neighbors that a letter was sent out to people on Oak Ave., which he didn't receive, in reference to making Oak Ave. a one way street, is that correct. Mayor Moscaritolo stated this was the first time he was hearing of it, the rest of council knew nothing of it. Mr. Pieroni stated that was why he was here, the residents were told it was blocked off during the morning and afternoon for the drop off of children by their parents for them to go to

Roosevelt School. But today he hears that the decision with the sidewalks is to make Oak Ave. a one way from Continental to Webb, he is asking the council if this has been under consideration, and if this was any part of what this grant is. Mayor Moscaritolo stated that it never has been on our radar. The entire council stated they never heard of it. Mayor Moscaritolo said it could be a temporary police traffic matter or something like that. Mr. Pieroni stated that right now it's blocked off during the mornings and afternoons and is one way and he heard it's going to be permanent. Mayor Moscaritolo replied no.

Ms. Elizabeth Brown, 444 Kinderkamack Road – She stated there is no crosswalk on Kinderkamack and (inaudible) right near the curb. She now has school aged children that are approaching the age where they can walk to school and she would like this area to have some consideration. There has also been an increase in the number of children in the houses around her on her side of Wayne. Either a yield sign or a slowdown children crossing sign and a painted walkway near the cross-section of Wayne and Kinderkamack there's no path. If you walk by the River Edge Diner they have to walk (simultaneous talking) some sort of the way in the direction of Cherry Hill so they have to walk down by Roosevelt and essentially walk back. Mayor Moscaritolo stated the Mr. Costa has already highlighted that intersection on a preliminary map, at Kinderkamack and Wayne there is no sidewalk on east side, with a bus stop there. Mr. Brown mentioned the lighting there when she gets off the bus she is walking in the dark in the grass, she could cross the street and then cross back over, however she is right there at the curb, it is easier to stay on the same side. Mayor Moscaritolo thanked her for coming this evening and mentioning that particular intersection that is a concern. He lives at 377 Kinderkamack and he sees people walking on the sidewalk all the way from Howland Ave. all the way up, in the traffic lane, and he knows there are children that live in those houses and their parents have to drive them the 2 blocks to school. So thank you for that. Anyone else?

Ms. Barbara Greenhalgh, 737 Bogert Rd. – She said besides the lights with the crossing, she is the house right next to Roosevelt School, the parking is on both sides of the street, people are pulling into driveways backing up to get a parking space while children are walking. She has seen several drivers being waved by children to keep going, they shouldn't be on that street when children are walking to school that is why we have a crossing guard on the corner. She thinks the problem is there is no place for the teachers to park at Roosevelt and Cherry Hill. These people serve us, they teach our children, but yet they block our streets every day. They move my garbage can, recycling, they block my driveway. Sometimes the people across the street from me have to make several turns to get in and out of the street because of the parking, we just don't get leaves picked up because cars park on top of them, the same happens with the snow, which she thinks makes it difficult for the children coming to and from school because they are on a street that is supposed to close. They walk in the middle of the street, they are laughing, talking, pushing one another, walking backwards, and these are grades K-6th. It's hard being a kid, but being safe is our responsibility for them. When there isn't a proper place to park, we have terrible sidewalks on that street, we have no curbs at all, and it's a mess. The same goes for Oak Ave. where it is so crowded with cars every day she doesn't understand why children can't walk or bicycle to school any more, are they all crippled. The amount of cars around our schools that are local, these schools were built to be within walking distance for all children, and they are anything but. Mayor Moscaritolo thanked her.

Dr. Tova Ben Dov, Superintendent of Schools – She requested that the Board of Education be allowed to give feedback when the plans are drawn up but before they are

implemented. Mayor Moscaritolo said absolutely, and we are taking input now on specific areas, we heard about Oak Ave., Bogert Rd., Kinderkamack and Wayne. If there are particular concerns regarding an intersection or a sidewalk or a crosswalk that the Board of Ed has that they would like to bring it our engineer's attention, he can see if he can fit that into this grant that we have received. Dr. Ben Dov asked what the mechanism would be, they could bring to the council. Mr. Negreann answered yes, he would make that available as we always do. Mayor Moscaritolo thanked her.

