

**MINUTES OF A MEETING OF THE EDGEWATER MAYOR AND COUNCIL WORK SESSION HELD ON MAY 6, 2024, IN THE EDGEWATER MUNICIPAL BUILDING COUNCIL CHAMBERS, LOCATED AT 55 RIVER ROAD, EDGEWATER, COUNTY OF BERGEN, STATE OF NEW JERSEY.**

**SALUTE TO FLAG**

**OPEN PUBLIC MEETINGS ACT**

Mayor McPartland read into the record the Open Public Meetings Act statement.

“In compliance with New Jersey’s Open Public Meetings Act, Chapter 231 of P.L. 1975, I hereby declare that adequate notice of this meeting has been provided specifying that this work session/regular session meeting would be held on this date, May 6, 2024, in the Municipal Building Council Chambers, second floor, 55 River Road, Edgewater, New Jersey at 7:00 pm. This notice was published in the Record and Jersey Journal, posted on the bulletin board in the lobby of the Borough Hall and posted on the Borough’s website.”

**PRESIDING:** Mayor McPartland

**PRESENT ON ROLL CALL:** Councilman Gutierrez, Councilwoman Lawlor, Councilman Monte, Councilman Martin, Councilman Bartolomeo and Councilwoman Vidal.

**ALSO PRESENT:** Borough Administrator Franz, Deputy and Borough Attorney Travers via telephone.

**ABSENT:** Deputy Clerk D’Anna.

**OPEN MEETING TO THE PUBLIC**

Mayor McPartland opened the meeting up to the public. No one from the public wished to be heard, therefore Mayor McPartland closed the meeting to the public.

**RESOLUTIONS – Consent Agenda:** (for adoption at the next Regular meeting of May 20, 2024.

At this time the Mayor asked the council if they have any questions regarding the referenced agenda resolutions. There were none.

**RESOLUTION  
2024-138  
Salary & Wages**

**RESOLUTION  
2024-139  
Salary & Wages**

**RESOLUTION  
2024-140  
Services & Supplies**

**RESOLUTION  
2024-141  
Tax Appeal Graceffo**

**A RESOLUTION AUTHORIZING A REFUND OF THE BALANCE OWED TO THE FOLLOWING DUE TO TAX COURT JUDGEMENT**

**WHEREAS,** the following taxpayers are entitled to the balance of a refund due to Tax Court Judgement;

Block	Lot	Property	Tax Year	Amount
18	1.06	12 Moorings Lane	2023	\$2,382.73

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Edgewater that the Treasurer be, and is hereby authorized to draw a check in the amount of \$2,382.73.

**CHECK PAYABLE TO:** Anthony J. Graceffo  
Attorney at Law  
302 Union Street  
Hackensack, NJ 07601

I hereby certify that the above resolution was adopted by the Governing Body on May 20, 2024.

\_\_\_\_\_  
Michael McPartland  
Mayor

\_\_\_\_\_  
Nicolette D'Anna, RMC  
Deputy Borough Clerk

**RESOLUTION  
2024-142**

**RESOLUTION AUTHORIZING THE REDEMPTION OF A TAX SALE CERTIFICATE  
FOR BLOCK 90 LOT 11 TO C&E TAX LIEN I/CHRISTINA TC**

**WHEREAS** C & E Tax Lien on December 7, 2023 purchased Tax Sale Certificate #23-019 on property known as 232 Old River Edge NJ LLC 232 Old River Road, Edgewater, NJ 07020 and has paid taxes and interest; and

**WHEREAS** the Tax Sale Certificate has been redeemed for \$115,065.45 and a premium due of \$135,330.00 on May 20, 2024; and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council that the Tax Collector be authorized to issue a refund check in the amount of \$250,365.45.

C & E Tax Lien I/Christina TC  
P.O. Box 5021  
Philadelphia, Pa, 19111

I hereby certify that the above resolution was adopted by the Governing Body on \_\_\_\_\_, 2024.

**Mike McPartland, Mayor  
Clerk**

**Nicolette D'Anna, Deputy Borough  
Clerk**

**RESOLUTION  
2024-143**

**RESOLUTION AUTHORIZING THE REDEMPTION OF A TAX SALE CERTIFICATE  
FOR BLOCK 00033 LOT 1.S QUAL CPA34 ZHONGTIAN LIU**

**WHEREAS** ZHONGTIAN LIU on December 7, 2023, purchased Tax Sale Certificate #23 on property known as GUZMAN, ANA M & LEON SM, Block 33 Lot 1.S QUAL COA34 and has paid subsequent taxes and interest; and

**WHEREAS** the Tax Sale Certificate has been redeemed for \$326.52 effective May 20, 2024; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that the Tax Collector be authorized to issue a refund check in the amount of \$326.52.

ZHONGTIAN LIU  
34 REGENCY CT.  
CHERRY HILL, NJ. 08002

I hereby certify that the above resolution was adopted by the Governing Body on \_\_\_\_\_, 2024

**REQUESTS/MATTERS FOR OPEN DISCUSSION**

**2023 Audit Report** – Borough Administrator Franz had previously distributed the 2023 Municipal Audit and at the next public meeting the governing body will be approving acceptance of the audit and asked to sign the affidavit stating that they have received the audit and reviewed it. And Greg has prepared addressing the comments and recommendations which are on page 156. Last year we received a flawless audit. There are several comments; nothing earth-shattering. Basically it comes down to the testing of certain documents. A correction action plan will be in place for adoption by the governing body at the next meeting.

At this time Administrator Franz explained why Mayor McPartland became so upset as he referenced an email that came from the project manager Sumoski, of the Green Acres Program, regarding Edgewater Borough Green Acres Project #0213-19-051, Old Borough Hall Improvements. In that email, Ms. Sumoski stated that they were flexible with this project and allowed the expansion of the scope of recreation to include pickleball as well as tennis, but they cannot approve the substitution of a recreational purpose and facility that was presented to the public in the hearing for the original application. She further stated that if the Borough wishes to proceed with the change in scope to pickleball courts only, Green Acres would not be able to participate in funding the courts. Mayor McPartland stated that the dimensions for the park improvements have not changed for the pickle ball and the tennis courts. Just the painting of the lines has changed, not the scope of the project.

CME will reach out to Green Acres. Greg said what we can do is have a second hearing and remove the tennis portion or thirdly, build it as approved, and make the changes. Mayor McPartland was extremely upset with this decision by the DEP. He wants a thorough explanation.

Councilman Martin explained that what Ms. Sumoski is saying is that we had the public hearing for a tennis court, not into four (4) pickle ball courts.

The Mayor explained that when you finish a DEP project, the DEP comes in and does a final inspection of the application that was submitted. Mayor McPartland is upset that the DEP can hold this project up.

Administrator Franz referenced the list of capital items that came from the various departments that would come from an all-purpose Capital Bond Ordinance. The request for radio system upgrades came in the tune of \$800,000. This radio system is about 15 plus years. We need to upgrade. One of the satellites is being dismantled at the sewer station, BCUA, which needs to be removed and relocated. The dispatch station is worn out and needs upgrading as well.

Other items included Veterans Field Fencing and Backstop, pump station that ejects the sewage - \$300,000.

Community Center – building improvements: HVAC, lighting, ceiling tiles, kitchen equipment - \$400,000.

DPW – Boom Truck, sweeper - \$600,000.

Fire – Building improvements: various company 1 floor - \$100,000

Marina Bulkhead - Engineering and permitting - \$275,000 just for engineering, just the breakwater area, (not construction). The town is looking into an option of steel corrugated. Councilman Vidal spoke about a species of wood out there that is amazing.

Bergen County Road Improvements – Greg met with the Bergen County engineer regarding the dip in front of 115 River Road that got worse. They will mill and pave from CVS all the way up to the intersection of Gorge Road. Honeywell is doing the injection under the road to solidify the coal tar. They have to figure out where the pipe is broken. The engineer out at the job site there today, is the same engineer working on the

stabilization of what they are going to repair in two weeks, however this is a temporary solution. The permanent stabilization has yet to be.  
 Councilwoman Lawlor asked what happened to the paving up from Garden Place in the north end up to Massa Lane. Mayor has no explanation as to why the county delayed the project. He saw it listed on the County's list of projects.

Special Improvement District(SID) – Administrator Franz asked the Borough Attorney if he had any updates. He called Bill Bailey, City of Englewood Attorney, who said that Englewood's SID ordinance was done before him, but in their ordinance, the Mayor and Council gets to appoint the first Board. Borough Attorney said either we could have an election and we will have to monitor that election, or we will have to amend the ordinance to put in the appointments. He doesn't know which one is better. Borough Attorney is set to meet with Mr. Kempler. The Mayor and Council wanted Attorney Travers to inform Mr. Kempler and his partner Alysse that they will be responsible for either hold an election or whatever he needs to do to create that board. The town gets one designee.

There was some discussion regarding the vacant properties, i.e. former movie theater and the golf range that has overgrown vegetation. The town could clean it up and bill the owner/place a lien of the property.

Property Maintenance – Movie Theater and Golf Course sites. Councilman Vidal said to lien it. The Administrator stated that these properties are in terrible condition and the tree that fell, the Borough ended up cutting it down. The movie theater site has been moved for construction staging for a project that is not even in Edgewater and now they are doing the same thing at the golf range. Attorney Travers knows that there is an application that is being made for the former golf range to give mortgagee in possession. Councilman Bartolomeo asked the borough attorney what his opinion was in regards to cleaning up the walkway, just a little bit, not the whole site, just to make the walkway safe. Borough attorney to look further into this matter. Richard Lieu previously had a maintenance guy. Councilman Vidal suggested issuing a mechanics lien.

Grants Report & Engineers Report which are self-explanatory.

**RESOLUTION TO ENTER CLOSED SESSION**



**BOROUGH OF EDGEWATER  
 RESOLUTION**

COUNCILPERSON	YES	NO	ABSTAIN	ABSENT
GUTIERREZ	x			
LAWLOR	x			
MONTE	x			
VIDAL	x			
MARTIN	x			
BARTOLOMEO	x			
MAYOR				

DATE: May 6, 2024

RESOLUTION NO. \_\_\_\_\_

INTRODUCED BY: Councilman Bartolomeo

SECOND BY: Councilwoman Lawlor.

**WHEREAS**, the Borough of Edgewater desires to meet in private and/or Executive Session to discuss matters that are permitted by the exceptions to the Open Public Meetings Act as indicated herein:

1. Any matter which, by express provision of Federal law or State statute or court rule shall be rendered confidential or excluded from discussion in public;

- \_\_\_\_\_ 2. Any matter in which the release of information would impair a right to receive funds from the federal government;
- \_\_\_\_\_ 3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy;
- \_\_\_\_\_ 4. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.
- \_\_\_\_\_ 5. Any matter involving the purchase, lease, or acquisition of real estate with public funds, the setting of a banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;
- \_\_\_\_\_ 6. Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law;
- x\_\_\_\_\_ 7. Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer;
- x\_\_\_\_\_ 8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
- \_\_\_\_\_ 9. Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or commission for which the responding party bears responsibility.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council shall recess into private and/or Executive and Closed Session to discuss the aforementioned subject matter and the minutes of same may be disclosed at such time in the future as the GOVERNING BODY in its discretion may determine according to law.

**I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2024.**

\_\_\_\_\_  
**Michael McPartland**  
**Mayor**

\_\_\_\_\_  
**Stephanie Evans, RMC**  
**Borough Clerk**

The Closed session items to be discussed include:

- Police Personnel/Grievance
- Aventine Litigation
- Building Department Personnel
- Municipal Clerk Committee

**MOTION TO RETURN TO OPEN AND ADJOURN**

Motion to return to open session and adjourn the meeting was made by Councilwoman Lawlor, second by Councilman Bartolomeo. All councilmembers present voted aye.

Respectfully submitted,

BY: Barbara Rae  
FOR: Greg Franz