

Mayor Chong Paul Kim opened the Work Session at 5:06 P.M.

STATEMENT:

This is a Work Session of the Mayor and Council, and notice was given as follows:

1. Notice was filed August 18, 2023 with The Record & Newark Star Ledger, both official newspapers of the Borough.
2. Notice was posted on the Bulletin Board
3. Copy is preserved in the Clerk's Office.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:

ROLL CALL:

Mayor	Kim	Present
Councilperson	Jang	Present
"	Kim	Present
"	Min	Present
"	Park	Present
"	Pirrera	Present
"	Vietri	Absent

Borough Attorney	Matthew Moench, Esq.	Present via Zoom
Borough Administrator	David Lorenzo	Present

ADOPTION OF MINUTES:

Special Meeting of the Mayor and Council:	June 15, 2023
Work Session, Regular Meeting, Closed Session of the Mayor and Council:	June 26, 2023
Special Meeting and Closed Session of the Mayor and Council:	June 29, 2023
Special Meeting and Closed Session of the Mayor and Council:	July 12, 2023
Special Meeting and Closed Session of the Mayor and Council:	July 19, 2023
Work Session and Regular Meeting of the Mayor and Council:	July 24, 2023

CONSENT AGENDA:

RESOLUTION 2023-198 Claims

The Borough Clerk stated that the bill list was located in the meeting packets. Mr. Lorenzo stated that the backup of the bills was available in the Borough Clerk's office. Michael Apicella also had copies of the bills.

The Mayor and Council had a question about the following bills:

1. Shawn Lee (\$10,621.92); the Mayor requested that Ms. Eleftheriou to pull out this bill. Mr. Lorenzo stated that he believed that particular one was for the payment of Mr. Lee's legal fees.
2. North Jersey Media Group; the Mayor stated that there were a slew of bills from this vendor. Mr. Lorenzo said the Borough Clerk could confirm, but these were for advertisements.
3. QBE Specialty Insurance Co.; Councilwoman Jang asked about the four judgements. Mr. Lorenzo said that those were for the payment of the legal fees for the lawsuits.
4. Ridgefield Health Department - \$13, 179.90; the Mayor had a question about the Ridgefield Health Department. Mr. Lorenzo stated that this was a shared service agreement.
5. NJ Advance Media/Star Ledger; the Mayor asked if this was for advertisements. Mr. Lorenzo said yes.
6. Metropolitan Plant Exchange; the Mayor asked what this was for. Mr. Lorenzo stated this was probably for one of the holidays.
7. Anthony Pallotta (2,306.37); the Mayor asked what this was. Mr. Lorenzo answered that this was the reimbursement for health insurance.
8. Veolia Water New Jersey; Councilwoman Jang asked why one bill was \$2,860.07 and the other was \$9,912.29. Mr. Lorenzo answered that the Veolia on page 10 was for the water in the pool and Veolia on page 9 was for the usage of fire hydrants in town. The Mayor asked if the bills were quarterly. Mr. Lorenzo said he would have to check the statements.
9. J&S Service Station, Inc.; the Mayor asked what this was. Mr. Lorenzo answered that it was the Exxon bill for gas and repairs,
10. Lizmar Realty – the Mayor asked what this was. Mr. Lorenzo answered that it was for the lot behind Exxon station which the Borough leased. The Mayor asked for the specific address and a copy of the lease.

The Mayor asked if Mr. Lorenzo ordered the laptops for remote work. Mr. Lorenzo answered no. The Mayor asked Mr. Lorenzo to put in the order.

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Mr. Lorenzo stated that he was not authorized to purchase the laptops. He wanted to know if the laptops could be purchase off of State contract. The Mayor asked why the laptops needed to be purchased off State contract. Mr. Lorenzo stated that if not purchase through State contract, these would have to go out to bid. Mr. Lorenzo explained that if 10 laptops were purchase, it would exceed the threshold. Further discussion took place about placement of the laptop orders.

Councilman Min suggested buying Microsoft Office in bulk to save money. There was a shareable license number.

