

**BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
VIRTUAL MEETING VIA CISCO WEBEX
MAY 19, 2020**

PRESENT: Mayor Arvin Amatorio and Council President Rafael Marte, Council members Thomas Lodato (joined at 6:23 p.m.), Buddy Deauna, Ora Kornbluth, Hernando Rivera, and Marc Pascual

ABSENT: No one.

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

Mayor Amatorio called the meeting to order at 5:00 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. Notice of this meeting via the May 15, 2020 Sunshine Notice has been sent to the Record, Star Ledger, Twin Boro News and Cablevision and posted on two municipal bulletin boards and the Borough website.

The Salute to the Flag was led by Councilperson Kornbluth.

Mayor Amatorio asked that everyone remain standing for a moment of silence for Linda Williams.

AGENDA CHANGES

Motion by Councilperson Kornbluth to add resolutions #20-190 and #20-191 to the consent agenda.

APPROVAL OF MINUTES

MOTION OFFERED by Council President Marte, **SECOND** by Councilperson Deauna, to approve minutes of the April 21, 2020 Regular Public Meeting and May 5, 2020 Work Session Meeting. All present voting in favor, none opposed.

PRESENTATIONS

A. Administrative Hires and Appointments

20-177/To Hire Per Diem Nurse – Dania Huie- Pasigan

Motion by Councilperson Rivera, second by Councilperson Kornbluth, that Resolution #20-177 be approved.

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

Councilperson Lodato:	<i>absent</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

20-178/To Hire Part-time Summer Laborer – Jared Haag

Motion by Council President Marte, second by Councilperson Rivera, that Resolution #20-178 be approved.

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

Councilperson Lodato:	<i>absent</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

20-179/To Hire Part-time Summer Laborer – Aaron-Justin Candelaria

Motion by Councilperson Rivera, second by Council President Marte, that Resolution #20-179 be approved.

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

Councilperson Lodato:	<i>absent</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

20-180/To Hire Part-time Summer Laborer – Andrew Canlas

Motion by Councilperson Kornbluth, second by Councilperson Pascual, that Resolution #20-180 be approved.

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

Councilperson Lodato:	<i>absent</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

20-181/To Hire Part-time Summer Laborer – Patrick Harrison

Motion by Councilperson Kornbluth, second by Councilperson Pascual, that Resolution #20-181 be approved.

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

Councilperson Lodato:	<i>absent</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

VERBAL COMMUNICATIONS I

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

Mary Hernandez, resident, stated she was having difficulty joining the meeting on the website. Ms. Hernandez stated she would like to see ordinance #20-2561 be separated out. She would like those positions that are non-union be separated from the elected official positions.

John Smith, resident, inquired how he can review the bill list resolution before the meeting.

Marie Quinones, Borough Clerk, stated the bill list is on the website with all the other information for the meeting.

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

Correspondence

ORDINANCES

A. Adoption of Ordinances

Mayor Amatorio read the title of the ordinance into the record:

The following ordinance published herewith was first read by title only on March 3, 2020 and posted on the bulletin board of the municipal center. **(TABLED 3-17-20)**

ORDINANCE 20-2561 – AN ORDINANCE TO ESTABLISH THE SALARY RANGES OF EMPLOYEES NOT SUBJECTED TO UNIONIZED CONTRACTUAL UNITS OF THE BOROUGH OF BERGENFIELD

No action taken.

Mayor Amatorio read the title of the ordinance into the record:

The following ordinance published herewith was first read by title only on May 5, 2020 and posted on the bulletin board of the municipal center.

ORDINANCE 20-2565- AN ORDINANCE TO ESTABLISH THE SALARY RANGE OF EMPLOYEES NOT SUBJECTED TO UNIONIZED CONTRACTUAL UNITS OF THE BOROUGH OF BERGENFIELD

Public comments on Ordinance 20-2565.

No one came forward.

