

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
JUNE 9, 2016**

PRESENT: Mayor Norman Schmelz and Council President Charles Steinel, Council members Arvin Amatorio, Thomas A. Lodato, and P. Christopher Tully

ABSENT: Councilmembers Ora Kornbluth and Hernando Rivera

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

Mayor Schmelz called the meeting to order at 8:09 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 Councilperson Tully.

Moment of Silent for Bergenfield resident and New Milford Police Officer, Brian Long.

CAPITAL IMPROVEMENTS/BOROUGH ENGINEER
A. Engineering & Inspection Status Report

Borough Engineer Dave Gleassey stated that the grant application for Carlson Place, 2015 Memorial Field Lighting Project, was submitted and awarded to Borough of Bergen County Community Development. An updated proposal was submitted. Mr. Gleassey stated that an updated proposal was submitted to the Borough for the installation of a basketball court at John Lafferty Park. Mr. Gleassey stated that a proposal was submitted for the signal design and installation of a traffic beacon at the firehouse on Church Street. Mr. Gleassey explained that a preliminary/budgetary cost proposal is being developed to replace or re-line existing sanitary sewer facilities in order to reduce inflow/infiltration into the existing sew system. Mr. Gleassey stated that a proposal was submitted to the Borough regarding the signal design and installation of lighting along New Bridge Road and Westminster Avenue. Mr. Gleassey explained that they along with DPW met the truck wash manufacturer on May 3, 2016 and are awaiting the costs from the vendor to determine if engineering is required for the installation of a truck wash facility within the DPW area.

Mr. Gleassey explained that the Borough was awarded a 2015 grant for \$149,000 and a 2016 grant for \$155,000 to repave the entire length of Woodbine St. and North/South Front Street. Mr. Gleassey stated they met with NJDOT to discuss ADA ramp design details which will be ready for review shortly. Bid documents were advertised and received for the 2016 Various Sanitary Sewer Improvements project. Mr. Gleassey stated that a resolution was on the agenda for the approval of this project. Mr. Gleassey explained that a field survey is scheduled to begin shortly for the Murray Hill Terrace Roadway Improvements project. Mr. Gleassey stated the Borough met with CSX regarding the West Church Street/CSX Railroad Drainage. Mr. Gleassey stated that comments were exchanged and the agreement was signed by the contractor and sent to CSX for execution. Mr. Gleassey stated that final plans, specifications, estimate, and schedule were submitted to NJDOT regarding the 2012 "Safe Routes to School" Safety Project and Bikeway Extension. Mr. Gleassey stated revised construction costs/engineering costs were recently submitted to the County for approval for the Washington Avenue Handicap Ramps. Mr. Gleassey explained they had met with the Borough to review and confirm the monies remaining in the contract for the cleaning and video inspection of the sanitary sewer trunk line project. Remington Vernick will monitor the continuing

work so that all the remaining funds will be used. Mr. Gleassey stated the final payment certificate and change order was submitted for acceptance release of the retainage for the FY 2014 CDBG Main Street Sewer Rehabilitation Project. Mr. Gleassey stated the contractor completed the installation of the concrete/driveways/sidewalk ramps for the Reconstruction of Highgate Terrace (Phase II) project. Mr. Gleassey stated that the punch list/project closeout was being prepared for project completion.

UNFINISHED BUSINESS

A. Swim Club

No Report.

B. Discussion on Automated Garbage Collection

Council President Steinel stated that he had copied the council with the changes for the ordinance for the distribution of extra pails and will be introduced at the next meeting. Council President Steinel stated that if residents are not given an extra pail, then they would have to put out garbage on two separate days of the week, which would cause a reduction of service to the residents. Council President Steinel stated that if extra pails are provided, then the cost of the handling fee would need to be determined. Council President Steinel explained that whatever the Borough cost is, the Borough should share for the additional pail. For example, if the Borough cost is \$60 for a barrel, a 10% handling fee should be charged, making the handling fee \$6. Council President Steinel explained that the barrel would belong to the property, because the pail would be registered to that property. If a resident sells their home, the barrel stays there. Council President Steinel stated that if people generate so much garbage then they should have to pay for it. However, this would be reducing services provided to the residents. Council President Steinel's recommendation is to charge a processing fee per structure.

Mayor Schmelz asked whether the number of pails a resident would receive is to be determined by the number of bedrooms.

Council President Steinel stated that the number of bedrooms still stands, but the ordinance would be for any additional barrels.

Borough Attorney Schettino recommended using a dollar amount, given that the administrative fee should not be charged in a percentage.

Borough Administrator Gallo explained that a dollar amount for a barrel cannot be a fixed amount since the cost of the barrels can change. Mr. Gallo stated that the Borough is locked in a price for one year, but can only buy a few barrels at a time.

Mayor Schmelz inquired how many extra pails would be needed.

Borough Administrator Gallo explained that it varies, since some residents just want an extra pail for the holidays.

C. Adoption of Ordinance

The following ordinance published herewith were first read by title only on May 17, 2016, posted on the bulletin board of the municipal center.

ORDINANCE 16-2494 – AN ORDINANCE AMENDING CHAPTER 17, ARTICLE 30 OF THE CODE OF BOROUGH OF BERGENFIELD ENTITLED “DEPARTMENTS”.

Public Comments on Ordinances 16-2494.

No Comments.

Motion by Council President Steinel, Second by Councilperson Tully, to pass Ordinance 16-2494 on second and final reading and is hereby adopted 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>Absent</i>
Councilperson Amatorio:	<i>Aye</i>	Councilperson Tully:	<i>Aye</i>
Council President Steinel:	<i>Aye</i>	Councilperson Rivera:	<i>Absent</i>

NEW BUSINESS

None.

ADMINISTRATOR'S REPORT

Borough Administrator Gallo stated the auditors have been conducting their annual audit. The auditors held off coming earlier since the Borough implemented a new payroll system and are going to do a test sample at the end of the second quarter. Mr. Gallo gave an update about the code enforcement office having to be more aggressive regarding high grass. There were about 80 warning letters written about high grass. Mr. Gallo explained that if the grass was not cut within the time frame set by the ordinance, then fines would be issued. Mr. Gallo stated that employee evaluations are underway as part of the obligations under JIF and should be completed by the end of the month, if not by the fourth of July week. Mr. Gallo stated he has been conducting interviews for hiring clerical staff in the building and DPW departments. Mr. Gallo stated he was impressed with the credentials and level of skills set by some of the candidates and as a result has forwarded some resumes to the police department for consideration. Mr. Gallo explained that he will have someone appointed for the code enforcement clerical position at this meeting and will have someone appointed for the DPW clerk position at either the next meeting or the first meeting in July.

MAYOR & COUNCIL REPORT

Council President Steinel

stated the rollout of automated garbage cans for Quadrant 3 was complete. Council President Steinel stated that the DPW will be starting to collect the old garbage cans on Wednesday, June 29th. Residents should put their barrels on the curb. This way the barrels would be going to the recycling center to be recycled in comparison to just dumping it. The Senior Citizen's Committee will have their picnic on June 15th, 2016. They have put in a lot of hard work. The Office of Emergency Management will have a full advisory board meeting next week. The Zoning Board have had several hearings. Issues that were brought to the zoning board had to do with the inherently beneficial use. One issue involves a religious house of worship that it brings about a lot of problems, such as parking and traffic movement problems. The Board gets concession. Council President Steinel explained that if people are from town it is inherent but becomes a problem when people are bussed in for service. They are off the tax rolls and there is no benefit to

Bergenfield. The Zoning Board's hands are tied. You have to get federal legislature. Two applicants are looking to build a deck. The decks would be two feet over the variance. The variance starting point for a homeowner is \$1,000. Council President Steinel stated that one applicant had the architect draw up plans and had paid the attorney to attend the meeting. This is a waste of resident's money. This should have been addressed in the master plan. It's a big burden for residents.

Councilperson Lodato

stated the Board of Adjustments should submit a report to council with a list of variances.

Councilperson Amatorio

stated the Municipal Alliance supported the DARE Youth Academy. The Municipal Alliance provided supplies to the health department for Family Fun Day. They also provided supplies for red ribbon week for the bullying campaign to schools. Councilperson Amatorio stated the Memorial Day parade was great and thanked the veteran's committee for organizing it.

Councilperson Tully

stated he had a busy meeting with the environmental committee earlier in the day at 6:30pm. They had discussed various environmental programs that should take place over the next 1½ years regarding Sustainable Jersey. There will be an ordinance with some changes. The library board will share internet services with the high school. Councilperson Tully stated that there will be a meeting with Dumont on Tuesday to discuss drawings received.

Mayor Schmelz

stated that clean-up of Cooper's Pond is scheduled for July 15th or 16th.

Councilperson Lodato

stated the Planning Board will meet next month. Stigma Free met but he got there late and missed the meeting. The Fire Department meeting will be next month and the administrator will attend. The fire department responded to 249 calls in comparison to 258 calls responded to from last year same time. Bakkan crude was in the news the last several months. On June 3rd, 2016, there was a derailment in which 42,000 gallons escaped and ignited a fire. The train was going at a slow speed and the train tracks were not an issue. Bergenfield continues to be at risk since 2 out of the 3 Bergenfield firehouses are near the railroad tracks. Councilperson Lodato stated that Borough should consider relocating the firehouses. The two firehouses would share the same house.

Mary Sullivan, resident, stated that she is involved with the coalition and even went up to Albany. Ms. Sullivan stated that they will be having another rally at the Dumont post office on July 6th, 2016 from 5-6 p.m. Ms. Sullivan stated that relocating the firehouses would help but there are

schools, the Borough Hall, and homes near the railroad tracks. She stated that there were 22 derailments since 2013.

CORRESPONDENCE

- A. Imad Hussain/18 S. Woodside Ave **Re:** Block Party Request - Woodside Avenue between Main Street to Grove Street– Saturday, July 9, 2016 from 3:00 p.m. to 10:00 p.m.
- B. Lodato/Board of Fire Directors **Re:** Request to lead 9-11 Ceremonies - Sunday, September 11, 2016
- C. Eric Sunder/66 Maiden Lane **Re:** Block Party Request - Frederick Place between Maiden Lane and Lee Place - Saturday, July 16, 2016 from 2:00 p.m. to 10:00 p.m.
- D. Kaspar/Dance Dimensions **Re:** Coin Toss Request – Washington & New Bridge Road, Main Street, and Clinton Avenue – Saturday, June 25, 2016 from 9:00 a.m. to 1:00 p.m

Motion by Council President Steinel, second by Councilperson Tully and all members present voting in favor, to approve Correspondence Items A, C, and D.

PUBLIC COMMENT

John Smith, resident, thanked everyone for the Memorial Day Parade. Mr. Smith wanted to remind the administrator and council about doing something for the young lady who sang the national anthem at the parade. Mr. Smith questioned why Bauer was still being used for recreational purchases when businesses in town could be utilized. Mr. Smith stated that the purchase of the jox box for \$1740 was too high. Mr. Smith inquired when the next planning board was going to be.

Councilperson Lodato stated that the planning board meeting was going to be the third Monday in June at 8:00 pm.

Kevin Clancy, resident, wanted to reiterate thanks for the cooperation of the administrator, DPW, and police department at the Memorial Day Parade. Mr. Clancy asked Borough Attorney Schettino about the beneficial use of the inherent variance.

Borough Attorney Schettino stated that the rational for use variances also covers other variances.

Maureen Sullivan, resident, stated that Home Depot sells 35 gallon barrels for \$70. The Borough can purchase these barrels and charge residents \$75 to cover any processing fees and expenses. Ms. Sullivan felt that there would be no problem when DPW starts picking up garbage twice a week. Ms. Sullivan stated that there will be a problem in November during Thanksgiving when people will need more barrels. Ms. Sullivan stated that Bakkan crude towns should get together and push the government to ban this. Ms. Sullivan stated that even if you move the firehouses, firefighters can't fight this.

Diana Flagg, resident, inquired what kind of business/school Dance Dimensions was and why they were holding a coin toss. Ms. Flagg inquired why the Borough was purchasing a Ford F150 truck for the police department. Ms. Flagg asked how the Borough determined the number of pails each household should be getting. Ms. Flagg stated that there was a derailment in Dumont in the 1960's and there was no panic over moving the firehouses. It was carrying bananas that ended up everywhere. The derailment took place by the fire houses and missed homes by a hair on Manhattan Terrace and Bedford Road.

Administrator Gallo stated that the number of pails a household gets is determined by the number of bedrooms there are. Mr. Gallo stated that the traffic division has a van that is very old. The traffic division van carries cones and barricades, so it needs a truck and a police car can't be used for these items. It's more practical to buy a truck than a van.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

CONSENT RESOLUTION 16-171. 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. **16-172/**To Pay Bills
- b. **16-173/**To Approve Raffle Application 1305
- c. **16-174/**To Authorize Purchase – 2017 Police Interceptor - \$34,190.36
- d. **16-175/**To Authorize Purchase – 2016 Ford F150 - \$41,482.29
- e. **16-176/**To Authorize Award of Bid and Execution of Contract – 2016 Various Sanitary Sewer Improvements – M. Ingannamorte & Son, Inc.
- f. **16-177/**To Authorize Award of Bid and Execution of Contract – FY 2016 Road Program – Sidewalk & ADA improvements – D & L Paving Contractors
- g. **16-178/**To Authorize Change Order No. 1 – FY 2014 CDBG Main Street Sewer Rehabilitation – Gemrose Utility LLC
- h. **16-179/**To Authorize Pay Certificate No. 3 Final – FY 2014 CDBG Main Street Sewer Rehabilitation – Gemrose Utility LLC
- i. **16-180/**To Accept Maintenance Bond – FY 2014 CDBG Main Street Sewer Rehabilitation – Gemrose Utility LLC
- j. **16-181/**To Authorize Pay Certificate No. 2 Final – Reconstruction of Highgate Terrace Phase 2 – Gotthold Paving, LLC
- k. **16-182/**To Authorize Electronic Real Estate Tax Payments via Cit E Net
- l. **16-183/**To Authorize Tax Refund – Block 301 Lot 12
- m. **16-184/**To Authorize Tax Refund – Block 125 Lot 8
- n. **16-185/**To Authorize Tax Refund – Block 114 Lot 14
- o. **16-186/**To Authorize Redemption Monies to Outside Lien Holder – TTL#08-00010
- p. **16-187/**To Authorize Bid - FY 2012 Safe Routes to Schools Federal Aid Grant Bergenfield School Safety Project and Bikeway Extension
- q. **16-188/**To Accept Retirement Proposal – James Martini
- r. **16-189/**To Approve Shared Services Agreement – Municipal Court – Borough of Dumont

Motion by Councilperson Tully, 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>Absent</i>
Councilperson Amatorio:	<i>Aye</i>	Councilperson Tully:	<i>Aye</i>
Council President Steinel:	<i>Aye</i>	Councilperson Rivera:	<i>Absent</i>

B. RESOLUTIONS

- a. **16-190/**To Appoint Part-Time Keyboarding Clerk – Marisol Lopez

Motion by Council President Steinel, second by Councilperson Amatorio, that Resolution #16-190 be approved.

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

Councilperson Lodato:	<i>Aye</i>	Councilperson Kornbluth:	<i>Absent</i>
Councilperson Amatorio:	<i>Aye</i>	Councilperson Tully:	<i>Aye</i>
Council President Steinel:	<i>Aye</i>	Councilperson Rivera:	<i>Absent</i>

COUNCIL COMMENTS

Council President Steinel thanked everyone for coming to the meeting and stated the Senior Citizen's picnic was on June 15, 2016.

Councilperson Amatorio thanked everyone for coming to the meeting.

Councilperson Tully thanked everyone for coming to the meeting and the council for supporting the shared service agreement with Dumont.

CLOSED SESSION

RESOLUTION **16-191**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Legal Contracts
 - 1. School Resource Officer (SRO)

- B. Collective Bargaining
 - 1. Bergenfield DPW Employees Association Contract
 - 2. Bergenfield FMBA Local No. 65 Contract

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 Tully and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:15 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Lodato, second by Council President Steinel, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:34 p.m.

Respectfully submitted,

Marie Quinones
Acting Borough Clerk