

**MINUTES OF THE BOROUGH OF EAST RUTHERFORD
MAYOR & COUNCIL
WORK MEETING HELD ON
MAY 17, 2016**

WORK MEETING WAS CALLED TO ORDER BY MAYOR CASSELLA AT 5:37PM. FLAG SALUTE WAS HELD AND THE FOLLOWING OPEN PUBLIC MEETING STATEMENT WAS READ:

This meeting is a Work Meeting of the Mayor and Council of the Borough of East Rutherford and is called pursuant to the provisions of the Open Public Meetings Law. This meeting was transmitted to the three newspapers listed below on January 4, 2016, posted on the bulletin board at the Municipal Building and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

The Herald News

The Record

The Bergenite

ROLL CALL:

Councilmember	Present	Absent
Brizzi	X	
Homaychak*	X	
Lahullier	X	
Perry*	X	
Stallone	X	
Ravettine	X	

Also present were Borough Clerk Danielle Lorenc, Attorney Richard Allen and Engineer Glenn Beckmeyer

*Councilman Homaychak entered the meeting at 5:45 and Councilman Perry entered the meeting at 6:05

Rick Arango of Remington, Vernick and Arango reported that the asbestos abatement for 116 Uhland Street was awarded to Lilich Corp. He had asked when they should begin. It was decided to wait until school is out before the work is started.

Councilman Homaychak entered the meeting at 5:45PM.

Attorney Charles Sarlo, Engineer Anthony Kurus and Bob Roth were present to discuss the sewer lines for the Sterling project. After discussion of the various options for the project, the following resolution was submitted for approval (Councilman Perry entered the meeting at 6:05PM during the discussion):

BOROUGH OF EAST RUTHERFORD

RESOLUTION #80 - 2016

WHEREAS, Sterling Developer received approval from the Planning Board, Borough of East Rutherford, for the proposed development / construction of multi-family housing, in connection with the redevelopment of the property identified as Block Lot 1 and 2, which is commonly known as 429 Central Avenue, East Rutherford, N.J., and

WHEREAS, the said approval was memorialized in a Resolution of Approval, adopted by the Planning Board 2016, which contained a provision requiring approvals by any other agency; and

WHEREAS, there exists a sewer easement over the subject Property, where the bed of the mapped street, previously known as Maple Street, existed which runs parallel to the railroad line from Central Avenue to Paterson Avenue; and

WHEREAS, the proposed development / construction of the multi-family housing places two residential structures atop the sewer easement with a proposal to relocate the sewer easement along the railroad tracks; and

WHEREAS, neither the Governing Body of the Borough nor the Borough's Utility Commission was consulted with respect to the proposed plans of the developer; and

WHEREAS, upon review by the Borough's Utility Commission, the proposal to relocate the sewer easement along the railroad line was deemed not acceptable; and

WHEREAS, the Utility Commission has recommended that the sewer line that needs to be installed by the Developer, be located beneath Oak Street, in lieu of relocating the sewer easement; and

WHEREAS, the Governing Body heard a presentation from the Utility Commission's engineer and legal counsel regarding this issue.

NOW THEREFORE, BE IT RESOLVED, THAT on May 17, 2016, the Governing Body of the Borough of East Rutherford hereby declares that:

1. Pursuant to applicable case law, the Governing Body has the exclusive right to say whether the developer can relocate the sewer easement.

2. In consideration of the Borough extinguishing the sewer easement, which lies in the bed of the vacated Maple Street, the Developer shall be required to install a new 10 inch sanitary sewer line beneath the entire length of Oak Street along with the usual and customary appurtenances (i.e., manholes, etc.). Said installation to be done by Developer in connection with Developer's obligation to repave Oak street, pursuant to its Planning Board approval. The Developer would connect the new multifamily housing to the new Oak Street line via a lateral from each building. The Borough would be responsible for the necessary legal and administrative obligations to extinguish the "Maple Street" sewer easement. The Developer would be responsible for any site related / physical activities associated with the extinguishing the Maple Street" sewer easement.

3. The Borough recognizes that PSEG has been given easement rights within the "Maple Street" sewer easement. The Borough will contact PSEG regarding same. The legal costs contemplated in paragraph 2 hereinabove, associated with extinguishing the easement, shall not extend to any PSEG litigation, if applicable.

4. In connection with the foregoing, the Borough would also vacate the sewer line running from the Paterson Avenue and Oak Street intersection in an easterly direction toward the railroad line and then in a southerly direction into the "Maple Street" sewer easement.

5. The installation by the Developer of the new sanitary line beneath Oak Street is in consideration of the Borough extinguishing the Maple Street" sewer easement. The Developer shall still be obligated to pay the applicable sewer connection fees as required by Ordinance.

Moved: Councilman Brizzi

Second: Councilman Homaychak

Roll Call: All Ayes

COMMITTEE REPORTS

ENGINEER'S REPORT – GLENN BECKMEYER

Engineer Beckmeyer submitted Application #4 in the amount of \$354,339.15 from Smith Soudy for the 2013 Road Program:

Moved: Councilman Ravettine
Second: Councilman Stallone
Roll Call: All Ayes

Engineer Beckmeyer discussed the following:

- Waiting for the final paperwork from the County for the Shared Services on Carlton Avenue
- Received back the results of the sediment samples that were taken in the draining ditches in the DuBois Street area – they were contaminated. He will get prices from companies that will accept this type of contaminated soil.
- Had a company come in to give a quote on the 9/11 fountain repair. He asked for approval to get the repair done at a price not to exceed \$5,500
- He shut down the area next to the bathrooms at McKenzie Field in the area of Wall and Paterson due to the company next door having a vehicle parked that was a safety issue. It has since been resolved

VEHICLE MAINTENANCE – COUNCILMAN PERRY

Councilman Perry stated that Sonny Coronato passed away – he made a motion to rename the tennis courts at McKenzie Field after him:

Moved: Councilman Perry
Second: Councilman Lahullier
Roll Call: All Ayes

FINANCE/DPW/TECHNOLOGY/BD OF ED – COUNCILMAN HOMAYCHAK

Councilman Homaychak stated that the Access for All Committee hosted the County meeting this past weekend at the Civic Center. There was an issue with the changing table in the ladies restroom interfering with a wheel chair. He made a motion to replace the changing tables in each of the bathrooms at the Civic Center. They will cost approximately \$200 each:

Moved: Councilman Homaychak
Second: Councilman Brizzi
Roll Call: All Ayes

Councilman Homyachak stated that there is also an issue with opening the front door of the Civic Center as well. He would like to install the automatic door openers on each floor of the Civic Center. The cost would be \$680 each:

Moved: Councilman Homyachak
Second: Councilman Stallone
Roll Call: All Ayes

Councilman Homyachak also asked for an East Rutherford flag to be installed at the Civic Center. Councilman Perry will check if he has any more or if they need to be ordered.

POLICE/B&G/RECYCLING/CIVIC – COUNCLMAN BRIZZI

Councilman Brizzi submitted the following requisitions for approval:

JCM Associates	\$705.89
US Tel	\$766.93

Moved: Councilman Brizzi
Second: Councilman Stallone
Roll Call: All Ayes

Partac Peat	\$2,896.74
Rays Cleaning	\$2,480.00
Chem Tech	\$ 552.00
Gates Flag	\$ 688.70
Panorama	\$ 795.00
Commercial Rec Specialists	\$ 785.00
Industrial Electric	\$ 643.00
Metro Fire	\$5,111.50
Turn Out	\$ 809.97
R&R Trophy	\$ 739.98
General Carbon	\$1,565.00
Gates Flag	\$2,444.85

Moved: Councilman Brizzi
Second: Councilman Homyachak
Roll Call: Ayes – Brizzi, Homyachak, Lahullier, Stallone, Ravettine
No – Perry

Councilman Brizzi stated that he spoke to Frank Recanati regarding a complaint letter from a resident of Hope Street. The sidewalk in front of the home is in disrepair and dangerous. The building department has reached out to the homeowner and they are going to bring it up to code.

Councilman Brizzi stated that in the past Whelan and Ives has serviced the borough's heating/cooling systems however there have been some issues so he decided to get three prices to make sure we are getting the most for our money. The three quotes were as follows: Air Control Inc. \$5,255.00 – State Wide Air \$6,200.00 – Whelan and Ives \$8,900.00 . He said that in the quotes, State Wide would make more visits. He asked for a motion to approve a not to exceed number of \$6,200 pending review of all quotes from Engineer Beckmeyer:

Moved: Councilman Brizzi

Second: Councilman Homaychak

Councilman Ravettine asked that an additional quote be received from a local company in Wallington. Councilman Brizzi agreed to get the additional quote.

Roll Call: All Ayes

Councilman Brizzi stated that seasonal meter upgrades are needed before Suez will install the meters. The following plumber quotes were received: Frontin \$4,548.85 and Churhill \$4,100.00. Low quote for the necessary rock enclosures is \$1,882.50 from Safe T Cover for three. We would also need to purchase some other materials at a cost of approximately \$200.00. Total cost for these upgrades would be approximately \$12,000.00. Motion was made for the approval pending the CFO having the necessary funds:

Moved: Councilman Lahullier

Second: Councilman Brizzi

Roll Call: All Ayes

Councilman Brizzi also had a quote to replace the steps at the American Legion from C&C Masonry in the amount of \$12,725.00 however no action will be taken at this time.

Councilman Brizzi submitted a quote from SportCare for maintenance on the turf at Riggin Field. The cost for each field would be \$3,300. A motion was made to approve one field at this time in the amount of \$3,300:

Moved: Councilman Brizzi

Second: Councilman Stallone

Roll Call: All Ayes

*The Council agreed on the maintenance contingent that the school be billed for half of the cost

Councilman Brizzi said it has gotten to the point that without someone in the position at borough hall a lot of building and grounds things have fallen on Danielle and himself. Councilman Stallone has brought up a couple of times at meetings about supervision. He thinks that until the position at borough hall is filled that it may be wise to keep that current building and grounds position as a carpenter position but have him again

reporting to a boss which would be Paul. Issues have come up such as the fountain, fencing, people already working on things and its not fair to Danielle or himself. The position is just not getting proper oversight. He made a motion to make the current building and grounds position to a carpenter position that will be under the over sight of public works.

Mayor Casella said building and grounds. He would create the position of carpenter/public works repairer that would fall under the supervisory of Paul. Mayor Cassella read a job description for this position as established under Civil Service.

Councilman Brizzi said there is a long list of things that are done and for him and Danielle to oversee it is too much.

Mayor Cassella said the motion was to have the building & grounds position under the jurisdiction of the Acting Superintendent:

Moved: Councilman Brizzi

Second: Councilman Stallone

Roll Call: Ayes – Brizzi, Stallone, Ravettine, Perry, Hodaychak

Abstain – Lahullier

Councilman Ravettine said to make sure that everyone is punching in and out at the DPW. He believes there are a few people that are not using the time clock.

Councilman Hodaychak submitted two bills from Russo Construction for work done at 312 Grove Street. One for repairs to the ceiling in the amount of \$2,200 and one for a server closet in the amount of \$1,800.

Moved: Councilman Hodaychak

Second: Councilman Perry

Councilman Lahullier asked why we didn't get two quotes. Councilman Brizzi said that we did but he didn't have them attached. Councilman Lahullier said we never see quotes here. Councilman Brizzi said that he will get the additional quotes

Roll Call: Ayes – Hodaychak, Perry

Abstain – Brizzi

No – Lahullier, Stallone, Ravettine

Mayor Cassella asked for a motion to adjourn the work meeting at 7:01PM:

Moved: Councilman Perry

Second: Councilman Stallone

Roll Call: All Ayes



Danielle Lorenc, RMC