

BOROUGH OF BERGENFIELD
MAYOR & COUNCIL SPECIAL MEETING
8:00 P.M.
August 15, 2018

PRESENT: Mayor Norman Schmelz and Council President Hernando Rivera, Council members Thomas Lodato, Buddy Deauna, Arvin Amatorio

ABSENT: Ora Kornbluth and Rafael Marte

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

Mayor Schmelz called the meeting to order at 8:10 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 by the Wednesday, August 8, 2018 Sunshine Notice has been sent to the Record, Star Ledger, Cablevision, and placed on two Municipal Bulletin Boards.

The Salute to the Flag was led by Councilperson Amatorio.

PRESENTATIONS

A. Presentation on the Renovation of the Municipal Building

Mayor Schmelz stated that the meeting is being held to consider building new instead of renovating the municipal building.

Borough Administrator Gallo explained that the first portion of the project was used to evaluate the needs of each department. The cost between the original renovation and the specifications was a \$4.2 million dollar difference in comparison to a brand new building. Mr. Gallo stated that as the Borough was going to through the processes, the gap shrunk. He stated that RSC architects will walk us through the process, and the process of this meeting is to provide transparency in the matter. Mr. Gallo noted that there was a \$4.2 million difference, which now is \$1.6-1.8 million dollar to build new. The decision will need to be made in thinking about the next 75 years.

Kenneth P. Mihalik and Jeffrey Schlecht from RSC Architects provided a project update titled "Bergenfield Town Hall Construction Project." A copy of the presentation is attached.

Mr. Mahalik stated that everyone should have a copy of the power point, which explains the reasons to reconsider renovating the Municipal Building, to building a brand new building. He explained that the presentation include the programming findings, reasons to consider new construction, benefits of new construction, and provide a cost comparison between renovation and building new. Mr. Mahalik further explained that Mr. Schlecht is also present at the meeting, since he is the project manager working in Dumont, which is having a similar experience. Mr. Mahalik stated that the programming findings found that the existing floor is insufficient, extensive reconfiguration of space is needed, and a sally port addition is needed for the Police Department. He stated that the walls will need to be knocked down and bathrooms will need to be added. He further stated that there is attic space above the court room, which is a different height from the third floor. Mr. Mahalik explained that it is an extensive project to enter into a new floor level. He reviewed the reasons to consider new construction, and expressed that the cost difference is less than a \$2

million. Mr. Mahalik also expressed that that the cost for renovation was \$10.4 million, and went up to \$10.8 million because of the cost to renovate the attic.

COUNCIL QUESTIONS & COMMENTS

Councilperson Amatorio inquired the difference between the timeframe of renovation and building new. He noted that the Borough has a lease agreement with the temporary property, and needs to consider whether additional time needs to be added.

Mr. Mahalik stated that the Borough will save time, as building new will take a shorter time frame.

Mr. Schlecht explained that by building new, the Borough will have more control over the quantity of the project, cost and time for renovation is subject to change.

Councilperson Amatorio requested a ball park figure, and Mr. Mahalik stated that about two to three months difference, since the Borough will limit the risk of delays and unforeseen conditions.

Mayor Schmelz inquired the square footage for the new building.

Mr. Mahalik stated that the new building is around 30,000 sq. ft.

Mayor Schmelz explained that the size remained almost the same.

Mr. Mahalik stated that the building will probably be three stories tall.

Mr. Schlecht stated with the new construction you can choose to have large windows.

Mayor Schmelz inquired whether lighting will be improved by skylight.

Mr. Mahalik stated that the building will have all new windows.

Mayor Schmelz inquired whether any thought has been put into placing a park space on top of the building.

Mr. Mahalik stated that can most certainly be done, but means more money.

Councilperson Lodato inquired with regards to the asbestos in the building, and the difference in cost to deal with the issue under a renovation and new building.

Mr. Schlecht explained that in a demolition, all the issues can be handled in book, whereas in a renovation, it has to be compartmentalize.

Council President Rivera stated that the architects have mentioned all the reasons for building new. He inquired if they can provide two reasons the governing body should not build new.

