

EDGEWATER – “A *Great Place to Live*”

By Mayor James F. Delaney

I would like to take this opportunity to bring the residents of Edgewater up to date concerning the status of the remediation of Veteran’s Field and when we can expect to have the park reopened. The Council members and I know how much Veteran’s Field means to our residents, children, parents, basketball players, tennis players, coaches, exercise enthusiasts and those who love to sit along the banks of the river.

Historical Background

I believe it is important to provide our residents a brief summary of the history of this remediation project.

As far back as 2005, we started applying for grants to upgrade amenities and facilities of Veteran’s Field. In 2006, we completed one of our first projects with both State of New Jersey Grants and Bergen County Grants by installing new basketball and tennis courts. Between 2009 and 2010, we started to plan for another phase of improvements; this consisted of relocating the playground on the southern end of the field and paving the parking area that was just a gravel lot at the time. At the same time this was occurring, Veteran’s Field again suffered damage as a result of the nor’easter on March 14, 2010. Due to the very strong currents of the Hudson River, parts of the embankment washed out into the river, something that was occurring from time to time before the 2010 storm.

As we submitted our improvement plan to the New Jersey Department of Environmental Protection for approval, they insisted that we install the Hudson River Waterfront Walkway.

Many of you remember the walking path that was along the river in the field and later on we installed new outdoor exercise equipment that was paid for with grant money from the Bergen County Open Space and Recreation Trust Program. This path was not recognized as a Hudson River Waterfront Walkway. The walkway must meet certain design and construction standards and this is a requirement whenever a New Jersey State required Waterfront Development Permit is obtained when doing any work along a body of water. Since we did not incorporate the Hudson River Waterfront Walkway into the first project of the tennis and basketball court improvements, the state would not approve the plans for the playground and parking area without us first complying with the DEP regulations for the Hudson River Waterfront Walkway. These regulations were now applicable to the Veteran's Field project.

Green Acres Funding

Green Acres was very receptive and accommodating and offered an additional \$600,000 grant to offset the cost of any repairs and restoration of the embankment so it would no longer wash away into the river during a storm. The Borough then authorized the engineer to design an embankment stabilization project so that we could perform the stabilization prior to installing the Hudson River Waterfront Walkway.

As we then proceeded to receive approval to move forward with amenity improvements, the Green Acres program required we perform environmental testing on the site. The Borough's engineer at the time, Schoor DePalma, performed an investigative report in 2006 in preparation of the basketball and tennis court improvements; however, five years later, Green Acres would not accept this report and required another report to be performed requiring soil sampling; sampling that was not performed for the 2006 report.

New DEP Regulations

What needs to be mentioned is that the environmental standards between 2006 and 2011 changed substantially. If soil samples were taken in 2006 or if the testing standards had remained the same, the soil would be classified as environmentally clean and we would not be in this position. However, the environmental standards were strengthened, which essentially means the lower reading of contaminants is classified as bad and not acceptable requiring the remediation of the soil. Once the soil samples came back with the results in September of 2011, our environmental consultant ordered Veteran's Field closed on September 16, 2011 until the site could be cleaned to the new residential standard of testing as in the rules and regulations of the New Jersey Department of Environmental Protection.

Remediation of Veteran's Field

The Borough had no choice but to remediate Veteran's Field and we authorized our Borough Engineer to prepare plans and specifications to not only remediate but also take the opportunity to improve the overall facility and take advantage of the over \$1,721,240.62 in grant and loan monies from both the State and County. On February 21, 2012, the Borough held an informational meeting at the Community Center that focused on the overall situation of Veteran's Field and the new restoration plan that was developed by our engineer Neglia Engineering. Residents were disappointed about the closing of Veteran's Field but also helpful with the many suggestions and recommendations they made on how to improve the facility. On May 24, 2012, the Borough received sealed bids from contractors based on the project specifications prepared by Neglia Engineering. This process was a legal bidding process according to the Local Public Contracts Law N.J.A.C 40A:11. Five contractors submitted sealed bids ranging from the lowest of \$7,231,575.88 to the highest of \$14,486,809. As per N.J.A.C

40A:11, the lowest, responsive and responsible bidder must be hired. Waterside Construction submitted the lowest bid and they were hired to perform the work.

Hurricane Sandy

The project was progressing but then we were hit with Hurricane Sandy on October 29, 2012 and the project came to a halt. As with many locations throughout Edgewater, Veteran's Field received flooding and subsequent damage as a result of floodwaters and hydrostatic pressure causing damage. By this time, the contractor had installed interlocking retaining walls and drainage, the resulting hydrostatic pressure shifted and moved many of these items and the necessary insurance and Federal Disaster Assistance was filed for and received to make the repairs.

Improper Fill Brought to Site

The work seemed to be moving nicely with a good pace until October 3, 2013. This is the day we were notified by our Licensed Site Remediation Professional (LSRP) that he was closing the field because contaminated fill was brought into the site without their knowledge or approval.

When we started this project, we hired an environmental consultant, TERMS Environmental Consultants, who act as our Licensed Site Remediation Professional, or essentially the person not only representing the Borough, but also the New Jersey Department of Environmental Protection. They have the responsibility of monitoring the clean up as well as testing to make sure that all of the fill being brought to the site was clean fill. The system we had in place worked because when unclean fill was brought in, it was detected and the project had to be stopped. This situation was discussed at length at our Mayor and Council meeting of October 7, 2013 and was very well covered by the Bergen Record and Edgewater View Newspapers. In

addition, all information from the Borough's LSRP regarding Veteran's Field has been posted on our web site www.edgewaternj.org since the field was first closed in 2011. Again, at the Mayor and Council meeting of January 27, 2014, we had our LSRP meet and discuss with us the status of this project. Again, we have given direction to our LSRP that is consistent with the terms of our contract; all contaminated material is to be removed. If the contractor fails or refuses to do so, we will aggressively pursue all legal steps necessary to protect the interest of this Borough, and complete the remediation of the field as soon as possible.

Sincerely,

James F. Delaney, Mayor
Borough of Edgewater