

Edgewater may rehire firm that dumped tainted concrete

SEPTEMBER 19, 2014 LAST UPDATED: FRIDAY, SEPTEMBER 19, 2014, 12:31 AM
BY SVETLANA SHKOLNIKOVA
STAFF WRITER
EDGEWATER VIEW

EDGEWATER — Nearly a year after it dumped contaminated crushed concrete on the park it was hired to remediate and renovate, Waterside Construction could be brought back to Veterans Field to clean it up.

Borough officials said this week they are continuing mediation with the firm, which is disputing the amount of PCB-laced fill it trucked in from a former aluminum plant in October 2013, and are open to the possibility of putting it back on the job if bidding for the new remediation project yields unsatisfactory results.

"We have to keep a practical approach to this cleanup, we want this field cleaned up as quickly and safely as possible," said Councilman Luis Vidal, noting that going with another company is "going to require additional work on our behalf" and cost additional money.

The borough opened bids for the remediation work on Wednesday. On Monday, the governing body approved an ordinance authorizing it to bond for an additional \$4 million to cover the estimated \$7 million to \$8 million cost of the new cleanup, raising the price of the Veterans Field project to \$13.7 million.

While the original \$7 million contract awarded to Waterside included both remediation and the cost of new amenities, the new bid specifications are strictly for the cleanup, said officials. Any remaining funds will be used to fund the renovations.

The two-phase remediation project might also change the removal level for PCBs from the state's strictest standard as originally proposed to a lower residential standard.

If the borough reaches an agreement with Waterside to perform the job, work on the field would commence within 15 days, said Timothy Corrison, the borough's special environmental counsel. Though Waterside refused in a May mediation session to pay for the cost of remediation, council members said they expected the company and its

owner, developer Fred Daibes, to foot the bill.

"This is coming out of his pocket; he's going to pay for the cleanup, not us," said Vidal.

"The only benefit Waterside has if they come back to the job site is to restore some credibility in the company."

Residents blasted the council for keeping Waterside as an option for the project, saying the very idea defied common sense.

"It is a tragedy that you are still considering Waterside ... when they have screwed us big time," said resident David Jang. "This shouldn't even be a debate at this point ... I can't [understand] making the same mistake twice."

"I feel like I've got Ray Rice knocking on the door because here we are, we're going to go with the guy who royally screwed us and we're going to take it," said resident Katie Jones, referencing the professional football player who was recently suspended for domestic abuse.

Borough Attorney Philip Boggia said the solution was "not as simple as everyone may think it is."

The borough is currently suing Waterside and all other parties involved in the recontamination in federal court, including its former project consultant TERMS Environmental Services, which was tasked with inspecting all material trucked into the park and said Waterside failed to adhere to mandatory testing procedures.

TERMS recently sued the borough for unpaid fees and has sent a tort claim notice expressing its intent to take legal action for wrongful termination, accusing borough officials of acting at the bidding of Daibes and Waterside.

Mayor James Delaney this week said he sided with residents and wanted the company off the project though contractually, the borough is obligated to attempt to resolve the matter with Waterside and have the company repair the damages at no cost to the town.

"My feeling is don't let Waterside back on the field, keep the standards to what they originally were and move on with a new contractor," he said.

Email: shkolnikova@northjersey.com