Mr. Mahalik expressed that two reasons would be the historical value of the building since its over 100 years old, and the fact that it is a landmark in town.

Council President Rivera stated that he worked on a similar project years ago, and inquired whether the new building could keep the outside look to keep the memories and preserve the image.

Mr. Mahalik answered yes, and that it was already on their minds to preserve the look in the front of the building.

Councilperson Deauna inquired whether the cost of the building could be closer to the 10 million, same cost as renovation.

Mr. Schlecht explained that as a governing body, they have control. He further explained that this is a new investment for all essential services. Mr. Schlecht also explained that benefits will be the operations of a new building, and lower energy costs throughout the years.

Councilperson Amatorio stated that to Mr. Deauna's point, how will the constricting of space or cutting space keep within the costs of renovation.

Mayor Schmelz stated that the Borough is surviving now, and there is an entire third not being utilized. He questioned how we came up with 30,000 sq. ft.

Mr. Mahalik explained that most of it is for the Police Department.

Councilperson Amatorio inquired that what if the governing body wanted to cut cost to \$10.4 million, would the Police Department be cut by half?

Borough Attorney Schettino explained that the governing body has to be careful, because there is a balance to having a building of a larger size. He stated that he understands that there is a concern with taxpayer's dollars, but the Borough needs to anticipate the need for a bigger space in the 100 years. Mr. Schettino explained that in 10-15 years, the Borough will probably need more space for a larger Police Department and more employees. He further explained that throughout the years, the impact to the taxpayers will be nominal.

Borough Administrator Gallo inquired that from their experience, what is the going rate per foot for construction.

Mr. Mahalik stated that the general gross square footage cost is about \$350 to \$400 per square feet.

Councilperson Amatorio inquired whether the air conditioning and electrical work will be new.

Mr. Mahalik stated that in a renovation, those items will be repaired. Under new construction, all items will be new.

Mayor Schmelz inquired if both bids for Bergenfield and Dumont can be put out at the same time for better price.

Borough Attorney Schettino stated that both bids could be put out around the same time, and the contractor can make the decision to up for both projects, and provide a good price, in hopes of obtaining both projects. He explained that it is a possibility if a contractor wants to work on two projects that are right next to each other.

Councilperson Rivera inquired what the life expectancy for the new building is.

Mayor Schmelz started that even if Dumont is 4 to 6 months ahead, the contractor may want to jump from one project to the next.

Borough Attorney Schettino stated that most municipalities that looked at both options, always come to the conclusion that renovation is less money, but after all the analysis, opted for the new building.

Councilperson Lodato inquired if there were any environmental tests done during the analysis.

Borough Administrator Gallo stated that all the wells are tested regularly and are coming back fine. He further stated that with the new building, there will be no digging, therefore, will eliminate the issue.

Councilperson Lodato inquired if there will be any environmental issues when the building is demolished.

Borough Administrator Gallo stated that he will need to review the environmental report again.

Mayor Schmelz inquired with regards to the footprint of the new building.

Mr. Mahalik stated that there will be a bigger footprint because of the sally port. He explained that as of right now, the new building is 4 stories with the sally port, or it can be 3 stories and sally port.

Mayor Schmelz inquired whether the Borough will be losing parking spaces.

Mr. Mahalik stated that the Borough will probably lose a row of parking spaces, but can definitely be looked into, since we would be starting from a blank slate.

Councilperson Amatorio inquired whether all the work that has been completed is a waste.

Mr. Mahalik stated that all the same information will be used.

Borough Administrator Gallo stated that is the reason we stopped where we are, to come to an understanding and make a decision before we continue.

Council President Rivera inquired how tall the new building will be.

Mr. Mahalik stated each floor will 14 feet high. The new building would be around the same height.

Council President Rivera stated whether that's lower than our current building.

Borough Administrator Gallo stated that you can do 3 10,000 sq. ft. or 4.

John Smith, resident, started that the ordinance states that you must go before the Zoning Board.

Mayor Schmelz stated that no approval is needed, just has to be presented in front of the Planning Board.