Mr. Lorenzo reviewed how many laptops would be needed for all Departments. The Mayor thought the Borough had an Amazon account. As far as Mr. Lorenzo was concerned, the Borough did not have an Amazon account. If it did, he never used it.

Mr. Lorenzo stated that he could buy the computers off State contract through the IT consultant. The consultant would get the best possible price off the State vendors that were approved.

Councilwoman Jang asked who the purchasing agent was. It was Roy Riggitano.

Councilman Min said on the August bill, PO 213879 was for an Amazon corporate credit card. He checked the actual PO and order. The appropriation for this was for the building renovation. The CFO would be asked about this.

Councilman Park said he received a printed copy of a PEOSH violation from Mr. Lorenzo. Councilman Park was concerned because there was a process of remediation. Mr. Lorenzo stated that he had just received the letter, and he was going to respond however the Governing Body would like. The Borough had 15 days to respond. It appeared that someone in the Police Department put in a complaint. Mr. Lorenzo said that this would be deferred to the Borough Attorney. This was a serious matter. PEOSH wanted copies of all air quality testing with everything else. Councilwoman Jang said that they were in the process of remediation, and there was plenty of data.

The Mayor requested the Police Chief or the Captains because he wanted to discuss certain Resolutions that were not proposed yet.

The Mayor spoke about the receipt of qualified/certified roof contractor's qualification and proposal to remove the old roof and install a new roof for the Borough building as per the recommendations from the GSE Industrial Hygiene Report. This was the first fix to address the mold. Mr. Lorenzo stated that as the Mayor was well aware, there needed to be a plan and specification for that. Mr. Lorenzo asked if the Mayor wanted to readvertise the same specification that was used in 2019. The Mayor asked if the Borough Engineer could take care of this. The Mayor recommended rebidding the roof.

Councilman Park asked when the specification would be given – at the time of advertisement? Mr. Lorenzo stated that specifications were given to the Governing Body. Bids were received, but the Borough chose not to award at that time. That specification was still the same.

Councilman Kim asked if they decided on trailers. The Mayor said yes, and essential services would be in trailers. Mr. Lorenzo stated that no one was authorized to do the trailers.

The Mayor said he wanted to do a Resolution for the receipt of qualified/certified mold remediation specialist's qualification and proposal to remove all mold from the Borough building (main, fire, and police) as per the recommendations from the GSE Industrial Hygiene Report. Mr. Moench stated that his office could prepare the Resolution and the draft could be circulated ahead of time.

The Mayor wanted to create a Resolution to authorization of remote office trailers for the Police Department according to the proposal presented by Chief Espino. He said the Police Department had to be moved out as soon as possible. The Mayor wanted to ask the Chief about the minimum requirements for the Police Department trailers. The Mayor wanted to minimize the cost of the trailers, because he felt that the mold remediation could be done within 3-6 months.

Councilman Kim asked how many trailers there would be. The Mayor stated that he was not the mold consultant. He stated that the old and new mold reports were similar. He was happy to move forward now. Mr. Moench stated this was fine.

The Mayor spoke about the new LED billboard for the Borough. Mr. Lorenzo was not sure if there was money in the budget, and if last year's quote was still good this year. The Mayor stated that it was \$1,000 cheaper, and he asked Mr. Lorenzo to ask the CFO if the money was in the budget. The Governing Body would get the proposal. The LED billboard worked under WiFi so even if there was mold remediation at the Borough Hall, the sign could still be updated. There was a problem with Nixle.

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The Mayor stated that Mr. Collins agreed to make sure that the State Comptroller report was up-to-date. As a part of the new administration, he wanted to make sure everything was up to code. There were improper vacation days given and the contract was unlawful with the State. The Mayor stated that a letter should be sent asking individuals to voluntarily reimburse vacation money. If they said no, the next step would be going to court. The Mayor was told that vacation days were being paid unlawfully even after the Governing Body said it was done with the Comptroller Report. The Mayor said by next week, he'd like to get some information on whether the Borough was in compliance or not.

Captain Rotundo was asked questions about the Police Department trailers. According to Capt. Rotundo, there was a men's locker room and female locker room, the Chief's office, the records department which now houses both Captains, Detective Bureau, report room, interview room, processing room, evidence room, property room, and server. The Mayor requested that the trailer be reduced to a minimum. He wanted to know if this was possible or not. The Mayor stated that the mold remediation seemed like it could be completed within 3-6 months. Capt. Rotundo stated that this schematic was the minimum. A lot of these things were required by the State to have. The Captain stated that they could sit down one more time to see if there was anything else that could be removed.

Councilman Min asked about the billing cycles. He asked if they could ask for 6 months or 8 months.

At approximately 5:57 P.M. Councilman Vietri entered the Work Session.

Mr. Lorenzo stated that the minimum would be 6 months to a year.

Councilman Park stated that in the meantime, they needed to investigate whether or not the current facility could be used. He wanted to know the size of the rental unit.

The Mayor recommended that the Police Department had waited long enough, and they should be given what they wanted.

Captain Rotundo stated that the real question was how long the Police needed to be there. The Mayor had stated 6 months, but if they needed the trailer for longer, then they would run into a problem. If they could use another town, then the PD could get away with taking some more things out. If the remediation took longer, then it would be a problem. The Mayor said he understood.

The Mayor pointed out there were 21 rooms. He asked if two rooms could be combined into 1 room. He asked the Captain to do the best he could.

Councilwoman Pirrera asked about asbestos. When the remediator went in and suddenly there was asbestos. Then everything would have to tented and 6 months could then become 12 months.

Mr. Lorenzo asked where the trailers were going. Capt. Rotundo stated that he thought it was Depot Place, which was why the trailers were two floors. Mr. Lorenzo stated that the location needed to be decided and wherever that was, the question was whether or not the trailer could be hooked up to electric, water, and sewer.

The Mayor requested the Borough Administrator, Assistant Borough Administrator, and the Facilities Manager to give a verbal report on the progress of the building and concerning the trailers. Mr. Lorenzo said that a location needed to be found. The two places were Depot Place and the old building parking lot by Bellview. The Mayor asked why the trailers could not be placed in the current Police Lot. Mr. Lorenzo stated that he did not think it was enough room.

Councilman Min asked that the quote was based on. Mr. Lorenzo said that it was based on location which should be level to a certain degree. The trailer company was not responsible for utilities. The Borough was responsible for all the hookups.

Mr. Moench stated that he needed to step away for two seconds.

Mr. Lorenzo recommended Depot Place.

The Mayor asked why trailers could not be placed on the Police Lot again. Mr. Lorenzo stated that he did not think the lot was adequate for parking, and there were other things to consider such as topography. Captain Rotundo said that sewer lines needed to be hooked up at some point, and the Mayor stated to talk about that later. The Mayor recommended that everyone read the mold report.

The Facilities Manager, Paul Lee, said that he had been working on the fire safety violations.

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At approximately 6:08 P.M., Councilwoman Pirrera left the dais and exited the meeting due to a family emergency.

Mr. Lee stated that out of the 42 violations, 25 could be immediately addressed. They were extension cord violations, egress lighting and etc. As soon as an electrician was hired, this could be done. The cautionary flag was raised because the building was so old. Any work done on the second floor needed to be checked for asbestos first. Mr. Lee was given the McCabe report which was 300 pages. It reiterated the IRIS environmental report that was done in February. There were ten places with asbestos – mostly in the building, fire, and police department basements. The second floor where the pipes were in the ceiling tiles, there was also asbestos. The report also stated that there was a presence of asbestos in other areas of the building throughout. He spoke about the floor tiles containing asbestos. The recommendation from these reports and others, carpeting was the best protection.

The concern was drilling through an asbestos infested area, but the floors had nothing to do with it. The walls were made of bricks.

The way to get rid of extension cords was to provide wall outlets.

The three electricians stated that they could all do a parallel circuit. This would be a simple fix.

In the Borough Clerk's office, there was a wall of sockets, which was actually what he wanted to install on the second floor.

Mr. Lee stated that the work that was proposed to do to avoid the fire safety violations, which included installing wall outlets, light egress, he was confident to say that he would not be disturbing existing asbestos. Whoever was hired should be familiar with the McCabe report. He had three bids, and it was his recommendation to hire someone who knew the building. He recommended hiring Trico Electric. The cost would be \$8,000-\$12,000. Mr. Lee stated that it was an action he recommended taking immediately.

Councilman Vietri asked about the flooring. The carpet in the Council Chambers was fine. Councilman Vietri asked Mr. Lee what would happen to the people who worked in the Borough Hall and the public during remediation. The Mayor said that the question was incorrectly directed at the Facilities Manager.

Mr. Moench stated that anything legal should be discussed in Executive Session. Mr. Moench stated that it seemed like the question was for whoever could answer, if the Borough proceeded with the recommendation on the scope of work which was being discussed now, what was the plan in terms of work happening while employees were still there or were certain parts of the building going to be sealed off temporarily. The Mayor stated this was why the mold remediator needed to be hired as soon as possible.

Mr. Lee said the reports contained containment program. The mold remediator would present to the Governing Body a schedule of the scope of work.

The Mayor asked Mr. Lee to give a report regarding the OSHA visit. Mr. Lee stated that he was PEOSH's designated person for the Borough of Palisades Park. The standard procedure with mold or work hazard was that it had to be reported to him. It was Mr. Lee's duty to reply back to the person who made the complaint to say that the complaint was being addressed or not within 48 hours. He stated that he had been in the position since January, and he had not received a single complaint. Mr. Lorenzo stated that PEOSH received anonymous complaints. Mr. Moench was asked to verify the Facilities Manager's statement.

Mr. Moench said that Mr. Lee was the local designee. If anyone felt there was a workplace issue, they could go to him. Mr. Lorenzo asked if an employee of the Borough noticed a condition such as asbestos, it needed to go to the PEOSH representative. Mr. Moench said yes. Regarding worker's compensation, Mr. Lorenzo wanted to confirm that health related issues had nothing to do with the Facilities Manager.

Mr. Lee said that the big issue was that the building was built in 1962. The second floor needed a second egress, but Mr. Lee stated that he thought they could get a legal representative for the town and make an argument to be exempt from the second-floor egress violation. The second one was more problematic. There needed to be a second entrance and a fire sprinkler system. He recommended sealing off the area that was not utility. About 60 percent of the base floor plan was used for storage. He spoke about a grandfather law. The major work was for the electrical panel in the basement, which needed to be labelled. This needed to be done by an electrician. It was a disaster area, and it was unsafe.

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Mr. Lee said that for buildings built before his generation, they would be exempt from the second egress if the square footage of the second floor was less than 3000, and the last door to the exist downstairs was less than 75 feet. Mr. Lorenzo stated that this should be confirmed by the Building and Fire Official. Mr. Moench stated this was correct.

The Mayor stated he wanted legal representation in case the State came down on the Borough.

Mr. Lorenzo stated that the Building and Fire Official who said that the Borough was not in compliance and the subsequent code did not apply. The State agreed.

Mr. Lee stated that it was important to hire the electrician. There were severe problems that needed to be addressed.

Councilman Vietri asked about drilling into the walls. The other question was regarding blocking off the Police Department basement. Councilman Vietri believed that there were records and evidence stored in the basement. The McCabe report and GSE report stated that there was no mold except for in the PD and the Borough Administrator's office.

Mr. Lee stated that there was no asbestos in the walls that they were working on, and they were not planning on drilling holes in walls anyway. He spoke about installing parallel circuits without a problem. Councilman Vietri spoke about the circuit breakers. Mr. Lee stated that it was time for the Governing Body to update the infrastructure of the building.

Councilman Vietri recommended getting the employees and the public out the building and then remediate the mold.

The Mayor asked Mr. Moench what needed to be done to hire Trico Electric. Mr. Moench answered that the award would be pursuant to the availability of funds by the CFO.

Councilman Min made a motion to add a Resolution to hire an electrician to comply with and adhere with local fire code. Councilwoman Jang seconded. The motion carried on a roll call vote and was recorded as follows:

Councilwoman Jang:	Yes
Councilman Kim:	Yes
Councilman Min:	Yes
Councilman Park:	Yes
Councilwoman Pirrera:	Absent
Councilman Vietri:	Yes

Ms. Kim reviewed the following:

- Authorization of Raffle License (RE: Palisades Park/Fort Lee Elks)
- Authorization of Pool Refunds (RE: C. Veltri & Les Enfants)
- Authorization of Bergen County Fire Mutual Aid Agreement

The Governing Body agreed with all three being added to the Consent Agenda.

Ms. Kim also stated that North Jersey Media Group and NJ Advance Media was for the meeting notices, ordinances, public hearings, and bid notices. She also stated that Michael Apicella had a copy of all the bills for review since Maria Elefteriou could not be at the meeting.

2ND READING/PUBLIC HEARING:

ORDINANCE 2023-12 Bond Ordinance to Authorize the Acquisition of New Information Technology Equipment, New Additional or Replacement Equipment and Machinery and a New Automotive Vehicle, Including Original Apparatus and Equipment, for the Use of the Police Department In, By and For the Borough of Palisades Park to Appropriate the Sum of \$372,500

Councilman Min stated that the Bond Ordinance was first introduced in July. He asked Captain Rotundo about the SUV quote. The Captain did not have an answer. Councilman Vietri answered that there were different police packages, and there was not much of a choice. The Mayor stated that he wanted to open to the public to give the people an opportunity to talk. Councilman Min stated that he was not done yet. He said that he had a meeting with Councilwoman Jang and the CFO, and the cost of the bodycams were already paid using another bond back in May. His concern was that the Bond Ordinance was supposed to be removed from the 2nd Reading/Public Hearing. Councilman Min wanted the bodycam portion to be removed from the Bond Ordinance. Mayor Kim agreed with Councilman Min.

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At approximately 6:48 P.M., the Borough Administrator left the dais and exited the meeting.

Councilman Min made a motion to add a Resolution to advertise for RFQ's for an independent auditor. Councilwoman Jang seconded. The motion carried on a roll call vote and was recorded as follows:

Councilwoman Jang: Yes
Councilman Kim: Yes
Councilman Min: Yes
Councilman Park: Yes
Councilwoman Pirrera: Absent
Councilman Vietri: Abstain

PUBLIC PARTICIPATION:

Councilwoman Jang made a motion to open to the public. Councilman Min seconded. The motion carried. All present in favor by voice vote; none opposed.

Youbong Won-Yoon spoke about Bond Ordinances. She wanted to know if she could get a report of the mold report. Mr. Moench advised her to submit an OPRA request, and he would take a look to make sure that it was OPRAable.

Susan Brauer said that the building was important, but she wanted to know if the Borough was still losing money over the parking meters. Captain Rotundo stated that the meters were profitable.

Soo Chung spoke about the State Comptroller's report and the sick leave payments. The Mayor requested the Borough Attorney to revisit the report to make sure the Borough was in compliance. The Mayor stated that because it was an agreement that the Borough and employee agreed upon, the Borough could ask the employee to get the money back. The chances of winning in court were slim to none because it was about contracts. The Mayor said that he was told there were employees who were still taking the benefit of sick days when all payments should have stopped when the State Comptroller's report came out.

Ernst Bearly spoke about the asbestos and the mold. He stated that shrinking the building down was not the way to go as it was another band-aid. The Borough was getting bigger. The Mayor asked him if he would mind developing a whole new Borough. Mr. Bearly said what if there was a fire and a person died on the second floor or downstairs. The Mayor said that this was a separate matter with the mold. Mr. Bearly stated that there needed to be a plan.

Joseph Sperlazzo stated that it was poor planning for the Work Session to take place before another meeting was scheduled in the same room. The Mayor stated that he thought two hours for a Work Session would be enough.

COUNCIL REPORTS:

There were no reports from the Council.

ADJOURNMENT:

There being no further business to come before the Mayor and Council, Councilman Min made a motion to close to the public and adjourn. Councilman Park seconded. The motion carried. All present in favor by voice vote; none opposed.

Attest:



Gina S. Kim, RMC/CMC
Borough Clerk