

**BOROUGH OF RIVER EDGE  
MAYOR AND COUNCIL  
WORK SESSION MINUTES  
MONDAY, APRIL 6, 2015**

**PRESENT:**

Councilwoman	Kathleen Murphy
Councilman	Anthony Coppola
Councilwoman	Ellen Busteed
Councilman	Edward Mignone
Councilman	Vito Acquafredda
Councilman	Thomas Papaleo

**ALSO PRESENT:**

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

**ABSENT:**

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

**BOROUGH ADMINISTRATOR'S TOPICS –**

Mr. Negreann asked that Capital Alternative give their presentation regarding a grant opportunity with an April 15<sup>th</sup> deadline. If the Council wanted to make the application for this particular grant tonight would require that two resolutions be passed. Draft copies were distributed, the first resolution would hire Capital Alternative to make the application, and the second would be to endorse the application itself. The resolution would have to be added to tonight's agenda pending your decision after the work session. Len Carney and Marlene Casey from Capital Alternatives mentioned that this opportunity was brought to the Mayor's attention about a week ago. Ms. Casey went on to discuss the DOT's finances, stating that some of the statements regarding being broke are true, but on their website under "capital budget for 2015" there is enough money left in the trust to have a 2016 solicitation for municipal aid and in addition there are balances in the trust from projects where towns didn't either spend their money or didn't spend all their money creating a program for discretionary applications with a deadline of April 15<sup>th</sup>. The discretionary is focused on safety, around your roads, schools, and anything near railroad tracks with a commuter line. While meeting with the Mayor to discuss the two large grants that were received, he asked about Riverside Way and Tenney Ave. We took a look at it and took photos and sent the information to Railroad Safety at DOT, and they asked us to come up with a project and they would fund it. There is an opportunity to put in an application for improvements on Tenney Ave. and Riverside Way. The pavement at this location is atrocious, this area contains DPW, recycling center, the Kenneth B George Memorial Park, the pistol range, the swim club, and the boat launch. There is a guardrail along Riverside Way which is supposed to protect travelers and it doesn't meet any of the requirements for State DOT Safety or Federal Highway Safety. If there was ever a serious accident and you haven't addressed this issue it could be a major issue.

This would be the time to address the bad pavement, the installation of the guardrail properly. We also send the photos to the Railroad Crossing dept. of DOT and was told that if we put in the application for the road, he will find a way to fund a new rubberized crossing at the railroad tracks insuring all the gates and lights are working properly. Marlene proposed that an application be submitted for the April 15<sup>th</sup> deadline for the milling and paving of Tenney Avenue from Kinderkamack down to Riverside Way, the whole length. That is the approval is we are asking for tonight. Councilwoman Murphy asked what the value of this project was, Marlene stated that they haven't put an estimated cost to yet, but she assumed it was around \$300,000. And this is not a matching grant for construction, we are asking them fund the entire project from two difference grants from DOT. It will come from the Discretionary fund and the Railroad Safety fund. That is the main focus of DOT right now. Councilwoman Busted asked if this crossing could be added application, the road is terrible. Marlene stated it would have to be a separate application under the TAP application's next phase. She didn't know where our engineer was directed to go with the \$800,000 that was just awarded. She did stated that there will be another round of this program before the end of this year and if we get out to bid on this awarded money River Edge would be considered in good standing and could ask for a phase II. Mr. Negreann wanted to speak with the Council under "Old Business" regarding the two grants that were received and the formation of a bond ordinance to cost the expenses of both grants. The Bond Attorney needs to know the limits of the TAP grant, where do we want to go from and to, as well as if there are any concerns with the numbers that he put together. Mr. Negreann provided copies of the letters to the Mayor and Council looking for feedback either tonight or early tomorrow morning if there are concerns with the numbers that Bond Counsel will have to put together to introduce on April 20<sup>th</sup>. Regarding the TAP grant there have been discussions with the Mayor, Capital Alternatives, Rob Costa, and John Lynch and the best scenario for us would be to pick up where we left off on Christie Ave. to the Oradell border. That would be Phase III, Section II. There are a variety of reasons as to why this is the best situation. Mr. Negreann was looking for a consensus or comments on the numbers either tonight or tomorrow morning. Councilwoman Busted asked if the crossing should be included in a Phase II application. Marlene Casey said that to go along with what Mr. Negreann stated, the railroad crossing at River Edge Road was part of the overall application, as the big pictures goes the project concern it's an improved segment. The section Mr. Negreann referred to is already part of Phase III of the streetscape, which isn't an approved section. If you were to undertake this with another application there is no doubt that to it being funded. But when you deal with a railroad crossing you have to deal with the railroad, and they have to arrange closing down the crossing on a weekend to do the rubberized track system and the paving on both sides. She felt that NJTransit wouldn't be willing to close that train crossing down. Councilwoman Busted wanted to a recommendation for the best way to close down the crossing. Marlene Casey stated that only the Borough Engineer could address the safety issues. Councilman Mignone stated that the paving issues could be addressed. And that should be the focus of the next application and it would score very well on it's on due to where it is and what it is. Councilman Mignone questioned the amount of the proposal \$300,000 construction cost or the amount that would be funded to us. Marlene Casey stated it was both, the cost will be \$300,000 and they will fund \$300,000. The Discretionary fund is not where the money usually comes from every year, not the usual \$150,000. Capital Alternatives has been working with Discretionary and other applications for the Borough over the last year or so. Councilman Mignone expressed concern of \$100,000 in soft cost over the \$300,000. Marlene Casey stated yes you may. Councilman Mignone mentioned that was \$100,000 and the other two projects, \$800,000 and \$315,000, and according to Mr. Negreann's

numbers we will need to bond another \$527,000 to implement these projects. Regarding the streetscape we are adding fifty new decorative lights increasing the operating cost for electric another \$27,000 a year. These are costs we can sustain, we have already bonded \$1.5 million dollars in the budget tonight, and we already adding another \$500,000 before we add another \$100,000 for this project. We can't afford to keep adding this type of long term debit to the town. These grants always sound great until we get down to it and there is always an overrun. The streetscape is a \$3 million dollar project with \$800,000 in sidewalks. He felt there were better uses for the taxpayer's money. Councilman Mignone went on to say that if we are bonding another \$500,000 on top of the \$1.5 million dollars we are already bonding to do projects which we normally wouldn't be doing, if there are safety issues, we should be putting the money towards those projects. We can't keep coming in and getting grants that need additional funding out of pocket, it's going to be unsustainable. Councilwoman Murphy asked if these grants should be applied for. Councilman Mignone was that the town needed to scope these projects, especially the streetscape spending of a \$1 million dollars to put nice sidewalks in up and down Kinderkamack Road. If we put sidewalks where they are needed, we should put money there. To increase the operating budget an additional \$27,000 is a significant amount of money just to add street lights. Councilwoman Murphy stated that this would be to continue the street lights. Councilman Mignone said it shouldn't be continued if it couldn't be afforded unless you wanted to raise taxes which he wasn't in favor of. Councilman Mignone mentioned that there was \$30,000 in the capital budget to replace the guardrail at the crossing. Which we were told was the main issue. If the road is that bad we should talk to John Lynch about re-appropriating some of the money for paving and apply it down there. Councilman Mignone felt the town couldn't keep spending money on everything. Councilwoman Busted asked about the warning railings that came down and if an accident occurred the Borough would have some serious issues. Marlene Casey corrected the statement referring to the guardrails. Councilman Mignone stated that was already in the budget for this year and would be repaired quicker under the capital budget rather than the grant. Councilwoman Murphy had another question about NJTransit not closing down River Edge Road station to repair this crossing, but asked if they were willing to close down the other station. Marlene Casey answered yes because there wasn't any parking for commuters on Tenney Ave. at the base. The other one has commuter parking and NJTransit figures it a high traffic area. Councilman Acquafredda asked how the amount of \$300,000 was arrived at by a simple multiplication of so many square yards per x-amount of dollars per rebate, how was this figured arrived at. Marlene Casey explained that they had an engineer on staff who roughly figured the cost. Councilman Acquafredda asked if this was based on actual cost since it cost \$150,000 to pave a short area of Fifth Ave. Marlene Casey stated that they were just not proposing paving, they were also proposing milling the road. Councilwoman Busted asked Mr. Negreann if that section of Tenney was on John Lynch's milling and paving list. Mr. Negreann answered no it wasn't. Council President Acquafredda asked if anyone would motion to add these resolutions to the agenda. A motion was made to place these resolution onto the regular meeting agenda.

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

Yeas: Murphy, Busted, Acquafredda, Papaleo

Nays: Cappola, Mignone

Mr. Negreann mentioned that Mr. Thomas Mill from Premier Product Development was here to discuss and answer questions regarding the Cherry Blossom Park Phase I Project. Mr. Miller was also joined by Bobbi Conway, Recreation Director regarding this project.

Mr. Miller mentioned that over the past few months he has been finalizing the plans for Cherry Blossom Park Phase I and they are ready to go to bid. Mr. Miller mentioned the site includes a pathway through the park, a drainage system, alternates such as lighting and signage. There is also an underground main to go back for irrigation to be done in two phases. The 1<sup>st</sup> phase will get water to the site, we have an alternate to go further with that. That is basically the plans as you have seen them. Council President Acquafredda sked if the Council had any questions. Councilman Mignone has some general questions regarding the plan. There is proposed work on the school property where we are removing asphalt and their fence, extending walkways, adding another gate on the school side, has the school granted permission to do work on their property at this point. Mr. Miller stated that he has been in talks with them and feels the final approval is still to be granted. Bobbi Conway mentioned that is the school who requested the gate so the children could access the park from the school. Councilman Mignone asked about the double wide ten foot gate that is now showing on the driveway side. Ms. Conway said that gate was something that was on the plans when we showed them and the planner didn't have any problems. Councilman Mignone stated the gate was not on the original but revised plan, is an access agreement needed to allow town personnel to bring the equipment through on school property. Mr. Negreann mentioned that currently there is no agreement but could make arrangements for it. Councilman Mignone asked what the intent was regarding DPW and planting beds in the shade garden, are they just aesthetic or is there physical access for people to walk into those areas. Mr. Miller stated there would be some landscaping in the areas, people will be able to walk in them and across the area if they like, and there are no fences. Councilman Mignone made reference to the front of the property and the plans calling for a two foot high decorative wall. Based on the ground elevation and the two foot solid wall it looks like your elevation is 98.6 , the street level is about 93, is it going to be possible for the police or anyone else driving pass to actually see past the wall and who is in there, how will the police check to see what is going on in the back side. Mr. Miller said there are two things, first the wall is in Phase II, and secondly he went out there tonight and noted there was a rise in the grade and you would be able to see just as you can now. Councilman Mignone made reference to inaudible 93 and your inaudible elevation is 96.6 inaudible making it 98 that would be five feet above street level right now, top of the wall. Mr. Miller mentioned there was a 94 with no grade or contours at this junction and will look at it when designing the wall. Bobbi Conway mentioned that was part of Phase II, and Councilman Mignone stated it wasn't called Phase II on the plan. If he was a contractor and looked at the plan he wouldn't know there was a Phase II. Councilman Mignone stated that maybe that would help with some of his questions knowing there were phases. If he was bidding on the plan he would want to know why it wasn't in the specifications. Councilman Acquafredda stated that in a bidding situation the graphics always win over the words. Councilman Mignone asked if it was the same for what is being called the entrance trellis, Mr. Miller answered yes, phase II item. Councilman Acquafredda stated that phase I needed to be differentiated from phase II on the plans. Simultaneous talking. Bobbi Conway stated that the learning wall is also under phase II. Councilman Mignone questioned the irrigation, is the existing irrigation system being removed to be replaced with a larger system. Mr. Miller stated not so much as larger system, the grade and elevation of the current system and the main is such will be coming out with the soil pads and the grading for it. Councilman Mignone stated that the irrigation that the town paid and put in not too long ago. We are taking out a system we just in put in the last few years. Mr. Miller stated that was correct. Councilman Mignone asked if Mr. Miller knew the capacity of the new irrigation system, because he was also concerned about the operating costs and how much water this is going to cost to irrigate this park. Mr. Miller

said that what they are trying to do now is about a \$4,000-\$5,000 cost that is what he approximated. Councilman Mignone asked if this was the operating cost, and Mr. Miller said no, this wasn't the operating cost, it was the installation cost. Councilman Mignone asked what the GPW was, so we can get a handle on the cost. Councilman Mignone made reference to the overlaid plan and the landscaping, he found it to be very confusing if he was bidding it. Mr. Miller stated that the site contractors are used to. Councilman Acquafredda said as long as it didn't hurt the town, he always has the nightmare of contractors playing stupid when you start asking them relevant questions. He felt that Councilman Mignone was making relevant points. Councilman Mignone asked about the trash bins and the benches, it says six benches to be provided by the borough, he didn't know if the borough currently has six benches or if they had to be purchased which is another \$1,500 to \$2,000 each resulting in another \$12,000 over and above what the grant is going to pay for. It the same for the bins, it stated that we have to provide three garbage bins, but to install them it's going to be an alternate bid item. So does that mean we may not install the bins? Mr. Miller answered yes because there was some discussion that they could maybe be done in-house. Councilman Mignone asked about the Green Acres sign, if that was a requirement. Mr. Miller stated it was. Councilman Mignone asked if it had to be 8 feet x4 feet large. Mr. Miller stated that was the required standard size. Councilman Mignone asked if it had to be at the street, Mr. Miller answered yes it had to be at the street as required. Councilman Mignone asked about the alternate pole mounted lighting, where was it located, he didn't see it on the plan, and which is the wattage. Mr. Miller stated that this was one of the items that he wanted to present to Mayor and Council, nothing was selected yet. Councilman Acquafredda stated that he recommended that Councilman Mignone finish with his questions, before going on the discussion of lights. Councilman Mignone went back to base bid versus alternate, you have a base bid for DGA and an alternate for additional DGA, where is the alternate DGA. Mr. Miller said it was the drainage trench, not a 100% sure what they are going to find, that is why it's put in as an alternate, if it were directed. Councilman Mignone asked if it was an alternate or directed. Mr. Miller said it really was an alternate that was why it was under alternate and not part of the base bid. Councilman Mignone stated that if it's shown as an alternate and we need it and we decide not to award the alternate and we decide we need it, it becomes a change order on the DGA item. Mr. Miller said yes that was why it's the number one alternate. Councilman Mignone mentioned that it was the same with the drainage trench and the 2 additional feet, if additional material is necessary why isn't it brought into the base bid, why an alternate. Mr. Miller stated he didn't know because they would be digging. Councilman Mignone though it would be better to have it as a quantified item rather than having it as a lump sum than an alternate item. Mr. Miller felt it was best to put it out to see, as the project is reviewed and decided upon awarding, his recommendations would to be award those items, but he wanted to quantify differently so that was his way of doing it. Councilman Mignone quested the drainage structure, the Gabion system, is that part of this phase, and where is it enclosed, under the drainage item as a lump sum. He also asked if Mr. Miller had a detail of what it was going to look like. Mr. Miller replied is was in the specification. Councilman Mignone asked if it was an open discharge, and Mr. Miller reminded everyone it was a trench below grade, filling up and bubbling out and go over like it does now. Mr. Miller continued saying the nice thing about this site is there was originally a parking lot, a drive, a building and now gone at this juncture, there is a tremendous amount of drainage on this site and under an acre. Councilman Mignone asked where the structured outlet was going to discharge, was there going to be an over ground discharge. Mr. Miller said it was going to go over the top, out, and down with the contour, the same way the water does now. Councilman Mignone confirmed that it's going to come out the out fall

structure and into the tree farm, does that become a new storm water out fall. Mr. Miller stated yes going into the tree farm, no the water goes there naturally anyway. Councilman Mignone stated that an out fall was being created. Mr. Miller said yes but the water goes there naturally anyway. Councilman Mignone wanted to find out if this fell under storm regulations. Councilman Mignone went on to say that he would have to assume that on the specifications there was a revised version since there were some sections that weren't in there. Mr. Miller answered yes. Councilman Mignone asked about the landscaping and the breakdown, is there was an approximate cost. Mr. Miller said that was being done as a sub-consultant by ERI, and they haven't provided an updated number yet. Councilman Mignone said that he knew that when this was first proposed Chief Cariddi had some comments about security and access, and wanted to know if an updated plan had been reviewed by him and if there were any issues or concerns. Councilman Mignone wanted to know what the Board of Education looked at the plans, what their comments are since we are doing a lot of work on their property. In his opinion this was actually becoming more of school facility then a town facility, which is putting \$120,000 into the project plus extra if we do these alternates. Finally asked if DPW has looked at the plans in terms of what the maintenance requirements would be, especially the four detention ponds for storm water. Councilman Mignone didn't feel that by lumping all the alternates as one package is not the way to go. If all these items should be separated if we decide that only some much money is available, we may decide to pick only two, say the landscaping and lighting only, we will be forced to either take all the alternates as one big package or not at all. If the cost is something we won't be able to afford, we can't do any of it. Mr. Miller asked Councilman Mignone if he was aware of the new law that changes the way alternates are awarded in the last few years. Councilman Mignone stated yes he was aware of the new law but this doesn't apply to this. Mr. Miller said it did to some degree it did. You have to award as they are put in, some decision to shift something around, they would have to be awarded per how they are listed in the proposal, and we can't jump around. Councilman Mignone stated that's what he was saying, there isn't any flexibility to do that. If it comes out to be too high we won't have that choice. If A-G were bid separately we can decide which ones we want to award separately. If the first one comes in too high we won't be able to do the ones after that if we decide there is money to do that. Mr. Miller said that if you have A-G you would have to go in that order. Councilman Mignone said not if they are bid separately. That wasn't Mr. Miller's recollection of the law. Councilman Mignone said it was going to be a problem if you don't want to do some of them and won't have the money to do it. Especially since most of the costs are still up in the air and he didn't know what the overall cost of the project would be. This was something that the Council should have a better handle on before authoring going out to bid. We should be prepared to know how money we are going to spend, we know what the grant is, and what the match is, which is already in the budget, but if it's going to be more than that we should be aware of it before time. Councilwoman Murphy asked if the alternates were prioritized, and Mr. Miller answered yes. Mr. Miller said the one thing he had left was the lighting. He spoke of a solar system, not an electrical system. These were stand along, direct burial, with a solar feature, a lot of them are at a slant so snow falls off them, and they have a battery. We are looking for some input on that. One of the fixtures is called a "Lolita" which has a glove underneath it, he wasn't sure this was the best alternative with homeowners so close. The other article talks about solar lighting. Councilwoman Murphy asked if Mr. Miller used any solar lighting in any of his jobs. Mr. Miller said it was relatively new, and he is how in the sports lighting industry and are seriously looking at the costs that are starting to come down. Councilwoman Murphy asked if it was like the PSE&G panels. Mr. Miller said you can go on the website and he could send additional information. The

