

BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
8:00 p.m.
August 16, 2016

PRESENT: Mayor Norman Schmelz and Council President Charlie Steinel, Council members Thomas Lodato, Arvin Amatorio, Ora Kornbluth, and P. Christopher Tully

ABSENT: Councilperson 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 8:07 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 Amatorio.

AGENDA CHANGES

None.

APPROVAL OF MINUTES

Motion by Council President Steinel, second by Councilperson Kornbluth, to approve minutes of the July 19, 2016 Regular Public Meeting, July 19, 2016 Closed Session (not to be released), August 2, 2016 Work Session, August 2, 2016 Closed Session (not to be released). All members present voting in favor, none opposed.

PRESENTATIONS

A. Certificate of Appreciation in honor of Bill Nicodemus

Mayor Schmelz presented proclamation to Mr. Nicodemus.

Mr. Nicodemus stated that this all began with a neighbor's wife involved with the cub scout pack starting a project to clean up the circle. He decided to carry on the project after they had moved on after a year. He was excited to continue the work and he has been a part of the community for 38 years. Mr. Nicodemus stated it is satisfying to see people coming by and appreciating it.

Mayor Schmelz stated that if anyone wants to see his work, they can make a right hand turn past 7 Eleven going north and it's the first circle.

B. Accreditation Award to the Bergenfield Police Department - *Harry Delgado, New Jersey State Association of Chiefs of Police*

Mr. Delgado stated that he appreciated the opportunity to be here tonight and recognize the police department. Mr. Delgado stated that this is not just an accreditation presentation. The Bergenfield police department is the first agency in the state of New Jersey that have been accredited four

times. They are the first ones to earn and remain accredited four times. It is very important in the way they behave and deliver services. Mr. Delgado stated that the Bergenfield police department has achieved a milestone. They have exceeded the standards of the other five communities that have been accredited three times. Mr. Delgado stated that Bergenfield police department has shown exemplary service. Mr. Delgado explained assessors had the opportunity to interact with many externally and internally. Mr. Delgado stated that those who were interviewed were many agency personnel and stated that they felt positively about their leadership and of their working conditions within their department. Mr. Delgado stated that best practices save you money. It makes citizens and police officers safer. Mr. Delgado stated that accreditation embodies a precept which is exemplified in Bergenfield. It creates an environment in which citizens and police officers work today. Officers are able to take pride in the high standards and professionalism. It is the opinion of the assessment team that the Bergenfield police department is a highly professional and committed agency which exemplifies all of the tenants of law enforcement accreditation. Mr. Delgado stated there was not a single issue of significance to find besides a clerical issue which is remarkable. Mr. Delgado stated the New Jersey State Association of Chiefs of Police and New Jersey Law Enforcement Commission congratulates you tonight for achieving their 4th accreditation, joining a very exclusive group of law enforcement agencies who have made this commitment of excellency in policing.

Mr. Delgado presented the certificate of re-accreditation to the Bergenfield Police Department.

Deputy Chief Chris Massey thanked everyone and also Chief Madalone for the accreditation. Chief Madalone has done an excellent job in leading our department in driving for the accreditation. Deputy Chief Massey stated Chief Madalone had turned over the reigns to Captain Rabboh this past year.

Captain Rabboh thanked Mr. Delgado. Captain Rabboh accepted the plaque on behalf of Chief Madalone and the entire department. Captain Rabboh stated that a lot of labor intensive work went into earning the plaque. Captain Rabboh thanked the Mayor and Council Members and administration for providing the resources to be as successful as they are today. Captain Rabboh stated that all the guys had a part in this. Every single person from top to bottom, bottom to the top had a doing in this accreditation process. Captain Rabboh stated that we owe it to the entire department, and that it was a group effort. Captain Rabboh stated they look forward to the next cycle and are honored that this is their 4th accreditation. Captain Rabboh stated they will continue the trend and will work towards earning a 5th accreditation.

COUNCIL COMMENTS

Councilperson Lodato congratulated and thanked the police department for their hard work.

Councilperson Amatorio congratulated the police department and thanked the police department for making Bergenfield proud.

Council President Steinel thanked Mr. Nicodemus. Council President Steinel thanked the police department for continuing the accreditation process.

Councilperson Kornbluth thanked Mr. Nicodemus on behalf of the Borough. Councilperson Kornbluth congratulated all of the members of the police department and stated that she knows a lot of hard work went into the accreditation.

Councilperson Tully congratulated and thanked all of the members of the police department. Councilperson Tully stated that he used to pass by that circle all the time and see his work. Mr. Nicodemus is an exemplary example of the volunteers active and alive in Bergenfield. He thanked Mr. Nicodemus for all of the work he has done over the years. Councilperson Tully stated the plaque is just a small token of appreciation. Thank you very much.

Mayor Schmelz congratulated Mr. Nicodemus again for the great job. Mayor Schmelz commented and thanked the police department for a great job.

C. Annual Insurance Review – Ezio Altamura, Risk Manager

Ezio Altamura from Bergen Risk Management stated they receive a \$9191.00 per year credit for recognizing the police department accreditation. Mr. Altamura stated that he would briefly review the insurance manual put together by Matthew McArow. Mr. Altamura stated that page 1 was an introduction to the agency of risk management. Mr. Altamura thanked the Borough for the reappointment in 2016. Mr. Altamura stated that on page 4 is the 2016 statewide MEL plan of risk management. On page 5, is a snapshot of the Bergen JIF insurance fund providing general compensation and general liability. Mr. Altamura stated that on page 9 is the preferred status and the overall. On page 10 is listed the officers liability for emergency services, the fire company and services unit. Page 17 lists the optional excess liability policy for the Borough of Bergenfield for \$15,000,000 to protect the Borough from burn damage in insurance costs.

Mr. Altamura stated that on page 19, there are some of the types of policies they write for the Borough of Bergenfield that the JIF provides. Mr. Altamura stated that they have accident and sickness policies. On page 20 is listed dental and group prescription coverage. On page 21, is the first insert they provide is on the MEL website with Bergen JIF safety initiatives and all the training that would be provided. The next item is the 5 year synopsis. Mr. Altamura stated that he worked with Karen, Corey, Marie, and the Borough staff to review the insurance. Mr. Altamura stated he helped them write the recreation and library record.

Mr. Altamura stated the financials for the Bergen County JIF had an municipal excess liability of \$3,589,000 surplus. Mr. Altamura stated that on page 23, there are trends that he wanted to highlight. They at the agency work and review with administrator and Borough staff, such as fireworks at family fun day. On page 26, there are highlights from 2015. Mr. Altamura stated that the Borough of Bergenfield was the recipient of the silver safety award and received a dividend of \$26,497 for 2015. There was a credit for the police department accreditation received in 2016. Mr. Altamura commended the administrator, Mr. Gallo, Marie Quinones, Acting Borough Clerk, Sue Muller, and all Borough staff for doing a great job.

Mayor Schmelz inquired what the estimated savings would be with the purchase of the new garbage trucks.

Mr. Altamura stated that there has been a decrease in the number of Workers Comp claims, which can be attributed to the improvements in garbage collection.

D. 2015 Annual Audit Report – Rich Cahill, Chief Financial Officer

Mr. Rich Cahill, CFO stated that the Mayor and Council will be accepting the 2015 annual calendar audit report. Mr. Cahill stated a corrective action plan was prepared based on the findings from the audit. Mr. Cahill explained that most of the findings were related to payroll and pension, which involves additional personnel and shifting some of the responsibilities internally to address these issues. Mr. Cahill stated there were a couple of issues related to purchasing. Mr. Cahill stated there now is a QPA on staff who will help assist with the daily operations of purchasing. There will be an actuary study that needs to be done related to our post-retirement health benefits that is provided to our retired employees. There is one item related to fixed assets and this issue can be fixed internally. Mr. Cahill explained there was one finding related to some signatures missing for the trust fund checks. Mr. Cahill stated that we need to ensure there are two people signing these checks.

Councilperson Tully stated the finance committee will go over the corrective action plan when they meet in the next six weeks.

VERBAL COMMUNICATIONS I

Mayor Schmelz opened the meeting and invited the public for comments on agenda items only, limited to five minutes per speaker.

Barry Doll, resident, questioned if those serving on town authorized committees are protected under the town's insurance.

Borough Attorney John Schettino stated that yes, all municipal committees acting on behalf of Borough are covered.

Barry Doll, resident, inquired why it took so long to complete the audit. Mr. Doll stated that it should be done in a reasonable time frame, within five months. Mr. Doll recommended that any corrective actions be implemented from the shortcomings. Mr. Doll inquired if we are becoming a bank. Mr. Doll stated that there is \$7,342,000 in the fund compared to \$6,371,000 from last year. Mr. Doll stated that there is \$1,000,000 more than last year and why there is a surplus accumulating. Mr. Doll stated that taxpayers are being charged too much money. Mr. Doll stated that something should be put in the budget to reflect the \$7,000,000 dollars.

John Smith, resident, stated there were some articles last Thursday and Sunday on the Special Improvement District. Mr. Smith stated he wanted to go back and reflect at how Bergenfield used to be. Mr. Smith asked what the SID has done to improve the business district in Bergenfield over the past 20 years. Mr. Smith stated that he doesn't own a business but he remembers what this town used to be like. Mr. Smith stated that every year they present a budget, but changes are never made. There still is a parking problem. The Special Improvement District is supposed to take care of the business district. Mr. Smith stated that it's amazing that things are not being done to benefit the town of Bergenfield. Mr. Smith stated that no one has answered his question regarding what the benefits to Bergenfield business district will be for having the Special Improvements District.

Mary Sullivan, resident, stated that she had moved to Bergenfield in 1980 as a tenant and then in 1986 she bought her home. Ms. Sullivan stated that she could live and die in this town. Ms. Sullivan used to shop in town all the time and then SID came in and took away all of the parking. Ms. Sullivan stated that unless the parking situation is resolved, the town will keep going downhill. Parking has to be safe and convenient. Ms. Sullivan doesn't go to certain stores in town since there is no parking. Ms. Sullivan stated if you want to get hair and nails done, you want to come to Bergenfield. Ms. Sullivan suggested that parking should be extended to three hours rather than two hours. Ms. Sullivan mentioned the dark narrow passage ways in which people do not feel safe parking there. Ms. Sullivan stated that is so dark that people don't know if businesses and restaurants are open. People don't feel comfortable walking on dark streets. Ms. Sullivan stated that the streets are crumbling. Ms. Sullivan stated the Special Improvement District is not supposed to use tax monies for the use of the website and garbage. Ms. Sullivan questioned why any of her tax dollars should go to improving the SID website. The municipal website should be Bergenfield.gov and the SID website be Bergenfield.com. Ms. Sullivan stated that restaurants put tables outside to draw people in. Ms. Sullivan stated that businesses should be open later than 6 pm, at least until late even if it is once a week. Ms. Sullivan stated businesses should put up banners, advertise events to get people to come downtown.

Councilperson Lodato stated that attributing the elimination of parking to the Special Improvement District is incorrect. The SID did not propose it, did not consent or agree to it. Business owners at that time strongly objected to the elimination of parking. When the renovation of Washington Ave and the widening of the North and south bound lanes took place, parking on one side of the street was eliminated in order to achieve this renovation.

Mayor Schmelz stated that the taxpayer's monies are not being used towards the website. Mayor Schmelz stated that it is all the Special Improvement District's money.

Administrator Corey Gallo stated that the outsourcing of vegetation is not related to the Special Improvement District. Mr. Gallo stated it is a BID spec. Mr. Gallo stated that the Borough has to go out to BID every couple of years. Mr. Gallo stated that the Borough pays for whoever is going to take our vegetation.

Mr. Gallo stated the reason the audit took a lot of time was because the payroll system being used in 2015 was closed out and rolled into a new payroll company. Mr. Gallo stated that this created a lot of the audit findings that exist. Mr. Gallo explained that the transition took a lot of time and would not have been fair to our personnel to help auditors to compile all of the data they needed during the time of the transition. Mr. Gallo stated that next year the audit should be on time.

There being no one else who wishes to be heard, Mayor Schmelz closed Verbal Communications I.

CORRESPONDENCE

- | | |
|---|---|
| A. Ferstending/61 Regent Street | Re: Block Party Request – Regent Street – September 5, 2016 – 1 p.m. to 3 p.m. |
| B. Paster Boerner/Calvary Lutheran Church | Re: Block Party Request – Arlington Avenue - Change of Date – September 18, 2016 |
| C. Flannery/East Johnson Avenue | Re: Block Party Request – East Johnson Avenue – September 17, 2016 – 2:00 p.m. to 10:00 p.m. |
| D. Blanco/Leonia Resident | Re: Request to use Cooper's Pond – Wedding Ceremony – August 20, 2016 – 2:30 p.m. to 5:30 p.m. |
| E. Buenaventura/81 Wilbur Road | Re: Request to use Cooper's Pond – Wedding Ceremony – August 28, 2016 – 3:30 p.m. to 5:00 p.m. |
| F. Landa/Congregation Beth Abraham | Re: Request to use Vivyen Field – Family Carnival – September 4, 2016 – 9:00 a.m. to 6:00 p.m. – Rain Date: September 11, 2016 |
| G. Morillo/218 E. Clinton Avenue | Re: Request to use Cooper's Pond – Pictures – September 27, 2016 – 5:30 p.m. to 7:30 p.m. |
| H. Vitrone/BHS Girls Soccer | Re: Coin Toss Request – September 17, 2016 – 9:00 a.m. to 1:00 p.m. |

Motion by Council President Steinel, second by Councilperson Lodato, and all other members voting in favor, that items A through H are approved.

A. CONSENT AGENDA

CONSENT RESOLUTION 16-243. 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. **16-244/**To Pay Bills
- b. **16-245/**To Request Approval for Insertion of Special Item of Revenue in 2016 Budget – 2015 Bergen County Open Space Trust Fund Grant – Memorial Field Lighting Project – Chapter 159
- c. **16-246/**To Authorize Bid – Collection of Grass Clipping & Yard Waste, Stumps & Logs, Leaves and Xmas Trees

- d. **16-247**/To Approve Proposal & Authorize Bid – John Lafferty Park Improvements Project – Remington, Vernick & Arango
- e. **16-248**/To Approve Proposal & Authorize Bid – Multi-Purpose Field Lighting with Professional Fees (Lighting) – Remington, Vernick & Arango
- f. **16-249**/To Approve Federal Aid Agreement – Bergenfield School Safety & Bikeway Extension Project
- g. **16-250**/To Award Contract for Certified Information Security Professional (out of scope) – Gold Type Business Machines, Inc.
- h. **16-251**/To Authorize Tax Refund – 19 Hickory Avenue
- i. **16-252**/To Authorize Tax Refund – 250-270 East Main Street
- j. **16-253**/To Authorize Tax Refund – 294 South Washington Avenue
- k. **16-254**/To Certify 2015 Audit
- l. **16-255**/To Approve Corrective Action Plan for Calendar Year 2015 Audit

Motion by Council President Steinel, second by councilperson Kornbluth, that the Consent Resolution be approved.

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

Councilperson Lodato:	<i>aye</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>absent</i>

B. Resolutions

16-256/To Approve Contract – Bergenfield Fireman’s Association Local No. 65

Motion by Council President Lodato, second by Councilperson Tully, that Resolution #16-256 be approved.

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>aye</i>
Council President Steinel:	<i>recuse</i>	Councilperson Rivera:	<i>absent</i>

16-257/To Hire Clerk Typist 1 – Helaine Ganley

Motion by Councilperson Lodato, second by Councilperson Kornbluth, that Resolution #16-257 be approved.

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>aye</i>
Council President Steinel:	<i>absent</i>	Councilperson Rivera:	<i>absent</i>

UNFINISHED BUSINESS

A. Tabled Resolutions

16-238/To Authorize One (1) New Fire Hydrant – West Englewood Avenue – SUEZ Water New Jersey Inc. (**Tabled 8-2-16**)

No action.

B. 2016 Bergenfield Special Improvement District Budget

1. Public Comments on 2016 SID Budget

Councilperson Tully and Councilperson Amatorio recused themselves from the Special Improvement District discussion.

John Smith stated the parking problem was there when the Special Improvement District was established. The parking lot problem was brought up for the first time this year in the master plan. Mr. Smith stated there used to be sidewalk sales on the avenue. Mr. Smith stated that Bergenfield and Dumont have the same problems of parking and having dark alleys. Mr. Smith stated that every year the Special Improvement District budget is approved and they have not come up with any new ideas or done anything for the town. Mr. Smith stated that the Mayor used to write letters prior to becoming a politician condemning the Special Improvement District.

Mayor Schmelz stated that it is different when he is on the other side. Mayor Schmelz stated that you get a different perspective when you are sitting at the table with volunteers who are donating their time to make businesses better. They don't own the alleys. Mayor Schmelz stated that they have approached those people who own the alleys and they don't want to fix them. The idea of the SID was to attract new business, to attract people. They have done car shows which were successful in bringing people to Bergenfield from out of town. Mayor Schmelz stated that last year they wanted to do a festival and no one wanted to close Washington Avenue. Some members of the SID told Mayor Schmelz that business owners didn't want to do a sidewalk sale.

Mr. Smith stated that the majority of the stores are hair and nail salons. Mr. Smith stated that an individual tried to get a store going and no one from the SID told him what the procedure was to open a new business. Mr. Smith stated there is no representation from the Special Improvement District. Councilman Amatorio and Rivera have gone down to the owners in the district but no one else goes to speak with new business owners. Mr. Smith stated that when he moved into Bergenfield there was a welcoming committee. The Chamber of Commerce survived all those years because business owners took care of themselves.

Councilperson Kornbluth stated the council did not turn down the event. Councilperson Kornbluth stated that when the Special Improvement District director came to the council about the event, one of the questions the council asked were if the businesses were in favor. The SID director admitted that they were not. The SID director was told to come back with a better plan but he never came back.

Stuart Koperweis stated that he understands that the budget was introduced at the last council meeting, actually 28 days prior to this hearing as required by law for everyone to see, comment on and understand. Mr. Koperweis stated that he had previously provided his contact information if anyone had any questions or concerns. Mr. Koperweis stated it's a transition year for the improvement district and because of that they have been late with their budget this year. They are in the midst of putting together new board members. Mr. Koperweis appreciates the walk down memory lane, has been in Bergenfield many, many times and is very familiar with what the business district was. Mr. Koperweis stated that they have to work with it is now and must focus on working together in partnership with the Borough to help support all of the businesses and property owners to become revitalized. The Special Improvement District members are asking us to work together. Mr. Koperweis stated they have asked me to help put together their books from the past year and half due to certain issues arising as result of a lack of director and lack of budget. Mr. Koperweis stated they are now in that process and completing our 2015 audit and submitting to council and state. Mr. Koperweis stated that they want to help those businesses who come into town to not make those mistakes, create the one town shopping, and be able to sit down with board members and executive director to understand of what the necessary requirements of opening up a business in Bergenfield are. Mr. Koperweis stated that they want to put together a website, gobergenfield.com, that is linked to the Borough website. Mr. Koperweis states that they want to

revitalize the community and bring back the spirit of the town from the 1950's and 1960's. They will be working with the Borough regarding the garbage issue, sanitation, and cleanliness in the area and eventually moving onto a 2017 budget with a full slate of activities they can deliver upon. They are asking for the last quarter of 2016 to be able to put together a full budget and from that the assessment be only be one quarter of amount necessary in order to fulfil the budget.

Council President Steinel stated that he realizes that Stuart only came on three months ago and he might not have the exact answers. Council President Steinel stated that the reason SID didn't get all tax monies in 2015 is because they never put in the paperwork for a request for monies.

Mr. Koperweis stated the audit wasn't complete because they didn't get the funding, but now they are in the process and the books have been completed for 2015.

Council President Steinel stated the issues with the alleys were going to be taken care of by the Special Improvement District. Council President Steinel stated that it is now 6 years later and it still an issue. Council President Steinel stated that he sat at a SID meeting over a year ago. They discussed the issues about the garbage cans and the illegal dumping that goes on and how it can be corrected. Council President Steinel stated that under the auspices of the Special Improvement District, they had put together a booklet for potential businesses that move into town with step by step instructions of what department they had to go to in town. On more than one occasion the department heads were told they must cooperate with the Special Improvement District director. Council President Steinel stated it's extremely frustrating and he realizes that the SID board members are volunteers who are trying to run a business. They are trying to make it work. Council President Steinel suggested that part of the problem in the past may have been that the SID had tried to do too many things at the same time that nothing was ever done.

Mayor Schmelz stated that the previous person was not the director.

Council President Steinel stated that he was in charge of doing the job.

Mr. Koperweis stated that he understands everyone's frustration. Mr. Koperweis stated that they are here to help alleviate those mistakes from the past. Mr. Weikotz stated that he knows that there hasn't been anyone in the position of SID director for the past nine months and is here to figure out how not to be in that position again. Mr. Koperweis stated that he and the SID Board are looking to move forward from this day on.

Mr. Barry Doll stated he was looking at 2016 budget and said if he was in your shoes, he would not be able to vote on this budget since it's just a summary of expenses. Mr. Doll stated there's no detailed report on how certain monies are to be allocated to the respective jobs/actions. The management line was left blank, management under marketing events was left black, under administration management and executive director was left blank. Mr. Doll stated he would have a question about that. Mr. Doll asked if wouldn't it make sense to wait to until the end of the year to start with a new budget since we are three quarters into the year. Mr. Doll stated that this is not thought out well enough to vote on and suggested taking another look at, introduce it again next year. Mr. Doll stated voting on this today is not the right thing to do since it's not complete.

Mr. Koperweis stated that it is required by state statute is that you put in all of the elements of an budget and you put in a quantity. The reason that economic development has four categories underneath it and describing what those categories are and the totality of it is if you are going to change any more of the 10% of the \$35,000 in any one category, you would have to go in front of the council for another budget hearing which limits the ability for the improvement district. Management is to deliver the services under those categories. Your administrative cost is to run the corporation. Mr. Koperweis stated if you're a non-profit, you want to show all of your funding is going towards delivering of services as opposed to administration.

Diana Flagg, resident, stated she is not for or against the S.I.D budget. Ms. Flagg inquired if you don't approve the S.I.D budget, who is going to pay for the holiday lights.

Gallo Grijalva, owner of Empanada Mania, stated that he has been on the S.I.D Board for the last 3 years and has been the treasurer for the last year. Mr. Grijalva stated that they have spent numerous hours putting together a budget last year. We volunteered a lot of time and there has been moments when it felt like we were swimming against the tide. I can only speak for myself. When I wanted to open up a business in 2012 I never had anyone to walk me through the procedures needed in opening a business. Galo stated that S.I.D shouldn't be used as the scape goat if a business fails. Mr. Grijalva further stated that he is a perfect example of a business owner who took the tools provided by S.I.D as they gave him. He explained that the SID gave him a platform. Mr. Grijalva stated that in his first year of business, he was selected as one of fifty caterers for the Super Bowl. He stated they were best new restaurant in Bergen County and in the top 10 rated restaurants in New Jersey. Galo stated that the S.I.D does pay for the holiday lights, and that another member of the S.I.D cleans up around the town. He explained that if people believe there is a need for improvement in the town, it will worsen if the S.I.D budget does not pass. Mr. Grijalva explained that there are at least 6 different lighting apparatuses that were installed to create a safer environment. He further explained that one was put on Bedford Avenue, right off the side. Mr. Grijalva explained that the S.I.D cannot force business owners to put lights in their alleyways. Galo stated the assessment comes from business owners. Business owners are paying that tax and he agrees with everyone that taxes are very high. He indicated that if the budget doesn't get passed, then take four steps back would be taken instead of moving forward. Galo emphasized that they have an excellent board right now. Everyone on the Board is somebody who has a successful business in Bergenfield. We are volunteering our times and are doing what we have to do to make our businesses successful with the S.I.D. You have an executive level of volunteers on the Board and not passing this budget would take that for granted. If you had to outsource to pay for that level of expertise from the volunteers then you would be paying triple the amount of the budget.

John Smith stated the Special Improvement District didn't do anything to fix the Christmas decorations because half of them did not work. Mr. Smith stated that every year the same thing happens. Someone comes up to speak on behalf of the Special Improvement District saying we're going to do but do not do anything. Mr. Smith stated there is no time limit to fulfill what they are going to do. Mr. Smith asked that the right thing be done this time. Majority of the Special Improvement District members are still there from the last couple of years.

Council President Steinel stated that in defense of the S.I.D, last year they did improve the holiday lights along the avenue and the residential taxpayers paid \$0 for the holiday lights.

Anthony Bruno, resident, stated in the past there was a survey put out to the town's people to see what people would like to have for downtown. Mr. Bruno stated that it would be a good idea to do that again and that it would be a good working tool. Mr. Bruno explained that today everyone has access to the internet and people may go on the internet to voice their opinion. Mr. Bruno stated that there are 27,000 people in town and are not showing up to the meetings. Mr. Bruno stated this is a poor turnout. Mr. Bruno stated that he assumed that it is in the town's budget to pay for the Christmas lights. Mr. Bruno inquired who is putting up the Christmas lights, it's not the S.I.D.

Mayor Schmelz stated the last survey the S.I.D showed that the people wanted a movie theater and didn't know that there already was a movie theater in town.

Ray Johnson, Dumont resident, stated that he sits at the meeting every year and hears the same complaints. Mr. Johnson stated what he doesn't see are the business owners. Mr. Johnson inquired if any council members have attended S.I.D meetings and how many people were there. Mr.

Johnson assumed that not many people attend those meetings. Mr. Johnson inquired if anyone has taken a walk on Washington Avenue recently.

Mary Sullivan, resident, stated that she oversaw small businesses for over 40 years and when things weren't working out they sat together and figured out ways to increase business and solved the problems. Ms. Sullivan stated that they would go out and talk to the customers. Ms. Sullivan suggested people on the S.I.D should speak to people in town and see what they like and what they're looking for.

There being no one else who wishes to be heard, Mayor Schmelz closed public comments.

2. **16-258**/Adopt the 2016 Budget of the Bergenfield Special Improvement District

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

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>recuse</i>
Council President Steinel:	<i>aye</i>	Councilperson Rivera:	<i>absent</i>

NEW BUSINESS

A. Introduction of Ordinance

Motion that the following ordinance be introduced and passed on first reading and setting Tuesday, September 6, 2016 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Executive Chambers of the Bergenfield Borough as the place for a hearing on said ordinances.

ORDINANCE 16-2498 – AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “OFFICERS AND EMPLOYEES”

Motion by Council President Steinel, second by Councilperson Tully, to pass Ordinance 16-2498 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>aye</i>
Council President Steinel:	<i>aye</i>	Councilperson Rivera:	<i>absent</i>

Committee/Department Reports

Motion offered by Council President Steinel that the Committee/Department Reports be spread upon the minutes in full and filed. Second by Councilperson Tully. All in favor, none opposed.

VERBAL COMMUNICATIONS II

Mayor Schmelz opened the meeting to Verbal Communications II and invited the public to comment on any subject, limited to five minutes per speaker.

Anthony Bruno, resident, inquired how long it will be until the weeds along the railroad tracks are cut by CSX. Mr. Bruno stated that the parking situation is horrible. Mr. Bruno stated that you

can't go any store without worrying about your car being towed. Mr. Bruno stated the parking lot by the bagel store is atrocious. Mr. Bruno explained these parking lots have to be looked at and the Special Improvement District should be part of that problem.

Administrator Corey Gallo stated that CSX will be scheduling for the weeds to be cut in the next week or two. Mr. Gallo stated they have been in discussion with CSX and that it's been a very difficult task. Mr. Gallo explained that it was publicized and there was a meeting here. Mr. Gallo stated that the Borough is definitely making progress because the federal railway authority was out here. Mr. Gallo stated that CSX advised if DPW clears the grass then Mr. Gallo be personally fined. Mr. Gallo stated that they are aware of it and are frustrated.

Diana Flagg, resident, inquired what is the total debt is. Ms. Flagg stated that she had inquired about this two weeks ago. Ms. Flagg inquired why there was a surplus when there is also a debt. Ms. Flagg inquired what the total is on bond anticipation notes. Ms. Flagg stated they are hiring a new employee. Ms. Flagg asked if someone leaving or we are adding to the welfare fund of Bergenfield in the tax office. Ms. Flagg asked if someone from the tax department or the payroll department was being moved. Ms. Flagg inquired if this was going to be another raise for another employee. Ms. Flagg stated the street lights on Washington Avenue are still out and there are now lights out on Clinton Avenue.

Mr. Gallo stated that the total debt is roughly around \$7,000,000. Mr. Gallo stated the reason we have a surplus is because the Local Finance Board recommends 20% of your budget to get a better a bond rate, which would be around \$7.8 million in our case. Mr. Gallo stated that there will be a shift of staff to correct the payroll issues. Mr. Gallo stated that someone from the tax department who is qualified will be moved to do the job. Mr. Gallo stated when the lights go out, a list is sent to the police department and to PSE&G. Mr. Gallo stated if we see a light out, is it documented and it is sent to PSE&G.

John Smith, resident, stated that the gentleman spoke about the high grass jogged his memory yesterday when he was coming down Front Street. Mr. Smith stated that he had seen a boy fall into high grass and in the grass were wood chippers and other pieces of machinery. Mr. Smith stated that kid received 35 stitches on his forehead. Mr. Smith inquired if the paperwork or the lease agreement for the PAL was received. Mr. Smith stated that the recreation department went out of town to purchase t-shirts. Mr. Smith stated that they should use pyramid. Mr. Smith stated that Mr. Gallo told him he would address this issue.

Administrator Gallo stated they have done the research and are on it. Mr. Gallo stated that the Borough has issued eight different summons for that property. Mr. Gallo explained there is no one else to contact and that they are at a dead end at this point. Mr. Gallo stated that he hasn't received the paperwork for the PAL but has been communicating with Mr. Gillman about the leases.

Barry Doll, resident, stated he used to look forward to coming to the meetings. He stated that there is too much back and forth, and recommended the Mayor take charge of the meetings. Mr. Doll suggested that if the residents have any concerns, they should put their concerns in writing and send them to the Council in advance, give them a chance to react. Mr. Doll stated that the Borough Administrator has been trying to get a grant for the maintenance of the Marchbank property, which is required under our lease. Mr. Doll stated that if the grant doesn't move forward, the Borough is still responsible to maintaining that property. Mr. Doll stated that it is going to take more money to repair them if they collapse.

Ray Johnson, Dumont resident, stated about two weeks he asked about the roads. Mr. Johnson inquired if anyone attends the Riverside Cooperative meetings. Mr. Johnson stated he offered the opportunity to speak to several mayors in other municipalities and Mr. Gallo was opposed to it. Mr. Johnson stated that the debt is a small number, \$7,000,000.

Mr. Gallo stated that he attends every meeting and represents the Borough. Mr. Gallo stated the pricing is not always the best. Mr. Gallo stated they cancelled this year's bond of \$5.5 million to work on the infrastructure.

Jules Berkowitz, resident, stated he comes home late at night and there were a couple of young people on bicycles. There were wearing dark clothing and did not have any reflectors. Mr. Berkowitz stated it's very scary and just caught them at the last minute. Mr. Berkowitz stated that one of the police officers stopped and addressed the issue. Mr. Berkowitz recommended that if anyone sees young kids on bicycles to remind them to use reflectors especially if they are riding their bicycles at night.

Mayor Schmelz stated the finance committee is doing an excellent job with the borough administrator on keeping the debt low and fixing our roads. Mayor Schmelz stated if we don't let the council talk back to people then we're accused of not answering questions and we've had this debate.

There being no one else who wishes to be heard, Mayor Schmelz closed Verbal Communications II.

COUNCIL COMMENTS

Council President Steinel apologized to residents because of his outburst. Council President thanked everyone for coming to the meeting, wished everyone a good evening, and that he would see everyone in September.

Councilperson Tully thanked everyone for coming and to have a safe Labor Day.

Mayor Schmelz, Councilperson Lodato, Councilperson Amatorio, and Councilperson Kornbluth thanked everyone for coming to the meeting.

CLOSED SESSION

RESOLUTION **16-259**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 - 1. Glanzberg & Nelson Realty v. Borough of Bergenfield
 - 2. George Reggo v. Borough of Bergenfield

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 11:17 p.m.

Respectfully submitted,
Marie Quinones
Acting Borough Clerk