

**OFFICIAL MINUTES OF THE
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
March 10, 2009**

I. Meeting called to order at 8:20 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			

III. CAPITAL IMPROVEMENTS/BOROUGH ENGINEER

Joe Pomante – Boswell

- 1) Bradley Avenue Storm Sewer Project – On tonight’s agenda for action for final close out change order and final payment application for this CDBG project. Actual savings on the project was \$3,590.
- 2) 2008 Road Overlay Program – Complete and closeout will be for action at regular meeting. There was a credit change order, an increase in curb repair but a decrease in some roadway repair. Project was wholly funded by borough.
- 3) Merritt Avenue Rehabilitation Project by Sanzari will be on agenda of the 24th for closeout. There was a credit change order.
C/M Gillman mentioned that the manholes seem to be too low and asked that engineer check them.
- 4) Wilbur Road and Maiden Lane – Project kicked off today for 600’ piping job. PSEG and United Water on site.
- 5) Coopers Pond Dredging – Going out to bid this month, we were a little behind because of the emphasis on the stimulus projects. Park needs restoration work and as the contractor works his way out of the project, he will do some restoration. There will be a need for reseeding and cleaning. Project should only take about 20 days.
- 6) Garbage study – Compiling a report with quantities of garbage, surrounding communities garbage contracts, purchase of another truck, more manpower.
- 7) ADA Ramp Installation – Replacement of ramps along county roads. County is going towards a grant program, much like the DOT Local Aid grant in which you can request 75% reimbursement up front and the County is going to ask for a 50% reimbursement up front.
- 8) Phase I Sanitary Sewer Rehabilitation Project 2009 Economic Stimulus Program including sewer relining, 13000 lineal feet, 40 manholes, metering devices strategically throughout the borough in accordance with BCUA study 5 years ago. Funding – 50% grant, 50% loan of which 25% is 0% and 25% at the rate of their bond sale (4.5%).
- 9) AFR Request to Proceed with Easement at New Bridge Road Culvert – Will try to find out more information about scheduling.

IV. COMMUNICATIONS

- 1) COAH – Appointment of Municipal Housing Liaison.
Attorney William Betesh said since the borough is not yet participating in COAH, there is no need at this point.
- 2) Request from St. John the Evangelist R. C. Church to attend Annual St. Patrick's Dinner and Dance on Saturday, March 14th 7:30 p.m.

V. UNFINISHED BUSINESS

C/M Doll asked about the budget and the need to adopt.
C/M Carlson said the state has linked the extraordinary aid with the pension deferment.
C/M Doll asked if we heard from the auditor about the change to a calendar year.
Mayor Driscoll said he is going to run the numbers and give us the information.
C/M Doll asked about the revaluation and the comments from taxpayers.
Mayor Driscoll said he has received mostly good comments.

VI. NEW BUSINESS

PRELIMINARY MEETING AGENDA

March 24, 2009

1. **CONSENT RESOLUTION**

- 1) To Approve Communications

UNFINISHED BUSINESS

2. Professional Appointment of Prosecutor & Alternate Prosecutor

NEW BUSINESS

3. **RESOLUTION** To Authorize Change Order #1 on Improvements to Merritt Ave., Joseph M. Sanzari, Inc., Contractor, in the amount of <\$21,568.60>.
4. **RESOLUTION** To Authorize Change Order #1 on 2008 Road Improvement Program, Joseph M. Sanzari, Inc., Contractor, in the amount of \$8,650.00.
5. **RESOLUTION** To Pay Bills.

VII. ADMINISTRATION/BOROUGH CLERK'S REPORT

1. Ads were placed for Tax Clerk and Substitute Bus Driver in the newspapers and on the website, in addition to the Borough Administrator.
2. Received the contract from Bergen County Open Space for the Playground Equipment, on tonight's agenda.

