

**OFFICIAL MINUTES OF THE  
BOROUGH OF BERGENFIELD  
MAYOR AND COUNCIL SPECIAL MEETING  
September 22, 2009**

A. Meeting called to order at 7:30 p.m.

B. On Roll Call: Present-

Roll Call	Yes	No	Absent
TULLY			X
GILLMAN			X
LODATO	X		
AGUASVIVAS	X		
DOLL			X
CARLSON	X		
DRISCOLL	X		
Administrator	X		
Clerk			X
Attorney	X		

Present: Linda L. Runge, RPPS, Office of the Borough Clerk  
William Betesh, Esq., Office of the Borough Attorney

C. There was one (1) in attendance.

D. Salute to the Flag was led by Mayor Driscoll.

E. Mayor's Statement

Notice of this meeting was provided on September 18, 2009. It was sent to The Record, Twin Boro News, Star-Ledger and Cablevision, and placed on two Municipal Bulletin Boards, and is on file in the Office of the Borough Clerk. In case of an emergency, exits are to the rear and left.

Mayor Driscoll stated that the purpose of this Special Meeting is to Award the Bid for Boiler Replacement and To Approve Payment of Bills.

F. **RESOLUTION 09-0280** To Award Bid for Replacement of Boiler at the Municipal Building, **OFFERED** by Councilman Aguasvivas, **SECONDED** by Council President Lodato, attached.

Joe Pomante, Office of the Borough Engineer, explained that the low bidder, DeSesa, had a fatal flaw in his bid in not providing the name of his asbestos abatement subcontractor. After review by the engineer and the borough attorney, it was confirmed that it was a fatal flaw, requiring the borough to award to the second low bidder, C. J. Vanderbeck & Son. The contract amount is \$166,890. Precon is scheduled for tomorrow at 11 a.m.

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

**RESOLUTION** adopted.

G. **RESOLUTION 09-0281** To Pay Bills, **OFFERED** by Councilman Carlson, **SECONDED** by Councilman Aguasvivas, attached.

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

**RESOLUTION** adopted.

H. If needed at this time, the Governing Body may go into **CLOSED SESSION** to discuss:

Personnel  
Legal/Litigation

**RESOLUTION 09-0282** To Authorize Entering Into Closed Executive Session at 7:35 p.m., **OFFERED** by Councilman Carlson, **SECONDED** by Councilman Aguasvivas. All in favor. **RESOLUTION** adopted.

### **ADJOURNMENT**

I. There being nothing further to come before the meeting on **MOTION** offered by Council President Lodato, seconded by Councilman Aguasvivas, and carried the meeting adjourned at 8 p.m.

Respectfully submitted,

Carole Chamberlain-Berman  
Acting Clerk

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Timothy J. Driscoll, Mayor