

**BOROUGH OF RIVER EDGE
MAYOR AND COUNCIL
WORK SESSION MINUTES
MONDAY, FEBRUARY 2, 2015**

PRESENT:

Mayor	Sandy Moscaritolo
Councilwoman	Kathleen Murphy
Councilman	Anthony Coppola
Councilwoman	Ellen Busted
Councilman	Edward Mignone
Councilman	Vito Acquafredda
Councilman	Thomas Papaleo

ALSO PRESENT:

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

ABSENT:

None

Mayor Moscaritolo called the meeting to order at 7:00 PM by reading the Open Public Meetings Act.

BOROUGH ADMINISTRATOR'S TOPICS –

1. Stormwater Training – Mayor and Council - Mr. Negreann stated that at Councilman Mignone's suggestion it was decided that he would provide the Mayor and Council with online instructions to do the Stormwater Training at their convenience and return the signed certification to Administration. Mr. Negreann will identify which modules need to be taken.
2. Training – Zoning and Land Use issues - Mayor and Council – Mr. Negreann suggested that this training could take place in the public training room, and would only take about 15-20 minutes.

DISCUSSION ITEMS

1. HVAC – Mr. Yusuf Patel and Tom Alexander, Falak's Project Manager appeared before Mayor and Council. Mr. Patel presented his update on the system. The installation of the system went well, finished project in time. Only the fence wasn't completed on time due to damages, after two deliveries, we used a local vendor for the fence, which arrived without damage. But when it came it, it was placed against the compressor which caused the unit to fail by blocking air. This resulted in the second floor not having any heat for a few days. In the meantime we were monitoring the system and only one issue constantly bothers us, the thermostats and temperature settings. These thermostats have a setback mode, timers are all tied to a central system. The thermostats have been spiking up and down and we are trying to figure out where the "deadpan" was. If you set a thermostat for 70 it won't do anything until it reaches 69°, it will go to 71°, then go to 70°. The off-shot is allowing it to get too hot or too cold. We are trying to figure out what the tolerances are and why it is doing it. Another failure happened not long ago for the second floor at the last Council meeting there was no heat. An error message appeared and the LG rep. was here until 10 pm to repair it. LG has been very cooperative, they

have been here about 20 times and will continue to monitor the system for any adjustments that need to be made. While we were testing the thermostats everyone was changes the temp. settings in their areas which made it difficult but everyone is cooperating and trying to get the system on track. Councilwoman Murphy mentioned that during the last Council meeting there was no heat and space heaters had to be used, the temp. in the back read 78°, the bathroom read 72°, and we have space heaters. We really just want it to work properly, we have to have a window open now because it's hot. Mr. Patel said it all depends on the setting on the thermostat. Mr. Patel informed the Mayor and Council that this past Friday a meeting was held, and this one included all the employees and their issues. Mayor Moscaritolo asked about the difference in the temperature readings of the thermostats. The thermostats will read one temperature while the thermostats provided by DPW will read another temperature. Why is that? Mr. Patel said there were two reasons, the thermostats provided by DPW with the red line, moves very slow and very steady, doesn't show an immediate impact. The LG thermostat registers quickly as soon as it sensors a change. We would like to see a minor difference of maybe 1 or 2°. Councilman Mignone agreed with both The Mayor's and Councilwoman Murphy's point, asking if Mr. Patel has walked around with a thermometer to see if the heat is distributed throughout the rooms, sometimes it's a matter of perception. The issue outside has nothing to do with balance between rooms and floors, and different areas, those are two different things. Councilman Mignone didn't think there was no performance component in the specifications, it was just install, there was no performance based requirements that the contractor has to satisfy, and he just had to install the system per the design. Mr. Patel said that every engineering specification has a testing and commissioning, meaning he has to test. Councilman Mignone corrected Mr. Patel by saying that wasn't the installer's responsibility to determine whether its, you need some criteria to see if its balanced and whether its delivering the heat to where it needs to go, and whether its evenly distributed to all the spaces. Mr. Patel agreed that is the installer's responsibility and part of the specifications. Councilman Mignone asked if it was qualityied or quantitated. Mr. Patel answered by saying it was both. Councilman Acquafredda simply asked what's the problem. Mr. Patel replied by saying the problem we are trying to figure out why the thermostats. Councilman Acquafredda state that the system is so widely spread worldwide why did we get stuck with the albatross, this is a relatively simple system, so again what is the problem, we have been having problems for three months. Mr. Patel said it really is a manufacturing problem, it has nothing to do with the design or installation, and it's the design of the thermostat and the readings. Councilman Mignone stated that was different then whether that unit over there is reading 78° and the other unit is reading 68° over here, that's irrelevant from the manufacturing of how the fluids are distributed and the size of the units. Councilman Acquafredda asked if it was a software problem. Mr. Pated said it was a combination of a software problem and the thermostat itself and its range. Councilman Acquafredda asked if the correct thermostats were specified. Mr. Patel said they are part of the manufacturers standard....Councilman Acquafredda asked how they could be giving false reading or why can't we set a 2° swing. Mr. Patel said everyone was here on Friday and they tested the Council Chamber's thermostat by raising to 75° and at 76° the unit came on and went off, so it proves that it works. We aren't sure why, we went to another room and the setting was different and it was on target including DPW's thermometer. Now it's a question of the occupant also has to start making little changes to themselves. Mr. Negreann did mention that it was discussed the option of using Honeywell thermostats, Mr. Patel said it was physically possible for this system since they are all wired to a central controller. Mr. Negreann mentioned that they discussed that the rooms that have two units or more to

