

**BOROUGH OF RIVER EDGE
MAYOR AND COUNCIL
WORK SESSION MINUTES
MONDAY, APRIL 18, 2016**

PRESENT:

Mayor	Edward J. Mignone
Councilman	Vito Acquafredda (Entered Meeting at 7:50 PM)
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 7:00 PM by reading the Open Public Meetings Act.

BOROUGH ADMINISTRATOR'S TOPICS

1. EPL Training – Mr. Negreann explained that the deadline was May 1st and the last notice was sent out on April 11th via email giving the location. He believes we have full compliance on this and wanted to thank the council for completing the training on this and it is on the record with the Joint Insurance Fund and should receive a premium credit for this training.
2. Stormwater Training – Mr. Negreann explained that about half of the council has completed this training and he is still looking for some of them to login to the MEL website. We will out the instructions again. There isn't a deadline on this at this point in time. It is about a 10 minute video for those of you who haven't completed the training at this point. So if haven't completed the training he would appreciate it getting it back. Tomorrow he and John Lynch will be attending a 2 hour seminar on the new permit regulations for Stormwater and in reading through those the other day he sees that the training they are proposing for elected officials will be 45 minutes long. He intends to raise some concerns about that or basically object. To him it seems a little too much... Mayor Mignone said he thinks the common (inaudible) is the close of the permit. Mr. Negreann said he thinks he still wants to go on the record as explaining that the duration of training is probably a little much given the fact that we currently have about 6 or 8 videos on the website that are about 10 minutes each, you can log in and out of. Mayor Mignone stated that it was requirement for the board members also on planning and zoning, to which Mr. Negreann agreed. Councilwoman Murphy stated that if you were a Class 3 you didn't need to take the training or if you were the Mayor. There were 3 caveats where you didn't have to take the training. Mr. Negreann stated that was where we stood on that and this was just a reminder on area.

FOR DISCUSSION

1. DOT Grant Section 4, Fifth Avenue – Robert Costa appeared before the Mayor and

Council and explained that if they didn't know by now, they will know now. We received a grant in the amount of \$155,500.00 for Phase 4, on Fifth Avenue. According to his recollection the council passed a resolution, and in speaking with Alan this afternoon, he believes it was from Midland to the school parking lot, north of Midland, in order to do the curbs and sidewalks and the actually roadway itself. Mr. Negreann asked him to be this evening to make sure, Mr. Negreann said that was correct, Mr. Costa continued by saying to absolute go forward with it. Mr. Negreann said that is the section of the roadway that we are looking at and then to have Mr. Costa bring an estimate to the cost to us, so the next step would be to develop a bond ordinance to cover the cost of construction, design and inspection, and a small amount for contingences, and another associated expenses related to the borrow on this. Since it is a DOT ordinance we don't have to make a down payment, so what we are talking about is really what the size of this bond ordinance will be, given that the construction cost seems like they are about \$25,000.00 over the grant that we received. Mayor Mignone said we have to look at the total cost, he felt that the inspection fee of \$15,000 was a little high and directed this to Mr. Costa. Mr. Costa's reply was he didn't think it would come out that. The last one we just did with Reggio, he completed that job probably in two weeks, and there are a couple of loose ends to button up. Mayor Mignone asked if he remembered what the length was, Mr. Costa said there was about \$150,000 worth of work, maybe 550 feet of the last one. He believed we were going to get close. The issue here is we put in a little of bit of a contingency because there is obviously a very small window here to construct, Alan and I spoke about this earlier. He doesn't think it possible to get the plans done, approved by DOT, get them out to bid, accept the bids, award the contract, and construct it in the summer. Because of where it is he doesn't think we should really consider doing this during the school year. Mayor Mignone said that we haven't even gotten the contract, or the grant award. (simultaneous talking) Mayor Mignone said we have two years to do the project. Mr. Costa said realistically try to get this out to bid probably in the fall/early winter when not to many people are bidding jobs and construct it the following summer. That would be ideal, the minute school closes go in and construct the project. Mr. Negreann said he was thinking about a bond ordinance of \$225,000.00, which would give Mr. Costa any additional \$25,000.00 for construction, \$15,000.00 for other expenses, and \$30,000.00 for engineering. If you needed more design work, he wasn't sure if there was a little bit more design work to be done to get it into the bid specification stage get it through the bid process and then make the award and then move into the inspection phase of this as well. He will throw that number out there, \$225,000 which is certainly above the \$150,000, which doesn't mean you are going to spend that, it would just be there. Any excess for the other expenses or the engineering would probably use to offset any contingencies that might come up during construction. Mr. Costa said it should be straight forward, other than contingencies you wouldn't use it. Councilwoman Murphy asked Mr. Negreann if he was saying to go over \$100,000 over the project estimate, Councilman Papaleo corrected the amount by saying it was \$70,000, Mr. Negreann confirmed it was \$70,000. Mayor Mignone said the difficult part of this project is you can't phase it. You either do the whole length or you don't. Or we opt not to do curbs and sidewalks, because that is another \$70,000. Mr. Costa said again you do have pedestrians that walk in and out of there. In his opinion if you are going to do it, do it the right way and move on. You are going to have some trees that need to be removed and some are going to need to be replaced. It is the entry to the school. He felt it was important and certainly the majority of the money will be given by the State. Mr. Negreann stated the roadway has cracks in it and had potholes. (simultaneous talking) Mr. Negreann stated that some of the sidewalks are not in very good shape. Mayor Mignone said that maybe curbs and sidewalks should be looked at as an alternate, the

roadway would be the base that would be his suggestion. We are a long way from bidding this anyway, as a rule he doesn't like bonding so much more over these grants because had we not gotten this grant we would not be spending the money on this street to begin with this year. This street wasn't on the list for paving this year. Again we are adding more money over and above what we normally would be spending. He was sure this council wasn't going to want to deduct that \$70,000 from the road paving money we already allocated for this year's budget, but that is the other option. Mr. Negreann stated the bids have already been received by the Riverside Cooperative, and probably this Wednesday we will get a little more detailed breakdown. We are very close to making the award of contract for those roads. Councilman Papaleo asked the Mayor wouldn't the \$70,000 difference be coming out of next year's budget not this year's budget. Mayor Mignone answered by saying it depends, Mr. Negreann stated that there was no down payment required. Mayor Mignone stated this is another \$70,000 we are, he asked Mr. Negreann that if we had this project in our minds when we were doing our budget we would have accounted for the extra, at least he thinks they would have. We would have just said add another \$70,000. Councilman Papaleo said that we were not doing this job until September of 2017, is he missing something. Mayor Mignone stated that we are adding more debt than we were anticipating. Councilman Papaleo said understood and said but it would be something that was unaccounted for. Mayor Mignone said yes you can unless you want it to say, again will we be mindful next year to say oh yeah we went over \$70,000 this year so we are going to be, Councilman Papaleo believed the council would be mindful, Mayor Mignone stated he will. Councilman Papaleo said he couldn't imagine it not coming up. Councilwoman Murphy asked if the number should be reduced to \$50,000 and bring it down closer, \$70,000 is the buffer. Mayor Mignone said it is irrelevant we are not actually bonding at this point, Mr. Negreann said we just want to get out to bid in the fall. Councilman Papaleo felt we should it right, especially since it accesses the school. Mayor Mignone explained to Councilwoman Davis that you are still adding the \$70,000 to this year, that is how you get in trouble with grants and bonding. (simultaneous talking) Mr. Costa said again that he and Mr. Negreann did a step by step curb, sidewalk, street paving on Fifth Ave, from Howland working north again curb, sidewalk, driveways repaving and we gotten as far as St. Peter's. Now the question becomes what happens if we keep going for grants do we keep doing curbs and sidewalks on Fifth. This will basically finish it unless we start between Continental and Midland. Mayor Mignone said it was just very inefficient to do it this way. The cost per mile is at least 40-60% higher than if you do it a normal project. It was different when you were able to combine the projects, but they don't want you to do that anymore. Right now it is a very inefficient way from a dollar perspective to do these projects. Mr. Costa agreed and stated the Mayor knows because of what he does for a living, he and Mr. Negreann have had the conversation with Rich Loveless, he will not let you. The problem is you only have a \$150,000 project, to get a paving crew there your numbers are much higher, if you could combine grants and get \$300,000 to \$400,000 for projects, but they won't allow it. Mayor Mignone said it has to get spent within their cycles. Mr. Costa stated that based on the last conversation this may be the last go-round anyway, which Mayor Mignone remarked it could be. Mayor Mignone said that if you look at the actual amount that comes out of the gas tax hosting this fund we would save more money by them not raising the gas tax and funding the \$149,000 ourselves locally. Because that amount of money we give in gas taxes, and what little bit that comes back...Mr. Costa stated is paying debt services. Theoretically the gas tax is going just to pay the debt service on the bonds. He thinks this going to come to a head probably in July, this is a big issue. Councilman Papaleo stated he agrees but it is an issue being created by the State. Mayor Mignone stated again it would be better if they gave the towns more money back and we

