

BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
8:00 p.m.
October 16, 2018

PRESENT: Mayor Norman Schmelz and Council President Hernando Rivera, Council members Buddy Deauna, Arvin Amatorio, Ora Kornbluth, and Rafael Marte

ABSENT: Councilmember Lodato

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

Mayor Schmelz called the meeting to order at 8:05 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.

The Salute to the Flag was led by Councilperson Marte.

AGENDA CHANGES

Motion by Councilperson Marte, second by Council President Rivera, to add Resolutions #18-312 and #18-313 to the Consent Agenda. All present voting in favor, none opposed.

Borough Administrator Gallo stated that personnel matters and status reports need to be to Closed Session for discussion.

Mayor Schmelz read a statement into the record. The statement is attached hereto the minutes.

APPROVAL OF MINUTES

Motion by Council President Rivera, Second by Councilperson Marte, to approve minutes of the September 18, 2018 Regular Public Meeting, September 18, 2018 Closed Session Meeting (not to be released), October 2, 2018 Work Session Meeting, and October 2, 2018 Closed Session Meeting (not to be released). All present voting in favor, none opposed.

PRESENTATIONS

A. Police Department Hire

18-297/To Hire Per Diem Telecommunicator – Alex Kneisler

Motion by Councilperson Kornbluth, second by Councilperson Marte, that Resolution #18-297 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>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

VERBAL COMMUNICATIONS I

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

John Smith, resident, stated that pertaining to Resolution #18-311, the secretaries were left off the RFQ. He recommends that the boards advertise for the secretarial position as well.

Borough Attorney, John Schettino, stated that per State statute, there is no need for boards to issue an RFQ for any position. The Mayor and Council can establish the budget for the boards. Also, the Mayor and Council can issue an RFQ, and the board will need to appoint a professional directly from the qualifications submitted. Mr. Schettino also explained that there is no need to issue an RFQ for a secretarial position. If someone is interested in serving as a Secretary, he or she can submit a letter of interest or Resume to the Chairman of the board.

Ray Gorman, resident, stated that the Municipal Court Administrator should be removed from the agenda until the majority of the Mayor and Council is ready to take action.

Borough Administrator Gallo stated that the matter is tabled, and therefore has to remain on the table until further action is taken.

Diana Flagg, resident, stated that the bill list includes payment to PSEG and there are lights still out on the Avenue.

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

Correspondence

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| A. Berkowitz/Bergenfield Republican Club | RE: Request to Reserve Cooper's Pond Clubhouse for Meeting/Thursday, November 1, 2018 and Monday, November 5, 2018/7:00 p.m. to 9:30 p.m. |
| B. Meneses/Mercy Church of God | RE: Request to hold Drive Thru Prayer/Saturday, October 27, 2018/12:00 p.m. to 3:00 p.m. |
| C. Yager/Resident | RE: Resignation Letter from Stigma Free Committee dated 10-10-18 |

Motion by Councilperson Marte, Second by Councilperson Deauna, to approve Correspondence Items A through C. All present voting in favor, none opposed.

A. CONSENT AGENDA

CONSENT RESOLUTION 18-298. 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. **18-299**/To Pay Bills
- b. **18-300**/To Approve Raffle Application 1341
- c. **18-301**/To Authorize Financial Incentive Program with State Health Benefits Program
- d. **18-302**/To Request Approval for the Insertion of a Special Item of Revenue in 2018 Budget for FY 18 Bulletproof Vest Partnership Grant
- e. **18-303**/To Approve Retirement – Telecommunicator - Richard Brendlen

- f. **18-304**/To Approve Amended Municipal Aid Resolution - N. Prospect Roadway Rehabilitation
- g. **18-305**/To Approve Preliminary Engineering/Construction Agreement – CSXT
- h. **18-306**/To Authorize Temporary Right-of-Entry Agreement – CSXT
- i. **18-307**/To Approve Change Order No. 2 Final - 2017 Riverside Cooperative Road Improvement Program – D&L Paving Contractors, Inc.
- j. **18-308**/To Approve Payment Certificate No. 4 Final – 2017 Riverside Cooperative Road Improvement Program – D&L Paving Contractors, Inc.
- k. **18-309**/To Accept Maintenance Bond and Release Performance Guarantee - 2017 Riverside Cooperative Road Improvement Program – D&L Paving Contractors, Inc.
- l. **18-310**/To Approve Tax Court Judgements
- m. **18-311**/To Authorize RFQ for 2019 Professionals
- n. **18-312**/To Authorize RFP for Sale of Recyclable Materials
- o. **18-313**/To Affirm the Borough of Bergenfield’s Civil Rights Policy

Motion by Councilperson Kornbluth, second by Councilperson 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>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

UNFINISHED BUSINESS

A. Tabled Resolution

18-123/To Approve Contract – Municipal Court Administrator (**Tabled 4-3-18**)

No action taken.

B. Tabled Ordinance

ORDINANCE 18-2534 – AN ORDINANCE AMENDING CHAPTER 17 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “FIRE DEPARTMENT” (Tabled 9-4-18)

No action taken.

NEW BUSINESS

A. Appointment to Stigma Free Committee

Mayor recommends and nominates the following to serve on the Stigma Free Committee for one-year- unexpired term, term expiring December 31, 2018.

Tom Boyce

On a motion by Councilperson Kornbluth, second by Council President Rivera, that the nomination be confirmed. R.C. All in favor, none opposed.

Committee/Department Reports

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

VERBAL COMMUNICATIONS II

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

Mary Sullivan, resident, inquired who chooses the contracts for the garbage pails, and whether the residents could have an option to select a smaller pail, rather than a 95 gallon.

Borough Administrator Gallo stated that the garbage pails were selected by public bid.

Ray Gorman, resident, stated that at the crosswalks on Washington Avenue, between New Bridge and Clinton, there should be signs indicating that it's a state law to slow down and stop for pedestrians. Mr. Gorman also stated that the other brooks should be cleaned, and that perhaps Assemblyman Tully can help by reaching out to DEP. He advised that perhaps a plan be put in place for spring 2019.

John Smith, resident, stated that the pedestrian signs should be placed on Washington Avenue, since people will not stop for others. Mr. Smith inquired why the Borough residents are required to recycle, yet the schools are not required to. Mr. Smith explained that there has been rumble that the Veteran's Day Ceremony should be moved to Monday. He noted that there was a meeting in which he, Sue and the Administrator attended, and it was confirmed that the Ceremony will be held on the 11th month, 11th day, and 11th hour. Mr. Smith further noted that the comments about the cleaning of the brook were included in the minutes, and the comments were based on perception.

Diana Flagg, resident, stated that there are areas of Washington Avenue that were paved, but no longer have curbs. Ms. Flagg commented the areas without curbs look terrible, especially across from Roy W. Brown middle school. She also commented that there is signage on stores that are no longer under operation, and should be removed. Ms. Flagg inquired the status of the Molinelli report. She also inquired who will be attending the conference, and when the move will take place.

Borough Attorney Schettino explained that the report can be requested under OPRA. He advised that the report includes issues involving with the Building Department and Tax Assessor's office, and was presented to the Mayor and Council during an Executive Session. The report is available but has been redacted in accordance to law.

Fred Sahlberg, resident, stated that he hopes that the sound system is updated in the new building, because the acoustics are very bad. Mr. Sahlberg thanked Mr. Deauna for not letting them plant a tree in front of his home.

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

COUNCIL COMMENTS

The governing body thanked everyone for attending the meeting and wished all a good night.

CLOSED SESSION

RESOLUTION 18-314/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Personnel

1. Municipal Court Personnel Matter
2. Fire Department Personnel Matter

Minutes will be taken of the meeting and released to the public at the time that the matter is resolved. After Closed Executive Session, the Mayor and Council will reconvene in the Executive Chambers to adjourn this public meeting.

On a motion by Councilperson Kornbluth, second by Councilperson Marte, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 8:52 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Councilperson Deauna, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:42 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk