

**OFFICIAL MINUTES OF THE
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
January 13, 2009**

I. Meeting called to order at 8:02 p.m.

II. ROLL CALL

Roll Call	Yes	No	Abstain	Absent
TULLY	X			
GILLMAN	X			
LODATO	X			
AGUASVIVAS	X			
DOLL	X			
CARLSON	X			
DRISCOLL	X			
ADM/CLERK				X
ATTORNEY	X			

Also present: Linda L. Runge, Office of the Borough Clerk
William Betesh, Office of the Borough Attorney

III. CAPITAL IMPROVEMENTS/BOROUGH ENGINEER

Joe Pomante – Boswell Engineering

(3) Outstanding Projects to be completed when weather warms a bit.

1. Merritt Avenue Road Rehabilitation – Concrete work completed, needs some minor restoration work, topsoil and backfilling - \$106,000. (DOT Local Aid Grant)
2. 2008 Roadway Program – Concrete and asphalt completed, minor restoration work involved - \$159,000. (Borough funded)
3. Bradley Avenue – Piping complete, United Water did final water main relocation on Friday, 150 lineal feet of curb needed - \$107,000. (BC Community Development Grant)

2009 Economic Stimulus Package

1. Infiltration and Intrusion of the Sanitary Sewer Line – Bergenfield was 51% meaning that 51% of the flow in those pipes is groundwater and the borough is paying more money than it should be for sanitary sewer flow. Looking to do some sewer rehabilitation, fold and form, a form slip lining. Working with sewer superintendent doing extensive t.v. inspections of the piping, we have delineated approximately 2300 lineal feet of pipe. He would like that number to be upwards of 5000 ft. If we go for a grant from the Infrastructure Trust Fund, he would rather go in high. Meeting with DEP tomorrow to find out some of the particulars on this program, the criteria for these jobs is quick project, shovel ready, able to be implemented by July 1st. Design, bid and award would have to be done before that date, precluding the large scale studies that would take a lot of time and more intricate.

IV. COMMUNICATIONS

1. Request from Peter Quinn, Bergen County Council of Irish Associations to hold St. Patrick's Day Parade on Sunday, March 15, 2009 at 2 p.m.
Mayor asked the Chief how much it costs to run a parade.
Chief McGarril said he would typically it is not an exorbitant amount if they have advance notice and do some reassigning and get the auxiliary police to come in.
Mayor wondered if we should ask for a donation to offset the costs.
Chief McGarril said reimbursement for any expenses was talked about last year but it didn't proceed any where. Although the costs are minimal, there still is a cost involved and why should the borough be picking up the tab for the outside organizations to come in. He will get the information.
2. Jersey Professional Management – Proposal for Recruitment and Temporary Employment Services.

V. UNFINISHED BUSINESS

2009 Professional Appointments - Judge, Prosecutor, Alt. Prosecutor
Mayor Driscoll said this will be on the agenda of the 27th.

VI. NEW BUSINESS

PRELIMINARY MEETING AGENDA

January 27, 2009

1. **CONSENT RESOLUTION 09-_____**
 - 1) **09-_____ To Approve Communications**

UNFINISHED BUSINESS

2. **PUBLIC HEARING ON BERGENFIELD SPECIAL IMPROVEMENT DISTRICT BUDGET FOR 2009.**

3. **RESOLUTION 09 - To Adopt BSID Budget 2009.**

4. **REINTRODUCTION OF BOND ORDINANCE 08-2414 (if necessary)**

Bond counsel's opinion received stated that this must be reintroduced.

C/M Doll asked if it will be the same upon introduction and if there will be any input on it. There are certain portions in the bond that he is in favor of and others that he would not be in favor of. A major portion is for removal of dirt at Coopers Pond and Borough Hall contamination remediation and the final part is for park improvements. In these times, a lot of money was spent in our parks this year, but says we are about \$20 million in debt now and we have revenues about \$25 million. He believes we should be looking at these items saying do we need them and can we afford them.

Mayor Driscoll said if we take out the parks, we will save 45 cents for every taxpayer in an average house per year. C/M Carlson said very few people would have a mortgage under their income for one year, most families do incur some long term debt. We could put it off but we would just be hit with this in a future year. Has our risk being weighed in because some of these repairs are based on what they need to do for insurance reasons.

C/M Gillman said there is no insurance violation of the park equipment, we meet the minimum standards in the parks that need to be rehabilitated but Ross Applegate was a field project that took 4 years worth of grants to accomplish and this was approved by the council in spring of last year. It was approved last year to go in front of Community Development and apply for a grant which when it was approved everybody knows that this is a matching grant and that if we accept the grant and then don't match the funds, we will be in jeopardy of receiving any kind of grants again because they will not be willing to chop up the money to distribute it to Bergenfield when there are other towns asking for more money and it is based on your projects and what they give you. This could jeopardize our block grant, the DOT and any other projects as well.

Mayor Driscoll proposed putting it on the next meeting's agenda and we vote on it.

C/M Carlson asked if our amount of debt is unusual for a town our size.

5. **RESOLUTION To Pass Bond Ordinance 08-2414 on first reading.**

6. **MAYOR'S RECOMMENDATION FOR 2009 Professional Appointments**

1. Municipal Judge 3 yr term
2. Borough Prosecutor 1 yr term
3. Alternate Borough Prosecutor 1 yr term

7. **MAYOR'S RECOMMENDATION FOR 2009 Committee Appointments**

1. Ethics Board Member unexpired term 2010

NEW BUSINESS

8. **RESOLUTION** To Pay Bills

VII. ADMINISTRATION/BOROUGH CLERK'S REPORT

VIII. MAYOR & COUNCIL REPORT

C/M Carlson: Reported on the decision to send out estimated tax bills to get money in. If we adopt the budget, we give up the possibility of receiving state aid. If the number is zero or low, we are going to have to look at everything. If it is a decent amount, that would be good. We could do tax anticipation notes but there is interest involved in that. When we get the number of what our state aid is, then we have to cut that budget.

C/M Gillman: One of the reasons they are holding up extraordinary aid is that the Governor is trying to pass this pension waiver where municipalities in 2009, can hold back 50% of their contribution, 40% in 2010 and 20% in 2011 and then in 2012, you have to go back to 100% and start paying back the money withheld. He believes he is trying to make municipalities accept this, hold back the money, pass the budget, so that they cannot award the municipalities any extraordinary aid. He strongly recommends we don't withhold the money because we have been making catch up payments for the pension because the state undercharged all municipalities and those payments were about \$400,000 and in '08 was our last one. He thinks it would be a huge mistake and it is just going to put the borough in worst shape in 2012. Also, you cannot play a game with the state because if you reduce your budget after you receive aid, they will reduce your aid.

2nd Annual Family Fun Day will be June 14th with a raindate of the 21st. We already sent out requests for donations prior to the calendar change to the professionals going out and new ones coming in. Last year, we covered the whole event and had about \$10,000 left over. The whole event cost us about \$15,000 so we are pretty close to hitting our goal again.

C/P Lodato: Fire Department – Working fire last Thursday in a residential structure, single family house on River Edge Road and all 3 companies responded. It was contained to the basement area of the house and the homeowners and family pets were removed safely. House is repairable and the Fire Department should be commended for their efforts.

Planning Board meeting on Monday 26th.

Board of Health reorganized for the coming year.

C/M Doll: Senior Citizens Committee met January 2nd planning several events coming up, February 11th to the Brownstone; Spring Party at the VFW on April 19th. Barrier Free Committee met today, new chairman is George Simoni. Would like to get some of our professionals involved such as Lt. Yurkin and also the Code Inspector for violations occurring in town.

Spoke about various committees that don't meet and the disparity in compensation given to clerks on various boards.

C/M Tully: Library Board is doing their best to address concerns coming up and would like the resolution regarding the library funding placed on our agenda.

Mayor: Revaluation - The county has extended our deadline to get our number to them.

IX. PUBLIC COMMENT (10 minutes)

1) **VERNON COX**, 116 Highview Avenue

Asked about the final report.

Mayor said it came in yesterday and copies will be made available.

Suggested taking advantage of deferred pension payment, put it into an escrow account to pay it when it comes due. Help the people now by having them pay 1/3 now.

2) **MARY HICKEY**, 77 Westminster Avenue

An appraiser took picture outside and said he was only the outside man. Wondered why they don't coordinate this.

3) **IRVING COMMIKE**, 51 Wilbur Road

What does it cost the town to do additional tax bills.

CFO Czykier responded \$4,682. She has the tape from the county and is just awaiting council approval tonight.

X. **OFFICIAL BUSINESS TO BE ACTED UPON**

1. **PROCLAMATION –**

2. **CONSENT RESOLUTION 09-0016**

1) 09-0017 To Approve Communications

2) 09-0018 To Approve On-Premise Draw Raffle RL 1124 for Friends of the Bergenfield Library.

OFFERED by Councilman Gillman

SECONDED by Councilman Doll

Roll Call	Yes	No	Abstain	Absent
TULLY	X			
GILLMAN	X			
LODATO	X			
AGUASVIVAS	X			
DOLL	X			
CARLSON	X			
DRISCOLL				

RESOLUTION adopted.

3. **RESOLUTION** 09-0019 To Approve Emergency Temporary Appropriations, totaling \$450,308.16, **OFFERED** by Council President Lodato, **SECONDED** by Councilman Gillman, attached.

Roll Call	Yes	No	Abstain	Absent
TULLY			X	
GILLMAN	X			
LODATO	X			
AGUASVIVAS	X			
DOLL	X			
CARLSON	X			
DRISCOLL				

RESOLUTION adopted.

4. **RESOLUTION 09-TABLED** To Authorize Agreement with Conner Strong Risk Control Services for 2009 CDL Random Drug and Alcohol Testing Program.
MOTION TO TABLE OFFERED by Councilman Gillman, **SECONDED** by Councilman Doll, to obtain more information on price quotes, etc.

Roll Call	Yes	No	Abstain	Absent
TULLY	X			
GILLMAN	X			
LODATO	X			
AGUASVIVAS	X			
DOLL	X			
CARLSON	X			
DRISCOLL				

MOTION carried.

5. **RESOLUTION 09-0020** To Authorize the Tax Collector to Issue Estimated First Quarter Tax Bills for 2009, **OFFERED** by Councilman Gillman, **SECONDED** by Council President Lodato, attached.

Roll Call	Yes	No	Abstain	Absent
TULLY	X			
GILLMAN	X			
LODATO	X			
AGUASVIVAS	X			
DOLL	X			
CARLSON	X			
DRISCOLL				

RESOLUTION adopted.

6. **RESOLUTION 09-0021** To Pay Bills, **OFFERED** by Councilman Carlson, **SECONDED** by Councilman Doll, attached.

Roll Call	Yes	No	Abstain	Absent
TULLY	X			
GILLMAN	X			
LODATO	X			
AGUASVIVAS	X			
DOLL	X			
CARLSON	X			
DRISCOLL				

RESOLUTION adopted.

XI. CLOSED SESSION - Personnel Matters/Legal/Litigation

RESOLUTION 09-0022 Authorizing the Governing Body to Enter Into Closed Executive Session at 9:01 p.m. to discuss personnel and legal/litigation.

Administrator
 Health Department Employee

OFFERED by Councilman Doll
 All in favor. **RESOLUTION** adopted.

SECONDED by Councilman Carlson

XII. ADJOURNMENT

MOTION To Adjourn at 10 p.m., **OFFERED** by Council President Lodato,
SECONDED by Councilman Doll.

Respectfully submitted,

Carole Chamberlain-Berman
Deputy Clerk

Mayor Timothy J. Driscoll