

MINUTES OF A WORK SESSION OF THE EDGEWATER MAYOR AND COUNCIL HELD IN THE NANCY MERSE COUNCIL CHAMBERS, LOCATED AT 55 RIVER ROAD, EDGEWATER, COUNTY OF BERGEN, STATE OF NEW JERSEY ON DECEMBER 1, 2014

PRESIDING: Council President Henwood

PRESENT ON ROLL CALL: Councilman Henwood, Councilman Doran, Councilman Monte, Councilman Vidal and Councilman Bartolomeo

ALSO PRESENT: Administrator Gregory S. Franz, Borough Clerk Barbara Rae and Borough Attorney Philip Boggia

ABSENT: Mayor Delaney and Councilman Jordan

OPEN PUBLIC MEETING ACT

Council President Henwood read the Open Public Meetings Act Statement into the Record.

SALUTE TO THE FLAG

Councilman Monte led the Pledge of Allegiance.

CONFERENCE

1. Steve Curry, Fire Inspector Open/Closed

Administrator Franz said that the Expenditure and Activity Report will be discussed in open and the personnel portion will be discussed in Closed.

Mr. Curry referenced packet he distributed to the Governing Body. Packet contained Activity, Revenue and Expenditure Reports for the Fire Prevention Bureau from 2010 to 2014, Salary and Wages Overview Report for 2014 and 2015 and a list of Fire Prevention Vehicles and who they are assigned to (list had been requested).

Reviewed Salary and Wages Overview Report. Compared staffing, costs and revenues from 2010 to 2014. Changed fee schedule in 2012 and added 2 inspectors and additional secretary. Showed how the Bureau went from costing \$41,153.45 to a profit of \$52,495.00 as of the end of November 2014. \$21,000 is outstanding to be collected. Noted part time inspectors are limited to 19 ½ hours per week.

Not included in any of the reports are approximately 1165 non-owner occupied residents which are in the process of being registered. Explained people who own condos (i.e., Independence Harbor), and rent them out are treated as a business. That information is not included in any of the reports. Responded to questions. Noted that as of this year, took over doing all business co's in town from the Building Department. That is additional duties.

Referenced the list of Fire Prevention Vehicles. Noted two were replaced because they were too small to hold all the necessary equipment. Councilman Henwood commented on the vehicles.

Spoke about the number of vehicles parked in the Fire House Parking Lot. Also spoke about the possibility of parking vehicles in the Municipal Lot across from the old Borough Hall. This would free up the Fire Department lot.

Discussion about the amount of units owned and being rented out. All units in Independence Harbor are being registered. Only one and two family owner occupied homes are exempt from the Fire Code.

Spoke about difference between a rental and condo and how they generate funds on rentals.

Spoke about additional duties and limit of part-timers. Request for additional part time inspector will be discussed later.

Councilman Vidal spoke about the web link to see if something on the new web site could assist.

2. Joe Chevalier, Coach- recommended going with Astro turf.

Council President Henwood had asked Coach Joe Chevalier to speak to the Governing Body about the recommendation of Astro turf for the Little League field. He had asked him to verify that he and Tom Quinton contacted the International Little League in Pennsylvania to get specific details. Those details could be incorporated into the bid specs.

Coach Chevalier said that he was waiting for an email from the league. He also stated that it was never their (the recreation coaches) intention for anyone to get hurt. He believes you can do a lot more with Astro turf and get in more playing time. Nowhere does it say it can cause cancer.

Coach Chevalier mentioned that Fort Lee put turf down 4 years ago and have had no problems with it. It requires light maintenance and he has not found anywhere where it said it causes cancer.

Herminia Saldada representing Challenger, the Special Needs Division of Little League, said the program started in Edgewater 10 years ago. Feels the geese problem is much more detrimental. Astro turf has been a godsend. She stated that it is easier to manage wheelchairs. She wants to bring the program back to Edgewater. Bathrooms in Recreation Center are handicapped accessible. They only play on Sundays. Edgewater kids go to Fort Lee and play Football on Astro turf. Said if Council decides to go with Astro turf, Borough Grant Person should look into the possibility of getting ADA grant funding. Administrator to speak with Millennium Strategies.

Council President Henwood thanked Coach Chevalier and Herminia Saldada.

OPEN MEETING TO THE PUBLIC

Council President Henwood opened the meeting to the public and the following were heard:

Fred Parisi, former Bergen County Police Officer and State Trooper

Made accusations against Police Officer Dale Price and that the officer allegedly had an affair with his wife while on duty. He made other allegations against the officer. He wants the Governing Body to be aware of what is going on with one of their officers. He believes that the Prosecutor and Edgewater's Captain Hanna are investigating the matter. Wants Officer Price to be suspended and then terminated.

Peter DePaul, 606 Undercliff Avenue:

- Spoke in favor of live grass at the Little League Field.
- Spoke against Astro turf. He noted heat buildup and skin abrasions. Believes Astro turf is dangerous.
- Spoke about construction fences being left open at night.

No one else wished to be heard therefore the Council President closed the meeting to the public.

A. CLOSED SESSION ITEMS

PERSONNEL:

1. Tax Collector Position
2. C.F.O. Position
3. A & E Personnel (Clerk's Office and Finance Office)
4. A & E Salaries
5. Fire Prevention Inspector

- 6. Police Personnel

Contract Negotiation:

- 7. D.P.W. Contract
- 8. P.B.A. Contract
- 9. Building Department Inspector

RESOLUTION AUTHORIZING EXECUTIVE SESSION

December 1, 2014

INTRODUCED: Councilman Doran

SECOND: Councilman Vidal

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:

- L. 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;

- XX 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;

- XX 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;

- XX 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

it discretion may determine according to law.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilman Doran	Yes
Councilman Monte	Yes
Councilman Vidal	Yes
Councilman Jordan	Absent
Councilman Bartolomeo	Yes

The governing body returned from Closed Session.

PRESENT ON ROLL CALL: Councilman Henwood, Councilman Doran, Councilman Monte, Councilman Vidal and Councilman Bartolomeo

ALSO PRESENT: Administrator Gregory S. Franz, Borough Clerk Barbara Rae and Borough Attorney Philip Boggia.

ABSENT: Mayor Delaney and Councilman Jordan

ITEMS FOR CONSIDERATION AT NEXT REGULAR SESSION (12-15-14)

MINUTES:

1. November 10, 2014 Regular and Closed Session

No questions or comments.

ORDINANCES: None

Introduction:

Adoption:

RESOLUTIONS

1. **2014-274** Appointment of Temporary, Part-time Admin. Asst. – Police Dept.
2. **2014-275** Tax Lien Redemption 69 State Highway 5
3. **2014-276** Tax Lien Redemption 15 Winterburn Place
4. **2014-277** Santa & Friends
5. **2014-278** Cancellation of Outstanding Checks to Surplus (not available until 12/15/14 meeting)
6. **2014-279** Transfers (not available until 12/15/14 meeting.
7. **2014-280** Ambulance Bid Award
8. **2014-281** Salaries & Wages (not available until 12/15/14)
9. **2014-282** Salaries & Wages (not available until 12/15/14)
10. **2014-283** Services & Supplies (not available until 12/15/14)

Will be adding Resolutions.

B. REQUESTS / MATTERS FOR DISCUSSION:

Mayor:

Borough Administrator:

1. Ambulance Bid – Bid received and came in under the Budget.

Council President Henwood said that there is a request from the Superintendent of Schools for the Planning Board and the Board of Adjustment, when reviewing developments in excess of 20 units, to give the School an opportunity for input in order to determine impact on schools. Wants a study from an independent firm paid for by the developer. Wants it to be standard operating procedure. Borough Attorney Boggia spoke noting that the Code permitted the Borough to hire experts for socio economic impact studies. Recommends resolution.

Council President Henwood spoke about adding two resolutions for payment to First Environment and Connell Foley for the next meeting. Administrator Franz spoke about procedure for payments. When invoice is received a Resolution will be presented to the Council. Will not be in bill list.

ATTORNEY:

Borough Attorney Boggia referenced Councilman Henwood's email regarding the Binghamton. Borough Attorney Boggia had responded. He noted that Paul Fader represents the new prospective client seeking approval from the DEP to get new barge. Have not seen any documents. He noted that the State of New Jersey has issued violations against the landlord. If Borough wanted to continue to pursue violations and penalties against the Binghamton there is a mechanism. Full discussion about whether the Council should give a time limit for the removal. Borough Attorney Boggia spoke about monies the Borough has for removal. Strong letter to Gross to be sent from Borough Attorney Boggia.

Administrator Franz informed the Council that there had been a meeting with Borough Personnel about the website. Reviewed items needed. Trying for March date but more realistically will probably be April. Discussion about website. Councilman Vidal expressed concern about the company only printing the forms on the website. Comments by Councilman Henwood. and Administrator Franz. Administrator Franz will get information and update Council.

MOTION

December 1, 2014

INTRODUCED: Councilman Monte

SECOND: Councilman Bartolomeo

Motion to adjourn.

On roll call the vote was as follows:

Councilman Henwood	Yes
Councilman Doran	Yes
Councilman Monte	Yes
Councilman Vidal	Yes
Councilman Jordan	Absent
Councilman Bartolomeo	Yes

Annamarie O'Connor
Deputy Borough Clerk

APPROVED: December 15, 2014