didn't have to go with these odd funding mechanisms to get \$149,000. Councilwoman Busted asked what do we need to do tonight. Mayor Mignone said that some money would need to be allocated for the design, we don't have to bond the whole thing at this point, and it's moot because we are not paying for anything up front. Mr. Negreann said it is more cost effective to have one ordinance done, it's advertised, legal fees, meeting expenses all in one shot. Avoiding coming back and doing a second ordinance to supplement it. Councilwoman Murphy asked if we were paying longer on that money. Mr. Negreann said the way the money works is there is no down payment, no cost to us this year, next year when we do the project we immediately get 75% of the grant which will fund the construction. So once we finish the project there is some engineering and other expenses that would have to be ready to close, and those would probably a short term note so you might end up paying 1% on the \$70,000 for a year. Mayor Mignone asked where the \$15,000 would come from for Mr. Costa for this year to pay for the design. Mr. Negreann said that Mr. Costa had done some design work, this is when he designed the application he did all the way from Oradell to Howland. Mr. Costa stated that there isn't field work on this one, not to the north, he did estimates. Mr. Negreann said so that was why when he sent the RFP, Costa put in about \$30,000 which is a combination of design and inspection. Mr. Costa said it could be less. If he could get in there and do it right away it could probably a lot less, he just needs to know what we are doing. If we are doing curbs, sidewalks, and trees and lighting which he doesn't think needs to be done up there, John Lynch wanted to go and walk the area just to see what trees need to...Mr. Negreann stated that Mr. Lynch gave him a report on that. Mayor Mignone said that by the next meeting Mr. Costa could have his proposal to the council on his design cost. Mr. Negreann said that Mr. Costa could modify the design cost that he submitted for \$30,000. Mr. Costa stated that it might be a little less. Also the State allows 10% and 15%, so 25%, again depending on who gets the project. It seems like Mr. Bagnato, who has received his letter this week and he has been calling ever since so it looks like all the work will be completed this week. Then Alan and he could close out the Midland project and Phase III. Councilwoman Murphy asked Mr. Costa what he needed from the council tonight, was it whether we are going to bond this or hold off. Mr. Negreann said that the council gives him the number of \$225,000 he will go to Bond Counsel who will start preparing the ordinance in May or June, we will do the ordinance, Mr. Costa will be awarded the contract, over the summer he will do the design work and we will have a bid specification ready to go in the fall. Mayor Mignone asked again where will the \$15,000 come from, is it coming from this year's engineering line, or you are not going to borrow against...Mr. Negreann said he would take it out of the ordinance. Mayor Mignone asked about short term. Mr. Negreann said if he has capital cash on-hand he is going to use that cash to pay Mr. Costa, he isn't going to go out and borrow last minute. Mayor Mignone just wanted the council to be aware if it was going to come out of the engineering line or not. Mr. Negreann said it wasn't coming out of the operating budget, he would wait until the ordinance was done, that is why he is coming before the council early to try and figure this out early so we can do the design work over the summer, get out to bid in the late fall, award late fall early winter, have a pre-construction meeting, as soon as spring breaks we will be ready to go. Mr. Costa said the only thing is we have to get the schools involved, and again it's a short window to build this. You have to send out the bid depending on who the contractor is, if there is any issues with the bidding process, is anyone going to challenge it, we need a little bit of...Mr. Negreann also mentioned if trees have to be taken down, now you have Shade Tree and DPW need to get involved. Mr. Costa said the last thing he wants to do is get this started and we have a disaster on the home stretch, it critical. Councilwoman Murphy said that last year we did some resurfacing by the school and it was like the first

day of school and it went pretty bad. Mr. Negreann stated that the council has been very consensus about looking at our ordinances and what we don't spend cancelling those amounts so we don't have a future debt impact. He would expect this to be the same thing, if we don't spend the full \$225,000 it will be cancelled and we won't ever borrow that money for it. A motion was made to authorize Mr. Negreann to prepare a bond ordinance in the amount of \$225,000.00

Motion by Councilwoman Murphy, second by Councilwoman Busted to approve
All in favor 5-0

Mayor Mignone asked Mr. Costa the status of Kinderkamack Road project. Mr. Costa explained that he spoke with Mr. Tom Connolly and he asked about a start date or any date and he was told the County had no money. Mr. Costa told Mr. Connolly that his understanding was we did the ramps in order to get the paving, and the paving would be in November, how is there no money because he thought this was all allocated, that was what he was told last week. Mr. Negreann informed the Mayor that we still haven't gotten paid for any of the construction work, design or inspection. Mayor Mignone said the last thing was that morning a message was left and asked Mr. Costa what the reply was. Mr. Costa said he was told it was in the mail. Mr. Negreann said he received another email that the \$165,000 in construction cost, they were now thinking about \$146,000 and they disagreed with the 15% inspection cost that he requisitioned and 10% is more inline. Mayor Mignone asked what are they saying they would pay us right now, \$140,000. Mr. Negreann said \$146,000. Mayor Mignone stated that maybe Mr. Sarlo needs to write a letter and say that in accordance to the agreement we are at least owed that amount, they should pay that, and the rest we can argue/negotiate with them for the balance, we have an agreement. Mr. Costa said that what he thinks needs to happen is that if it doesn't get rectified within the next few days then we need to go down to the county and have a meeting. He thinks Mr. Sarlo would need to be there, to which Mr. Sarlo agreed. Mr. Costa said the agreement is straight forward, and job was awarded for he believes \$146,000/\$150,000, they wanted additional work, there is a paper trail back and forth with Jason Alex and now that it comes time for him to sign off he is refusing to sign off on the additional items. Tom Connolly said to talk to him, Mr. Costa spoke with him and Tom Connolly, Alan does the same, and letters are going back and forth. As of today, there's no money in the River Edge coffer. Mayor Mignone asked what they did do with our Kinderkamack quantity from last year, did they go and pave somewhere else when they didn't pave here. He was sure someone didn't walk away from 2 miles of paving, they must have paved somewhere with that money. Mr. Costa said that what was said to him on Friday afternoon was didn't we do the ramps south of Main Street, and he replied because he went not once but twice with Jason Alex looked at all the ramps and he basically said we are going this one, this one, and this one, and this is what we are paying for. There is correspondence and letters going back and forth with a list of ramps. Mayor Mignone said tell them not pave from the Hackensack line to Main Street, and we will take care of it at another time, and we will pave from Main Street up to the Oradell border. Mr. Costa said that was the limits to the job, from Main Street to the Oradell border, that the one (inaudible) and that's what we were told to get done in which we did, and we got it done in time for paving. Mayor Mignone said he was to bring that to his attention again through you that there are several areas of drainage issues that they need to fix before they pave. Mr. Costa said it seems like we are not going to have those problems soon. Mayor Mignone said he wants to rattle their cage about drainage because there are still bad spots on Continental towards where the Verizon building is, there is pretty significate ponding there. Mr. Costa said again he thinks give it another day or two

more and if it doesn't get resolved we need to sit down with Joe Femia, Tom Connolly and Mr. Sarlo and say we did the job, River Edge has paid for the job and frankly it's not our responsibility to (inaudible) without getting reimbursed. It is a little disheartening dealing with the county, that they would put us in a position like this. Mayor Mignone said unfortunately they are doing this all over the county. Mr. Costa said this whole program doesn't make sense, we don't bid the job, so to speak we don't hire the contractor, there is no performance bond, and no leverage over the contractor, yet we are in charge. Mayor Mignone said because they want us to front the money. Councilman Papaleo asked if we had to reach out the County Executive and the Freeholders, do we need make this a more public argument. Mr. Negreann said it has been his suggestion that perhaps Freeholder Felice needs to be at the meeting as well. Mr. Costa said this was a main artery, its Kinderkamack Road, again it's disheartening, and again Alan is a stickler for paperwork and there is a large paper trail on this. Mayor Mignone said this goes back to even the way they scoped the project by saying they only want to pay a certain amount of design fee per ramp without looking at what is involved at each location. Mr. Costa said we were not paying for Belgium block interlock curbs, he said Jason we are not flat you are not on the prairie, you are in River Edge and some of the hills in order to make the grades work if you up and down Kinderkamack you will see large concrete curbs to hold back the soil because you just can't pave or grade into somebody's living room. You don't own the land. He is refusing to pay he thinks about \$10,000 worth of that work. I asked him how it thought it was going to get accomplished. It is very frustrating and it came to a head last week again because Alan said to him he never go the check, again Mayor Mignone was on the conference call when we were told everything was processed and we should have it in a week or two, that was weeks ago. Councilman Papaleo said that if it doesn't get resolved it needs to be brought to the Freeholders and the County Executive, Mr. Costa agreed by saying no question and no doubt about it. Everyone was in agreement that Mr. Sarlo should be a part of the meeting with Freeholder Felice also. Mr. Costa said that the County has a State status saying they do not control the curbs and the sidewalks, everyone knows that, however if you have a development on a County road they control the curbs and sidewalks and the height of the curbs, the material of the curbs, the width of the curbs and all of the above and you can't deviate from that, similar to what happened to us on Midland. You need to be a pole-vaulter to go over the 8inch curb off of Midland Avenue for the kids to walk into school because that is their requirements. But yet they don't take responsibility under the State law they had passed or State status they don't have responsibility for that. He questioned that by saying if you don't have responsibility then how can you dictate to us what we use. He though there were a few things that need to be revisited.

WORK SESSION CONSENT AGENDA

1. Approve resolution #16-169 Change in Personnel Policy & Procedure Manual –Section VI, Work Rules and Standards, Subject 15 Sexual Harassment Policy
2. Approve resolution # 6-170 Changes in Personnel Policy & Procedure Manual – General Information
3. Approve resolution #16-171 change in Personnel Policy & Procedure Manual – Section I, General Information – Subject 5, Equal Employment Opportunity Statement
4. Approve resolution #16-172 Change in Personnel Policy & Procedure Manual – Section II, Employment –Subject 2, Recruitment and Hiring
5. Approve resolution #16-173 Change of Pre-Employment Application
6. Approval to add Olympia Drive, Oak Avenue and Wayne Avenue to 2014 Storm/Sanitary Sewer Improvement Program

Motion by Councilwoman Murphy, second by Councilwoman Davis to approve.
All in favor 5-0

MAYOR'S REPORT

No report for this meeting

FOR YOU INFORMATION

1. Michele Ogden, Director of Visiting Homemaker Services of Bergen County – Ms. Ogden wanted to introduce a non-profit home healthcare agency, there are 100's of home healthcare agencies in Bergen County, but we are the only non-profit. We hire and supervise home healthcare and we employ certified home health aides. They in turn help people remain in their homes, feed, dress, shop, clean for older people and disabled people. But being non-profit we have grant money and she wanted to share some of the grant programs she has and she also wanted to let the council know that Visiting Homemaker has been in Bergen County for 62 years, we are one of the oldest establishments for homecare in the county. The brochure will tell you about what we do and who we are. There is the Cheer Program which is a grant program from the Division of Senior Services of Bergen County, we send out shoppers to homebound seniors, 60 or older, and you have to have medical reason why you can't do your own shopping. The mission of all the programs is to keep people in their homes, she knows that is a big focus of Councilman Bartelloni's, he is very invested in the seniors and keeping them at home. What we do is send the same person, the same time, the same day once a week for two hours, we do the grocery shopping, we can strip the bed and make it, and also laundry services for them along with some light housekeeping. It is a grant program and there is no fee, we do take donations, but there is no fee for this service. It covers all of Bergen County and right now we serve about 140 people a week. Please share this with friends, family, and neighbors. She provided a sheet that lists all the programs that are available. The Cheer Program is a nice introductory program which is only 2 hours once a week, we have another program, the Peer Program also provided by the Division of Senior Services, where the very low income senior citizens would be eligible for homecare. People don't know we have these programs so she wanted to come and share this. We also help veterans, there is a benefit called Aid and Attendance, there is a lot of criteria that has to be met to get that benefit to get a home health aide, but we can work with the veterans also to get them help. Ms. Ogden passed out an article that appeared in the Record on the Cheer Program. She just wanted the council to know that they exist and they are a grant program, but depend on private pay which pays the salaries. But she wanted to share the information and help the residents of River Edge stay in their homes and use these programs. Councilwoman Murphy suggested Ms. Ogden go to SCORE, Ms. Ogden stated that she has been there before but will revisit. Councilwoman Busted said she knows the Recreation Commission is looking into doing a Senior Day and thought it would be good to share this information. Ms. Ogden stated that they will be joining forces with Meals-on-Wheels and will be present to handout information. Mayor Mignone stated they had previously spoken and that Arlene Faustini was aware of the program because she is also resource that a lot of families in town would reach out to look for these kind of services. The information will be distributed to SCORE, various houses of worship so everyone has access to this information because it is something that is out there and people are not aware of it. Ms. Ogden stated she would come and see Ms. Faustini and will contact SCORE. Councilwoman Murphy asked if people could make recommendations, some seniors probably can't go online, Ms. Ogden replied yes, you can call in for someone else, make referrals. Also you can call her and she will handle the call for any program that you are looking for. Mayor Mignone asked if there

was a wait list for the Cheer Program, Ms. Ogden replied yes, anything free has a wait list, but don't get discouraged by it because ever since this article came about the volunteer program she has been getting some new volunteers. She now has 30 volunteers and about 15 paid employees. The list moves pretty quickly, so don't get discouraged if you are on the wait list. Councilwoman Davis stated she couldn't believe they have been around so long, it's like the best kept secret. Ms. Ogden stated that she does a lot of public speaking about the grant programs, people don't share it thinking the wait list is too big. The Cheer Program has been in existents when it was formed under the Older Americans Act, which goes back to Johnson. Mayor Mignone gave her permission to pamphlets downstairs.

2. Request for filming in River Edge – Mr. Negreann spoke about an NYU student that wanted to do some filming at his aunt's private resident's in town. He knows there was some communication back and forth with the Mayor, and referred to the Borough Clerk's office to see if there was a permit, and there isn't. He was also referred to the Police Chief to see if they had any concerns. Mr. Negreann knows the Mayor wanted to make the council aware that is was taking place, he didn't have too many other details, he would image the Police Chief would have more of a report as to when and where. Mayor Mignone said that he could forward the young man's email, but what caught his attention originally was he didn't state when they were doing it, and its overnight. In his email he explained that it is only interior because I asked if this was having lighting outside, any trailers, and he said no, he is just and NUY student and its taking place inside the house. The neighbors wouldn't know, we would notify them that we were here and they may see us here but that was it. That was what got Mayor Mignone's attention because that wasn't in the original solicitation when he was talking it and Mayor Mignone stated that if he was doing this in the overnight hours the council should know. To him if there is no other impact to doing this inside, he doesn't know if there is any other issue with it, but he just wanted to make council aware of it and see if they have an opinion on it. Mayor Mignone believed he wanted to do this by the end of the month. Councilwoman Murphy asked if people really do need permission if they are going in their own house, Councilman Papaleo asked if we had any authority. Mr. Negreann said this wasn't the first time that this has come up, we have had filming in River Edge, we have had an episode of Saturday Night Live many years ago, and the actor Paul Sorvino did some filming. Many years ago it was discussed if we should have an ordinance or not and at that time it was decided not have an ordinance. But that is not to say other towns don't have ordinances, in fact he has once from Harrington Park, Englewood, and Ridgewood which addresses many of these questions, there is a small fee, regulations, insurance and that type of thing. Mayor Mignone stated his concern was that this would be a full production with trailers set up and lights on the outside, then yes we do have a say, that is why he asked the question. Councilwoman Murphy asked what authority do we have if it's inside a home. Mayor Mignone said if he isn't going to infringe on the outside but we should still be aware of it and he is claiming he won't, he is saying in response to his concern there will be no film trailers or lights set up outside, the entire film takes place indoors and he will make sure there is no lights shining into other homes or anything that could disturb the neighbors, there will be about 10 of us during the home filming. They will also be using public transportation to get to and from Manhattan so there won't be any vehicles parked in the street. The entire film has no dialog or on set sounds, so there won't be any yelling or anything of that sort. He wants the film to feel very calm and quiet and expects the production to mirror this tone and quality. All in all it is an extremely simple script with no stunts or anything that would cause the neighbors any trouble. Councilwoman Murphy remarked that he didn't have to send us any notification

at all. (simultaneous talking) Mayor Mignone said that was why he sent it because he knew at one time there was filming, and he was thinking that if there was going to be trailers and lights then we need to be informed. He was bringing this to the council's attention so no one can say they didn't know or no one said anything. These things can turn out not like it's expected either. The gentleman isn't here tonight, so we can only take him at his word that it's interior only. This is for information only, it is not for you to vote on.

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 – Mr. Negreann wanted to inform the council that a pre-construction meeting was held on April 12th, the utility companies were there, Vanore Electric, Mr. Costa and etc. Mr. Costa has issued a Notice to Proceed, which gives 90 days to complete the project roughly mid-July. We will keep the council informed as we move along. The next step is for the contractor to come in and fill out some building permits for us, and in this case since we are receiving a FEMA grant, the permits need to be submitted to FEMA.

Shade Tree Commission

Social Media Policy

Sidewalk and Curb Responsibility

LESO Program

NEW BUSINESSES

Councilman Papaleo was wondering about the Mayor's concern and Mr. Costa's concern about the county being able to dictate curb height, but they claim they don't have jurisdiction and we have to pay for it according to them, maybe we should consider an open letter to the Assembly and the Senate for this issue to be raised. We talk and complain about it but we don't seem to take the next step. Mayor Mignone said he agreed that the nuisance that Mr. Costa wasn't getting to was that the curb height is a design standard and just like the borough does, we don't accept responsibility if you want to fix your curb or sidewalk go ahead and do it, the borough isn't going to do it for you. But that does not say we can't tell you you need to use 3500 psi concrete, that the reveal has to be 6 inches, that it has to be this slope, he thinks that's the county position. They are going to say they want an 8 inch reveal, we want this slope, and we want this material, so from that perspective he thinks they are within their jurisdiction. The way they structured this handicapped ramp program is complicated, as you see the target changes as you move along. Councilman Papaleo said that if we see errors where State or county laws where they can be improved and we don't speak out then we are not doing what we need to do. Mayor Mignone said he agrees with there is an aspect that we should appeal to see if there is a legislative solution to this, but as to the technical stuff there is always going to under their jurisdiction. And the reason they do ADA is so they can override without having to (inaudible) it's as simple as that. It's not for any other design purpose, this gives them several years of overlay for the street and have curb appeal. Mr. Costa is right, he thinks 8 inches is high, if you ever step down from an 8 inch curb you can easily twist your ankle. We will see where we get with Mr. Connolly, if not which he suspects we won't, then we can bring it up to our Assembly and State Senate people. Now that they are saying we are going to be penalized and not have Kinderkamack paved because they have had to spend that money somewhere else last year because the contract who got that award isn't going to leave that money on the table and not pave so obviously the

county said go to town "b" and we will just shift to River Edge next year. It's obviously they don't have the money to that this year. That is the way it seems to him. They will have to refund us at least the base amount they said they would and if there is some argument or negotiation of what we think should be covered and they are saying no then we will have to negotiate. To him there is a base of about \$150,000 we should be getting right off the bat anyway, why we are not getting that he doesn't know.

Councilwoman Davis asked about sidewalks and if we have a process in town to raise sidewalks other than when you are selling your house. She walks through town all the time and it is terrible. She gets to get a C/O inspection and there was one place that wasn't even 1/4', there is nothing in place for or anybody to check that. Mayor Mignone said we do, but there is a lot of potential legal issues that we would have to deal with. Some towns that is what they do, in Fort Lee the Code Enforcer will go around and issue notices of violation for sidewalks, giving them 30 days to fix it and they do. You then get the counter argument, what if it was up rooted because it was a tree and then you have to remove the tree or no you don't remove the tree, what do you do, you can't always cut the root, that becomes an issue. There is also some gray area in the law as to who ultimately is responsible. Our ordinance is what he would have written, but basically it says if we notify someone and it's not fixed, then the borough has to fix it and impose upon the property owner a lien or something to recoup the money. This is something that has been ongoing for a couple of years. The most direct way to get it rectified is through a C/O, then people have to fix it. But that doesn't say you don't have those complicated factors like trees and things like that, what do you do because now you have a Shade Tree Commission who is going to tell you no we don't think that tree needs to come down. Mr. Sarlo said a memo had been issued on it and a joint meeting with Shade Tree because they need to be here since they have jurisdiction. Councilwoman Murphy asked didn't we put some money aside for sidewalk repairs, like \$5,000. Mr. Negreann said it was for public sidewalks. Mayor Mignone stated that if we started doing private sidewalks then (simultaneous talking) Mayor Mignone said it is the homeowner's responsibility, Councilwoman Murphy said but then when there are lawsuits you know the homeowner isn't necessarily responsible. Mr. Sarlo stated that about a year ago he did a memo to the Mayor and council summarizing our ordinance, the law, and the responsibility and the jurisdictions between us and the Shade Tree Commission, it actually needs to be overhauled. Councilwoman Davis said that knew when the Shade Tree Commission came here for the budget meetings it was mentioned. Mayor Mignone stated that in Fort Lee they have proactive code enforcement and getting residential sidewalks repaired. He has been deposed several times when somebody trips, they sue and the borough gets dragged in and we point to our ordinance and point to we didn't construct the sidewalk and we are not aware of any maintenance and we are usually kicked out of the lawsuit. Mr. Sarlo asked if Fort Lee has the "ultimate burn" ordinance, once a notice is issued it doesn't kick back to the borough, Mayor Mignone replied, and Mr. Sarlo stated that the borough does have an automatic kickback. Mayor Mignone said he thinks that is where the problem is, once we know we are responsible for fixing it. Councilwoman Davis said she would think it would have to have an amount. Mayor Mignone said it could be less than a 1/4 inch because there is tripping standards and ADA standards also. On the ramps we use to be allowed 1/4 inch and we were not allowed to have any (inaudible) on the handicapped ramps and his argument to them was you need at least a 1/4 inch for drainage, but they don't really care and said it was really their problem. Maybe we need to push that meeting with Shade Tree, Mr. Sarlo stated he would like to move that... Councilwoman Murphy wanted to talk about subsidizing homeowners to get repairs if it was a shade tree that created the problem. Mayor Mignone said that was

something to talk about but you are looking at trees that may have been there 40-60 years. Councilwoman Murphy said that if a person planted it 40-60 years ago and the result is now these popped up sidewalks, Mayor Mignone stated that not all are from trees. The minute starts subsidizing it will be a lot of money.

Councilwoman Murphy asked if the drop box was downstairs yet. Councilwoman Busted said we are purchasing it but it isn't here yet but should be soon.

Councilwoman Murphy asked about nurse for St. Peter's being paid from the borough. Mr. Negreann said he issued a memorandum explaining it. He can recap it by saying we had gotten a grant through Mid Bergen for non-public school nursing for many years going back to late 80's early 90's. When Yeshiva took over the property and started a school system, he believes we looked at an experience we had with St. Peter's. At one point we didn't have enough money and the question rose as to whether the borough would be liable for the balance of the salaries for the private school. That was resolved by a legal opinion. He is making an assumption here that that may have been factor that entered into the council's decision to not fund the, to actually process the nonpublic schools nursing services for Yeshiva. It is an option of the town as to whether we do it this way, it is not mandated that the borough do it, the schools do have to provide that service. So what they do currently is they hire Mid Bergen to administer that part of the program, so the River Edge Board of Education makes those payments along with Mid Bergen administrator. So that was one issue as to why the council may not have decided to (inaudible) There was another reason he put in the memo which he didn't recollect. Councilwoman Murphy felt it was strange how one comes to us and the other you don't even see. Mr. Negreann said it was just a policy change to not do it that way.

Mayor Mignone said that Councilwoman Murphy brought two issues to our attention this week. One was a dead fox, was that addressed. Mr. Negreann turned the question to the Borough Clerk, who stated she called animal control on Friday, and was told they would be out that day to remove it. Ms. Evans also said that she gave their number to Councilwoman Murphy if ever this issue arose during a weekend at least one member of council would have the number. The issue of the wire was sent to Rosalie at PSE&G, asking her to take care of the wire. We hadn't heard anything back from her, so we are assuming the issue is being attended to.

Mayor Mignone asked Mr. Negreann about a resolution that is on for tonight regarding accepting the donation of "I" beams. Mr. Negreann explained that they are cleaning up the County DPW site and they have some steel beams. John Lynch spoke with Tom Richards, who is the Shared Service Coordinator and John would like to get several of these beams to create some overhead storage down at the DPW. He feels that if he gets the beams which normally would cost in the excess of \$5,000, his mechanic can do the welding and create these cross beams to do some overhead storage. Mayor Mignone asked if we know the condition of the beams, all Mr. Negreann had was some pictures of the beams which he showed the council. Mayor Mignone asked if they had been subjected to stresses, Mr. Negreann couldn't answer the question. Mayor Mignone stated that if you are going to use beams in an overhead capacity, they should be tested. At this point Mayor Mignone and Councilman Acquafredda each reviewed the pictures. Councilman Acquafredda stated they look like highway beams on a bridge. Mr. Negreann suggested tabling the resolution until he go the information for them. Mayor Mignone said he was just concerned with using materials we don't know what they had been used for or if they were load bearing at some point were they subjected to stresses. Councilwoman Murphy asked if John Lynch would be a good enough common sense

to...Mayor Mignone said it had nothing to do with common sense it had to do with structural integrity of the beam. Councilwoman Murphy asked if there was a way to test that, is there a simple testing method. Councilman Acquafredda said no there wasn't, you basically run an x-ray through the beam to see if there are any latent cracks. Councilwoman Murphy asked how heavy the items that would be stored on them were. Mayor Mignone said Mr. Lynch should let us know what he want to store on them and what he intends to do with them. Mr. Negreann said that if the council wanted more information he would talk to John. Mayor Mignone said he would be leery of using these beams for a habitable or work area. Mr. Sarlo said in the resolution are we accepting them as is and the county isn't making any representation or warranties regarding them. Mayor Mignone said it was up to the council to vote. Councilman Papaleo felt it should be tabled due to their concerns. Councilman Bartelloni asked if there was a time limit to have them out by a certain time. Mayor Mignone said the worst thing if we accept them is we will have to pay to get rid of them. Councilman Papaleo said that brings up another issue, he doesn't know if the Shared Services Committee has been able to reach out to Teaneck, but the auction for the property is May 5th. Mayor Mignone stated he has reached out and was told to wait until after their municipal election to see how they were going to pursue.

MOTION TO OPEN TO THE PUBLIC

Motion by Councilman Acquafredda, second by Councilwoman Murphy to open.
All in favor 6-0

No public comment

MOTION TO CLOSE THE PUBLIC HEARING

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

MOTION TO ADJOURN AT 8:00 PM

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

Stephanie Evans. Borough Clerk