PUBLIC COMMENTS

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

John Brown, resident, stated that he grew up in Bergenfield, graduated from Bergenfield High School, and become a Marine Corp. He stated that there are certain matters he does not understand. Mr. Brown stated that renovation does not fit with this municipality. He stated that building new is the way to go, because this building has long past it's time. He noted that the old Yankee Stadium was dumped for the new one after 86 years. Mr. Brown stated that the governing body should take action on the new building, and that even though they will spend more, they will get the return in the grand scheme.

John Smith, resident, stated that the report was paid for the renovation, and inquired whether the Borough has to pay for the new report. Mr. Smith stated that at the last meeting, he noted that the existing are is insufficient, now there is not enough room. He noted that there is a difference

between habitable and uninhabitable. He noted that he raised the question for the overruns, and was told there would be no overruns. He also noted that every time the Borough will fix something, it will fall apart. Mr. Smith explained that he was told there will be none. Mr. Smith noted that now is told there will be unforeseen conditions and over runs. Mr. Smith stated the Borough should move forward with new construction, it's more energy efficient. He advised that otherwise, the Borough will run into the same problem under renovation. Mr. Smith inquired whether the plans will go for Planning Board approval. He stated that the Borough spent time and money.

Borough Administrator Gallo stated that in fairness, there was a 4.2 million dollar spread between the cost for renovation and build new. He explained that through the process, there was a smaller short fall. He explained that there is a process that has to be followed, to ensure that the Borough is spending properly. In his department head meetings, he advised the department heads to discuss the renovations with their staff to understand their overall needs as a department.

Mr. Smith inquired what will be the height of the building. He noted that if the height of the building is going to be higher, it needs to go before the Zoning Board per the Borough ordinance.

Borough Attorney Schettino stated that in the land use law, the statute indicates that government entities can erect building, and just needs to go to the Planning Board for their review for consistency with the Borough master plan.

Diana Flagg, resident, stated that \$12.5 million was bonded for renovation. She inquired why the Borough bonded so much.

Borough Administrator stated just because you put the paperwork in, doesn't mean you're using the money and explained the monies are not used until spent.

Ms. Flagg inquired why the old floor plans were not provided for comparison. She inquired how the governing body can tell the cost difference. She stated that she was happy when she saw the shower in the administrator's office. Ms. Flagg stated that the Borough Administrator is playing the governing body like a violin. She inquired when this all came about since there was never a discussion.

Borough Administrator Gallo explained that this has been discussed, because as the administrator, he has the duty to bring information to the governing body, and has discussed the matter with them individually.

Councilperson Amatorio stated that the whole town is welcome to attend the meeting. The meeting has been publicized and posted on the website. He stated that the Borough is always trying to accommodate everyone and for once, the governing body needs to speak out. He asked Ms. Flagg whether she informed her neighbors and invited her friends to attend the meeting.

Ms. Flagg started that nobody likes their taxes, and stated that there are people in town that are struggling to pay their taxes. She questioned Mr. Lodato about the status of his tax appeal.

Councilperson Lodato stated that the purpose of his tax appeal was due to the fact that his home was improperly assessed. He explained that there were errors on his tax card, since it listed that he has 4 bedrooms, although he has 3, and that he has a finished basement, when his basement is unfinished. Councilperson Lodato stated that the only way to correct the issue is through an appeal process. He further stated that because of the appeal, his taxes went from \$19,300 to \$18,800.

Ms. Flagg inquired what will be the design of the 1st and 2nd floor of the building.

Mayor Schmelz explained that the design hasn't been completed, need to know how the governing body will proceed.

Ms. Flagg inquired how a new building will improve her life. She asked the governing body to think about the taxpayers. She is stated that they should start thinking about a new Administrator.

Councilperson Amatorio stated that the Borough Administrator is acting on behalf of the governing body.

Borough Administrator Gallo stated that he doesn't control the governing body. He explained that the meeting came about because there were numbers that were not making sense. Therefore, he got everyone involved in the process. He noted that if he were the emperor, he would make the decision. However, he is sharing the information. He also noted that Ms. Flagg is making a mockery of the situation.

