

**BOROUGH OF RIVER EDGE  
MAYOR AND COUNCIL  
WORK SESSION MINUTES  
MONDAY, JANUARY 20, 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. Mid-Bergen Regional Health – Lease Agreement Request – Mr. Negreann stated that based on a recommendation from the Contracts Committee, which had no objections regarding Mid-Bergen Regional Health returning to River Edge's Borough Hall, but the rent would need to be increased to \$500.00 per month for a one year agreement. The previous agreement for the lower rental amount goes back ten years. Mr. Negreann would send this requested increase back Sam Yanovich at Mid-Bergen Regional Health.
2. Stormwater Training – Mayor and Council – Mr. Negreann suggested that this training could take place in the Clerk's office, and would only take about 15-20 minutes.

**DISCUSSION ITEMS**

1. Findings of Traffic & Safety Committee/Green Team's Walkability/Bikability Survey – Councilwoman Busted stated that all the members sent a memo in December of their findings and study with nine recommendations. Traffic & Safety held their reorganization meeting and discussed some ideas regarding the pedestrian crossing at Main Street by Total Wine, along with signage. Also the suggestion of using decoys at the pedestrian crossing near the Post Office. Councilwoman Busted suggested that we ask the County to conduct a study of the Kinderkamack Road corridor and ask for a speed limit reduction. It was also suggested that Rob Costa, the Borough Engineer study the area prior to the curb improvement project and assess the situation. Councilman Mignone remembered asking the County for a study about two years ago for Oradell, Westwood, and other towns. He knew there was a study for Emerson, but we should ask for the whole corridor to study prior to the improvement work so it will be a lower cost for the ramp work instead of after the stripping and the left turn signal is installed. Mayor Moscaritolo said that he was informed that the County Engineer was ready to begin the funding for the left turn signal from the developer's escrow account. The County did ask

us to provide a traffic officer to help protect the County's equipment, this also would come from the developer escrow. Mr. Negreann would verify with the Land Use Law. Councilman Mignone asked how long the developer would pay for traffic control. Mr. Negreann stated he would get the information. Mayor Moscaritolo wanted to know if the developer was ready to start the work if we provided police. Mr. Negreann stated he would ask the developer when they would be ready. A motion was made to ask the County to do a study of Kinderkamack Road in River Edge and for Costa Engineering to ask County for a preliminary assessment.

Motion by Councilwoman Busted, second by Councilman Mignone  
All in favor 6-0

It was also asked if the County could do a bike safety study, if Costa Engineering possibly work with "best practices" prior to Kinderkamack Road improvements. Councilman Mignone said that regarding Kinderkamack and Main as of now cars are parked halfway on the sidewalk, Mayor Moscaritolo said that he checked with County and this was the town's issue. Mr. Negreann said he would have the engineer request the County to pay for improvements based on Costa's survey. Mr. Negreann said he would ask Mr. Costa to prepare an RFQ.

2. Ordinance – Senior Citizen Advisory Committee – Mr. Sarlo updated the Mayor and Council that as of yet he has not been presented any by-laws from SCORE nor has a committee been made up. Mr. Sarlo asked the Mayor and Council if he should draft by-laws for the Senior Citizen Advisory Committee, but he needed guidance from them. Councilman Cappola said he would call SCORE tomorrow and remind them about the by-laws. Councilman Papaleo wanted to move forward with an ordinance and by-laws. He stated that there was an internal problem and it wasn't going away, and they can't be funded by the town without by-laws. Mr. Sarlo stated that a liaison could be appointed, but SCORE would still need to come before Mayor and Council if they wanted anything. Councilman Mignone felt that another committee didn't need to be formed to advise them. Councilman Cappola stated that a private organization cannot be funded by taxpayers' money. Mr. Sarlo stated the situation needed to be resolved before this wound up in litigation. Volunteers who run an organization are subject to personal liability, they are not under any umbrella, and Recreation was created by ordinance so they are not crossing any lines. He stated that he could draft a bare bones ordinance stating they would need to elect a President, Vice President, Treasurer and also the by-laws. Councilman Papaleo felt that since SCORE hasn't submitted they own by-laws that the Mayor and Council should create ordinance and by-laws then give it to SCORE. SCORE wants us to solve issues and provide a boilerplate by our next meeting. Mr. Sarlo said he could create by-laws and attach them to the ordinance for Mayor and Council or present them to SCORE to adopt. Councilman Mignone asked if it would solve anything if SCORE met here instead. Mr. Sarlo stated that SCORE was not recognized by any legal document, and it didn't matter where they met, they would have to be recognized to be placed under the umbrella. Councilman Mignone questioned the cultural center. Mayor Moscaritolo stated that they lease from the Borough. Councilman Mignone asked about SCORE having their own facility, not leasing. Mayor Moscaritolo said the organization wanted to use a facility for an event, they would have to get insurance and name River Edge as an additional insured and/or a Hold Harmless form. Mayor Moscaritolo asked Mr. Sarlo to draft something that refers to by-laws to be created.
3. 2014 Bergen County Open space Trust Fund Municipal Program Request – KBG Field Lighting Replacement – Mr. Negreann stated that he sent a copy of the letter from the County asking three questions centering on the balance of the funding that would be

necessary for the 2014 Open Space Grant. The questions were 1. Withdraw the application, 2. Scale back and reduce the amount to get funding, 3. Agree to 100% of project, and any shortage to be made up by the Borough. Mr. Negreann spoke with Bobbi and council who were committed to move forward, the project couldn't be scaled back on since these lights have been budgeted for the last two years, this year it was budgeted for also. Councilman Mignone wanted to confirm this funding was through Open Space or Capital and wasn't finalized for this year's budget. Mayor Moscaritolo said that these lights were applied for and budgeted for spanning three years and this was the third year. Councilwoman Murphy felt the expense was a massive increase, \$162,000 lights, and \$65,000 for engineering costs. Mayor Moscaritolo wanted to remind everyone that these were just estimates, and only estimates. We needed to go out for bid. Councilman Mignone asked about State contract. Mr. Costa said no not under state contract, the original was \$320,000, but other work amounted to \$65,000. Actual construction hasn't changed. Councilman Mignone asked about other types of lights. Mr. Costa said it wouldn't matter either way you still had to do testing and study which was about \$10,000 plus permits, equaling around \$12,500,

4. Request from Cross River Fiber to Enter into a Right of Way Use Agreement for the Installation of Fiber Optic Cable to Existing Utility Poles or Conduits. – Mr. Negreann informed the Mayor and Council about a request Cross River Fiber to string fiber optics and pay rent. Mr. Sarlo said he would review the agreement. Councilman Mignone wanted to know if this meant opening up roads or just working on poles. Councilman Cappola wanted to know what this was used for. Councilman Papaleo wanted to know what it would look like and if it would benefit the Borough or the schools, or are they just moving through River Edge going to and from two points. Mr. Negreann said he would have a representative come in and explain their request and answer all questions.
5. Appointment of Liaisons for the Rent Leveling Board and Board of Health – Councilwoman Busteed volunteered for the Board of Health, she has previously spoken with the nurse regarding mental health issues. Councilwoman Murphy reminded everyone that she volunteered for the position at the last meeting. Councilwoman Busteed asked if there could be two liaisons. It was mentioned that two were not needed, and a motion was made to establish a liaison for the Board of Health.

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

A motion was made to fill the position as Liaison by Councilwoman Busteed and to create new by-laws.

Motion by Councilman Mignone, second by Councilman Acquafredda to approve.  
All in favor 5-1  
Nay: Councilwoman Murphy

A discussion ensued regarding the Rent Leveling Board. Mayor Moscaritolo felt it was necessary, enforcing all apartments to register, regulate rent increases, and possible add complaints, should be up and running. Councilman Mignone felt that hearing appeals was not necessary and no movement was made.

6. Dissolution of Special Events Committee and Creation of Sub-Committee for the July 4<sup>th</sup> celebration – Councilwoman Busteed reminded Mayor and Council how they got to this point and suggested remaining members be recommended for the July 4<sup>th</sup> Committee and dissolve the Special Events Committee. A motion was made to dissolve the Special Events Committee and

its sub-committees.

Motion by Councilwoman Busteed, second by Councilman Papaleo to approve.

All in favor 5-1

Nay: Councilman Mignone

7. Appointment of Ronald Black to the Zoning Board of Adjustment – Councilman Mignone knew Mr. Black had serviced two terms and wanted him reappointed and nominated, as was mentioned at the reorganization meeting, not as an alternate member. At this point a discussion erupted by Councilmen Mignone and Acquafredda that Councilwoman Murphy should recuse herself since there was a pending appointment of her husband on the Zoning Board. Councilwoman Murphy response was that these were separate appointments and she didn't need to recuse herself if vote wasn't on her husband's nomination.

Councilman Mignone asked the Mayor if he sent out correspondence regarding the reappointments or new appointments. Mayor Moscaritolo replied by stating that the appointment process started in September all Councilmembers knew this. Appointees who wanted to reappointed or resign from position should have contact him.

A motion was made to carry over the appointments of the Zoning Board of Adjustments on the following people to the next meeting so Council and Zoning Board could get background information:

#8 Robert K. Cho, #9 Thomas Flynn, and #10 Brett Urban

Motion was made by Councilman Mignone, second by Councilman Acquafredda.

All in favor 5-1

Nay: Councilwoman Murphy

12. AEDs – Mr. Sarlo provided his opinion on this submit since the State hasn't implemented a policy yet. Currently "Janet's Law" only applies to schools. There are no other laws that apply to AEDs. The "Good Samaritan" law provides wide immunity, however one statute states if there is an anticipated use, the user must be certified. Mr. Sarlo recommends to follow the Police and Ambulance Corp. for free assessment training. Also if you adopt an ordinance to require training, getting all the coaches to train is difficult and where would you store the devices. It's only a minute and a half, two minutes of a brisk walk for Police with the ambulance a short distance away.

#### **MOTION TO EXIT WORK SESSION AND ENTER INTO THE REGULAR MEETING AT 8:07 PM**

Motion by Councilwoman Murphy, second by Councilman Mignone

#### **MOTION TO EXIT REGULAR PUBLIC MEETING AND RETURN TO WORK SESSION AT 9:14 PM.**

Motion by Councilwoman Murphy, second by Councilwoman Busteed.

All in Favor 6-0

#### **FOR DISCUSSION –**

11. Ordinance #1817 – Amending Chapter 416, Zoning Article VIII – Mayor Moscaritolo stated that the amended ordinance was sent to the Planner, who will review and advise if it confirms with the Master Plan. If not she will advise of any changes.

#### **UNFINISHED BUSINESS –**

Councilwoman Busted asked about the recycling flyer being sent to residents and businesses from DPW. Mr. Negreann said he would contact DPW for status.

Councilwoman Murphy asked about the resident handicapped parking spot. Mayor Moscaritolo informed everyone that Traffic & Safety voted and recommended a spot. Police will give standards for sign and spot to DPW. Mr. Sarlo said he would draft an ordinance.

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 – Councilwoman Busted asked if the Mayor and Council would consider a resolution asking Bergen County to adopt a Complete Streets policy, focusing on pedestrian safety. Mr. Negreann felt this was previously done and would do some research. Councilman Mignone said that the County had their own internal policy for Complete Streets and the Freeholders didn't want to adopt a formal policy, but a protocol would need to be followed if funding was given.
7. Borough of River Edge Senior/Community Center – Mayor Moscaritolo did a pie chart and graph that showed that the people want a new community center versus renovations. The assessment surveys were not done yet, but he had a meeting scheduled for next week. Councilman Mignone stated that he couldn't attend the meeting, but to hold the meeting without him. Councilman Acquafredda stated that to begin design process you would need square footage to start the design the building. There were distinct steps for this project and he wasn't sold on the idea of bring in an architect to start the design process now. Mayor Moscaritolo stated he didn't know if this would be a new building yet. Councilman Acquafredda said he would vote against renovating the current building. Councilman Mignone felt that the current building's size was inadequate, the lower level could only hold 40 people and the upstairs was not ADA accessible, not enough square footage per person as required. Councilman Acquafredda stated the building was old and lacks everything for a community center, the cost to renovate would be far more expensive then to construct a new building. He said the next step would be to find out what types of programs would be held there, that is why you shouldn't get an architect involved yet, even if the work is pro-bono. RFP's should be sent out for all phases of design and interview the architects. He also felt that this wouldn't be ready yet for a long time, but once it was done the committee should vet out questions and have a united front for the professionals. Mayor Moscaritolo stated that they were not at that point yet and that Councilman Acquafredda and he would have a meeting next week.
8. Townwide Communications/Notifications – Councilman Papaleo mentioned that he spoke with Police Chief Cariddi with regards to creating a policy on how to put out information, have a clear understanding of what dept. would put something in a timely manner. Councilman Mignone stated that when it's a weather issue that's handled by OEM, street conditions if really bad handled by the Police. Councilman Papaleo stated that when the OEM uses Nixle it is under the Police Department. Councilman Mignone

that he received a Nixle from Oradell regarding a road situation that was closed from 8am to 4pm, but never received one from River Edge. Councilwoman Murphy said that once budget season is over the next step would be to have the IT Committee meet to discuss this situation. Mayor Moscaritolo said there needs to be coordination between Tom Smith, OEM, and Chief Cariddi, Police Dept. If the Police Department is handling a traffic incident with/without weather conditions, such as snow or ice, the department can call OEM to put out a Nixle. Councilman Papaleo felt a protocol could be an officer calls into dispatch requesting a Nixle, the dispatcher should turn it over to the supervisor on duty and supervisor makes a decision if a Nixle comes from the Police Dept. or OEM. Councilman Papaleo suggested speaking with Chief Cariddi during the closed session about this issue. Mayor Moscaritolo added that if there is damage to borough property the police dept. does a report and submits it Mr. Negreann to process and submit a claim to get reimbursement for damages, there should be a standard operating procedure. He also wanted an update from DPW regarding the damage to the bench at the bus stop, John Lynch knew about the damage but no one else did, a police report should have been done since the bench is about \$1,300.

9. Generator – Fire Company #2 – Mr. Negreann is almost complete, he wanted Costa to revise the estimate per FEMA's instructions. It should take a few more days then it will be submitted to FEMA for their evaluation of the application. The specs also need to be changed to show all labor, material, and equipment rates broken out, will have Costa revise the specifications.
10. Shade Tree Commission – Councilman Papaleo felt their phone message was abrupt and suggested it be changed. Mr. Negreann stated that the current message would be transcribed and will be discussed tomorrow.

Councilman Mignone stated that the stripping on Fifth Ave. didn't confirm to anything and wanted Costa Engineering to revisit the street. Mayor Moscaritolo requested that Costa prepare a report as to why this happened.

Councilman Mignone mentioned that River Dell televises their meeting. Councilman Acquafredda said that this was a pilot program, also Oradell was waiting to see what the public response was before they tried it. Councilman Mignone stated that River Edge missed the opportunity for a franchise agreement. Councilwoman Murphy said she spoke with a vendor at the League and was for a membership fee of \$150.00 they would assist in seeking out programs. Councilman Mignone also mentioned that while at the League he spoke with a vendor that would supply the equipment and personnel. He also mentioned that he knew if the Borough were to incur the cost it could range from \$10,000 to \$60,000. Mr. Negreann stated that these were under State franchise agreements now. Councilman Cappola stated that there was now live streaming, if it was for free why not use it.

Councilman Mignone questioned Councilwoman Murphy's statement regarding the discrepancies for the General Election results from District 7. He compared the Borough unofficial results to the County's official results and they were the same. Councilwoman Murphy replied that one machine in District 7 wasn't closed down properly and the cartridge was closed out. Councilman Mignone asked when and who she received this information from, was it election night or the next day. Councilwoman Murphy wasn't sure when or where it was corrected. Mayor Moscaritolo stated that in every district Papaleo and Murphy shadowed Booker's numbers. Councilman Mignone was confused about the poll numbers being different and asked the Clerk to call County.

### **NEW BUSINESS –**

Councilman Mignone wanted Mill Creek Development listed on the next agenda. He wanted to confirm that the impact study would be an independent one and understand what the costs would be to the Borough for services as well as the schools. Mr. Negreann stated that the pilot analysis would need to subtract impact amount, which would be for the consultant that is hired. Councilman Mignone felt this was the time to discuss it, since there were three other approved plans, he knew the Planning Board was looking at one of the developers, the Council was looking at the impact and assessment. Councilwoman Murphy asked if the Board of Education should be included in the discussion. Councilman Acquafredda felt it was best to keep it separate especially since the Board of Education doesn't include the Mayor and Council in their discussions. Councilman Mignone asked if maybe a liaison could attend the meeting and Councilman Acquafredda said he would support that idea. He felt there was a lot of mistrust and he didn't know if the Superintendent would approve the idea. Councilman Mignone asked if they shared any information regarding the re-registration they had. Councilman Acquafredda said he received no information for this registration nor did he receive anything information from the last three registrations. Mayor Moscaritolo suggested that the developer put up the funding in an escrow account for an independent study for services and compare to PILOT and see if it makes sense. He also felt the Mayor and Council should tell the consultant what the town wants and let the consultant come back with developer's opinion. Councilman Acquafredda the developer should come back to see what our town wants, not just a general concept. Councilwoman Busted that the data collected should be unique to River Edge. Councilman Mignone asked who gives recommendation for property to have high density. Mayor Moscaritolo said the Planner does. Councilman Mignone felt that the plan should be tailored, if developer doesn't agree then we should solicit opinions from others. This needed to be asked of the developer. Density can be whatever the Borough wants, not the developer. A motion was made to continue this discuss on a regular basis under unfinished business.

Motion by Councilwoman Busted, second by Councilman Mignone  
All in favor 6-0

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

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

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Stephanie Evans, RMC  
Borough Clerk