solar panel is above, they are a little different than PSE&G. Councilman Acquafredda said this has been debated and his quest for consensus on the dais, Councilman Mignone has brought up very valid points, he would ask Mr. Miller what it would take to update the submission to include the times discussed tonight before we go out for bid. Councilman Mignone asked about the wattage, Mr. Miller said around 100 watts, this would be lighting and security lighting also. Councilman Mignone asked if he could come up with a lighting plan, and Mr. Miller said they have come up with several plans, but would like to hone in on the fixture first. Councilman Acquafredda asked for an updated plan and schedule Mr. Miller to appear before Mayor and Council again on April 20<sup>th</sup>.

1. Stormwater Training – Status Report from Mayor and Council – Mr. Negreann did stated that he received some responses and if not completed by April 20<sup>th</sup>, then we just take the training on the computer.
2. Employment Practice Liability Training – Report from Mayor and Council – Mr. Negreann said that several certificates have been received, and do have until June 1<sup>st</sup> to complete the online training and to receive a \$250.00 credit against its premium per council member.
3. HVAC – Report – Mr. Negreann stated that a report was received from the contractor requesting a close out of the HVAC project. DPW has one additional recommendations that the units in the Council Chambers as well as finance dept. receive different thermostats for the units. The thermostats are presently enclosed in unit and they feel it would work much better if the thermostats were eye level. If the contractor makes those adjustment we would be prepared to close out the project. Councilman Acquafredda asked what Mr. Patel's opinion was, Mr. Negreann stated he hasn't gone back to him yet, and believed the contractor wouldn't have a problem with that modification. Councilman Acquafredda said he would like to have Mr. Patel's opinion in writing to cover that base and he didn't see any objections to that. Mr. Negreann said he would report back.

## DISCUSSION ITEMS

1. River Edge Car Show in Memorial Park – Peter Dunsay represented the Cultural Center and James Teehan represented the Recreation Commission. Councilman Acquafredda asked if the Recreation Commission had received a copy of what was handled out to the Mayor and Council, and Mr. Teehan replied this was the first he has seen it. Mr. Dunsay stated that the outgrowth of the Centennial Committee in 1995 was the Cultural Center and they provided to the borough without any monetary over 300 events free to the public in River Edge. We have worked with every single school, public and private, seniors, religious institute, numerous volunteer groups and we have very successfully taken care of events and have made presentations of what they do in town. We have had 14 car shows, and this year will be our 15<sup>th</sup>, and we have requested to hold the car show in the park. We have over the years honored every single commitment we have ever made, we complied with rules and regulations whether we agreed with them or not. We have in front of you the diagram of what we are proposing with respect to the placement of cars in the car show in the park. The green represents the area where cars will be, we have committed that when the car show breaks down that any ruts that may have occurred we would immediately restore it. We don't anticipate there will be but we made that commitment. In the fall when reseeded takes place we will seed the areas in green to the extent that we would (inaudible) the car show in that area with a landscaper that is qualified will do the work and improve the condition regardless of how it happened. We

consider it to be a win, win, win. It's a win for the car because we will be able to do what is considered one of the best shows in New Jersey and continue to improve on that. Its win for the Recreation Commission because they would get the benefit of those areas being improved beyond what they have been over the last several years. And in addition it would be a win for people of River Edge because they would have the benefit of a very fine car show in a very fine setting and would not have to lay out a nickel for the restoration for those areas of the park. Councilman Acquafredda stated that last year permission was granted for a total of 10 cars on the asphalt, so you are seeking permission to put cars in the green area, how many cars would go in the green areas. Mr. Dunsay proceeded to say the cars would be spaced in the park approximately 12 foot on center and judgement would be used. If a car couldn't fit in the space then it doesn't fit in the space and we would work back towards the street. And the last car that is sitting in there would be it, the rest would be on the asphalt. We not only provided for the cars but we provided for emergency vehicle in the orange to come in. Last year in order to be accommodating we foregone going on the grass, initially we wanted to be on the grass, offering to seed the entire park at no cost to the borough. That was rejected, and we were told to be on the asphalt which meant there was no need for seeding. This year to the extent of the real estate we would be granted to use, we will reseed and upgrade to that extent, not the entire park. Last year the concern was emergency vehicles, an impossible situation was set up. We couldn't be on the grass, only on the asphalt and emergency vehicles had to service it. When we did the layout that was how we wound up with that number of cars. If the park had a different configuration then we would have had more cars. This year we are saying being put in a box is ridiculous, we'll go on the grass and contend that probably nothing will happen to the grass, but we are willing to restore the grass. We should be given the opportunity to do as we say, we have the will and intention to take care of the park. All we are asking is this be declared a River Edge event, a special event by the Mayor and Council, we would run it and see to it we take care of the quality as we always do. Councilman Acquafredda asked what the answer was to his question, how many cars. Mr. Dunsay said a ball park would be 88 cars. Councilman Acquafredda asked if Mr. Dunsay had shown this and gotten approval from the Police and Fire Departments. Mr. Dunsay stated that he was asked to meet with the police and they were shunned until this meeting took place, it didn't sense for them to spend their time considering it. Council President Acquafredda turned the floor over the River Edge Recreation Commission, whose representative Mr. James Teehan stated that in reference to how many cars that were addressed to the Recreation Commission in writing, Mr. Dunsay requested up to 150 cars, which is the number the commission was working with. Mr. Teehan said that he had emailed the entire Council and hoped everyone received it, in response to Mr. Dunsay's email to the Mayor and Council regarding the commission's meeting. A discussion of time shortage was discussed, but Mr. Teehan did say that the commission went through this process last year, there were meetings and a decent amount of time was spent by both parties and a compromise of 10 cars was made and approved by the Police Chief regarding safety issues. Mr. Dunsay did provide us with a diagram but unlike the one handed out tonight. Mr. Teehan made reference to the one that was used at their commission meeting that was provided by Mr. Dunsay, which wasn't color coordinated, obvious different. Not changing their belief that there should be no cars in the park, but up to 150 cars is a number they feel that is not good for the park and it isn't safe. Mr. Teehan did address specifically with Mr. Dunsay if there were issues of damages caused to the park, we were not being disingenuous by asking that question, he brought the fact that it would be repaired immediately after the show, and we could inspect it and have camp the next morning. It is a Sunday afternoon, July, the middle of summer, he didn't know and wouldn't speak for the other recreation commissions if they

had the authority and know how to say if that was acceptable if there was any damage. If it rains prior to this event, car tires will cause ruts and damage to grass, by the weights of the cars, which he has a personal issue with because of his daughter being in the recreation camp running around in the park Monday morning at 9am. He didn't think cars should be in the park, this being his own personal opinion. But as the Recreation Commission the duty given to them that this park be used for recreational purposes not parking vehicles. The commission doesn't feel this is safe and haven't even gotten to the environmental issues, what if there is some sort of leak going on the grass how is that going to be rectified. These are some of the major issues. We feel that we have been playing nice in the sandbox, we have met and it was a very cordial meeting and we all believe it's a great event for River Edge, many on the commission attend the event, it looks great out on the street, use the park for over flow, the people can walk through the park. We don't feel as a Recreation Commission the park is a place for vehicles to be placed. Councilman Acquafredda stated that unfortunately River Edge didn't have another park Mr. Teehan understood and said there is plenty of roadway on Continental where they do a great job by closing it off. Councilman Acquafredda stated that comments would be reserved until later when all the councilmembers could comment. This topic will be picked up after the regular meeting with everyone's permission.

**EXIT WORK SESSION AND ENTER INTO THE REGULAR MEETING AT 8:00 PM**

**EXIT REGULAR PUBLIC MEETING AND RETURN TO WORK SESSION AT 8:55 PM.**

1. River Edge Car Show in Memorial Park Discussion Continued – Mr. Teehan continued by making the following points, having the town take the car show over as an event for the borough, he noticed that currently it is run by a privately funded non-profit organization and doesn't understand how the town could actually take over. Mr. Teehan referred to Ms. Korteweg's comments rectifying ruts that is one of the biggest things that we are thinking up. She mentioned rectifying the grass from Victoria's Nursery, it takes 7 days to grow, fantastic, the ideas are good, camp has 250 children the next day, Monday morning in the park that is the biggest concern. There is also the environmental concern grass and thick tree roots and recently new planted trees that are on the diagram. There are two areas that have new trees planted and a pathway that isn't on the diagram, which is closest to the bottom right of the pink area all the way in the back by the handball court. This would reduce the area for parking that Mr. Dunsay has on his diagram. Oil and gas regarding the trees are not environmental friendly and putting cardboard under them, oil leaks right through that he knows. How do you rectify an environmental situation by 9:00 am the next morning. He would hate to be the person making the calls to cancel camp for 250 kids. As a parent he would be irate because of a car show the day before. Parents make plans for their children and pay for that. The biggest point is that last year the Recreation Commission, the Environmental Committee, and the car show group was asked to come together and compromise to come up with an agreement. That happened, the Recreation Commission wasn't happy with having any cars in the park, but an agreement was made, a mutual agreement. Mr. Teehan can't believe that he was here again going back to the same issue, a deal was made and everyone should move on. It would be a shame if you come to a compromise and it changes again, are we going to be back here again next year. Again we are forced by the Mayor and Council to sit down and come to another agreement together next year, involving everyone's time. Obviously you have long meetings, we have places we need to come and shouldn't have to come and deal with this every single time a commission has been appointed and makes a decision that's best for the town's park, which is the reason we are here, we support it as is, not to put extra cars or damage to the park, that is

the biggest point here. Council President Acquafredda asked if there were any members from these two groups that wish to be heard. Mr. Carol Rebosio, a Recreation Commission member stated that in addition to Mr. Teehan's comments, the safety concern of having vehicles in the park is a big issue as well. Police Chief Cariddi reviewed this last year and agreed that 10 cars on the pavement appropriate, but beyond that he didn't want to extend it beyond 10 cars. Again the Recreation Commission's position is to keep it with 10 that was approved and agreed to by Chief Cariddi and everyone else. Roger (inaudible) Oak Ave., as a classic car owner he would like this to be viewed slightly different, the intention isn't have cars drive around the park or in and out of the park, the intention is to display the cars in an orderly manner and get them out in an orderly manner. Yes we want to place them there, and address the environmental issues it's not only cardboard but typical oil trays are very inexpensive to use as protection. His suggestion is to look at it slightly differently, he knows it's viewed as cars in and out but this is more art, to display the cars in a nice setting. Cindy Sherlock stated that she served several years on the Recreation Commission and during that time she would say that Mr. Dunsay has appeared about ten times asking the commission about the number of cars, this is not something new, it has been ongoing, and every year Peter comes back to ask for more and more cars. Ms. Sherlock continued by reading a statement before Council, at the end she did state that is a wonderful car show, and it is felt that putting that many cars he is just outgrowing the space, and there may be another spot for him to go. It is a passive park for the residents, not to have cars, and the biggest concern is to not have damage to the park, and the safety to the residents. That's why last year the Mayor and Council asked the Recreational Commission to sit down in a room and come to the current agreement. Ms. Sherlock asked that the Mayor and Council uphold the agreement so that we are not here again next year for which we will be. She thanked everyone for listening. Mr. Thomas Sarlo asked how many cars total participated in the car show last year. Mr. Dunsay said 199. Mr. Sarlo confirmed that 10 were in park, Mr. Dunsay said yes, and Mr. Sarlo when on to ask is the 150 in addition to the potential 199 or are you removing or taking some of the cars off the street and put them in the park. Also are you increasing now, almost doubling the amount of cars or is it the same amount of cars but you just want to relocate to another area. Mr. Sarlo didn't think that has been confirmed whether this is an increase in the amount of cars or the same amount of cars but shifting them into park. Mr. Dunsay answered by saying they do an early registration to encourage people to sign up early so they can get an index of what can be expected. He didn't know from year to year what they might really get. He prepares for 225 cars in anticipation. The weather is factor weeks before the show, and people alternate going to car shows, and if it rains they may not attend the car show. He has no control over the number of people that opt to come to the show. Capacity wise, he plans around 225 and if that exceeded we just close the gate and turn them away. However the Library parking lot has been used previously and that is significantly removed from the show, we also use the area up the hill towards Fifth Ave. beyond Millbrook. That is awkward for everyone one involved, we are trying to get the show to come together in closer proximity to everybody, but going to the park we then add capacity to what we have but we are going to shed some of the capacity in two areas. The first would be in the Library parking lot making this area available to visitors, because the police restrict parking in the area of the show so that emergency vehicles can get through, which means sometimes people have to walk blocks to come to the show. By having the Library parking lot become available it makes it easier for visitors. The neighbors near Millbrook are impacted, this would allow this area to be for the overflow. In order to communication with people we use the public address system, which works best if it's in a confined area. If we are scattered over a large area it's hard to control the

sound. So to answer your question our capacity would remain at 225. Mr. Teehan stated that during the Recreation Commission meeting when they initially spoke with Mr. Dunsay about cars parking, he replied that in fact there may not be a lot of cars that wouldn't want to be parked under the trees because of the damage the trees might cause to the cars. So he asked Mr. Dunsay if there was a contingency people not wanting to park in the park at, Mr. Dunsay said they would use the Library parking but if they aren't planning using the Library lot, how at the last minute are you going to make that available for people if it's not close. Mr. Teehan didn't understand, the planning doesn't seem to be there in his opinion to go back and forth. Whether people at the last minute don't want to park in the park and go back and use the Library lot. Mr. Teehan also asked about the noise, if there had been any noise complaints in the past, since Mr. Dunsay brought up the fact that the sound system and not upsetting the neighbors, he did say there were no noise issue, so Mr. Teehan didn't understand the mention of upsetting the neighbors, if this has been ongoing for twenty years, and there was no issue. Why change things for people if there hasn't been any complaints to move certain things. He feel that was a feasible answer on that situation. Mr. Dunsay said that in regards to communication, we try not to offend the neighbors, as a result the penalty has been that people up the hill don't always get the messages. We have had people who missed the awards ceremony, last year we moved up the award time to avoid rain and not everyone got the message. Regarding the sound system, we have a system that works, its wireless with a select cable so that we can cover both sides of the street. It was a big investment and we are willing to have the borough use it. Mr. Dunsay went to say that he was a little upset with the numerous instances including tonight, it has been referred to as "Peter Dunsay's show, it is put on by the Cultural Center and the car show committee who work all year long. He submitted the application in January and has asked for the Minutes from the Recreation Committee, and to his knowledge they don't exist for the March 18<sup>th</sup> meeting. He felt that during the meeting he could read the body language of the members and when he walked out of the meeting it was known that the answer was going to be the same as last year. Apparently they had made up their minds before his group had walked into the room. It wasn't as if it was an open discussion, ears open and willing to listen, no there were numerous comments that were made some of them bordering on not be friendly. They made up their mind, they listened, asked numerous questions that addressed the issue of being on the grass, but they already made up their mind. Council President Acquafredda stated that was Mr. Dunsay's perception. Mr. Dunsay disagreed and stated you could listen to the recording. Council President Acquafredda said that Mr. Dunsay was making a statement based on what. Mr. Dunsay replied by listening to what happened in the meeting. Council President Acquafredda asked through the recording. Mr. Dunsay's response was yes and that they were going to do the same they did last year. He continued by saying that after his group left the room there was a formal vote taken and in approximately two minutes after leaving the room, they could have been present during the vote, but they were asked to leave. This was not very above board, we are here for everyone's benefit, and any question brought up we tried to address. We have always honored our commitments for twenty years. We have the resources, the staff of 24 people, along with outside resources that would come in and help. We want to do this again in the future and the only way to demonstrate this is to do it a first time. Mr. Teehan wanted to address just one item real fast, he has been a member of the Recreation Commission for the past three years and the members are the kindest and most welcoming people in the borough that he sits with. There has never been at any time anyone that has ever ever been anything but warm and welcoming. Mr. Teehan was the Chairman of that meeting and he invites anyone to listen to that meeting that was held. We applaud the Cultural Center for what they do, and the car show, never at any time

was there anything that was unfriendly. We started out the meeting according to what the commission does, he just wanted to put his comment across. Council President Acquafredda said there was a method to his madness in asking that question, and he opened up the meeting to the council. Councilwoman Murphy asked how many times emergency vehicles had to drive through the park. Mr. Teehan asked if she was referring to the car show or just in general, Councilwoman Murphy stated just in general. Mr. Teehan stated he didn't know and would have to refer the question. Mr. Rebosio stated that he knows of two separate occasions when he was at the park when emergency and police vehicles entered the park. Councilwoman Murphy asked if this was during camp, Mr. Rebosio stated just during park activity, since the question stated was during any time. Council President Acquafredda stated that if anyone wanted to participate in this conversation, it involved all taxpaying residents. Councilwoman Murphy asked about the tree that cane down last year on the camp building and if the building was in disrepair when camp started. Bobbi Conway answered by saying it was repaired before camp started. Councilwoman Murphy asked Mr. Dunsay if there was any problem with the 10 cars last year. Mr. Dunsay answered there was no problem last year or in previous years. Councilwoman Murphy stated that last year Mr. Dunsay requested that the cars be on the macadam and this year on the grass. She made reference to another local car show where the vehicles were on the grass, is the reasoning for not being on the macadam because of the emergency vehicles that need to drive through the park. Mr. Dunsay said yes, last year was a compromise, worked with it, the solution had been proposed by Recreation Commission the car show said yes to. The reason was to accommodate going into the park, the shows at the other locations are annually and here we addressed emergency vehicle access first, which is on the diagram in orange, the green is the area we are asking for the cars. That means instead of the cars being in the way of the emergency access they are actually making a path for emergency access. Councilwoman Murphy stated that she couldn't believe we are back here again and there can be no movement on either side, 10 cars really isn't a compromise. Mr. Teehan said that was the compromise that was agreed upon last year, and his question is exactly the same, he can't believe we are back again, if we made a compromise and came to an agreement. Councilman Cappola said that as liaison to Recreation he brokered the talks last year. Equally as important he is a huge car fan, and in his opinion this car show is better than the one held at Jacob Javits. He has attend all the car shows here whether or not all the cars are in the park. He felt that if he was in this situation he would just accept the decision that was made and honor their jurisdiction. He said that technically the Mayor and Council could make a decision but he wasn't in favor of that, and it was the Recreation Commission's decision, since they take care of the park. This is something between the Recreation Commission and the Cultural Center to work out, not for the Mayor and Council to descend from above, make a decision and then ascend. Councilman Cappola was all about the jurisdiction, they make the decision, done, you like it or don't like, done. He didn't feel the Mayor and Council should have anything to do with it. Councilwoman Busted asked if the Cultural Center had a contingence plan if the weather leading up to this event to keep any ruts or anything else to a minimum. Mr. Dunsay if it rains before the show and ruts could be made we wouldn't bring the cars in on the grass. We would have to put the cars out there and use the Library parking lot and go back to the way they were. They also requested the cul-de-sacs as a last resort. The first long range concern is demonstrating the car show and a net improvement to the park when everything is said and done. The winter was not kind to the park this year and there are ruts there no that existed from three years ago. There grass that hasn't grown there in numerous years, we are prepared to rectify the situation. Whatever real estate we are given permission to use, which will be an area that will be improved the way it should be. Councilman Mignone

asked if this was the original plan submitted to the Recreation Commission, Mr. Dunsay answered yes, Councilman Mignone made reference to the diagram that was submitted to Mayor and Council, Mr. Dunsay answered yes there had been an evolution. Councilman Mignone stated that original showed much more use of the grass, vendors were in the middle, and food vendors by the gazebo area. Mr. Dunsay agreed. Councilman Mignone stated that now it shows vendors on the south side of the park. Does the Recreation Commission has any concerns with having the vendors on the grass. Mr. Teehan replied no as long as they are not vehicles. Councilman Mignone stated that there was no scale on the diagram, but he did scale it out and he couldn't see how 150 cars would fit on the grass. The Council stated that the number went down to 88 cars. Councilman Mignone stated that the maximum would be 65 by his estimate scaling to the size of a parking space. He sees the Recreation Commissions concerns, and they came to a compromise and they thought they had a deal which may go forward and then every year the numbers increases and they won't know where to draw the line. He believed there was room for compromise, such as Recreation agreeing to 10 cars, if they are not on the pavement you have the space along where the vendors are, scaling about 85x25 getting about 8 cars there. Use one localized area and see how it works, if it works out maybe you can do more. Councilman Mignone stated again that he sees the Recreation Commission's concern about cars in the park, and he didn't know if he would be in favor of that. But in talking about compromise, if you took an isolated area and put a total of 10 cars there, he thought that would be a good way forward. Mr. Teehan stated that the car show was already at 10 cars, and Councilman Mignone said give him a choice of 10 on the asphalt or one located area and see what happens. He believed that Ms. Korteweg was correct that there are ways to mitigate the environmental issues. Councilman Mignone understood the Recreation Commission's concern being that again next year the issue coming back and saying it worked well now let's do it everywhere. The Mayor and Council shouldn't necessarily override the decision of the Rec. Commission, maybe keeping the same number but trying a different area. Mr. Teehan stated the points has been gone over with by the Police Chief. The whole point here is that there was a working meeting last year, there was inputs from both sides, and a compromise was reached. Councilman Mignone stated that it doesn't mean if it works as out free reign is given for the park next year, but he thinks both sides could look to something different. Mr. Teehan asked does the Rec. Commission get to the point where they aren't here again next year, we were at that point last year. Council President Acquafredda said the Mayor and Council will decide not to rule on this because there was a legal opinion issued last year, work it out and force the Mayor and Council to make a decision, we are not looking forward to that, not because we are afraid to say yes or no, but because in this case we believe a better effort needs to be made by both sides. We can't go back and say we approved of last year, and not this year, because in his opinion new arguments are not being made, he is hearing the exact same presentation from the Cultural Center as last year that was brought to the agreement of 10 cars. Councilman Papaleo stated that he hears this as the simple argument and agrees with Councilman Cappola. His question was is there grounds for Council action to override the Rec. Commission, and he simply doesn't see grounds to act. Without substantive argument that says the commission acted inappropriately it doesn't seems they did and they follow due process, whether their minds were closed or not is not a matter for us to consider unless there seems to be some collusion or dishonorable behavior, which he doesn't believe occurred, he would have to vote no for the Council to take any action as requested. Could the Rec. Commission be a little more flexible, yes, but ultimately it is the Rec. Commission's right to say no, and they have that right. He didn't find any grounds for the council to do more. Councilwoman Murphy's positon is that she wished that had been some more

compromising, there has to be a better way to work together. Some of the arguments are a little unfounded. She believed that the number should be increase slightly and tried to see how it goes. She did listen and transcribed the tapes from last year and some of the comments were not very nice, putting aside personal things for the betterment of the town for these events, we can work together. Mr. Teehan asked if she listened to the tapes for this year's meeting, and Councilwoman Murphy replied she hadn't. Mr. Teehan said we are talking about 2015 not 2014, this was readdressed by this year's Rec. Commission. He honestly felt they were very inviting, kind, warm, and friendly while working out a compromise that was put upon them and that is where everything is. Mr. Dunsay said they are willing to compromise within reasonable bounds, the 10 cars last year didn't cut it, there wasn't enough reason to draw people to those cars. In taking Councilman Mignone's suggestion, he would like to propose the area that is on the south side, the "u" configuration everything to the south that area be a viable amount of cars that could be there to draw people in. We would be able to demonstrate the way we take area of that area of the park. He doesn't like to go into the numbers game because no car is going to be parking in an area that is inappropriate, this isn't a parking lot, and so what fits fits. The north side of the park we will let it be, and he wasn't saying that he wouldn't ask for it sometime in the future. Councilman Mignone made mention that last year the vendors were in a different location and the Rec. Commission didn't have an issue with vendors, and the area he suggested will hold 10 cars and stay within the limits that were set last year, that would be an act of good faith to show a compromise. Councilman Mignone again mentioned that he would not be in favor of expanding through the park because it would be burdensome. Mr. Dunsay was suggesting that if the areas that are marked in green it will be a real test, if we do this in this area it is contiguous with a much better draw. The other side is that we will have a significant reduction in the need for the Library parking lot. He would like to ultimately get that parking lot freed up and can't do it with 10 cars. Councilman Mignone stated that you couldn't get more than 10 cars even using a standard parking space are to separate them to have people walk around you would only get maybe 14, is 14 more attractive then 10, he didn't know. Council President Acquafredda stated the task at hand was for car show to seek another meeting with the Rec. Commission and illustrate with numbers the solution. The Rec. Commission may elect to see you or not. Mr. Teehan informed Mr. Dunsay that at the May meeting he could be given an opportunity to speak with them. Council President Acquafredda spoke from an architectural and landscaping point of view that there may be opportunity to fix the grass so please consider that if you are asked to make a change of venue to put the cars on the grass with the foils and cardboard underneath. He was really curious to see the method described by Ms. Korteweg, how that may work in the park in July. If it works and it's not a capital expenditure we could do other things and we have the help from the Cultural Center/Classic Car Committee to get it done. Just consider it that's all. Mr. Dunsay asked to have a special meeting like we did last year, he felt waiting until May was procrastination and we need to plan it. Council President Acquafredda denied this request and suggested a sub-committee bring the information to the full committee, in the meantime the process is started, either way. What's the worse that could happen, nothing changes, what's the best the cars are now going to be on the grass. Maybe there is something for everyone one to gain because of your willingness to fix the grass whether it's going to get oil spots on it or not. That's with the win-win situation in his opinion. Council President Acquafredda thanked them for their time.

2. 24 Hours Ordinance – Councilwoman Murphy stated she was in favor of keeping the way it currently is. Councilman Cappola felt we should honor the way the agreement was written up, whether he likes it or not, he will honor his word. Councilwoman Busted

felt that there was an ordinance in place and it needed to be honored for the businesses that have received their approved site plan applications, but she stated that she is in favor of a change in public policy moving forward, but not in any position to make any change to affect that site plan application. Councilman Mignone felt that at this moment he was not in favor of changing it, but isn't against looking at it to see if it could be a little more tight on types of businesses that's it being applied to. The 200 Ft. rule that is being proposed by the Mayor is just not workable, we are within 200 Ft. of everything. He has seen other ordinances that limit it to food type of establishments and things like that, he would be interested in looking at it, but as of now he see no reason for changing it. Plus he hasn't seen an overriding issue besides someone not wanting the 7-11 to change the rules. Councilman Papaleo agreed with everything that was said. Councilman Acquafredda didn't see any reason to change the ordinance. A motion was made to table this matter.

Motion by Councilwoman Murphy, second by Councilman Mignone to table 24 Hour Ordinance. All in favor 6-0

3. Riverside Microsurfacing – Mr. Negreann was asked to list this after receiving Tenafly's report regarding the micro-resurfacing done there. The only thing he would like to advise the Council of is that the borough's numbers have already been submitted to the Riverside Cooperative, bids will be received by the borough of Northvale on Tuesday, April 21, and the ad appeared on April 3<sup>rd</sup> in the paper. Our numbers are already in the bid document and out to bid and the members are relying on those numbers putting the bids together. If you want to continue the discussion on this in the future that's fine, but he doesn't see changing the number that is being done presently and what we are doing, milling and paving, unless you want to add additional money somehow to address inaudible. Councilman Papaleo didn't thing the Council was interested in revisiting the matter. Councilman Mignone said the issue wasn't just necessarily if it was effective, the issue is that we have so many streets that need to be properly milled and paved. Now from his understanding Tenney and River Edge Road the sum being spent in appropriation is \$40,000 which is a lot of money and we are still barely making a dent. His suggestion was maybe the finance committee could look at it with Alan. He knew there was still some old paving ordinances that may still have some left, maybe that will allow us to cover a little bit more, like getting Tenney and something smaller done. He didn't think the money should be put into micro-resurfacing right now. A motion was made to table this subject.

Motion by Councilman Mignone, second by Councilwoman Busted to table micro-resurfacing. All in favor 6-0

4. Proud to be Stigma Free – Councilwoman Busted wanted this listed, it is a Bergen County initiative to raise awareness about mental health issues to remove the stigma of asking for help. The Board of Health is asking this Mayor and Council to pass a resolution in support of this and be able to rebuild some mental health programming in the future. Councilman Mignone supported this and felt it was a worthwhile effect and it is personal to him. Councilwomen Busted informed everyone that our nurse is certified in this issue, and some significant information should be coming out of the meetings on how they are going to provide some mental health programming for the residents. A motion was made to list a resolution "Proud to be Stigma Free" on an upcoming agenda before or to coincide with Mental Health Awareness in May.

Motion by Councilwoman Busted, second by Councilman Mignone to list resolution.

All in favor 6-0

Councilwoman Murphy made mention of the HVAC report. Mr. Negreann stated that the Chair asked that Yusuf Patel acknowledge or recommend the change in the thermostats. Councilwoman Murphy asked if there were still issues with the temperature and if the air conditioning had been tried yet. Mr. Negreann couldn't say if there were any issues on the temperature, and the air conditioning has not yet been tried. Councilman Mignone felt that there were still balancing issues, during DPW negotiations going from the Council Chambers to the conference room, one room read 72° you would leave and come back it was cold, and he didn't believe it was an issue with the contractor.

Councilwoman Murphy stated that in reviewing the bills, the cost for salt spending just this month looks like \$53,169.00, and what had we budgeted for. Mr. Negreann said that figure was correct, and we budgeted about \$42,000.00, and the budget amendment will add another \$20,000.00 indirectly and that should cover it.

#### **UNFINISHED BUSINESS –**

1. Library Roof and HVAC – Councilwoman Murphy acknowledge that Mr. Pulice has send some correspondence. Mr. Negreann said the contractor was mobilizing tomorrow.
2. Complete Streets – Councilwoman Busted mentioned that the Planning Board had indicated to her that the Complete Streets Checklist is now part of the application and wanted to recognize the efforts of the Planning Board. Also this should be left on the agenda.

#### **OPEN HEARING TO THE PUBLIC –**

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

All in favor 6-0

No public comments

#### **CLOSE PUBLIC HEARING –**

Motion by Councilwoman Murphy, second by Councilman Mignone

All in favor 6-0

#### **MOTION TO ADJOURN WORK SESSION AT 10:00 PM**

Motion by Councilwoman Murphy, second by Councilman Mignone to adjourn.

All in favor 6-0

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Stephanie Evans, RMC  
Borough Clerk