

**OFFICIAL MINUTES  
BOROUGH OF BERGENFIELD  
MAYOR AND COUNCIL WORK SESSION  
MAY 3, 2016**

PRESENT: Mayor Norman Schmelz and Council President Charles Steinel, Council members Arvin Amatorio, Ora Kornbluth, P. Christopher Tully, and Hernando Rivera

ABSENT: Councilmember Thomas Lodato

ALSO PRESENT: Borough Administrator Corey Gallo  
Borough Attorney John Schettino  
Borough Clerk Marie Quinones

Mayor Schmelz called the meeting to order at 8:11 p.m. with the reading of the Open Public Meetings Act Statement, "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. Meeting dates for the year are confirmed at the Annual Meeting. The Annual Notice is sent to the Record, Star Ledger, Twin Boro News, and Cablevision, placed on two Municipal Bulletin Boards and is on file in the Office of the Borough Clerk."

The Salute to the Flag was led by Mayor Norman Schmelz.

**CAPITAL IMPROVEMENTS/BOROUGH ENGINEER**

**A. Engineering & Inspection Status Report**

Dave Gleassey, Borough Engineer, reported that Tilcon began to mill roads as part of the PSE&G's energy strong program for 2016. He estimates that half a dozen roads will be completed this week, and the others will be done when sanitary sewer/drainage pipes repairs are completed. Bid specifications for the ADA sidewalk ramp improvements have been developed and are ready for advertisement of bids.

Mr. Gleassey reported that the FY 2015 and FY 2016 NJDOT Municipal AID Grant project is currently under design, field survey has been completed; base maps have been developed and sent to all utility companies for location/confirmation of their facilities. Preliminary design plans will be submitted soon. Mr. Gleassey also stated that the design plans for the Glenwood Drive East Sanitary Sewer Replacement have been completed and are ready for the advertisements of bids. The preliminary design plans have also been completed for Carlson Place and will be submitted shortly. Mr. Gleassey also mentioned that the municipal building parking lot will be scheduled for field survey in the near future.

Mr. Gleassey stated that design for the beacon at the firehouse on Church Street will begin shortly. He also stated that at the request of the Borough, Remington & Vernick has coordinated with the borough's sewer personnel to identify the areas known for infiltration. National Waster Main Cleaning Co. has begun additional cleaning/TV work in the various areas suspected of having high infiltration.

Mr. Gleassey reported that Remington & Vernick are scheduled to meet with two truck was manufacturers regarding the DPW truck wash. Furthermore, he reported that the CSX Railroad Drainage agreement has been signed by the contractor and the Mayor will approve this evening. Pertaining to the Safe Routes to School project, the letters of permission are being executed with affected property owners. Bidding and construction is anticipated for late Spring 2016.

Mr. Gleassey explained that with regards to Cleaning & Video Inspection of Sanitary Sewer Trunk Line, Remington & Vernick developed a list of areas for additional cleaning & video to utilize the remaining contract funds. National Water Main began this additional work on 4/12/16. To date, they have identified several areas requiring repair which have been included in the Glenwood Drive East sewer replacement project. Mr. Gleassey also stated that pertaining to the Reconstruction of Highgate Terrace, a punch list is being prepared for project completion.

UNFINISHED BUSINESS

A. Swim Club

Councilperson Amatorio stated that there is a group that is interested in leasing the property.

B. Goose Eggs and Nests Management

No report.

C. Adoption of Ordinances

The following ordinances published herewith were first read by title only on April 5, 2016, posted on the bulletin board of the municipal center, and public comments were heard on April 19, 2016.  
(Tabled 4-19-16)

ORDINANCE 16-2492 – AN ORDINANCE AMENDING CHAPTER 233 OF THE CODE OF THE BOROUGH OF BERGENFIELD ENTITLED “PARKS AND PLAYGROUNDS”

Motion by Councilperson Kornbluth, Second by Council President Steinel to remove Ordinance 16-2492 from the table.

On a roll call, the vote was recorded as follows:

Councilperson Lodato:	<i>absent</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Tully:	<i>aye</i>
Council President Steinel:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>

Motion by Councilperson Kornbluth, second by Council President Steinel, to pass Ordinance 16-2492 on second and final reading and is hereby adopted and notice of the same shall be published according to law.

On a roll call, the vote was recorded as follows:

Councilperson Lodato:	<i>absent</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Tully:	<i>aye</i>
Council President Steinel:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>

The following ordinance published herewith were first read by title only on April 19, 2016 and posted on the bulletin board of the municipal center.

ORDINANCE 16-2493 – AN ORDINANCE AMENDING CHAPTER 17, ARTICLE 11 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “POLICE DEPARTMENT”

Public Comments on Ordinances 16-2493.

Barry Doll, resident, inquired if the position that is being created has any impact on negotiations with the Borough of Dumont. Mr. Doll stated that there are 50 employees in the Police Department, 44 paid patrolman, and 90% of them earn more than \$90,000. He expressed his

concern that the Borough of Bergenfield cannot sustain the salary increases and compensation packages. Mr. Doll stated that the figures are not inclusive of the \$60 per hour officers earn to watch utility workers.

Councilperson Kornbluth noted that the verbiage in the ordinance explains that the department could hire up to 50 officers, the population in the town grows.

Chief Madalone stated that there are currently 45 officers in the department.

Mayor Schmelz explained that the governing body is also comprised of taxpayers, and they have been very frugal.

Council President Steinel stated that he will be voting against the ordinance. He explained that he doesn't understand the justification for the position. He further explained that in comparison to the department in which he is the liaison to, two positions were combined into one supervisor position.

Motion by Councilperson Rivera, second by Councilperson Tully, to pass Ordinance 16-2493 on second and final reading and is hereby adopted and notice of the same shall be published according to law.

On a roll call, the vote was recorded as follows:

Councilperson Lodato:	<i>absent</i>	Councilperson Kornbluth:	<i>nay</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Tully:	<i>aye</i>
Council President Steinel:	<i>nay</i>	Councilperson Rivera:	<i>aye</i>

#### NEW BUSINESS

##### A. Shared Services with the Borough of Dumont

Mayor Schmelz stated that a preliminary meeting was held with the Borough of Dumont. He explained that there are some issues that need to be worked out, but there is room to move forward. He further explained that the Administrators of both towns will meet with Borough professionals in the next coming weeks.

Borough Administrator stated that a meeting will be held tomorrow to move forward on the discussions, which look optimistic.

#### ADMINISTRATOR'S REPORT

Borough Administrator Gallo reported that the focus for the office is to keep the projects moving forward. He explained that now that the Capital Budget passed, there are many large projects in motion, including the rolling out of the DPW automated garbage trucks. Mr. Gallo stated that the rolling out of the trucks is going well and progressing.

Mr. Gallo stated that he has been in communication with the department heads, and advised them to submit their requisitions for items that are needed, which the Council was gracious enough to move forward and approve.

He also stated that upon his return from vacation, he inspected all the fields, and believes the surfaces are looking much better. He explained that DPW has been putting in a real effort in trying to improve the playing surfaces in Memorial and Hickory Fields. Mr. further explained that although it is a long process, the recreational facilities are looking much better, given that DPW got the surfaces back to a suitable condition.

#### MAYOR & COUNCIL REPORT

Councilperson Kornbluth

reported that the BVAC has responded to 659 calls, and will be celebrating EMS Week from May 18<sup>th</sup> through May 21<sup>st</sup>. On May 17<sup>th</sup>, they will be holding a blood drive in memory of former Captain and former Chief Ned Kneisler. The Recreation Summer program will be held from June 27 through August 5<sup>th</sup>. The spring sports program started and is running in a successful manner. Family Fun Day will be held on Sunday, June 5<sup>th</sup>. The Recreation Committee is in the process of obtaining a stage for the event. A CDBG meeting was held in the County and she learned that Bergenfield received approval from the State for the full amount. The Rent Leveling Board has the Landlord and Alt. Tenant positions available, in case anyone is interested in becoming a member. As part of the Police Department's take back drugs campaign, there was a visit and press conference with Senator Booker and Senator Menendez the Borough is in the process of securing a medicine box in the lobby.

Councilperson Rivera

No report.

Council President Steinel

reported that automated garbage collection has been moving along very well. 500 residents are currently on the automated system and in another two weeks, we will get the last of quadrant 3 in the system. Once Quadrant 3 is entirely on automated garbage, Phil Neville is working on a plan to select a day to hold a garbage can collection on a regular collection day. He stated that notices will be sent out with all the information. Pertaining to the application considered by the Zoning Board of Adjustment, which included adding classrooms into a church facility and the issue over parking, was held over till next month. He explained that he has suggestions for ordinance amendments, which will be sent to Marie to distribute to everyone and John Schettino. These are ordinances that are problematic with automated garbage collection, which has to be worded in a way to apply to both the automated and regular garbage collection.

Councilperson Amatorio

reported that he held a meeting with the Superintendent of Schools and Chris Tully, and learned that the School Board adopted their budget, which is slightly lower from last year. However, they still had the 2% increase. He also had exploratory talks on shared services such as IT and cleaning of the grounds. He stated that the school is interested in having DPW clean their grounds. As he stated earlier, there is a group that is interested in leasing the Swim Club facility.

Councilperson Tully

reported that Rafael Marte was sworn into the Library Board of Trustees, and the Lucille Tender award was presented to Mr. Joe Verga. A meeting has been tentatively scheduled between the Environmental Committee, the Borough Administrator, and the DPW Superintendent for

June 9<sup>th</sup> to discuss ways to raise the Borough status to Silver. A meeting was held with the committee to discuss the Joint Municipal Complex.

Councilperson Lodato

No report.

Mayor Schmelz

reported that S.I.D voted on a group to get the Board in compliance with paperwork. At this time, no work has been done pertaining to their budget.

#### CORRESPONDENCE

- A. Siciliano/Girls Scouts of Bergenfield **Re:** Request for an Overnight Camp Out – Memorial Park – May 7, 2016 at 3:00 p.m., into the morning of May 8, 2016 (*Held 4-5-16*)
- B. Savoye/The Rotary Club **Re:** Request to hold 5K Run – Prospect Avenue & New Bridge Road – Sunday, October 30, 2016
- C. Miano/Van Valkenburg Avenue **Re:** Block Party Request – Van Valkenburg Avenue – Thursday, May 26, 2016 from 5:00 p.m. to 8:00 p.m.
- D. Edelstein/Sunshine Adult Day Health Care Center **Re:** Request to use Memorial Park Pavilion- Senior Picnic – Sun., May 15, 2016 from 8:00 a.m. to 3:00 p.m.

Borough Administrator Gallo stated that he had a conversation with Ms. Siciliano pertaining to the Girls Scouts overnight at the park, and explained that the group used to travel for camps, but unfortunately, could no longer afford the trip. He advised that the group can be provided a key for to the bathrooms in the park, and should be cornered to an enclosed area in the field.

Council President Steinel expressed his concern that information was never submitted in writing confirming how many kids will be participating, more importantly, how many kids per parent.

Chief Madalone explained that after the meeting held with Ms. Siciliano, she was under the impression that the group decided to hold their event at the Bergenfield Public Library. Chief Madalone stated that she expressed to Ms. Siciliano that she would need to submit the exact number of participants, in addition to a hold harmless form signed by each parent. Chief Madalone stressed the need to know the exact number of kids participating in the event, as well, as the number of adults. However, she confirmed that no further information has been received since the last meeting.

Mayor Schmelz stated that the group was interested in using the Bergenfield Public Library as a location for a rain date.

Borough Attorney Schettino explained that the request can be approved subject to all the information being submitted and approval from the Chief of Police. He explained that if the Chief of Police deems the event safe and approves it, then the Borough can follow-up with completing the hold harmless forms. Mr. Schettino stated that if the information is not satisfactory, then the event cannot be held.

Chief Madalone expressed that she cannot make the decision and confirm that it's safe. Chief Madalone stated that she requested a breakdown of the event, and the information was never submitted.

Borough Administrator Gallo stated that he will contact Ms. Siciliano to obtain additional information for Council consideration.

Motion by Council President Steinel, second by Councilperson Kornbluth and all members present voting in favor, to approve Correspondence Items B through D.

#### PUBLIC COMMENT

Barry Doll, resident, expressed that the Girl's Scouts situation should have never reached this point. He inquired if there was any action on the Master Plan. Mr. Doll stated that discrepancies were mentioned at the last meeting, but there was never any follow-up. He also inquired when the audit will be completed. Mr. Doll explained that the Museum received a \$15,000 from the Historical Society that will be used to repair the HVAC in the building. Mr. Doll also questioned how much monies will be put towards maintenance at the Marshbank property.

Bill Masten, business owner, expressed his concern towards the Commercial Garbage ordinance, stating that the Borough is going to drive businesses out of town. He explained that his taxes continues to increase, and he contributes to school taxes. Ms. Masten stated that he will have to pay to have his garbage collected, in addition to his taxes.

Mayor Schmelz explained that the ordinance was on the books and is now being enforced.

Marie Sywetz, resident, expressed her concern that a Korean Church is trying to bring a school to a no school zone. She explained that the school has been operating at their location, and are now trying to obtain approval to become official and change the zone. Ms. Sywetz stated that she attended the Zoning Board of Adjustment meeting, and was advised to speak to the Mayor and Council about her concerns. She expressed that her concerns are regarding safety and quality of life, because there is traffic on her street and limited parking.

John Smith, resident, explained that the Zoning Board of Adjustment advised her to speak to the Mayor and Council pertaining to her concern on the parking ordinance.

Borough Attorney Schettino explained that her concerns cannot be addressed by the Mayor and Council. He stated that her concerns have to be addressed by the Zoning Board of Adjustment, because it would be illegal for the Mayor and Council to take action. Mr. Schettino stated that the only way to challenge an agreement that was approved by the Board of Adjustment is to have the matter addressed by the Supreme Court. He further stated that the Zoning Board of Adjustment can make recommendations, as well as the Mayor and Council to the Zoning Board of Adjustment, but the matter would be addressed in a 2 to 3 month time frame.

Council President Steinel explained that the Mayor and Council are on the bottom of the totem pole, and explained that Federal Statute dictates that inherently beneficial uses are permissible. He explained that this includes hospitals, schools, etc.

Kathy Sggobo, resident, expressed that she experiences shame, mockery, and is treated as if she doesn't exist. She explained that prior to the March 15<sup>th</sup> meeting, no one had any interest in her. Ms. Sggobo explained that if she looked a certain way, she would receive 24 hour protection.

John Smith, resident, stated that the VFW Post in our town presented a \$1,500 donation to the Auxiliary Police. Mr. Smith expressed that the Memorial Park field is in great shape. He also expressed that there were signs that stated that no golfing was permitted on Brey Lane. He explained that the signs should be placed on the fence near the entrance, for everyone to see the sign. Mr. Smith recommended that the Memorial Park field lights be put on a timer, because they are left on late at night. He explained that the lights have to be readjusted.

Council President Steinel explained that when the rewiring was done, lights cannot be put on the time because of the wiring of the box. He further explained that if the new lights are put in, they come with a timer, which can be monitored from computers.

Ray Johnson, Dumont resident, expressed his deepest gratitude towards Councilman Rivera, for meeting with the residents on Fairview Avenue. He stated that the Councilman was able to witness their fear and how the residents live on the avenue. Mr. Johnson explained that public safety is the highest priority for the residents, as assaults and many horrific situations have occurred on the avenue. He thanked Chief Madalone for her efforts, as she assured him she would look into the matter. He expressed that there is disconnect between the residents and the Police Department, which is not reflective of Chief Madalone.

Mayor Schmelz stated that the Police Department have been reaching to many residents, there is an amazing Police Academy, and Chief Madalone is an icon in town. He explained that there will always be people who are unhappy with their services, but the Police Department does reach out to residents, and he has heard nothing but positive things about their new programs.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

**CONSENT RESOLUTION 16-131.** All matters listed below are considered by the Governing Body to be routine in nature. There will be no separate discussion of these items. If any discussion is desired by the Governing Body, that item will be removed from the Consent Agenda and considered separately.

- a. **16-132/**To Pay Bills
- b. **16-133/**To Approve St. John's Carnival Application
- c. **16-134/**To Approve St. John's Raffle Applications 1302, 1303 & 1304
- d. **16-135/**To Authorize Tax Refund - Block 210 Lot 4
- e. **16-136/**To Authorize Tax Refund - Block 229 Lot 76
- f. **16-137/**To Authorize Tax Refund - Block 268 Lot 106
- g. **16-138/**To Authorize Tax Refund - Block 86 Lot 13
- h. **16-139/**To Approve Tax Settlement - Block 85 Lot 22.01
- i. **16-140/**To Approve Tax Settlement - Block 251 Lot 1
- j. **16-141/**To Approve Tax Settlement - Block 122 Lot 4
- k. **16-142/**To Authorize Purchase - Dual Leach Tipper Hydraulics in the amount of \$14,057.92 - Sanitation Equipment Corp, Inc.
- l. **16-143/**To Authorize Purchase - Two (2) 31 Yard Automizer with Autocar Chassis in the amount of \$592,442.80- Sanitation Equipment Corp, Inc.
- m. **16-144/**To Approve Proposal and Authorize Bid - FY 2016 Road Program-Sidewalk and ADA Improvements - Remington Vernick & Arango Engineers, Inc.
- n. **16-145/**To Approve Proposal and Authorize Bid - Glenwood Drive East Sanitary Sewer Replacement - Remington Vernick & Arango Engineers, Inc.
- o. **16-146/**To Approve Proposal and Authorize Bid - Murray Hill Terrace Roadway Improvements - Remington Vernick & Arango Engineers, Inc.
- p. **16-147/**To Approve Proposal and Authorize Bid - FY 2015 & 2016 NJDOT Trust Fund Resurfacing of Woodbine Street (Section 2 & 3), South Front Street (Section 2 & 3) and North Front Street - Remington Vernick & Arango Engineers, Inc.
- q. **16-148/**To Approve Proposal and Authorize Bid - FY 2015 CDBG Carlson Place Improvements - Remington Vernick & Arango Engineers, Inc.

Motion by Council President Steinel, second by Councilperson Tully, to approve the Consent Resolution.

On a roll call, the vote was recorded as follows:

Councilperson Lodato:	<i>absent</i>	Councilperson Kornbluth:	<i>nay</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Tully:	<i>aye</i>
Council President Steinel:	<i>nay</i>	Councilperson Rivera:	<i>aye</i>

#### COUNCIL COMMENTS

Borough Administrator Gallo stated that he spoke with Mrs. Sciliano pertaining to the Girl's Scout Overnight Camp at the park, and she confirmed there are 40 people in total, including 20 kids and 20 adults.

Council President Steinel advised that the request should be approved provided that she submit the exact number in writing, and that all the appropriate is submitted to the Borough and to the Chief of Police for final approval.

On a motion by Councilperson Tully, second by Councilperson Kornbluth, and all present voting in favor, item A in correspondence is approved.

The Mayor and Council thanked everyone for attending the meeting.

#### CLOSED SESSION

**RESOLUTION 16-149**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Personnel
  - 1. DPW Personnel Matters
- B. Collective Bargaining
  - 1. Bergenfield DPW Employees Association Contract
  - 2. Bergenfield FMBA Local No. 65 Contract
- C. Legal/Negotiations
  - 1. Multi-Family Residential Garbage Collection
  - 2. Swim Club Update

Minutes will be taken of the meeting and released to the public at the time that the matter is resolved. After Closed Executive Session, the Mayor and Council will reconvene in the Executive Chambers to adjourn this public meeting.

On a motion by Council President Steinel, second by Councilperson Kornbluth and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:33 p.m.

#### ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Councilperson Rivera and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:17 p.m.

Respectfully submitted,

Marie Quinones  
Acting Borough Clerk