Motion by Council President Marte, second by Councilperson Kornbluth, to pass Ordinance 20-2565 as amended 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>absent</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

A. CONSENT AGENDA

CONSENT RESOLUTION 20-182. 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. **20-183**/To Approve Bill List
- b. **20-184**/To Authorize the Tax Collector to Prepare and Mail Estimated Tax Bills
- c. **20-185**/To Authorize Tax Refund – 116 Vreeland Avenue
- d. **20-186**/To Authorize Tax Refund – 18 Melrose Avenue
- e. **20-187**/To Approve the First Amendment to the Solid Waste Service Agreement and Extend Contract – Bergen County Utilities Authority
- f. **20-188**/To Authorize Bids – West Clinton Avenue Roadway Project
- g. **20-189**/To Authorize Bids – 2020 Roadway Improvement Project
- h. **20-190**/To Authorize the Bergenfield Public Library to Apply for the Grant for the Project entitled New Jersey Library Construction Bond Act
- i. **20-191**/To Approve Annual Stipend – OEM Coordinator – Ryan Shell

Motion by Councilperson Rivera, second by Council President Marte, that the Consent Resolution be approved.

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

Councilperson Lodato:	<i>absent</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

Committee/Department Reports

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

Borough Administrator Gallo stated that residents were updated with the reverse 911 call and throughout social media, to information everyone that the borough, in compliance with the county and the state, will roll out and expand back to normal operations. The borough hall is will remain closed, but the hours have been expanded to Monday through Friday from 9:00 a.m. to 3:00 p.m. Mr. Gallo explained that in the next week or two, the borough hall hours will return to 8:30 a.m. to 4:30 p.m. He noted that all of the staff is back to working in their offices from 8:30 a.m. to 4:30 p.m., but are practicing social distancing. The governor hasn't given much insight as to when the borough hall and other places will open. However, we have started to plan for the reopening, which will include putting up plastic glass in the clerk's office and health department, installing flushless toilets and faucets, and additional measures that need to be taken at the local parks and recreation facilities. Mr. Gallo stated that modest modifications need to be done in order to move forward with opening to the public, as recommendations that have been made. Mr. Gallo further stated that road projects will start again and the contractors have been working on the cement work for the 2019 road programs. The borough engineers are in the process of going out to bid for N. Prospect Avenue. Bids will come in June 10, 2020, and hopefully can be awarded on June 16, 2020. Mr. Gallo stated that there have been some accidents and pedestrian issues on N. Prospect Avenue. The borough is looking to put in some measures at the intersection of Central Avenue and N. Prospect Avenue. Mr. Gallo commented that the project at Memorial Field is complete and the field looks nice. The roadway at the back end of Cooper's Pond is draining nicely. The DPW expanded the pathway to 8 feet wide, so it is walkable. The DPW also cleaned the roots that were covering the pipes. Mr. Gallo stated they submitted a letter for the CDBG open space grant and will be doing some work on the west side of Cooper's Pond. Mr. Gallo further stated that the Governor has not provided any guidance to the municipalities on Memorial Day ceremonies. He confirmed that the parade is cancelled. Mr. Gallo stated that he spoke with the chief of the fire department and members of the veterans committee, in hopes to have a joint ceremony that will be half an hour long, starting at 11:30 am on Memorial Day. Mr. Gallo stated they are going to feature the ceremony on Facebook live for the public to watch. The reason for the change is that the most vulnerable people at highest risk are the elderly who are veterans who will be coming out for the ceremony. Mr. Gallo explained it is left up to the communities to make the decision. Mr. Gallo stated Memorial Day can't go by without having a ceremony. The tradition in which the fire department has at 10:00 am in the morning and the ceremony the veterans have at 11:30 am cannot be missed. The best thing would be to join together for a ceremony with 3 members of the fire department and 3-4 members of the veterans committee. There will be a speech, wreaths will be displayed and prayers. Mr. Gallo stated the borough has been working with Councilman Rivera to create a connection with an organization called Table 2 Table. Table 2 Table provides food to communities and food banks. Mr. Gallo stated the Borough's food pantry will start to receive fresh, high quality fruits and vegetables on Tuesday, which will amount to about 60-70 boxes. The organization is servicing about 120 people per week. They are going to start out small and will need some volunteers. The food pantry is still very active. Mr. Gallo stated the chair of the federal