one thermostat seem to be suffering more problems than those that have one thermostat to one unit. Mr. Petal said that they tried to fix that, an example is the Council Chambers where two of the units have their own thermostat. Mr. Negreann wanted to make that point that these units have their own thermostat, Finance is the only other room with separate thermostats, and the rest have one thermostat with more than one unit. Mr. Petal felt that you didn't need that many thermostats per room. Mr. Negreann said he would agree, buy the DPW thermostat reads 80° and the digital will read 72°, that a wide swing and the heat does feel like 80°. Mr. Pate stated that is the problem they are trying to fix, it isn't really a contractor's issue, its LG's issue and they are coming tomorrow morning. Mr. Negreann did say LG has been diligent in coming and tinkering with the system to get it balance out. Councilman Acquafredda asked about payments owed. Mr. Negreann stated that Mr. Petal's final payment was listed tonight, all that we have for Falak is the retainage left. Councilman Acquafredda asked who LG is in contract with, Mr. Patel said with Falak. Councilman Acquafredda asked if they worked with a subcontractor to install the system. Mr. Patel said they have dealership representation, it's called Kalima, who has showed up along with an LG representative. Councilman Acquafredda wanted to confirm that money was owed to Falak who owes money for the HVAC. Mr. Alexander said that he has paid LG in full. Councilman Acquafredda asked Mr. Alexander if he realized that the Borough could hold its payment to Falak until this issue was resolved to the Borough's satisfaction. Mr. Alexander said he never really gave it a lot of thought, and that there is still a large payment that is pending besides the retainage. Councilman Acquafredda said he wasn't satisfied with Mr. Patel's dissertation. He understood it wasn't design, or construction but the Borough is still stuck with a lemon. At what point will LG and Kalima decide to stop wasting their technician's time and trash the entire control system and put in a new one. Obviously something isn't working and it seems to be a software communication problem. Again at what point are they going to be tired of spending money with these experts and just give us a system that works. Councilman Mignone that was a question for LG, we need them to say to us it is their opinion it is not a design issue, and not an installation issue. Councilman Acquafredda stated that the Borough wasn't in contract with LG. (simultaneous talking). Councilman Acquafredda wanted them to ask this question. Councilman Mignone said that LG has to get back to them (Mr. Patel and Mr. Alexander) we don't need to get involved when finger pointing starts. Councilman Acquafredda said it wasn't any of his business, but all he wants is a system that works, cut the bs and go to where the problem is. He didn't want to release another penny until this was resolved. This is the only thing we have left. Councilman Mignone said that is why we have the performance spec. because Mr. Patel is going to have to sign off stating that the performance is accurate before any payment is released. Councilman Acquafredda stated that LG is not the Borough's concern, it's their concern. Let them go forth and tell LG come to the table and give us a control system that works with their hardware. Mr. Patel that so far LG has been very cooperative, to which Councilman Acquafredda stated that hasn't resolved the problem. Mr. Patel said that there have been mishaps that wasn't heir fault and they have tried to correct it, and they will coming again tomorrow morning to meet with the DPW person and get updates. Councilman Papaleo stated he was more concerned that now there were thermostats on units in the Council Chamber's and it sound like they are trying to patch a problem. The thermostat in the back is supposed to control two units and it's not. We are putting thermostats on individual units that would state the system has failed. This is not a solution. This room is extremely hot, and I was here earlier today in the Clerk's office and their windows were wide open, so now this Borough is paying to heat the outside. He agreed with Councilman Mignone and Councilman Acquafredda that he would not vote to release any more funds until the system actually works as designed. In his

opinion that if he is being told that thermostats were added or activated on these two unit, it's not working as designed. That is simply helping us get through a period of malfunction and he wanted Mr. Patel to be aware of where he stands and why. If Mr. Patel would like to make comment he would invite it. Mr. Patel said that regarding the thermostats, that one thermostat can be satisfactory, however based on Kalmia's explanation it may not be sensing the whole room properly. Each unit has its own thermostat also. Councilman Acquafredda stated it was a design issue. Mr. Patel said no it isn't design, each unit has a thermostat built in and activated to...Councilman Acquafredda said that in the grand scheme of things the Council Chamber was a small room, it isn't a big room, certainly not for this type of system, so again what's the problem, it's been three months. We can't commission a simply...Councilman Mignone asked if LG has design criteria they recommend in terms of thermostat placement and the number of thermostats, the size of the units based upon the size of the rooms, are there any guidelines like that. Mr. Patel said not really, no. Councilman Mignone said that a lot of times you will get a guide based on the size of the rooms and the size of the units, he was just asking if they have their own guidelines. Councilman Acquafredda asked if it was possible to use a "no later than" commitment, can we say we are going to resolve this no later than two weeks. Councilman Mignone said he didn't think that could be done because of it involving a third party. Councilman Acquafredda stated that what he didn't know at the beginning of the meeting he still doesn't know. He wanted to know when he could get these answers on behalf of the town. Mr. Patel wanted to remind the Council that LG was coming tomorrow to monitor the building. Also there were many rooms that are operating satisfactory. Councilman Acquafredda said it was the rooms that are not operating that put a blemish on entire job. Councilman Mignone said we are going to have an issue because when do you get to a point that it's not fair to withhold payment to the contractor who installed the system according to the plan. Unless there is evidence somewhere that it wasn't installed properly then how do you withhold payment. Councilman Acquafredda's response was that it isn't working properly. (simultaneous talking) Councilman Acquafredda said again at what point do we stop the bs and just say get it done or we will get someone else to fix it and pay that entity with the money that is due you. Mr. Patel this was a wonderful system and idea but I think we have pushed the envelope as far as it's going to go. LG can come every week but if the issues are not resolved it's all for nothing. Mr. Patel said that it wasn't an LG issue and it had nothing to do with him or the contractor. Mayor Moscaritolo asked how the decision was made to use LG equipment rather than another manufacturer. Mr. Patel stated that he specified three manufacturers, LG, Mitsubishi, and Dycon. They are all good carriers. Mayor Moscaritolo said he would disagree, you read a lot on line that LG is not a good company that stands by its products, Mitsubishi has a good reputation for standing behind its products and customer service, but LG doesn't have that great of a reputation. Mr. Patel explained that since it was a public bid we couldn't just say using only just Mitsubishi. Councilman Mignone said that you could have specified "or equivalent", you didn't have list all three, you could have listed the preferred. If you specify Mitsubishi as the preferred, Mitsubishi would have been used. Mr. Patel stated you couldn't do that and Councilman Mignone stated yes you could. You can always say "or equivalent", you always specify your preferred alternative first. You can always say "Hadco light or equivalent", then they have to come back and show its equivalent of they want to use a substitution. Mr. Patel said this design is identical to Mitsubishi or Dycon, so at that time there was no reason for him exclude LG. Councilman Mignone asked Mr. Alexander if he installed these systems elsewhere. Mr. Alexander stated the VRM yes he thinks he did using LG. Councilman Mignone asked if he encountered these problems. Mr. Alexander said he didn't have these problems. Councilman Mignone asked Mr. Alexander where he

thought the problem was. Mr. Alexander stated he wasn't an engineer but he could state one thing for the record, as a company he installed everything as per the plans. The wiring was done under the supervision of the LG technicians. Mr. Alexander stated that LG could point the finger at Falak, if they could show where the mistake was made, we will correct it. But so far they haven't been able to show us one single mistake. Councilman Mignone thanked him. Councilwoman Murphy asked that they would agree that the system isn't working properly. Mr. Alexander said he would. Mayor Moscaritolo said he trusts that Mr. Patel would continue to work on the problem to get it resolved.

At this time 7:35 pm the Mayor and Council left the Council Chambers to watch the training video on Stormwater.

Mayor and Council returned to chambers at 7:50 pm to proceed with the rest of the work session.

2. On Street Handicap Parking Ordinance – Mr. Sarlo explained that he prepared an ordinance, because the ordinance on the books at present permits for handicapped parking on streets, there's was no provision that allows handicapped parking on streets for private residents exclusive handicapped parking which was requested by the resident a few months ago. He revised the ordinance to include a sub-section allowing us to approve handicapped spots for private residences. That parking space would be dedicated to that resident only. No other handicapped parking would be permitted. The sign would specifically say it was for that resident. Straight forward ordinance, the resident information we just received today along with the exact location from the police. The permit number will be obtained prior to the second reading. Mr. Sarlo spoke with Mr. Negreann who thinks there may have been others that were approved, not by the governing body, done by resolution. The Statute says if have to be approve by ordinance, if there were others approved they obviously should be included in this ordinance and clean it up at this point. Mayor Moscaritolo asked for the record what the address was, the response was 696 Center Avenue. Councilman Mignone asked if the ordinance had to mention the specific signage. Mr. Sarlo stated it in was in the statute from State. Councilman Mignone stated that he know in some cases you needed DOT approval, delegate to the Borough Engineer for approval. Mr. Sarlo said when he read the statute it permitted the Borough to undertake it as long as the Borough felt it didn't impede the flow of traffic. Councilman Mignone referenced the private residence, such spaces are fur use by person who have been issued a special identification card/plate/placard for a specific resident it has to have that ID# right? Mr. Sarlo said that was why permit number was listed on the ordinance. The sign will also have that person's ID# on the sign, and location listed on the ordinance. If another person with a handicapped vehicle would not be able to park in that spot. Councilwoman Busteed asked if the resident no longer resides at the location does the ordinance say what needs to be done. Mayor Moscaritolo said that usually the traffic officer will run it. Mr. Sarlo said that usually an annual letter is sent out asking the about the status. He also felt that if the house was ever sold the new owners would want the sign removed so they can utilize parking in front of their house.
3. 3-5 New Bridge Road – Area in need of redevelopment study – Mayor Moscaritolo said this was the Bergen Batting Cage area where we heard from the developer, Mr. Negreann did receive a quote from our Auditor regarding analysis of the potential pilot. Mayor Moscaritolo reached out and spoke with the developer's attorney, Mr. Quinn, who indicated to him that his client had no objection to putting up any reasonable escrow provided that the borough adopted a resolution requesting us ask for a study from the

Planning Board. Mr. Sarlo stated that he also spoke with Mr. Quinn and that was the reason a resolution was never adopted yet. His notes reflected that Councilwoman Murphy motioned to approve a study of an area in need of rehabilitation. Mr. Quinn stated his clients said the council approved a study of an area in need of redevelopment. We went back and reviewed the tapes, it is not entirely clear, even though Councilwoman Murphy does make that motion there are some talk of redevelopment. Mr. Quinn wanted that on the record that they are seeking an area in need of redevelopment, not rehabilitation. What he provided today was a quick brief summary regarding the differences between rehabilitation and redevelopment. The biggest concern that you have is that redevelopment allows for a thirty year pilot while the rehabilitation allows for a five year pilot and the developers are seeking a thirty year pilot, that's way they are seeking this as an area in need of redevelopment. Mr. Sarlo just needed the clarification from the Mayor and Council. Councilman Mignone said that it was also incumbent upon them to define why they believe it's in need of redevelopment, we didn't get any testament from any planner or anyone, and they just said redevelopment. Before it goes to the Planning we are supposed to say yes and we concur with the evidence and a study is required. Mr. Sarlo said that was correct, you are looking for a study to be sent over. Councilman Mignone stated that we are basing it on what a representative from Mill Creek told us. They were not necessarily qualified to give us testimony on... Councilman Cappola says independent. Mr. Sarlo says you can also request testimony on an area in rehabilitation if you require a plan and accepted the testimony on that. He is under the assumption that he is moving forward with an area in need of redevelopment, his notes reflect that. We are going to make sure we are on the same for that, because from what I got from them this does not work if they can't look at a thirty year pilot. Councilman Mignone felt that was presumptuous based on what they proposed in concept. That doesn't even come until you have redevelopment plans, right now the issue of whether it is as area in need of redevelopment is separate from whether this particular plan would be the ultimate redevelopment plan. The pilot is based on the plan he presented to us. Mr. Sarlo said he understood, but again the resolution he was preparing was an area in need of rehabilitation, he needed that clarified first. Mayor Moscaritolo stated that he could only say that the developer has indicated that unless the governing body adopts a resolution seeking a study from the Planning Board to see if it qualifies as an area in need of redevelopment the developer is simply not interested in doing the project. He would rather focus his energies on other things, if this governing council cannot make the first step to send it to the Planning Board for the study, if the majority of the council thinks this is something the Planning Board should study to see if it qualifies as an area in need of redevelopment the developer's attorney told me they would cooperate in any way possible, even if the Planning Board determines that those particular lots qualify as an area in redevelopment there's still a bunch of negotiations that go on after that where the governing body could say no we don't want it, but the first thing is to request the Planning Board do a study. Councilman Mignone said that we were basing this on a sales person's view, he felt that the under the statute requires more information before we can recommend it to the Planning Board. I'm not saying we shouldn't do it, I'm saying we need more information based on the statute before we send it to the Planning Board since no formal testimony was given by a planner as a candidate. Mayor Moscaritolo said that we don't hold hearing here on the governing body level to take testimony from the Planning Board. Councilman Mignone said it was the redevelopment law and we do because you can have someone come down and say they saved a lot on a corner for redevelopment, it's the same difference. There are criteria that has to be established before you even send it to the Planning Board, at least that was his understanding of the law. Mayor Moscaritolo said if it's an area in need of rehabilitation it qualifies for a five

year pilot then the governing body doesn't even have to require a study, we could basically go ahead and decide it on our own. The developer doesn't want that, they want the more involved process of having the testimony before the Planning Board under oath with the record/transcript that they can use for whatever purposes they want, that it qualifies as an area in need of redevelopment. That is where you hold hearings that is in the statute. Councilman Acquafredda suggested sending it to the Planning Board to go over the statute and see if any of the seven criteria could be applied those sites. Mayor Moscaritolo said that if it goes to the Planning Board if this governing body adopts a resolution to send it to the Planning Board for a study the developer says they will put up whatever monies necessary for the study. Councilman Acquafredda understood the study would be paid by an escrow account, and the developer will not appear before the Planning Board and push the initial conceptual project we were shown. In other words the Planning Board would do a study on the parcels of land as they are. Mayor Moscaritolo said yes those are the ground rules. He thinks the developer would have to go back with the site plan review after. Councilwoman Busted's concern is that we have a property on Kinderkamack Road of forty six units, this developer coming to us for another parcel of land, and we also have a redevelopment plan on the books. She felt as though there was not vision for what we want. By taking these in pieces may not be the smartest way to address this, and she thinks the Planning Board needs to know what the governing body's vision is for whatever developable land we have. She was concerned that no vision planning was done for what we want to do with those properties. Councilman Acquafredda said the vision will always go back to the Master Plan. We can't come up with a vision because its 2015. Councilwoman Busted felt that the Master Plan is antiquated and it isn't where it needs to be. She thought we need to look at things more in total and less in pieces Mr. Negreann to remind the council that we did have a planner, Mr. Nelessen do a vision study, it may be considered outdated at this point, but he just wanted to go on the record that we did do a vision for this whole area. Mayor Moscaritolo stated he didn't know if these particular lots were included in the study. Mr. Negreann stated that the Mill Creek on was because he expanded through New Bridge, and Hackensack Avenue as a total build out. Councilwoman Murphy said she understood about the vision but we have someone here right now that has shown interest, we are under no obligation to do what they say once we have the study done and they are willing to pay for the study. We can be waiting years for this whole thing to get done and redevelopers come and go and we have nothing done. Councilwoman Murphy wanted to propose to go ahead with the study as a starting point. Mayor Moscaritolo wanted to do this the correct way, since this is a discussion and no motion yet. Councilman Mignone reminded everyone this was the work session. Mayor Moscaritolo wanted to judge the consensus of the governing body so he could tell the developer either he was sorry that the council wasn't interested or he believes the majority of the council will send it to the Planning Board for a study. He just has to give them some feedback. He really didn't take a side either way, he just wanted to know where to spend his energies the best. Councilman Mignone stated he understood their objective for wanting it to be a redevelopment, they want a pilot. What is our reasoning for it to be a redevelopment, are we doing this because we want condemnation authority, yes or no on redevelopment. What happens if the Planning Board says yes it's in need of redevelopment and we say you know what we don't want this particular redevelopment plan and Mill Creek is out in the cold, and we want to have our opinions for any redevelopment company? We have to decide as a governing body what our objectives are also, it's not just it meets the criteria of redevelopment but what is the governing body's objective of having it redeveloped. If the whole idea is for them to have a pilot that's one reason to do it, but if is the only reason I don't know if he would support it. Councilwoman Busted said that

the borough does have a redevelopment sub-committee with a council person as a liaison, when would this committee get involved. Is this something we think we should do, she didn't know. This committee was formed for a reason. She wasn't opposed to progress, and she just wanted to say she was concerned with looking at things in pieces. Councilman Mignone said that they were not necessarily linked, the redevelopment study is necessarily linked to Mill Creek or their project. These are different paths. Councilwoman Murphy said she didn't think the timing could be coordinated for everyone person to come in with funding and a plan that you can say ok that fits perfectly there. Councilman Mignone said that it was done the other way and it didn't work out either. They spent \$180,000 or \$190,000 to come up with redevelopment criteria which no one was able to build to. The whole idea was what density should we have, what mix of commercial and residential should we have, that was all part of that and that didn't work either. Councilwoman Murphy said it was a moving target, we have the development in Hoffman-Koos, which adds another thing into the plan. Councilman Mignone stated that was a separate project. Councilwoman Murphy said it's a study you aren't held obligated or be beholding to them. Councilman Mignone said he didn't think that was Mill Creek's understanding. Mr. Sarlo asked if the council did approve something to go to the Planning Board, his notes were for rehabilitation, unless you are saying he's wrong and this area is in need of redevelopment he would prepare the resolution accordingly. Mr. Quinn objected to the language in the resolution draft that he sent as a courtesy. Mr. Quinn said that his notes and his client say the governing body approved to study an area in need of redevelopment, we both reviewed it and it wasn't all that clear, but we did hear a motion for an area in need. Councilman Mignone said it was clear that they want a pilot. Councilman Mignone said they could either way, the planning criteria is there, but in terms of designation the rehabilitation has more to do with infrastructure. Mayor Moscaritolo said there was no doubt about it, it was his intention that when he heard from them at the meeting and knowing the difference it was his intention to steer this developer towards an area in need of rehabilitation. After doing so he thought the record was pretty clear. The developer indicated that unless the governing body passed a resolution for a redevelopment study they were no longer interested. He keeps coming to the dais and asking the council them for guidance. What do you want to do, he has no problem telling them that the governing body doesn't want to do a redevelopment plan for that property. If the governing body wants to move forward on a redevelopment study have a motion and a second and we can move forward to the next stage which is getting money to do the study to is if it qualifies and only if it qualifies then to sit down and decide who the redeveloper is going to be, what the terms are, and decide what is in the best interest of the borough and move forward. Councilman Mignone said that if the only reason the developer wants to peruse this route is to have the possibility of a pilot that's one thing, as a governing body that is something we are not necessarily interested in, then we have to take in consideration if we want to go forward with the study. A motion was made to place this issue on an agenda for a formal vote for or against a redevelopment study. Councilwoman Busted asked if that meant sending it to the Planning Board to see if it qualifies. Everyone said yes. Councilman Mignone said as long as it was clear that the developer would be putting up the escrow to fund this study. Mayor Moscaritolo said that was thorough what Mr. Quinn and the developer has indicated to him, that if a resolution was adopted to send a request to the Planning Board for a redevelopment study for this particular property that they have under contract then they would put up an escrow to pay for the cost of the study. Councilwoman Busted wanted to confirm that this was not the pilot study, this was whether or not it qualifies for redevelopment. Members said that was correct. Councilman Mignone mentioned that it was up to the Mayor or Councilman Acquafredda

at the Planning Board meeting advise the members who are not aware of all the studies that have been done or approved, he wasn't sure if Ms. Bogart was aware and she needs to make sure of all the studies that were approved. They all have to be looked at in that content, it's not a stand along, and you are adding a fourth redevelopment area to this town. There are three or four hundred housing units that are pre-approved under previous redevelopment plans. Mayor Moscaritolo said everyone could benefit from further education

Motion by Councilwoman Murphy, second by Councilman Cappola to approve.
All in favor 6-0

**MOTION TO EXIT WORK SESSION AND ENTER INTO THE REGULAR MEETING
AT 8:21 PM**

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

EXIT REGULAR PUBLIC MEETING AND RETURN TO WORK SESSION AT 9:25 PM.

CONSENT AGENDA –

1. Reimburse Eric Schultz for his pesticide License.
2. Reimburse Superintendent John Lynch for his pesticide license and certified public works license.

Mayor Moscaritolo referenced both items stating it was a recommendation from the Personnel Sub-committee, which is per policy. Mayor Moscaritolo asked if this could be adopted by consent agenda by motion. A motion was made for reimbursement.

Motion by Councilwoman Murphy, second by Councilman Mignone to approve.
All in favor 6-0

3. Authorize Mayor and Clerk to sign agreement with Millbrook Village Townhouse Association, Inc. for reimbursement of snow removal under the Municipal Services Act. Mr. Negreann stated that the resolution was passed at the regular meeting. Mr. Sarlo informed everyone that they agreed with the borough's terms.

UNFINISHED BUSINESS –

Mr. Negreann wanted to mention that the Contract Committee had been discussing Mid Bergen Regional moving back into the Health Department's space regarding the rental amount. He was wondering if the Contracts Committee would recommend \$300.00, at present they are paying \$250.00 in New Milford. Mayor Moscaritolo said he would agree with Mr. Negreann's recommendation, he looked at the room and it is really one room split in half, the amount of space is minuscule, its only about 12x8 maybe 100 square feet, he thought Alan measured 101 sq. ft. You can barely fit two desks in this spot. There aren't any windows, only three walls. A motion was made to lease to Mid Bergen Regional for the sum of \$300.00 a month.

Motion by Councilman Papaleo, second by Councilwoman Murphy to approve.
All in favor 6-0

-----Councilman Papaleo referred to a memo that he passed out before the meeting regarding a memo from the Police Chief to all personnel on policy/procedure regarding sending Nixle messages. Councilwoman Murphy asked if a list of tour commanders could be supplied. Councilman Papaleo explained that the tour commander changes depending on the needs and schedule. Councilman Mignone stated that the first part addresses sop

from tour commanders to the Chief, this really is for the Police Department. The Police Chief stated this the same policy that has been followed. Mayor Moscaritolo said that the Nixle portion is the lower half of the policy and it almost looks as if it's an after thought. He felt it would be clearer if the Chief had one sop for tour commanders for Nixle and public messaging, and another one strictly for police matters. Chief Cariddi stated that not all of those criteria prompt a Nixle. Chief Cariddi refers back to his memo and the last paragraph regarding different types of Nixles for various reasons. He and one other officer will be permitted to authorize and address Nixles, just like speaking with the press, there will be training afforded to other officers regarding Nixle use. Councilman Mignone stated that he understood that this was the criteria for the tour commander to contact him. But is making the decision to send a Nixle out, will a tour commander have authority to send or as per his interpretation the memo says: "in many of the above instances additional notification such as Nixle, and emergency plans or deployments, must be addressed. This memo is for your operation not really our consumption. Mayor Moscaritolo said that the first eight situations refer to higher commanders and what they should know when notifying the public. The last five should be a separate policy for tour commanders to alert you so you can decide as the communication officer if a Nixle should go out. Why can't there be two separate sop's, just separate it. Councilwoman Busted said it was almost as if the paragraph at the end could be inserted before the public notification portion cause is what will trigger a Nixle, it's not going to go out saying an officer was involved in an accident. Councilwoman Murphy had one comment to make regarding her conversation with the Bergenfield Police Chief about his procedures. The Chief and the Administrative Captain are trained public relations as public relations officers. Chief Cariddi said he was the one who selected the staff regarding public relations, there is intense training for public relations such as liability issues, privacy rights issues, issues involving public interest and right to know. He needs to maintain tight control, and that why each dept. may only designate one person, he has done for the past seven years he has been Chief. Councilman Mignone made reference to the five conditions that if any of them happens a Nixle message should just be sent out that is the stuff he is looking for. Chief Cariddi said that if the he and the command staff are notified a Nixle does go out. Mayor Moscaritolo asked that if now there is a water main broke whatever officer is dispatched to the scene he will contact his tour commander who will then contact Lt. Walker or yourself, one of you will decide to send out a Nixle. Chief Cariddi agreed with that statement and also said that Officer Ariano is trained. Councilman Mignone asked if there was a distinction between non-weather related incidents versus weather that is handled by OEM. Chief Cariddi agreed with that statement as well. Councilman Papaleo said that since there is no liaison for OEM, and he is the liaison for police and fire he has been reaching out to Tom from time to time. His conversation with Chief Cariddi mentioned what would designate what would be a police designated Nixle and what would be an OEM designated Nixle which would be weather related issues. Councilman Papaleo explained to Chief Cariddi and Tom Smith that if there was an issue with communication between these departments he would facilitate that.

Councilwoman Busted wanted to recognize the effects that were put forth to communicate the snow emergency the other night. A question did come up while looking at other municipalities if in the event of an emergency and people are required to move their cars off the street and they don't have ample space is there another area in the town to be made available for those cars. Councilman Mignone said that we would then have to maintain it, and provide shuttles. Mr. Negreann mentioned that in the past when the snow has been bad, vacant parking lots are used as a temporary storage location for

snow plows. Both Councilwomen mentioned complaints about street parking during snowfall. Mayor Moscaritolo mentioned that that there was a huge difference between the snow that wasn't and the snow that was. Councilwoman Busted mentioned that in looking at other communities' communication informing their residents where parking was available in other municipalities. Mayor Moscaritolo stated that as a policy we could allow it but he thinks that people in the know want to Facebook where to put their car during a snow storm until the street is plowed let them tweet or Facebook it. Unless the borough has a dedicated lot that will be plowed we are not in that position. Councilman Mignone said that a lot of towns do it that way but they have more space than we do. Councilman Acquafredda asked if the town was going to stop people from converting their garages into living space. He stated that during his construction he made a deal with his neighbor to park one of his cars in their driveway. Councilwoman Busted said the only reason she raised the question was over the last few days other municipalities have a police in place. Several simultaneous conversations were ongoing. Police Chief Cariddi said that residents are notified by the signage on the street, it's there, it's clear, and enforceable by the letter of the law. There's parking on the south side while DPW plows the north side, after midnight it's a new day, residents come out and move the other side of street. Unless the Mayor declares a state of emergency. Chief Cariddi went on to discuss the 5 year plan he offered several years ago to another council, he suggested that maybe this options should be looked at again. He wouldn't use the swim club as an option while DPW was working.

Councilwoman Murphy mentioned Cross River Fiber and whatever came of it. Mr. Negreann said he was trying to get representative to attend a meeting to any the Mayor and Council's questions.

Councilwoman Murphy mentioned the ongoing problems with the phone system. Councilman Mignone suggested arranging a meeting with Verizon and the phone vendor, and he would attend to so the issue can be resolved.

Mayor Moscaritolo brought up SCORE, Mr. Sarlo was putting the finishing touches on an ordinance establishing SCORE as an organization and will be disseminated prior to the next council meeting.

Mayor Moscaritolo also mentioned that he was hoping that at that meeting a 24 hour ordinance would be discussed. Councilman Mignone mentioned that Dunkin Donuts is now closing at 11pm.

1. Review of Historic Element in the Master Plan – Nothing new to report.
2. Capital List – Nothing new to report.
3. Grove Street – Nothing new to report
4. HVAC – Nothing new to report
5. Library Roof and HVAC – Signed award of contract tonight
6. Complete Streets –

7. Borough of River Edge Senior/Community Center – Mayor Moscaritolo announced that a meeting was scheduled for Wednesday at 6pm.
8. Townwide Communications/Notifications –

9. Generator – Fire Company #2 – Mr. Negreann
10. Shade Tree Commission – Was discussed at the regular meeting

NEW BUSINESS – No new business to discuss.

OPEN PUBLIC HEARING –

Motion by Councilwoman Murphy, second by Councilman Papaleo.

No public comments

CLOSE PUBLIC HEARING –

Motion by Councilwoman Murphy, second by Councilman Papaleo

MOTION TO ADJOURN WORK SESSION AT 9:55 PM

Motion by Councilman Papaleo, second by Councilwoman Papaleo to adjourn.

All in favor 6-0

Stephanie Evans, RMC
Borough Clerk