

Edgewater going to court over contamination

AUGUST 15, 2014 LAST UPDATED: FRIDAY, AUGUST 15, 2014, 12:31 AM

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EDGEWATER VIEW



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EDGEWATER — The borough council authorized its special environmental counsel to file litigation in federal court against all parties responsible for the latest contamination at Veterans Field Aug. 11, nearly a month after one of those parties sued the borough for wrongful termination.

Attorney Timothy Corrison will take "all potential parties that share some level of culpability" to court, said Borough Attorney Philip Boggia, including Waterside Construction, which trucked in PCB-laced crushed concrete last fall without submitting it for required testing and TERMS Environmental Services Inc., which was charged with supervising the remediation of the field.

Alcoa Inc., which owns the former site of an aluminum plant on River Road where the contaminated material originated, will also be named as a defendant, along with all prior owners of the property.

"We are pursuing all responsible parties because it only enhances the borough's ability to be compensated for the damages that we have suffered and all the monies that we have paid and are going to continue to pay," said Boggia.

The Edgewater council this week introduced a bond ordinance to increase expenditures for the cleanup and renovation of Veterans Field by approximately \$4 million, to \$13 million.

The borough will use the \$5 million it had yet to pay Waterside to fund the immediate cleanup of the site as well as various improvements to the park, including reconstruction of the Little League field, construction of a new parking lot, playground area and picnic area, landscaping, lighting and other work.

Waterside pocketed approximately \$3 million before the borough removed it from the project for defaulting on its contract and entered into talks with its insurance company, Liberty Mutual, to recoup a \$7 million performance bond.

Boggia said the insurer is still reviewing documents related to the case but that the borough is confident Liberty Mutual "will eventually agree with our position."

"We will complete the park with the expectation that the borough will be reimbursed," he said.

To expedite the remediation process, borough officials this week also appropriated \$24,800 for additional soil testing that will break down the type of minerals present in the soil and serve as a guide for the contractor that eventually takes on the project.

The borough received bids from 11 prospective vendors and hopes to award a contract in the next few weeks, according to Boggia.

As it readies for another cleanup, as well as a lengthy legal battle, the borough is also dealing with a lawsuit TERMS filed last month alleging that officials fired the consultant for the original Veterans Field project at the request of Waterside's owner, local developer Fred Daibes.

Boggia said last month that the charges were "without merit" and "simply not true."

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