

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
October 4, 2016**

PRESENT: Mayor Norman Schmelz, Council President Charles Steinel, Council members Thomas A. Lodato, Arvin Amatorio, Ora Kornbluth, and Hernando Rivera

ABSENT: Council member P. Christopher Tully
Acting Borough Clerk Marie Quinones

ALSO PRESENT: Borough Administrator Corey Gallo
Borough Attorney John Schettino

Mayor Schmelz called the meeting to order at 8:05 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 Council member Lodato.

PRESENTATIONS

Special Playground Equipment – Barrier Free Committee

Linda Williams who is on the Barrier Free Committee stated the committee would like to re-do the parks in Bergenfield and get playground equipment to accommodate children with special needs. Ms. Williams stated this would improve the quality of life of those students with special needs. Ms. Williams stated that they are not asking for funding from the mayor and council, just for their approval and permission.

Council member Kornbluth inquired where the equipment and funding would be coming from.

Ms. Williams stated there were grants they would apply for as well as go out get donations from the businesses. Ms. Williams stated they are not looking to receive the \$30,000 all at once and will get the equipment piece by piece. Ms. Williams stated that the public donations received would be a tax write off which would also be to the benefit of business owners.

Administrator Corey Gallo stated that the Recreation Department has applied for two grants already this year to receive funds for the parks but was denied. Mr. Gallo stated that the recreation department has been working on this as well.

Council member Kornbluth stated the committee should speak with Robert Gillman as he is working on the same thing.

Mayor Schmelz stated that the Barrier Free Committee is just looking to get the blessing of Mayor and Council at this point.

Mr. Barry Doll stated the committee is here to make it accessible for all and when the community gets involved, they should reach out to all of us. Mr. Doll stated they are here to provide input to whoever is interested.

Fishing Contest – Bergenfield Elks Lodge #1477

Mr. Paul Martin stated the Bergenfield Elks Lodge #1477 would like to sponsor a community, like they had in the mid 1990's. It would be a Fishing Day at Cooper's Pond. Mr. Martin stated they would be responsible for stocking the pond with fish and they would cover the required costs for all services that would be required. It would be June 17, 2017 from 9am to 2pm. The rain date would be June 24, 2017 from 9am to 2pm. Mr. Martin stated that W. Church Street would like to close W. Church Street so they can grill hamburgers and hot dogs and possibly have pony rides for the kids. Mr. Martin stated that he had spoken with Phil Neville last week who had given him some good advice oxygenating the water and Phil would be willing to help out. Mr. Martin stated he also called the hatchery to see what would be the best kind of fish to stock in the pond. Mr. Martin also stated that Barry Doll would be willing to help out as well. He had just met Barry before this meeting and was talking to him about this. Mr. Martin stated that the Elks Lodge would compensate the town for all services acquired at no cost to the town and the taxpayers.

Council member Kornbluth inquired if a fishing license was needed.

Mr. Martin stated that a license was not required if someone is under 16 years old.

Mr. John Smith stated that there is a day in June that you can fish for free and a license is not needed.

Administrator Corey Gallo suggested they can coordinate with the state to perhaps send a representative that day to issue one day licenses if it is required.

Council President Steinel told Mr. Martin to give his contact information to the administrator. Council President Steinel stated it was a great idea and was in support for of it. He stated that it was done in previous years. He stated that there would have to be some coordinating necessary with the health department, fire department, and police department especially if the lodge will be grilling food that day.

Mr. Martin stated that it is their goal to do it. Mr. Martin stated that there will be a table where fishing rods will be given out to those who need one and also provide lessons to those who have never gone fishing before.

Council member Kornbluth inquired why the event was going to be held on a Saturday and not Sunday.

Mr. Martin stated that they just picked that day and are open to any day, whichever day will bring more people out. Mr. Martin stated that the hatchery will stock the pond a couple of days before the event. The pond will be stocked with bottom feeders, including: bass, blue gills, catfish. Mr. Martin stated these fish are good for the pond and will survive in the pond.

Administrator Corey Gallo stated a meeting needs to be set up to go over everything.

CAPITAL IMPROVEMENTS/BOROUGH ENGINEER

A. Engineering & Inspection Status Report

Pending Projects:

1. FY 2014/2015 Memorial Field Lighting Project and Basketball Improvements
Dave Gleassey, Borough Engineer, stated a final layout was received from Musco Lighting. Bid documents were being completed and the Borough would authorize the project for bidding at tonight's meeting.
2. DPW Truck Wash- Mr. Gleassey stated a proposal was submitted for consideration to the Borough and upon authorization, Remington Vernick would begin the design.

3. Utility Repair Project – Mr. Gleassey explained that utility repairs done included Woodbine & Front Streets, Murray Hill Terrace, and the various streets which were identified. The scope and costs of all known utility repairs were currently being finalized.
4. Sanitary Sewer Infiltration/Repairs – Mr. Gleassey explained Remington Vernick has coordinated with the borough's sewer personnel to identify the areas known for infiltration. The scope of repair is being coordination with Bergenfield DPW and a proposal was being developed for the Borough's consideration.

Ongoing Projects:

1. FY 2015 CDBG Carlton Place Improvements Project – Mr. Gleassey stated that final design plans and specifications were completed and CDBG had authorized the project to go to bid. Lower bidder is Cifelli & Son General Construction and Remington Vernick has submitted their recommendation to the Board for consideration this evening.
2. FY2016 Road Program – Mr. Gleassey stated improvements have been completed under the current Riverside Cooperative Program and Remington Vernick is processing Schifano Construction's invoice. Mr. Gleassey stated that the ADA ramp improvements have been completed and punch list repair items are currently being completed. Mr. Gleassey explained that four streets have been added to the current Riverside Cooperative Program –Phase 2 to include Murray Hill Terrace, Martin Street, Deerfield Street, and Pleasant Avenue. All milling was done every street except for Martin Street. An amended resolution is before the Board this evening expanding the scope of the project to include Hill Place, West Englewood Avenue, and Miller Street.

Mayor Schmelz inquired why the bottom part of Deerfield Street was not being paved.

Mr. Gleassey stated that the cost estimates and the extent of these four roads was prepared and given out at the meeting last Wednesday for consideration. The cost was submitted and the consensus was now before the Board for their consideration. There are so many streets that need to be milled and paved that we don't set limits of where they start and stop.

Mayor Schmelz inquired if there is a reason why the bottom part could not be paved.

Mr. Gleassey stated he did not get a recommendation for that.

Mayor Schmelz inquired from the sewer's and the utilities point of view.

Mr. Gleassey stated that the sewers were televised and are in good shape.

Mayor Schmelz inquired whether Rivera Way was not going to be paved.

Mr. Gleassey stated that it wasn't supposed to be paved and it was a mistake on the part of Remington Vernick.

Mayor Schmelz inquired where it is going up to now.

Mr. Gleassey stated it will go from Church Street to Christie Street.

Mayor Schmelz inquired about the bottom of the Y as it is really bad.

Council President Steinel stated it is bad but it doesn't affect Deerfield Street. The sewers coming down Bogert Street and Rivera Way are such a mess and need to be dug up. It doesn't make sense to put down black top there until it is dealt with. Martin Street which was not originally put on the list is causing a problem. Doing both Martin and Deerfield Streets should minimize the problem.

Going back to the June meeting, the only reason the rest of Martin Street wasn't considered then was because DPW said they had televised from Johnson Street and down. The other part was not completed.

Mayor Schmelz inquired whether it was done now.

Council President Steinel stated it's been done and is good. That's why there's a change in the resolution to improve all of Martin Street right up to Hickory and 20 feet deeper into Johnson Avenue.

Council member Lodato inquired whether the budget was exhausted for all of the work for the year.

Council President Steinel stated they will be down about \$700,000. \$600,000 is currently being budgeted and allocated for the sewer and curbing work between Front Street and Murray Hill Terrace. They are contracted to get done. Council President Steinel stated that every time he talks with Phil, he states that it can't be done because there are a lot of sewer problems. We can pave a lot of streets that don't have any sewer problems but we are looking at a monster in front of us. Council President Steinel stated that we need to deal with the infrastructure before dealing with the cosmetics. There are streets that are 100% worse. You go down Melrose Avenue, south of Broad Street and you bounce all the way down to Memorial. That needs curb work, sewer work, and everything else. There are a lot of bad streets in town but a lot of bad sewer problems also. The worst is when there is a leakage in the sanitary sewer. Council President Steinel stated we are paying to clean rain water that is an annual cost to the taxpayers.

Council member Amatorio inquired if it known how much more money is needed.

Council President Steinel stated it will be approximately \$25,000.

Administrator Corey Gallo stated that it's more, it's going to be \$38,000.

Council member Amatorio stated that total amount is going to around \$100,000.

Council President Steinel stated that Martin Street wasn't part of the plan but became part of the plan back in June, which was a trade off. Surface course was to be done at the end of Deerfield Street but then the engineer had said it's not a candidate, it's a mill and pave job. We have to take what money is allocated, don't waste money going after the monsters. Deerfield Street is rough and needs work, but there are streets that are worse. Council President Steinel stated the infrastructure needs to be done first.

Mayor Schmelz inquired if there are other streets worse than Deerfield Street, then why is Deerfield Street being done. Those other streets should be done first.

Council President Steinel stated that is was on the list as being real bad.

Administrator Gallo stated that the infrastructure on Demarest was bad and on the list. The other street was Martin Street that needs infrastructure work. Ralph Street was another street that has a dip that is from United Water.

Mayor Schmelz inquired if Ralph Street was under the DOT grant.

Administrator Gallo stated that the council approved application for a grant but it was never put in. There were other streets and that's how we got to Deerfield Street. DPW gave the worst streets they felt were the worst streets in town.

Mayor Schmelz stated he would rather do other streets before they did Deerfield Street. The people on his street shouldn't suffer but on the other side people are going to go speeding up the street. Mayor Schmelz stated that craziness would be created if only half the street is paved. The engineer's equipment is parked in front of people's homes all week and none of them are having their streets paved. Mayor Schmelz explained that these people feel their streets are just as bad as up top and why is up top being paved.

Council President Steinel stated that a friend of his had told him a milling machine was in front of his house. He told him that his part of his street was going to be done, but not his street. Council President Steinel stated that part of the problem is underground and how much money is going to go into that is not going to be seen by anyone but they have to be done.

Council member Lodato stated that Martin Street is a narrow street that has perpendicular parking that goes beyond the Borough's right of way onto the Board of Education's property. Council member Lodato inquired if the Board of Education ever dedicate that land to the Borough.

Council President Steinel stated that part of the parking area belongs to the Board of Education. The Board of Education is paying for the parking area.

Council member Lodato stated if it should be formalized and if it should be deeded to the Borough and then it would be the Borough's responsibility.

Council President Steinel stated that it should be deeded to the Board of Education. Someone should take control of that property, either the Borough or the Board of Education.

Council member Amatorio inquired if there isn't enough money to pave Deerfield Street this year, then is it possible to pave it early next year.

Council President Steinel stated that hopefully by the end of this year, there will be the report from DPW on the sewers and the engineer's rough estimate on what the cost of the sewer repairs will be. A lot of the sewer repairs can be done during the winter with the money left over for road repair. Next year we will have to deal with the sewer issues and allocate money for next year's project, including the completion of mill and paving Deerfield Street. Murray Hill is getting done in two parts.

Administrator Gallo stated consolidation will be done during the winter months. Money is available for Woodbine and Front, Murray Hill. Mr. Gallo stated they are going to try to package all the infrastructure work in a bid speculation. They can dig and do the work in the winter and once it settles, we can go into those streets, with target date in July, pave those streets. Mr. Gallo stated they will focus on the infrastructure streets in the winter and then pave in the spring.

Council member Amatorio stated that it is better to have an explanation that is not so technical available when people ask and might not understand. They might have equipment in front of their house and all of a sudden the paving stops at the other corner and not understand why it stopped. If we have the money, it can be paved this year. Council member Amatorio asked if we have the money for that.

Council President Steinel stated if we have the sewers done this winter, then they can get the money for Deerfield Street. No, there isn't money looking at the bill we got. It was more important to do the first part of the street.

Mayor Schmelz stated that we are close to \$30,000 of the budget.

Council President Steinel stated \$600,000 is needed for just the infrastructure of three streets, excluding Demarest Street. You are looking at a \$700,000 balance and need to hold onto that for the work that needs to be done in the winter.

Council member Amatorio stated if the \$30,000 can be obtained, then the work can be continued.

Council President Steinel explained that you won't know until the paving is completed. It can get done next year.

3. 2016 Various Sanitary Sewer Improvements – Mr. Gleassey stated all sanitary sewer main repairs have been completed and an invoice has been submitted this evening for approval.
4. West Church Street/CSX Railroad Drainage – Mr. Gleassey explained they have received “CSX Portal” authorization/approval to file project information in the CSX database. They are awaiting CSX coordination for a pre-construction meeting.
5. FY 2012 “Safe Routes to School” Safety Project – Mr. Gleassey stated they received bids and there are several inconsistencies were identified. They recommend all bids to be rejected and that the project be immediately re-advertised.
6. Cleaning and Video Inspection of Sanitary Sewer Trunk Line – Mr. Gleassey stated that National Water Main Cleaning Co. has completed their work and their invoice has been submitted this evening for approval.
7. Reconstruction of Highgate Terrace (Phase II) – Mr. Gleassey explained there are some punch list items that are being worked on with the contractor.

Grant Applications:

1. FY 2016 CDBG Grant Application – Mr. Gleassey stated the application has been submitted to Bergen County for Bergen Avenue Improvements from Washington Avenue to Summit Street.
2. FY 2017 CDBG Grant Application – Mr. Gleassey stated the application is being prepared for submission to Bergen County for Hughes Road and Madison Avenue improvements.
3. NJDOT TAP Grant Application – Mr. Gleassey stated an application is currently being considered under the “Stormwater management and/or stream channel stabilization” category.

Administrator Gallo stated he found out yesterday that the Borough is not a good candidate and we would not rate well for the TAP Grant with our situation. Administrator Gallo stated they looked at different ways to approach the TAP Grant. They looked at storm water, different drainage hitting the pond/creek. Mr. Gallo stated that there is silt built up on one of the streets that leads up to the pond. Phil said there was an area they did to dredge again. They said we weren't a good candidate.

Council member Kornbluth asked Mr. Gallo if the clean up with the weeds was brought up in the meetings with CSX.

Administrator Gallo stated CSX brought in a giant cutter that's cutting and rocks are flying. It broke the ambulance window and car windows. Mr. Gallo stated it is shooting rocks and we shut them down three times. They are going to pay for the claims we put. They were told they couldn't use this equipment to cut the weeds. Mr. Gallo had a conversation with the director and the lead guy from Albany. Mr. Gallo stated they blocked streets off and cars were still being hit. Mr. Gallo had pointed out to them the dangers of being so close to the schools.

Council President Steinel stated that there was movement from CSX after the railroad administration had met and now for the past two months there has hasn't been anything from CSX.

Mr. Gleassey stated that they have filled out all paperwork and waiting to hear back from CSX. They are waiting to have a pre-construction meeting and can't have one unless there is a CSX personnel up at the tracks. Mr. Gleassey explained that he would be willing to contact some of the entities.

Mr. Gallo stated that he will contact his contact at CSX tomorrow.

Council President Steinel stated that six years the covert going under the railroad tracks was collapsing and needed to be fixed. That's how wonderful CSX has been as a neighbor.

Mayor Schmelz asked Mr. Gallo if the contact at Booker's office was called again.

Administrator Gallo stated that the regional director of the entire northeast was in his office and drove him the entire length and to Dumont and stated we wanted our property to be like that. Administrator Gallo stated that it is frustrating when he was told that he would be fined and put in jail for trespassing.

Council President Steinel stated that CSX would ignore us. DPW would go and clean up and then they would back bill and they would pay us. Then all of a sudden, they said if anyone cuts the grass, they would be fined for trespassing.

Mayor Schmelz inquired if the town could fine them for not cutting the weeds.

Attorney Schettino stated that they have done it before and they came and responded right away.

Administrator Gallo stated they are trying to exercise every alternative. Mr. Gallo stated they will talk to them again. They started cutting the weeds. They cut along the areas you don't see and they look much better. They are getting together new equipment. Mr. Gallo will make the call again tomorrow.

UNFINISHED BUSINESS

A. Master Plan

Mayor Schmelz stated there was a Planning Board meeting the other night and the concerns the council had about verifying, certifying, and making any changes to the master plan was brought up. The consensus of the Planning Board was that if the council wanted to make a list, they would hear all the changes. If there any changes, they would re-certify the master plan according to those changes.

Council member Lodato stated that the Planning Board members just request that whatever areas the council want addressed to be put in writing so it be sent to the board attorney, the planner, and the planning board will review it.

Council member Kornbluth stated there was stuff sent to the administrator.

Administrator Gallo stated that he had definitely forwarded on. He will look at his notes again.

Council member Kornbluth stated there are two different issues. What happened with the verification of the master plan.

Council member Lodato stated the master plan was properly advertised, it was properly heard with the planner being there. The public notice was done, vote was taken Minutes which were lost for many months were discovered. No one ever questioned her. Mr. Lodato stated that she had misplaced them. We have them transcribed them. Whatever changes are needed will be done. There will be another hearing if necessary. Another publication will be done.

Council member Kornbluth stated that the minutes had the wrong date on them. They were approved with the wrong dates.

Council member Lodato stated there was clearly a mistake made with the dates.

Mayor Schmelz stated if there are changes that need to be made with the master plan, it would be advertised again and there would have to be a public hearing for it. A re-certification would be needed again.

Administrator Gallo stated he was asked to meet with Cheryl regarding the matter. One of things in question was if the master plan was ever memorialized. Cheryl said it was never memorialized.

Council member Lodato stated a vote was taken and Ron Mondello had prepared the resolution. He had read it into the record. It was done that same night.

Administrator Gallo stated Cheryl had referenced that the plan was never memorialized. She was very bad during that whole time because Kned Kneisler who she was very close with passed away. Her head was not in anything and she misplaced the minutes. She knew she had the minutes and had put them in a different pile. When she was recently going through things, saw the minutes. It was an innocent mistake on her part. She was adamant that the minutes were never memorialized.

Council member Lodato stated that he remembers Ron Mondello had read the resolution at the October 2015 meeting.

Council President Steinel stated he sent Mr. Gallo stuff for the planning board. The council cannot dictate to the planning board. Council President Steinel suggested since Mayor Schmelz and Council member Lodato are a liaison to the planning board to find the stuff from the council and see that it is incorporated into the master plan which would require a new adoption and resolve all the outstanding issues at one time.

Mayor Schmelz stated the Board does not want to have any ill will with the council and is looking to do whatever the council wants. They welcome the suggestions.

Administrator Gallo stated that he will coordinate it. He will send it to the planning board, Mayor Schmelz, and to Ron Mondello.

B. Introduction of Ordinance

Motion that the following ordinance be introduced and passed on first reading and setting Tuesday, October 18, 2016 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Council Chambers of the Bergenfield Borough as the place for a hearing on said ordinances.

ORDINANCE 16-2499 - AN ORDINANCE AMENDING CHAPTER 299 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED "VEHICLES AND TRAFFIC"

Motion by Council President Steinel, second by Councilperson Kornbluth, to pass Ordinance 16-2499 on first reading as amended, and notice of same shall be published according to law.

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

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

C. Tabled Resolutions

1. **16-258**/Adopt the 2016 Budget of the Bergenfield Special Improvement District
(Tabled 8-16-16)

Motion by Council President Steinel, second by Councilperson Kornbluth, to remove Resolution #16-258 from the table.

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

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

Motion by Council President Steinel, Second by Councilperson Kornbluth, that Resolution #16-258 be rejected.

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

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

Mayor Schmelz stated that other towns are painting blue lines in support of the police and other colors in support of all emergency responders. Mayor Schmelz inquired what the council's opinion of doing something similar.

Council President Steinel stated that's it's a blanket message that we are 110% in support of the police even though they screw up every now and then. Council President Steinel stated that he is against the idea and that lines do not have to be painted to show the town's support for the police.

Council member Amatorio stated that it would nice to show their support for the police even though everyone already gets along. However, it might open a gap between the residents and police.

Council member Rivera stated if it's not broken, why fix it.

Council member Kornbluth inquired why a statement needs to be made and that she had not seen the painted lines on Madison Avenue in Dumont.

ADMINISTRATOR'S REPORT

Administrator Corey Gallo stated that under the Affordable Care Act, the Borough is obligated to file for everyone. Administrator Gallo stated that a new program with ADP is needed in order to compile the information needed that is tied to payroll. Mr. Gallo stated that a resolution would be presented at the next meeting that all tax appeals will be listed by June 1st. It would initially cost \$2,000 to set up the program and then \$12,000 annually. Mr. Gallo stated that the Borough will be fined if we don't comply. Mr. Gallo stated that they tried to compile the information manually and it took a lot of man hours, a total of 4 months. The Veteran's Day ceremony will be held on Friday, November 11, 2016. The Board of Education's ceremony will be on Wednesday, November 9, 2016 at 1:00pm

because of the elections and the teacher's convention. Mr. Gallo stated he has been in contact with Ryan Shell, OEM director and they are starting to prepare for the possibility of the hurricane coming our way on Sunday.

MAYOR & COUNCIL REPORT

Councilperson Kornbluth

stated the ambulance corp has gone on 1440 calls. They held monthly drills. This month was on diabetes. They had 3 CPR saves over this past month. The recreation department Lou Harris special needs soccer started last week. Football and cheerleading has started. They have had numerous calls to the recreation phone. The Halloween Parade will be at Cooper's Pond this year on Saturday, October 29th, 2016 from 10am-12pm. The recreation department is working on Holiday in the Park.

Councilperson Rivera

stated the health department examined 13 children checks. They had vaccinations for school age children. They had 29 adult vaccinations. They started giving out the flu vaccine in September. In their WIC program. 32 residents were screened for anemia. Crossing guard vision and hearing screenings were given which is a mandatory screening. 1 person in Bergenfield was pronounced dead in their home.

Council President Steinel

stated that they were hoping automated garbage pickup would have started in Quadrant 1 but because of delays with the truck probably won't start until November. Quadrant 2 will hopefully will begin before the end of the year. Curbside leaf collection will begin this month. Try to leave room between the curb and the leaf piles. Keep the catch basin clear. There will be Nixle messages and the Borough webpage to keep everyone up to date a few days ahead as to where DPW will be collecting the leaves. Based on the forecast, DPW has started to do little things to gear up towards the storms. Pay attention to the weather reports and be prepared.

Councilperson Amatorio

stated that the Veteran's Day committee will meet tomorrow and will provide everyone with the information for it as soon as possible.

Councilperson Lodato

stated the Planning Board met last Monday. There was a subdivision application for 81 Murray Hill Terrace that was granted. It will be adopted and memorialized at the next meeting. The Planning Board is awaiting the

suggestions from the council and will discuss at the next meeting. The Old South Church is asking for an extension to complete the subdivision which was granted to them. The Stigma Free meeting this month was canceled.

Mayor Schmelz

stated that he was at the Hoover School Lou Challenger program. They had soccer inside because of the rain. 3 of the Bergenfield police officers were there playing with the kids which is a great thing they are doing. One of the ambulance corp volunteers was there also.

PUBLIC COMMENT

Ray Johnson stated that 5 out of the last 6 administrators for Bergenfield had left the Borough with a number of lawsuits that involved employees being under litigation. Mr. Johnson asked Administrator Gallo if there currently is a litigation issue with a Borough employee.

Administrator Gallo stated that he was confused as to what Mr. Johnson was talking about.

Mr. Johnson stated that there's been repetitive behavior with former administrators that costs the town money whenever there is a litigation. Mr. Johnson stated he had spoken to someone who is currently suing the Borough, that being the tax assessor. Mr. Johnson stated that Mr. Gallo was involved with a lot of litigation issues with his previous employment also.

Paula Rogabin, a resident of Teaneck stated she had helped with organizing the demonstration on held on July 25th, 2016 when Senator Garrett had meet with CSX representatives at Bergenfield Borough Hall. Ms. Rogabin stated that it was frustrating to find out the public was not able to attend the meeting as she was told it was a closed session. Ms. Rogabin stated that she believes this to be a violation of the Open Public Meeting Act. She stated that the public should not have been left in the dark and excluded from the meeting since it involved the safety of trains. Our coalitions feels that more meetings that are held together, the safer we will all be. She stated that they have a good relationship with the police department and were troubled that day when the police told them they would be arrested if they did not leave the premises. Most of the members of the coalition live along the CSX line among 11 towns and the trains that come through carry volatile crude oil. She asked the council to cosponsor an event, a forum, for the public, elected officials, and residents to work on the issue together.

Borough Attorney Schettino that scheduling such a meeting needs to go through the mayor and council. If it's a public meeting with having a congressman appear is usually, if non-partisan, you can't exclude people and open to the general public until you reach occupancy. It's going to be a private event, then you wouldn't even let the elected official come. If it still non-partisan, then they have to comply with the policy requirements.

Council member Kornbluth stated that the issue was never brought before the council.

Mr. Schettino stated that the administrator is authorized to approve applications for the use of a facility, absent that no number of the governing body had the authority to give approval without the approval of the entire governing body.

Council President Steinel stated they should come up with a policy and adopt it in a resolution. There is no reason to exclude the public. They should be present but be able to participate based on guidelines.

Ms. Diana Flagg stated that two weeks ago she had brought up the issue of street lights being out on Washington Avenue. There are even more lights out. Ms. Flagg stated they should be fixed before the hurricane comes.

Chief Madalone stated that the police department checks the lights periodically.

Administrator Gallo stated the Deputy Chief had checked the lights not even a week ago. Mr. Gallo stated that he had spoken with the public relations representative to have the lights fixed.

Council President Steinel stated there should be a reimbursement method put in place. All the lights that are out should be documented and then ask to be credited.

Ms. Flagg stated that she did find any recreation minutes since May when she checked on the Borough website. Ms. Flagg stated she still had not received an answer regarding long and short term bond notes.

Mr. John Smith stated that the master plan was not memorialized back in October 2015. There isn't an audio tape of the meeting. The Council even questioned the Planning Board why it took so long to present the master plan reexamination report to the council. Mr. Smith stated that the council had sent their comments to the Planning Board already and of course it was lost. Mr. Smith asked the public did not receive a copy of the introduction of new ordinance 16-2499. Mr. Smith inquired why the sprinklers were on at Memorial Field for two hours while it was raining.

Ms. Mary Sullivan inquired if she can put the leaves in biodegradable bags. Ms. Sullivan stated that on numerous occasions the DPW had undone all the work she had and the leaves were dumped in the storm drain.

Administrator Gallo stated she could do that but it is more difficult and more work required.

Ms. Sullivan stated DPW stops pick up third week of October. People end throwing them in the brook. Ms. Sullivan suggested putting the dates of pickup on the calendar so they can plan accordingly. Ms. Sullivan inquired if there is an evacuation plan in place if there is a derailment. Ms. Sullivan stated Teaneck has a plan. Ms. Sullivan suggested to have it posted on the website so residents would know.

Council President Steinel stated there can't be a concrete plan. You have to know what the problems is. Every problem gets handled differently and have to know what happened.

Ms. Sullivan inquired how you would get the information out to the people. Maybe it could be posted in the library and other public places.

Council President Steinel stated you get the information through Nixle and social media.

Administrator Gallo stated there will be some modifications made to the calendar.

Chief Madalone stated the police department is having a Pink Hat Campaign and all proceeds will go towards Breast Cancer Research in honor of Linda Jaeffa. She worked as a dispatcher for many years. Chief Madalone stated the police department will be having a Trunk or Treat this year for the kids in conjunction with the Halloween Parade.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

CONSENT RESOLUTION 16-293. 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. **16-294**/To Pay Bills
- b. **16-295**/To Approve Public Health Shared Service Agreement – Bergen County Department of Health Services
- c. **16-296**/To Award Bid & Authorize Contract – FY 2015 CDBG Carlson Place Improvements – Cifelli & Son General Construction, Inc.
- d. **16-297**/To Authorize Re-bid – FY 2012 Safe Routes to School Federal Aid Grant
- e. **16-298**/To Approve Amendments - Resolution #16-287 Authorizing Road Improvement Program – Riverside Cooperative Pricing Agreement
- f. **16-299**/To Authorize Various Road Projects – Riverside Cooperative Pricing Agreement & SUEZ Water
- g. **16-300**/To Approve Employee Handbook Dated September 2016
- h. **16-301**/To Authorize Tax Refund – 1 River Edge Road
- i. **16-302**/To Approve Tax Settlement – 88 Portland Avenue
- j. **16-303**/To Authorize Move of Premium Funds to Current Fund
- k. **16-304**/To Hire Per Diem School Crossing Guards for 2016-2017

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

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

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

B. RESOLUTIONS

16-305/To Approve Tax Collector Contract – Lidia Leszczynski

Motion by Councilperson Kornbluth, second by Councilperson Rivera, to approve Resolution #16-305.

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

COUNCIL COMMENTS

Council President Steinel thanked the Veteran’s Committee for working on the Veteran’s Day Memorial Service. Council President Steinel thanked everyone for coming to the meeting.

Council member Lodato thanked everyone for coming to the meeting and wished everyone a good night.

Council member Amatorio thanked everyone for coming to the meeting.

Council member Kornbluth thanked everyone for coming to the meeting.

Council member Rivera thanked everyone for coming to the meeting and wished everyone a good night.

CLOSED SESSION

RESOLUTION **16-306**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Personnel
 - 1. Police Department Personnel Matters

- B. Attorney – Client Privilege
 - 1. Swim Club

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 10:17p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Council President Steinel and unanimously carried, to adjourn this meeting. The meeting was adjourned at 11:28 p.m.

Respectfully submitted,

Marie Quinones
Acting Borough Clerk