VIII. MAYOR & COUNCIL REPORT

C/M Carlson: Finance – Adoption of Budget delayed because of lack of extraordinary aid notification. New budget cycle approaching and would council to look at garbage; especially bulk pickup. Once study is obtained, we may be able to save money and be more efficient. More than just the traditional budget this year, we'll take the lead on how we are going to cut.
Ambulance Corps – Thanked Chief for getting ID Cards for mass casualties.

- C/M Gillman: Board of Education – Preparing their budget.
Community Development – Bricks and Mortar – Requested \$171,000, received \$134,000 for the S. Railroad Avenue Project, no match. Need 2 projects for the 2010 money. Northern Valley Community Development is going to get some stimulus money which should be split evenly throughout the towns and has to be spent in 120 days. We can add this money to an existing project such as Coopers Pond or park equipment. Also Capital Alternatives advised us of Sen. Lautenberg’s stimulus request from all municipalities due the 27th and because of the timeliness, Boswell sent over some roads that need repaved and some DPW equipment to be considered. Recreation – Easter Egg Hunt is April 4th and hopefully the pavilion area will be cleaned up. Memorial Day Parade plans are progressing.
- C/M Doll: Senior Citizens – March 24th – Luncheon at Tommy Fox. 60 people \$21. ea. April 19th – Spring Party at VFW, May 20th – Empire Club. Trying to obtain Bus from county for transportation, June 24th – Picnic in park.
Veterans Committee – Memorial Day Parade – If the construction doesn’t take place, perhaps we can go on traditional route; otherwise we’ll be assembling at high school.
Barrier Free – Met today, apparently some handicapped areas have disappeared in town and they are looking into that. Chief McGarril said that the traffic ordinance is currently being updated and has been periodically. The Police Department is awaiting input from the council.
Ecology – Spoke to Rose Henn who thinks this committee is important and members should be contacted to see if they can get a meeting going.
- C/M Aguasvivas:
Rent Leveling Board – Do not have any legal representation and have had one in the past.
Attorney Betesh understood that there was no response to the RFQ and his office is more than willing to answer any questions.
C/M said there was an issue with a property owner that was converting the water and heat in some of empty apartments and the other residents have separate and they approached him about getting the same deal.
- C/M Carlson: Asked if we have a policy not to pick up garbage when it snows. C/M Gillman agrees to suspend garbage when it snows and to use the Reverse 911 system to advise the quadrants. Would like it to be Mayor and Council who sets this policy instead of putting it on Ned.
- C/M Tully: Library Board – Meeting this Thursday. Problem with the severely leaking roof. They have a 5-year contract with the engineering firm but they have not responded.
- C/M Doll: Attended Public Officials Seminar – Some Questions: Police Department accredited, Crossing Guards hearing and eyesight checks, Anti-harassment meetings.
Training session on safety and fire in Mahwah and Tom Rose, OEM Coordinator was praised. Suggested having him at the next meeting to give us a short presentation.
- C/P Lodato: Board of Health – Meeting tonight. Advised that Dr. Miller has resigned so there will be a vacancy.
Planning Board – Two applications, site plan on Main Street that will be a dentist’s office and a subdivision application on Levitt which was denied.
Fire Department – Very busy responding to many calls. Need to address repairs to apparatus.

IX. PUBLIC COMMENT (10 minutes)

1) **CHIEF MC GARRIL**, Bergenfield Police Department

Thanked Councilman Aguasvivas for his help on their new website, designing it and donated the domain fee, www.bergenfieldpd.org. and there is a link to the borough's website.

2) **MARTIN DURKIN**, Borough Attorney

Spoke about the new Family Leave Act and that we will have to research it more. C/M Gillman thought it was going to be run through the state disability plan and also COBRA has changed.

Received a call from the group buying the church on Central Avenue who wanted to know why they had to go before the site plan committee concerning the transfer of the church. Chief McGarril said they are looking for a continuation of the existing variance on parking. You are going to bring 150-200 parishioners to a church that has 6 parking spots and they were advised if they are going to park illegally they are going to be ticketed. They were advised to approach Staples, or the Borough Hall Municipal Parking or Railroad Avenue. Bob Kirsch said they can bypass the Site Plan but when they go to the Planning Board and the Zoning Board of Adjustment and they have a problem, they lose time and money.

3) **BOB KIRSCH**, Museum Society

Previously asked Council if they would like to take a tour of the Tunis Cooper properties, and they should let him know when they are available. He believes the borough needs a historic preservation ordinance. With a historic district, we would be eligible for funding. He is interested in this area and the houses on the national registry, and the people who own these homes could be a part of it. He doesn't think we should demand it, a man's home is his castle...Tenafly has a commission and so does New Milford and they are a lot stricter with their commissions.

C/M Carlson believes we have invested time and money in the history and it has been an ongoing thing.

4) **NED KNEISLER**, DPW Supt.

Last snowstorm, garbage and recycling were cancelled, but we kept commingled. We were able to cover the commingled and clean the roadway. We need to put something in place.

5) **BOB KIRSCH**

As Safety Director to the Ambulance Corps, he will be doing zero tolerance training class next week.

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

UNFINISHED BUSINESS

1. **MOTION** to remove appointment of Municipal Judge from the table.
2. Mayor recommends and nominates Helene C. Herbert as Municipal Court Judge, for a three-year term, expiring 12/31/2011. **REMAIN** tabled.

3. **PUBLIC HEARING ON BOND ORDINANCE 09-2416**
MOTION OFFERED by Councilman Gillman, **SECONDED** by Council President Lodato, to open the time of the hearing on Bond Ordinance 09-2416 **“BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF BERGENFIELD, IN THE COUNTY OF BERGEN, TO APPROPRIATE THE SUM OF \$274,400 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.”**

Mayor Driscoll asked if anyone wished to be heard.

There being no one who wished to be heard, Mayor Driscoll closed the time of the hearing.

4. **RESOLUTION 09-0063** To Adopt Bond Ordinance 09-2416, **OFFERED** by Councilman Doll, **SECONDED** by Councilman Carlson, attached.

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

RESOLUTION adopted.

NEW BUSINESS

5. **CONSENT RESOLUTION 09-0064**
- 1) 09-0065 To Approve Communications
 - 2) 09-0066 To Approve Settlement of Tax Appeal Assessment, 55 Maiden Lane, reduction to \$265,000.
 - 3) 09-0067 To Authorize CFO to Cancel Out Old Outstanding Checks from the Court’s Bail and General Account.
 - 4) 09-0068 To Authorize Purchase of BFD Turn Out Gear Without Public Advertising From Municipal Emergency Services Inc. in the amount \$23,093.43.

OFFERED by Councilman Gillman **SECONDED** by Council President Lodato

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

RESOLUTION adopted.

6. **RESOLUTION 09-0069** To Approve Change Order No. 1 for <\$3,590.00> and Final Payment of \$27,819.04 to 4 Clean-Up Inc. for Drainage Improvements to Bradley Avenue. **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.

7. **RESOLUTION 09-0070** To Enter Into a Grant Agreement with the Bergen County Open Space Trust Fund for Playground Equipment Replacements for an award of \$126,750.00, **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.

C/M Gillman said that almost every park will be included in getting some new equipment, depending how far the money goes.

8. **RESOLUTION 09-0071** To Pay Bills, **OFFERED** by Councilman Carlson, **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.

XI. CLOSED SESSION - Personnel Matters/Legal/Litigation

RESOLUTION 09-0072 Authorizing the Governing Body to Enter Into Closed Executive Session at 10 p.m. to discuss personnel and legal/litigation, **OFFERED** by Councilman Gillman, **SECONDED** by Councilman Tully, attached. All in favor. **RESOLUTION** adopted.

XII. ADJOURNMENT

MOTION To Adjourn at 11:10 p.m., **OFFERED** by Councilman Gillman,
SECONDED by Councilman Carlson. All in favor. **MOTION** carried.

Respectfully submitted,

Carole Chamberlain-Berman
Borough Clerk, *Acting*

Timothy J. Driscoll, Mayor