Ray Gorman, resident, stated that all this time has been wasted, and that everything should have been given to the Mayor and Council and discussed when they were considering the renovation. He advised that the governing body should have been given two forms of analysis, one with a renovation and one with a knock down, and have all the specifications out, so that the public can see them. He agreed that years ago, the building was very different and the departments were different. He agreed that the building must be done for the future. He inquired about the issue with asbestos and gas.

Borough Administrator Gallo stated that to his point, based on the analysis completed and the meetings held with the department heads, it was more feasible and made sense to renovate at that point in time. He further stated that the difference between renovation and building new was discussed a while ago, there was a lot of reason to proceed with renovation, especially the \$4.2 million dollar cost difference. But, now that the cost difference is \$1.8 million, we are stopping in our tracks and evaluating the situation. Mr. Gallo stated that the Borough has not wasted any time, and regardless, when the governing body is considering a \$12-14 million dollar project, even if the process is delayed another 3 months, the Borough will take it's time to make a decision. He stated that in the winter, there is no heat in the building, employees have to sit at their desks in 57 degree weather with space heaters, and every time they need to print, they blow a fuse. Mr. Gallo stated that even if the Borough has to work through those conditions, we will suck it up when it requires a decision as such.

Councilperson Amatorio stated that the knock down was discussed, but the governing body was not prepared to spend that kind of money. He explained that even Councilperson Kornbluth wanted to piecemeal the project and fix one thing at a time. Councilperson Amatorio stated that in the first discussion, the governing body was not ready to spend 4 to 5 million dollars on a building, and personally, would have spent that on roads. He explained that it's a process and now they ended up with this discussion.

Mary Sullivan, resident, inquired that if the \$12.3 million for the new building includes demolition, and whether \$3 million will continue to be used from surplus.

Borough Administrator Gallo stated that the finances will need to be redone.

Ms. Sullivan inquired whether there would be an impact on taxes.

Borough Administrator Gallo stated that there should be no impact to taxpayers.

Ms. Sullivan inquired whether the Borough will consider solar panels to become more energy efficient.

Mr. Gallo stated that the building will be a green building. He will look into the solar panels, but learned that you reap the benefits when you own the panels.

Ms. Sullivan stated that since there will be a knock down, build a new modern building that will look good 100 years from now, no need to keep the same look. She also stated that the Borough should consider gender neutral bathrooms, because there will be a need for it, and you will avoid having to retrofit in the future. She also inquired what will happen to the furniture.

Borough Administrator Gallo stated that all the furniture will need to be auctioned.

There being no one else who wishes to be heard, Mayor Schmelz closed Public Comments.

COUNCIL COMMENTS

Council President Rivera stated that since the beginning, he preferred a new building because of the work he has done in the past. He noted that the Borough needs to build for future generations, and needs to act responsibly to do what's best for the town. The meetings have been publicized and the information is posted on the website.

Councilperson Lodato stated that this is an ongoing process, and given the gap in the cost difference, it's worth considering building a new building.

Councilperson Deauna stated that this is a defining moment for the Council, and he is more inclined to build new if amount could be reduced to \$10 million. He stated that he is happy to move forward.

Councilperson Amatorio thanked everyone for coming to the meeting. He noted that as the former two Councilman have stated, the decision should not be rushed.

Mayor Schmelz stated that this is a process, and at first, the governing body even considered building with our neighbors. He stated that he received several calls indicating that the Borough is crazy to renovate an old building with so many problems. He explained that 4 to 5 million dollars for new building was a big difference. It makes more sense now to go with a new building.

CLOSED SESSION

On a motion offered by Councilperson Amatorio, second by Council President Rivera, and all present voting in favor, the governing body entered into closed session at 9:51 p.m.

RETURN TO OPEN

On a motion offered by Councilperson Lodato, second by Councilperson Deauna, and all present voting in favor, the meeting returned to open.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Council President Rivera, second by Councilperson Amatorio, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:17 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk