

**MINUTES OF A SPECIAL MEETING OF THE
MAYOR & COUNCIL
HELD SATURDAY, OCTOBER 29, 2011**

The meeting was called to order by Mayor Hipp at 6:30 p.m. with the following Councilmembers present:

Councilwoman Birdsall
Councilman DeSalvo
Councilman Parnofiello
Councilman Boyle
Councilman Fecanin
Councilman Porter

Borough Administrator Corey Gallo
Assistant Borough Attorney Justin Santagata

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Mayor Hipp asked those present to join him in a salute to the flag.

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Borough Clerk read the provisions of the Open Public Meetings Law.

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Mayor Hipp gave an update on the winter weather storm that took place that day; Many transformers were down, residents were without power, a serious situation took place on East Gouverneur where a primary wire was down near a vehicle that caught fire near the house and PSE&G was contacted to send out their next troubleshooter but they couldn't promise when that would occur; Major gusts of winds were reported for the area and the average wind speed was be 25-30; Many branches and trees were down; The Police Department, Fire Department and DPW were monitoring the storm; The tree cutting crew was not out yet due to the incredible danger as they were out but while working a huge branch fell right next to them so they were pulled off the job for the time being.

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Finance:

Councilman Porter made a motion to approve the Resolution for payment of bills, seconded by Councilman Boyle. The Borough Clerk read the roll call: Councilwoman Birdsall, Councilman DeSalvo, Councilman Parnofiello, Councilman Boyle, Councilman Fecanin and Councilman Porter voted aye.

➤ **Resolution:** Payment of Bills

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RESOLVED: That bills in the amount of \$ 12,199.87 from the current fund and itemized on the attached sheets be passed for payment, warrants drawn and charges to the accounts identified. A complete list of these bills is on file with the Borough Clerk.

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DISCUSSION:

Mayor Hipp introduced the topic for discussion which was the Green Acres application for Local Blue Acres Flood Plain Acquisition and Mitigation Opportunities which had to be filed on October 31, 2011.

Councilman Boyle spoke thanking the residents for coming out on such a horrible night but the meeting had to be advertised at least 15 days before it could be held with the deadline is October 31, 2011 they were not given a whole lot of time so that is why its being held as a special meeting on a Saturday. The Councilman said this is a grant and as much as they want to make sure everyone gets the help they need it is not a guarantee and the Borough Administrator was doing the best he could to get all the applications in, so that they could do as much as we possibly could for all the citizens that have been affected. Councilman Boyle said they were competing with many towns that have disasters on a consent basis and this was he said the first time they were going through the process.

Councilman Parnofiello spoke thanking the residents for coming out to the meeting on such a bad night and the town was doing the best help all the residents get to the next step.

Borough Administrator Corey Gallo spoke regarding the Green Acres application. Mr. Gallo read part of an email received from Lieutenant Robert Little from the State Hazard Mitigation Office, the Officer in charge of the State Police of the Office of Emergency Management. He writes Mr. Gallo "I implore your persistence and dedication to Hazard Mitigation Programs these programs, funding are extremely competitive and we need assistance of many municipal officers to bring these applications to completion in the time frame necessary. I would like to provide you with a few statistics that may help you in understanding the delicate process we are dealing with. My office has received over 200 letters of intent from around the State. These 200 LOI add up to over 390 million dollars. Many of the LOI's are for elevation and acquisitions project and Rutherford is not alone in this process. The State of New Jersey anticipates to grant less than 40 million dollars. In each Mitigation Grant Program Funding for Hurricane Irene disaster so just over 10% of the requested funds will be allocated".

Mr. Gallo said as a Borough they let the residents know the list from the State and insurance, in Rutherford there were 22 homes that are defined by the State as repetitive lose homes, with only one home identified as a severe repetitive lose home. He continued to say they have sent out letters and applications to each of those residents and thus far

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to this date received 5 applications; some residents have sent in their applications on their own. Mr. Gallo said the tax assessed value was used on those homes because a ball park number was needed and that number came out to be a little over 9.5 million dollars for acquisition purposes for raises of a home that would run about 3.7 million dollars. He reminded if anyone has an application Borough Administrator will accept application up until 12pm on October 31, 2011 and at 1pm they would Fedex the applications down to the State because they have to be post marked October 31, 2011.

Mr. Gallo reported as a follow up from the meeting which some of the residents had some concerns the Council had asked the Administrator to follow up with our Borough Engineer with regards to areas along the river; the one question regarding the hurricane flooding was requested that the Engineer conduct a field study to check the current construction activities being conducted by Sanzari/Cremer on Route 3 in the vicinity of Riverside Avenue for the purpose of checking any conditions that would have caused to exacerbated local flooding issues in the area. He said the Engineer reported the two residential properties closest to the highway ramp are lower in elevation to the ramp and however it appears that it was the same as the preconstruction conditions and saw no reason why two residential properties would have been adversely effected by the ongoing activities; he also saw no field conditions that would lead him to believe the properties were adversely affected by flood waters due to the construction. Mr. Gallo stated that according to the Engineers the construction being done on Route 3 project had no impact due to this flood the flood was a result of an enormous amount of water.

Mayor Hipp stated that there was a program through the DOT that anyone that had suffered property damage as a result of DOT activity can contact DOT directly.

Councilman Boyle made a motion authorize the submission of application for **Green Acres and Local Blue Acres Floodplain**, seconded by Councilman Parnofiello.

Mayor Hipp opened for Council discussion.

Councilwoman Birdsall spoke regarding the timelines, how aggressive they were to get the applications completed and how competitive the process is and questioned the Borough Engineer in regards to the building of the retaining wall that some of residents talked previously.

Mr. Gallo responded saying technically this could be part of the application process for the Hazard Mitigation which he did incorporate as part as Matt Ziemkiewicz whom recommended that they go into that and that was put in the application to rebuild our walls along Riverside Avenue. Councilwoman Birdsall asked if the Engineer looked into that and Mr. Gallo responded he looked into Insley Avenue and did not look into this. Mayor Hipp recommended that the Borough Engineer look into it and the Mayor cautioned the Council this was an Army Corp issue as well.

Councilman Fecanin asked about the deadline of the applications. Mr. Gallo explained that two plus weeks ago the applications were sent out to every resident included in the Hazard Mitigation letter, all 23 residents were included. Council was

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agreed that an application to every resident will be hand delivered on Monday October 31, 2001.

As no Councilmember's wished to speak, discussion was closed.

The Borough Clerk read the roll call: Councilwoman Birdsall, Councilman DeSalvo, Councilman Parnofiello, Councilman Boyle, Councilman Fecanin and Councilman Porter voted aye.

Councilman DeSalvo asked the Mayor provide the contact information for the DOT to the Borough Clerk.

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HEARING OF CITIZENS

Mayor Hipp opened the hearing of citizens.

Victor Rodriguez, 448 Riverside Avenue spoke advising he already received the application.

Cathy Stopherd, 415 Riverside Avenue asked if there was not enough money for the Hazardous Mitigation did the town have another plan? Mrs. Stopherd added when it rains heavily the corners of West Newell Avenue and Pierrepont Avenue along Riverside Avenue flood who cleans the gutters in the street.

Beth Ann Klaes, 372 Riverside Avenue agrees with the resident who spoke before her asking if there was another plan? Ms. Klaes noted Pierrepont Avenue and West Newell streets are always flooded.

Russell Craig, 372 Riverside Avenue spoke regarding the horrible situation and it's very stressful, he thanked the Sanitation Department for their help.

Marianne Willims, 316 Riverside Avenue spoke about being the two family house right next to the Nereid Boat House and thinks the problems won't go away because of the ramp that goes into the river. Ms. Willims said the river rises and comes up through the boat yard and all the water comes up to the foot of West Newell Avenue, Woodward Avenue, Pierrepont Avenue does not help the situation. She purchased a flood prevention system to put in front of her garage and it still did not work because the water was so high.

Lynn Holder, 280 Riverside Avenue spoke saying she still couldn't live in her house since her house was totally demolished by the flood and the people who live in the neighborhood need desperate help.

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AnnMarie Kennedy, 378 Riverside Avenue questioned why they weren't sent a letter and not included in the severe loss list.

Mr. Gallo explained that her house was only purchased five years ago so they were not on a repetitive lost list because of being separate home owners and in order to be on the repetitive lost list they would have to have four losses of \$5,000 or more in a ten year period however she was included since they spoke and Mr. Gallo asked her to submit the application or give it to him to submit.

Mayor Hipp spoke that at the present time they were there authorizing the submission of an application; some may qualify for assistance for purchase of your home and raising the elevation of the home he said in addition to that, continue to try and pursue other remedies through FEMA and, the town has also waived permit fees. The Mayor explained that the Passaic River basin were meeting but unfortunately had to cancel a meeting three weeks ago, but he will be attending more of them so they can come up with a region wide issue and it will include the Army Corp of Engineers.

Councilman DeSalvo suggested a subcommittee to work with the residents along Riverside Avenue to keep them informed. Mayor Hipp appointed a committee of Councilman DeSalvo and Councilman Boyle called the Riverside Avenue Committee and when they get information they will call for a meeting. The Mayor said the main office that residents need to call in order to coordinate with the committee is Borough Administrator's Office.

As no further citizens wished to speak, the hearing was closed.

Councilwoman Birdsall spoke regarding the item that can be done first is to fix the issue of flooding on West Newell and Pierrpont Avenues in regards to the sewers.

Councilman DeSalvo spoke regarding cleaning out the storm drains on the County roads they normally send out County DPW crews to clean them out and maybe between Mr. Gallo and himself to get on the County about this being a problem area, and have them come down more often to be cleaned out.

Councilman Fecanin asked if the DPW workers could go down there since it is an emergency? He said the County cleans the gutters at least twice a year but why can't we do that ourselves. Councilman DeSalvo spoke saying the DPW does it and also before each major storm when they know it's coming. Mayor Hipp advised that part of the lines are not County lines they are our lines and part of the problem is that they really don't have a handle on what sewer lines are Borough and not the County's. The Mayor said they need to focus on the problem areas and need a system wide analysis done and that is not going to be cheap as they are paying \$100,000 on Union Avenue and they were not done yet and there is a lot more problems. Councilwoman Birdsall asked if they could get a camera put down there and the camera runs free because the Meadowlands Commission provides it; rather be proactive then reactive.

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Councilman Boyle spoke saying the Council is going to do the absolute best they can and these times are trying and difficult. He said as far as other plans they were concentrating to get the first stage of this out, this was their priority and once that was done they will sit down knowing that the possibilities that everyone will not get accepted and what they could do.

Councilman Parnofiello added in the mean time visit FEMA's website or give them a call to see if they can further assist with damages and if the residents find out certain information the Borough can help with, please reach out to the subcommittee through the Borough Administrator's Office because they want to everything they can do to help.

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Councilwoman Birdsall moved the motion to adjourn at 7:18 p.m., seconded by Councilman Boyle with all members present voting aye.

Borough Clerk