Cathy O'Donnell, 180 Continental Ave., - She had a question on Midland Ave., as she understands we finished the Safe Streets and her dad is the crossing there and he use to have a parking pad there. People would know he was there, and now he almost parks in Oradell because he can't block people on Myrtle because the intersection is so crazy. She would like a parking pad for him so people know the crossing guard is there not to mention she was there today for a car accident on Fifth Ave. and not one of the signs that was taken down has been put back. Specifically her dad requested that the crossing guard, there is a crosswalk sign, there's a space that was left there in the dirt to put a sign that was done before school opened, September on, and the signs are still down. Crossing guards are one of the most dangerous municipal jobs, and he is being put in more danger because those signs aren't there and there is no place to put his car. She would like to see something done. Mayor Moscaritolo replied absolutely and asked Mr. Costa about the signs. Mr. Costa replied that the contractor has been put on notice, Statewide was supposed to be in over the weekend to stripe. We sent out public notices probably over two months ago for striping to be done on a Saturday, it was cancelled. Quite frankly he thinks the Borough Attorney needs to get involved then we contact the bonding company, we take care of it ourselves, that is where we are at with all this. It's unfortunate but..Ms. O'Donnell asked if anything could be done about the parking pad, there use to be one before. Mr. Costa stated the was there was no sidewalk there and the curb was probably an inch high..Ms. O'Donnell said there was a macadam area that he used to put his car on. Mr. Costa said he understands, but now you have a sidewalk that leads through the whole front there, he knows people have been walking on it, running on it, and certainly...Ms. O'Donnell stated she didn't think that many people walk on it from Fifth Ave., she has seen people come from Bogert down, but she hasn't seen people come from Fifth Ave. down to Myrtle on that side. Mr. Costa stated that people have actually said thank you to him, which is very uncommon, which he thinks is a positive. There are a few more thinks that have to get done there, but he wasn't sure how you would put, why wouldn't he park in the parking lot of the school though, it's right there. Ms. O'Donnell said that for one thing you would never be able to see a car coming (inaudible) you might as well be parked there. She noticed that when she drive to work sees all the crossing guards' cars so she know they are there. He doesn't get that warning and he doesn't get that warning, he has been struck by a car, so every warning you can get them there is a crossing guard. Mr. Costa said that Midland Ave. there is no question it is dangerous there, but again let him look into it. He will meet him there and see what he is thinking about, and if we can accommodate him certainly we will. Mayor Moscaritolo thanked her.

CLOSE PUBLIC HEARING

Motion by Councilwoman Murphy, second by Councilman Mignone.

All in favor 5-0

FOR YOUR INFORMATION

1. Mark Skerbetz, Zoning Officer -58 Lakeview Street – He stated that before he stared the violation have been abated a few weeks ago. This has gone on for a while and he was

getting cooperation from the homeowner. The end of August they removed 3 of the 4 sheds in question and he felt at that time they wanted to go for a variance, so he gave them time to come in with an application and the proper paperwork. They came in with paperwork that wasn't satisfactory, he made a site visit in October, and spoke with the son, David, and told him it had to go, the fence has to be fixed, that's it no more. He requested some and by that date, December 8, he said that he was coming back on the 9th and if the shed and/or the fence are not taken care of you will be getting summons. He went back on the 9th and everything was taken down. Mayor Moscaritolo asked if there were any questions for Mr. Skerbetz. Councilman Mignone asked what the fence's height was now, Mr. Skerbetz answered it was about 6 feet or less. Councilman Mignone asked if there was just 1 shed now, Mr. Skerbetz said there were 2 sheds now, and we approved 2 sheds a couple years ago. Councilman Mignone asked if under right or was it a variance, Mr. Skerbetz answered no variance, as of under right, there is no limitation in the ordinance, and he looked a couple time since, there is no limitation as to the number of accessory structures, sheds are governed by lot coverage and impervious coverage and size. They are both about 100 square feet, 150 is the maximum, and they are maxed out on lot coverage for that particular property. Mayor Moscaritolo stated for the public's benefit there had been 6 sheds, and 4 of them have been removed based upon his enforcement activities. Mr. Skerbetz said yes the way he handled it, quite frankly he doesn't get a lot of zoning complaints or violations that he is aware of. When we do they are usually taken care of in a matter of a week or two. This was different, sheds are difficult to move if you have nowhere to move them, and since I felt I was getting cooperation, at least in the summer, he gave the time that was requested. Councilman Mignone asked if they are pursuing any variances now, Mr. Skerbetz answered no. Councilwoman Murphy mentioned that the neighbor came in and complained it wasn't going quickly enough, they were way too much leeway. Mr. Skerbetz stated he understood that. If the council wishes he could issue summons in a quicker manner, he would be happy to do that, but over the course of his experience he found that summons, unless it's a life safety hazard, a summons and other legal remedies are at hand, a summons for a basic zoning violation doesn't stop the violation from happening, you have to go to court or a third party arbitrator, which could drag on through adjournments, hearing dates or an attorney gets involved on the homeowner's side it can just go on. So I felt since what he was getting was cooperation at the time it would be a quicker end to this. Councilman Papaleo stated he understood his position, but he thinks from the pictures they have seen and the timeline that it went to long. For his part he would say we need to be a little bit timelier and that a summons is not necessarily a bad thing. It certainly sends a message. The resident who lived next door really did suffer some mental anguish by constantly seeing it going nowhere and coming back to us over and over again. He would say in this matter, in this particular case, it took too long and he is hoping that in the future we might avail ourselves of the legal remedy of a summons a little bit sooner. Councilman Mignone asked for Mr. Skerbetz's input on maybe modifying the existing ordinance, it seems to him it might be a little too permissive with regard to accessory structures. Mr. Skerbetz said he would look into that and agreed. Also in the past he has drafted amendment for the zoning board and will come up with something. Mayor Moscaritolo thanked him.

Mayor Moscaritolo stated there was no consent agenda on the work session and would like to dispense with unfinished business and go into our 7:30 meeting. A motion was made.

Motion by Councilwoman Murphy, second by Councilman Mignone at 7:40 pm.

All in favor 5-0

Stephanie Evans, RMC
Municipal Clerk