

**BOROUGH OF RIVER EDGE  
MAYOR AND COUNCIL  
WORK SESSION MINUTES  
MONDAY, OCTOBER 7, 2019**

**PRESENT:**

Councilwoman	Ellen Busted
Councilman	Dario Chinigo
Councilwoman	Mary Davis
Councilwoman	Michelle Kaufman
Councilman	Thomas Papaleo

**ALSO PRESENT:**

Borough Attorney	Tom Sarlo
Borough Administrator	Ray Poerio
Borough Clerk	Stephanie Evans

**ABSENT:**

Councilman	Joseph Gautier
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Council President Busted called the meeting to order at 6:30 PM.

**Motion to Suspend Work Session and Enter Closed Session @6:30 PM**

**RESOLUTION #19-332**

**Motion by Councilman Chinigo, second by Councilwoman Davis**

**All in favor 5-0**

**CLOSED SESSION TOPICS**

**Closed Session**

<b><u>Docket #</u></b>	<b><u>Item Title or Description</u></b>	<b><u>Statutory Reference</u></b>
19-10/7-1	Contract Negotiations Oxford Terrace/Rutgers Place	N.J.S.A. 10:4-12(7)
19-10/7-2	Contract Negotiations Health Benefits	N.J.S.A. 10:4-12(7)
19-10/7-3	Fire Department Update	N.J.S.A 10:4-12(6)
19-10/7-4	Contract Negotiations New Bridge Landing Apartments	N.J.S.A. 10:4-12(7)
19-10/7-5	Shared Services Contract Negotiations	N.J.S.A. 10:4-12(7)

**Motion to Adjourn Closed Session and Return to Work Session @7:25 PM**

**Motion by Councilwoman Kaufman, second by Councilman Chinigo.**

**All in favor 5-0**

**ROLL CALL: Councilwoman Busted, Councilman Chinigo, Councilwoman Davis,  
Councilman Gautier, Councilwoman Kaufman, and Councilman Papaleo.**

## **BOROUGH AMINISTRATOR'S TOPICS –**

- 1. Municipal Court – Credit Card Payments** - Mr. Poerio stated he sent some documents previously to the Council regarding uncollected fees as of right now. In consulting with the Court Administrator on some of the changes in the law over the past couple of years on some of the fees they have had a hard time being able to go ahead and collect those fees. They both recommend that we implement a credit card registration that when you come right out of court the fine can be paid right there if they so choose. It will cut down on the amount of mailings and phone calls of trying to chase these dollars down. The annual cost of projecting to be about \$2, 500. a year. He thinks its well worth it. At a minimum you would certainly break even that is his belief. It's really just a discussion item. We would look to roll this out probably January 1<sup>st</sup>. If there are no objections or questions on this, he knows he has spoken with some of the Council. Ultimately for a lot of our departments that do collect fees he thinks that's a direction we need to head into. We are doing it right now online for our Recreation programs but he looks at this as another service to the residents for ease of making payments. Mr. Sarlo said they have an ATM machine in Little Ferry and it has helped them tremendously. It is a problem all over with collecting Court fees, the State has really hamstrung the towns in no longer being able to suspend licenses. Everyone is getting a payment plan so any way you can get these to pay is great. Little Ferry's ATM runs out every Court session it's depleted. That is something you may want to do. It doesn't cost you anything and you can have somebody come in and maybe rent the space out. Mr. Poerio thought there was some potential issues with that near the Court but he will look into it. Councilman Chinigo questioned the convenience fee. Mr. Poerio felt that was something he didn't believe we were allowed to do for credit card payments to the Court but there have been other conversations where you are allowed to pass on the convenience fee. However before we go ahead and implement that we will do our due diligence and get the answer to that question. Councilman Chinigo suggested we just implement it and see what happens. Mr. Poerio stated he would not recommend that when it is associated with the State and collecting tickets because when they make the payment, and now he seems to remember why, when the payment screen comes up you can't add anything into the fee structure. It is a State computerized system. You don't have the ability because you are logging onto their terminals to go ahead and pay.
- 2. Other** – Mr. Poerio's 2<sup>nd</sup> item he has on for discussion is really in relationship to several capital requests made by the Fire Dept. He knows there has been some discussion regarding the acquisition of one of the vehicles. The Fire Chief has reached out to him looking for some guidance. Trying to understand what he needs to do in order to go ahead and move forward with that acquisition. From a purchasing perspective he laid out a pretty detailed list of requirements that the Chief would need to meet. Mr. Poerio emailed the Council all the communication. Just for the record that is not specific to the Fire Dept. that has to deal with any organization going ahead and using a national coop. We have had some other conversations and trials and tribulations with using a national coop. He laid that out to the Fire Chief and explained that policy and we will be working through that. But he really needs the Council to give him direction on how they would like him to respond back to the Fire Chief and let him know where their thought process is as it relates to the "bread box". Councilman Chinigo wanted Mr. Poerio to give a little more information for the public on which vehicle this is that they are looking to purchase. Mr. Poerio explained there are two different vehicles that have been funded or partially funded into the capital ordinance. Council has put, he believes it \$200,000 in this past capital ordinance towards rescue pumper. This 2<sup>nd</sup> vehicle is a utility vehicle. A lot of Fire. Dept.'s use to call them a "bread

box” because it’s kind of like where all the gear goes into, where all the other ancillary gear goes into, he believes currently right now they are using a 30 yr. old fire truck which was bought from another town for \$1.00. We sunk some sufficient monies into that vehicle and he was told that vehicle is beyond repair. This year, 2019 capital budget there was \$175,000, he believes \$175,000 was allocated for acquisition of this vehicle. As he has said some of the Council has expressed concerns to him about it and he is just looking has to how they want him to handle this. Councilman Chinigo asked if perhaps it would be a good idea to get a sub-committee together to explore exactly what is needed, how it’s been used in the past, how it effects our men here, and what is actually necessary in this town as we go forward keeping in mind all these... Councilwoman Davis added that when we were doing the budget they gave us the information on Squad 7 and the other one for us to look through the whole thing and everything else. We did approve the \$200,000 and then the Chief sent a letter, which she suggested, that they process the purchase request for Squad 7 assuming this was ok. They got the approval at budget time and now all of a sudden they may not even buy one. Mr. Poerio said for clarity sake, there were two items and the \$200,000 went towards the rescue pumper and that is not in play right now. It’s the \$175,000 item, just so Council understands and again this is with any requirement and he understands that it has been done perhaps this way in the past that once it makes it to the capital budget the department heads are under the impression that they are buying it. Once something gets budgeted and put into the budget the Council heads are under the impression that it’s a hirer or acquisition or the ability to go out and buy something. The Law states those are budgeting technics, when you do your municipal budget its instructing your team to go out and to raise x-amount of dollars in taxes to fund and these are different things that we are looking to fund. When you do your capital budget you are authorizing himself and your team to go out and raise the funds in order to go ahead and it have enough money if you so desire to purchase these items. It takes in both cases a separate action to acquire, whether it’s on the capital side or whether it’s on the purchase order side. Tonight you will pass a bill list that is the action that it takes in order to spend items out of the operating budget. You will pass a resolution when it comes to purchasing things out of the capital budget. So essentially the Governing Body has a second bite of the apple. He understands that may not have been done before in the past, and he isn’t questioning whether right, wrong or indifferent, he is just trying to educate or explain to this group or anyone else sitting in the audience, that is the law. So what you chose in the direction you want to head into, that is ultimately he’ll take whatever guidance that you want. Councilwoman Davis stated that the Chief said he would come before Council with somebody else to explain the need for and everything else. She thinks we shouldn’t just a committee and leave them out. Maybe that should come first. Councilman Chinigo stated that when he said “committee” he was actually thinking of involving not only the Chief but... Councilwoman Davis added that he offered to come to explain to since now all of a sudden it seems to be a problem and they did think that they were getting it since this was the way it used to be. Councilman Chinigo asked if there any opposing views from the Fire Department. Councilwoman Davis said evidently this whole issue came up with people that talked to Councilman Papaleo. Councilman Papaleo stated that just to give some history, clarify some history. When we are in budget process while it was on a Saturday there was a whole list of items on capital which we were discussing and he had made a motion to come back and visit this. We will just put a pin in it we don’t’ necessary need to take it out right yet. Then our BA had family issues and our Mayor was also having some issues and he was absent for some of the budget process. The budget process was truncated, if it had not been truncated he would have brought up the issues he had with having been Fire Liaison for over

6 or more years whereas he was told repeatedly during that time that we were not replacing the squad with another vehicle, we were replacing it with a trailer. He was told that by more than one chief. At that time and to the best of his knowledge that piece of equipment has never or maybe once left the Fire Dept. for which the purpose it was intended to. Later he found out that the Fire Dept. has had no training on that vehicle for the last year. That may or may not be true he believes it to be true. The one event where it did roll was to take some sort of quick dry bags because there was a spill on Kinderkamack. But that ended up not being handled our squad but by the Hackensack Fire Dept. he believes. So this would have all been a conversation we have had if our BA and the Mayor didn't have family issues and we had finished the budget process but we didn't. In fact we got to the deadline and we had to move forward because of the deadline. If any of this information is incorrect his opinion would change. To spend a \$175,000 on a piece of equipment that he had been told for over 6 years we were going to put on a trailer and the trailer would be connected to one of the engines when it needed to go out. For a piece of equipment to his knowledge had never been used for its intended purpose during the 8 years he has been on the Council doesn't seem responsible. However he is open to hearing more, he absolutely is. He thinks it should go to the Finance Committee and these concerns should be processed. This has been the position he has had since the budget committee but he didn't get a chance to fully voice them because the budget ended. For the years that he has been on we never had such a truncated, and in the process we had to hire a new BA, a new CFO and the attention of the Council was diverted. He just thinks if he thinks about the fire truck we purchased previously, he believes that sent to Company 1, they had come to us and said originally it was, don't hold him to it say it was \$850,000 and we said we would put some money towards it. We asked that they contribute a little bit more and it was lowered and lowered and finally we were able to purchase that vehicle. He certainly believes our firefighters should get everything that they need and use. But he isn't convinced that we need or use this vehicle. He doesn't think the taxpayers would purchase something that to his knowledge hasn't gone out. Councilwoman Davis stated that she wasn't asking anyone to go ahead with the purchase but she thinks that since the Chief asked to come before Council and explain the need, he should be given the opportunity. Councilman Chinigo and Councilman Papaleo agreed with. Councilwoman Busted asked do you not want to refer to Finance, do you want to have Chief O'Connell come to us. Councilman Chinigo and Councilwoman Davis felt the Chief should come before Council first. Councilwoman Davis added that it would be the Fire Chief but also someone else. Councilman Chinigo suggested inviting anyone who wants to be heard on this. (simultaneous talking) Councilwoman Busted asked that the Fire Chief be formally invited to a meeting. All of Council agreed with it.

#### **FOR DISCUSSION –**

Councilwoman Busted didn't know where to put this. So for discussion she had 2 items for upcoming meeting and she wanted the Council to take a moment to discuss in light of a legal opinion regarding the seating of the next Mayor after the General Election. She is going to ask the Council if they would consider moving the November 4<sup>th</sup> meeting to November 12<sup>th</sup> or 13<sup>th</sup> for the purpose of swearing in our new Mayor. Who will then have to be sworn in again in January at the reorganization. So either Tuesday the 12<sup>th</sup> or Wednesday the 13<sup>th</sup> if we could move the November 4<sup>th</sup> meeting. The majority of Council was good for the 12<sup>th</sup> except for Councilman Chinigo, who couldn't commit, but if he is available for the 12<sup>th</sup> he will be here. He may be involved in a trial and won't know until we get closer to the dates. Mr. Sarlo stated he wasn't available but will have someone stand in for him. Councilwoman Busted address the question of start time by saying if we have closed then its 6:30 if not

then 7pm. Mr. Poerio had one question, with the conversion that we are in process of doing with the software if he asked to have a meeting on the 4<sup>th</sup> just for the sole purpose of doing a bill list, he doesn't know if it's needed. Just come in, open the meeting approve the bill list and then go, is that a possibility. (simultaneous talking) Mr. Poerio is going to just check with the Finance Dept. first. It would be a very quick in-and-out just approve the bills.

Councilwoman Busted wanted to go into 2 other things for discussion. One is the Clerk was kind enough to send around the 'proclamation list' that we had approved for this year. If we all could just look at that and identify any items on the proclamation list that we may want to turn into a more full bodied celebrations whether its LGBTQ Pride Month in June, or something large for Gun Violence, Mental Health Awareness. Maybe come back at the next meeting with other things so that we can perhaps get Carolyn Baldanza involved as the Rec. Director. Or you can email them to the Clerk and we can have a conversation at the next meeting. Councilman Papaleo asked her to explain what she means by a more... Councilwoman Busted stated do we want to have a program for Pride Month, do we want to have a speaker, or hang buntings, or anything like that. We also should make sure that the DPW or whomever knows that we always do green bows for Mental Health, orange for Gun Violence Awareness. She feels as those it's an afterthought and we are chasing our tails to get things done. So if we could have everything agreed upon and the resources in place to do so for the reorganization meeting she thinks that would be helpful.

Councilwoman Busted mentioned that the Clerk had sent the meeting schedule around for next year, so please take a look at that. She would like everyone to agree to have our sine die and reorganization on January 6<sup>th</sup> which is a change from January 1<sup>st</sup>. She knows that there were some personal conflicts that are on the 1<sup>st</sup> so we are looking to move it to January 6<sup>th</sup> and we will stay with the 2<sup>nd</sup> and 4<sup>th</sup> Mondays for all of our regular meetings. She asked the Council if anyone had an objection to January 6<sup>th</sup> at 6:30. There were no objections.

#### **UNFINISHED BUSINESS – Nothing**

#### **NEW BUSINESS –**

Councilwoman Busted just had one item regarding a large cable utility truck parked on Adams for weeks. She contacted the Police Chief this weekend and they took care of it by putting safety markers around it. But Councilman Papaleo at the Land Use Meeting had brought this up that perhaps if utilities are going to leave large vehicles in residential areas that they not be permitted to do and we find a better space for them to park them. Whether it be KBG or someplace else because to have that vehicle parked there in front of someone's house for 3 or 4 weeks is not acceptable.

#### **OPEN TO PUBLIC**

**Motion by Councilman Papaleo, second by Councilwoman Davis**

**All in favor 5-0**

**No public comments**

#### **CLOSE TO PUBLIC AND**

**Motion by Councilwoman Davis, second by Councilman Chinigo**

**All in favor 5-0**

**ADJOURN WORK SESSION @ 7:46 PM**  
**Motion by Councilwoman Davis, second by Councilman Chinigo**

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Stephanie Evans, RMC  
Borough Clerk