reserve mentioned he wouldn't be surprised if unemployment exceeded the depression era of 25% in the second and third quarter. It is a good partnership to have with Table 2 Table, and can be stopped at any time. Mr. Gallo stated the number of confirmed cases has been going down. The Bergen County mobile unit will be coming to Bergenfield on Friday, May 29, 2020 from 10:00am-3:00pm. Testing for first responders will be from 9:00am-10:00am. The mobile unit is open to anyone in Bergenfield and throughout the County, with identification that proves Bergen County residency or employment. The mobile unit offers all COVID-19 testing including the saliva and antibody test for members who have previously tested positive. Mr. Gallo noted that this the opportunity for residents without insurance to utilize and be tested. He commented that there are 15 people on the registered list that have no insurance. Mr. Gallo stated the tennis courts are now open, but there is no indication when businesses are going to open, maybe mid-June. He commented that it all comes down to the continuance of testing. Mr. Gallo stated people should get the saliva covid-19 test to determine if they are a carrier of the virus. Mr. Gallo also stated that 600 people have been confirmed positive, since they have been testing at Memorial Field. They will do contact tracing for those people and they will need to be quarantined.

Mayor Amatorio stated that residents raised the issue of when the libraries are going to open. The library has prepared a plan, but no decision has been made since there has been no direction from the Governor's office.

VERBAL COMMUNICATIONS II

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

Rob Eigenbrod, resident, stated they got over 200 signed petitions from the neighbors after one of the neighbors was hit by a car on N. Prospect Avenue. He thanked Mr. Gallo and the police chief for making some lasting changes to the intersection. Mr. Eigenbrod stated they have been living here for 10 years and have seen a number of accidents at the intersection. Mr. Eigenbrod stated he is appreciative knowing the traffic safety committee is there to address these problems.

Carolyn Schmelz, resident, stated she is glad Cooper's Pond and the high school track are open. She inquired if the entire Cooper's Pond is open or if they are working on the back end. Mrs. Schmelz inquired if kids are allowed to ride their bikes around Cooper's Pond. She stated that she has no problem with it, but the sign in the front says no bikes. If it is going to be allowed, they should change the sign. There is a dark walk with no lighting up on Prospect Avenue by the high school, closer to Vreeland Avenue. The food bank is great and needed. However, there should be no smoking in the food bank.

Mr. Gallo stated the back end is almost done and should be open Friday.

Mary Hernandez, resident, stated she would like the Mayor and Council to provide some information about the testing at Memorial Park. She stated there were some questions about people's information being collected and responsibility of community experiment happening. Ms. Hernandez inquired if it is shut down or going to be shut down. Ms. Hernandez stated she hopes someone can answer the question of separating elected official versus the rest of the people in ordinance 20-2561. Ms. Hernandez inquired who she should be following on Facebook. Ms. Hernandez requested clarification about which nonprofits are involved with the food bank.

John Smith, resident, inquired why ordinance 20-2559 was passed, since the zoning board does not abide by this ordinance. He stated that the May 13th zoning board meeting was a disgrace the way the meeting was conducted, as they completely ignored two variances, and approved the application without considering the lot coverage and the total lot coverage. Mr. Smith stated the code official went across the street from the address of the application to shut a project down, and it was the same builder. A board member made a motion to approve the application without hearing the variances being considered. Mr. Smith stated that the issue with the pavers was ignored. He explained that the Planning Board reviewed a subdivision application. Residents has concerns with regards to the parking requirements. The attorney for the applicant referenced Borough ordinance 186-49, and that

its two spaces per unit. Mr. Smith inquired what is considered a unit, per house or per bedroom? He stated that the subdivision will have seven bedrooms, but only two parking spaces. He commented that the ordinance has to be changes. Mr. Smith stated he has inquired the status of the Class II agent for the past several months. Last night, the class II agent was sworn in. Mr. Smith stated according to the law, a Class II agent has to be an employee. Mr. Smith stated the class II agent should be the Code Enforcement Official.

Matt Doyle, stated the schools are in poor condition and inquired if there has been any thought about increasing the capacity of schools by building another elementary school. He inquired if the Governor has mentioned whether the parks will be opened for youth sports programs during the summer season.

Mayor Amatorio thanked Rob for bringing the issue of the accident on N. Prospect Avenue to the Borough's attention. Mayor Amatorio stated they will continue working on this. He stated that an email was received from the traffic safety committee, and hopefully they can meet through Webex or other forms of technology. Mayor Amatorio advised Mr. Smith to take note of the comment, and not to smoke in the VFW building. Mayor Amatorio stated that experimenting is not the purpose of the testing at Memorial Park. Residents can schedule an appointment to be tested on Wednesdays and Sundays. Mayor Amatorio stated si-paradigm has set up testing dates in Englewood, Newark, Paterson and is working in other cities also. They have done their due diligence in submitting the paperwork to the satisfaction of the Risk Manager and Borough Attorney. Their schedule is based on the demand.

Mr. Gallo stated the Police Department has contacted PSE&G regarding the lighting issue and it is a waiting game. Hopefully it will be done by the time school starts. There is testing available at Memorial Park through si-paradigm on Wednesday and Sunday. The County is coming in with a mobile unit on Friday, May 29, 2020. This is an option for residents who do not have insurance. Mr. Gallo stated they are going to do the saliva test, which is the Rutgers test. The swab test, which is being done through si-paradigm has an 85% success rate that is highly regarded. There are people who want to get tested for the antibody test. They can go to Urgent Care in Bergenfield for the antibody test and COVID-19 testing. Mr. Gallo explained they are trying to facilitate as many people as they can to be tested. The lab is 100% FDA approved, CIAL lab approved. The only time they stop testing is if there is no one who wants to get tested.

Mayor Amatorio stated the food bank at the VFW started with as a private undertaking. It was started by the residents who wanted to help families in need. Some of the members of the council continued it. He explained that when the borough hall closed, it was decided that people who were going to the borough hall be referred to go to the food bank at the VFW. The borough hall is supporting the VFW food bank. It is a partnership between borough hall and private residents and people from all over Bergen county. Mayor Amatorio explained that Councilperson Rivera is coordinating with another group that is willing to help the residents.

Mr. Gallo stated the reason the food bank was moved was because the criteria to service people was going to diminish over time. They knew the standards were going to be lower than the traditional standards of people that qualify for food. It's still under the 501C3 of the borough. They are still operating, but it is still under the umbrella of the borough. They had to take ownership because of the number of people being serviced and the number of entities. Mr. Gallo stated the borough relies primarily on the donations from people, but the borough supplements it as needed. Mr. Gallo stated dogs are allowed in the park, but is not sure if bikes are allowed in the park.

Mayor Amatorio stated they can't just change the sign without amending or relaxing the ordinance. Mayor Amatorio stated the Governor is prioritizing opening the economy and businesses. There is no regulation yet about the parks. The decision about the schools is the sole discretion of the Board of Education. Mayor Amatorio stated he has had discussions with the school superintendent regarding the budget. The reason for the increase in costs is that the Board of Education decided to build additional facilities which will raise taxes.

Councilperson Rivera stated Table 2 Table is a nonprofit organization that has been serving and working with the community and the food banks. They contacted him in hopes to donate and the process was started through the Borough Administrator.

Mr. Gallo stated they completed an application for Table 2 Table that is a nonprofit organization. They are located in Hasbrouck Heights and the first pick up will start on Tuesday. Mr. Gallo stated they are going to have a discussion with the superintendent of the school to find out what they need to pursue in the long and short term. Mr. Gallo stated the Governor was not interested in opening youth sports at this time. Mr. Gallo stated he heard that universities are contemplating not to open in the fall. Harvard and Boston University have already said they will have classes remotely in the fall. Mr. Gallo stated they can't start summer camp, because the Borough needs to be mindful of the situation. He expressed that the borough cannot risk the kids and the counselors becoming sick as social distancing cannot be practiced in that environment.

Borough Attorney Schettino stated it is the Board of Education's decision to have new facilities, and they have to bond for this, and it has to be voted on. The Board of Education must secure voter approval for any bond issuance. If they wish to go forward with an addition or any type of major construction, they need the Department of Education's approval of the plans. They can also apply for aid which is up to 40% of the construction cost. They would have to put the initiative on a ballot to be voted on by the public. The salary ordinance only establishes a salary range. It includes all individuals not covered by a collective bargaining agreement. Mr. Schettino stated this is the way it is typically done; the ordinance is categorized to include the Mayor and Council. The governing body then has to pass separate resolutions to establish what the salaries are going to be, and this could be voted on separately or altogether. Mr. Schettino stated separating it from the ordinance does not accomplish anything because it is only a salary range. It's not the RSIS standards. Mr. Schettino explained municipalities can't impose parking restrictions that are inconsistent with RSIS standards. Mr. Schettino stated what can be done is limit the number of bedrooms and require a variance for any application that wishes to exceed the number of bedrooms. It can be done by square footage. Mr. Schettino stated a one-family dwelling with a basement, as long as there is one kitchen and one full bathroom, is a one-family dwelling regardless of what they do in the basement. If there is a kitchen in the basement and a full bathroom and there is a separate egress/ingress, then it would be a two-family dwelling. Mr. Schettino stated with townhouses, they have to provide 2 ½ spaces because they have to provide space for guests. Mr. Schettino suggested restricting the number of bedrooms for a dwelling would address the parking problems.

Mr. Smith stated the state requires 2 parking spaces per dwelling and the borough ordinance requires it per unit. Mr. Smith inquired what the difference is. The state ordinance states for townhouses, apartments with two or more apartments have 2 ½ spaces per dwelling unit.

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

COUNCIL COMMENTS

Councilman Buddy Deauna stated Linda Williams was a great lady and will be missed.

Council President Marte expressed his condolences to Linda William's family. It is very sad to lose someone who worked very close to us and was so loving. He congratulated all of the Bergenfield graduates, especially the high school graduates. Council President Marte thanked DPW and Mr. Gallo for extending their services in helping out people in need. He also congratulated Councilperson Rivera on receiving his MBA.

Councilperson Kornbluth stated she worked closely with Linda Williams on different committees and she was always looking out for the seniors and people who needed help with a smile on her face. Bergenfield and the residents will miss her. Councilperson Kornbluth thanked Mr. Gallo, OEM, ambulance corps, fire department, and all of the borough employees, as everyone is working hard to keep the residents safe.

Councilperson Rivera stated he worked with Linda Williams on different committees and she was a kind, nice person who was always willing to help everyone. He expressed his condolences to the family. God bless everyone and stay safe.

Councilperson Pascual expressed his condolences to Linda William's family, and stated that he hopes she is resting in peace. He further stated that she was so dedicated and the voice for the residents in Bergenfield. Councilperson Pascual thanked the Borough Administrator and DPW for their service. He reminded everyone to continue practicing social distancing and to stay safe.

Mayor Amatorio thanked everyone for attending the meeting. He thanked the Council for all they have done during this time of crisis. He thanked the Borough Administrator, Borough Clerk, ambulance corps., police department, DPW, and all essential workers that keep the community moving despite all of the problems. He thanked the health department and OEM for all their hard work and the VFW for keeping the food bank open every day. Mayor Amatorio thanked all of the churches, the organizations, and residents who have donated to the food bank and the businesses who continue to help the Bergenfield families in need. He congratulated all of the graduates, especially the high school graduates. He also congratulated Councilperson Rivera. It is such an achievement being on the council, working, and be able to receive your MBA. Mayor Amatorio stated it is heartbreaking to learn of the passing of Linda Williams. He stated that just last week, he had spoken to her, and she expressed that she wanted to help people at the senior center. He shared that her family members asked him to not allow her to visit the senior center. Despite her medical condition, she never stopped helping. Hopefully, she can be honored when things go back to normal.

Councilperson Lodato thanked everyone for participating and wished everyone continued safety.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Rivera, second by Councilperson Kornbluth, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 6:26 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk