

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
DECEMBER 4, 2018**

PRESENT: Mayor Norman Schmelz and Council President Hernando Rivera (arrived at 8:45 pm), Council members Thomas A. Lodato, Buddy Deauna, Arvin Amatorio, Ora Kornbluth, and Rafael Marte

ABSENT: No one.

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

Mayor Schmelz called the meeting to order at 8:07 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 Mayor Schmelz.

There was a moment of silence for Former President George Bush and Mayor Kelly's father.

PRESENTATIONS

A. Bergenfield 125th Anniversary Committee

Mr. Joe Verga, resident, distributed information on ideas for events and activities that will take place to celebrate the Borough's 125th anniversary. The events will be focused on Bergenfield, and will be put together by Bergenfield people. He would like the BSID to be involved, and hopes to obtain their suggestions in order to enhance the events and programs they have scheduled. Mr. Verga stated that the intention is to have a "Pre-Family Fun Day" events, and then kick-off the anniversary celebration at Family Fun Day. Mr. Verga also stated that the committee would like to start promoting the events as early as Holiday in the Park. The phrase will be "Go Bergenfield 125th" and the committee will have a logo done to be printed on all flyers, banners, and t-shirts. As part of the program, the committee would also like for the School District to be involved by teaching the children about their town and culture in the schools. Perhaps, the teachers can give their students an assignment having to do with the town. The Public Library is also excited to promote the event, and will host presentations for the kids and residents. Mr. Verga stated that Family Fun Day is scheduled for June 23rd, and he hopes to enhance the event by getting more organizations involved, especially the volunteer organizations, to get themselves out there and sell themselves. The committee also hopes to add more rides geared to smaller children ages 2 and 3. Mr. Verga explained that there are several suggestions for events in the summer and fall. He advised that the final event will be a Gala in December, which will be open to all to attend at a fee. At this time, monies are needed for the promotion and advertisement of events, but there is no total cost for budget.

Councilperson Kornbluth suggested combining the marketing with the recycling calendar.

Mr. Gallo stated they can piggy back on some of the existing borough events and highlight the 125th anniversary. He stated he has money in the budget for "save the date" postcards. The additional events such as music at Coopers Pond, concerts, movies in the park, and other events as such will be an additional expense that can be incorporated into the recreation budget if the finance

committee agrees to it to enhance the 125th anniversary. Mr. Gallo stated the information provided was brought to the printer to incorporate the anniversary into the Bergenfield logo with the dates, to use as a template in promoting events. Mr. Gallo stated that information will also be given out with the recycling calendar at the end of the year.

Mayor Schmelz stated someone from every community will be attending to add insight. It's not just about a committee running it, but having people from Bergenfield involved organizing the events. There should be a liaison from the council. There could be a poster put up on an easel.

Mr. Verga suggested four posters be placed at the parsonage.

B. Environmental Committee

Mr. Verga showed everyone the Sustainable New Jersey plaque and stated they received bronze level status once again this year. He stated there is more that is done in the town, but there isn't any documentation is not there to submit. He suggested meeting with the council members after the 1st of the year to discuss what they can do to help the committee get silver level certification. Mr. Verga clarified that 150 points are needed to get bronze level and 300 points are needed for silver level certification.

C. Go Bergenfield – Special Improvement District Alliance

Mr. Stuart Koperweis, Director of Bergenfield Special Improvement District, stated that the BSID is currently running the holiday deals program. He also stated that he will be happy to work with the environmental committee on their events. Stuart handed out a presentation to the governing body. The first page lists the budget and actual items for 2018 and things to do in 2019. The actual budget for 2017 was \$187,000, \$192,000 for 2018, and we expect to spend \$184,000 in 2019, with a carry-over of \$8,000-10,000 carry over with a total budget of \$197,000. The increase would help support in the media and cleaning, planting, and planters. The Food Crawl was a successful event. There are 71 participants in the Bergenfield Holiday Deals. There was an increase of followers on Facebook from 357 in 2017 to 641 in 2018. They moved the retail promotions to special events. The maintenance for visual operations has increased with third party vendors. The board is anxious to set in motion renewal of contracts in 2019. Yes, each event costs about \$1,000 for marketing on social media. Additional social media purchases are made, such as Facebook ads. The hired professional firm recommends spending \$1,000-\$1,500 for each social media event.

Mr. Tom O'Reilly, BSID member, stated that the \$1,000 could also include the cost to advertise on North Jersey Media.

Mr. Koperweis stated the total administration contract is \$48,000 that includes himself and all the economic development strategists he subs the work out to. Years ago, that number was closer to \$90,000. Mr. Koperweis stated the board is looking at how they can deliver the services they built upon the last two years and expand that. There would have to be an increase of \$25,000. If they are limited to the \$162,000, they will have to scale back on the lighting and marketing programs that they will be able to improve this year. There is a breakdown of costs on each particular item. The money was spent the way it was proposed. He stated that by law, the only amounts he is allowed to increase upon is no more than 10% on line items without going back to the council for budget approval. The holiday lights cost \$11,000 this year. One of the problems was that they couldn't enter into a three year contract. Most municipalities rent the lights because it is too expensive to purchase, maintain and store. Mr. Koperweis stated they are hopeful to have the budget introduced in January and have a hearing in February so they can be funded and move forward in mid-February. The current budget is seeking for an assessment of \$187,000 as opposed to \$162,000.

Mr. O'Reilly stated the wreaths belong to the borough but have been degraded throughout the years.

CAPITAL IMPROVEMENTS/BOROUGH ENGINEER

A. Engineering & Inspection Status Report

Rob Keady, T & M Engineer, stated they currently issued the punch list for the county ADA program and Riverside Cooperative. They are performing the preliminary assessment for Twin Boro Field which is required by Green Acres. They worked with the Borough's grant consultant for the CDBG application which is West Clinton Avenue from S. Washington Avenue to the railroad tracks or slightly before Front Street. Mr. Keady thanked the mayor and council as well as the administration. It was a pleasure working with everyone this year and looks forward to continuing with everything next year.

UNFINISHED BUSINESS

A. Adoption of Ordinance

Mayor Schmelz read into the record:

The following ordinance published herewith was first read by title only on November 8, 2018 and posted on the bulletin board of the municipal center.

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

Public Comments on Ordinance 18-2534.

Fire Chief Naylis stated the fire department had another meeting after the last mayor and council meeting. It was a mere miscommunication issue and clarifications were made. Everyone had an opportunity to speak. Chief Naylis feels confident the changes presented are needed and the governing body should vote in favor of this ordinance.

Motion by Councilperson Lodato, Second by Councilperson Kornbluth, to pass Ordinance 18-2534 on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote was recorded as follows:

Councilperson Lodato:	<i>aye</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>

NEW BUSINESS

A. Introduction of Ordinances

Motion by Councilperson Marte that the following ordinances be introduced and passed on first reading and setting December 18, 2018 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Council Chambers of the Bergenfield Borough as the place for a hearing on said ordinances. Second by Council President Rivera.

Mayor Schmelz read the title of the ordinance into the record:

ORDINANCE 18-2537 – AN ORDINANCE AMENDING CHAPTER 17 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “POLICE DEPARTMENT”

ORDINANCE 18-2538 – AN ORDINANCE AMENDING CHAPTER 157 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “FIRE PREVENTION”

On a roll call, the vote was recorded as follows:

Councilperson Lodato:	<i>aye</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>

B. Ordinance to Amend Chapter 186 Section 3 titled Restaurant, Outdoor

Borough Administrator Gallo stated he is reviewing more inclusive ordinances regarding outdoor seating from other towns that was provided to him by Borough Attorney Schettino. He will provide a more detailed ordinance to the governing body over the next week or so and have it introduced in January to resolve the issue. The inconsistencies with the set dates does not work with events such as the Food Crawl. The governing body is looking to help the businesses and not hurt them. The ordinance needs to be tweaked to be more responsive to the needs of the town.

C. Lost Time Accident Frequency Report for the Bergen County Municipal Joint Insurance Fund

Mayor Schmelz stated the governing body received a copy of the report in their packets. The borough is still at the bottom. The administrator is working with the safety coordinator on how that can be improved.

Mr. Gallo stated there has been training done and some of the matters were addressed today. The borough is getting better in trying to create a safe environment.

D. Bergenfield Volunteer Ambulance Corp. LOSAP

Councilperson Kornbluth met with the Volunteer Ambulance Corp. two weeks ago and they requested to switch schedule B of the ordinance for LOSAP to represent more of their needs. They wouldn't be changing the points or anyone receiving more money, just to change the points system to enable them to receive points at different rates.

Mr. Gallo stated he reviewed the point system and it makes sense since it will make them work better and it's their way to account for their people.

E. Safety Concern by Cameron Street and New Bridge Road

Mayor Schmelz received a letter from a resident and was forwarded it to the administrator, police department and the county. There are no sidewalks on the south side of New Bridge Road, past Cameron Road. People have to either walk in the street when there is snow or on people's grass. The crosswalk is at Surrey Lane. It is a county issue. The Mayor suggested that perhaps someone look into putting sidewalks on the south side of the street. The Mayor also stated that he will be attending the Freeholder's meeting tomorrow night at the Borough and will bring it up to them.

ADMINISTRATOR'S REPORT

Mr. Gallo stated we have been working on the record retention process as the state mandates how long certain records need to be retained. Through the work of the Clerk's office, Marie's Joyce, Hilda, administration, and with a collaboration of all the department heads, they have received approval to have over 300 boxes shredded, close to 9,500 pounds of paper. Part of the process of

digitizing the records is cleaning up and getting rid of records that have met their retention period. This process has not been completed in over 10 years. The goal with the new building is to be as paperless as possible. There will be a server rack, a back-up server, and the redundancy will be in the cloud, which they are currently working to get certification for. Furthermore, there has not been heat in the building in the past 3 days. The pipes need to be fixed again. Holiday in the Park is on Saturday from 1:00pm to 5:00pm at Coopers Pond. The tree lighting will be at dusk. Santa will be coming and there will be activities for the kids. Sunday is the volunteer dinner at the Fiesta from 5:00pm to 9:00pm. There will be 218 people attending, including guests and the governing body. Mayor Schmelz inquired if the Fiesta would be able accommodate a greater number of people if the event is utilized for the anniversary gala. Mr. Gallo commented that the Fiesta can probably accommodate 300 people. Mr. Gallo further explained that the part-time DPW employees are compensated at \$15.50 an hour. There are some openings in the department, because someone employees have left or the position was never replenished. The position is part-time with no benefits, but is a stepping stone for a skilled person to be trained and become a full-time employee. The department requires that the employee have their CDL license, and will help the person get through the training classes. The code enforcement official has resigned from his position, and therefore, the position needs to be filled as the renewal of rental registrations is coming up. There can be a pre-requisite of having a flexible schedule of hours of work when hiring someone. The salary for the position of \$32,000. Mr. Gallo stated he has started to put the numbers together for the 2019 budget for the next meeting for the governing body to review.

MAYOR & COUNCIL REPORT

Councilperson Kornbluth

stated the police department attended the Barrier Free event, the Veterans Day event, and hosted an open house which was successful. They have been repairing pedestrian signs throughout town, working on the 2019 budget, looked over their building plans and made suggestions for their department, and preparing for the Holiday in the Park event. The Volunteer Ambulance Corps. has gone on 2,201 calls year to date, 201 calls in November 2018. That's a 7% increase from the previous year. OEM continues to find ways to provide safety and security for the houses of worship. The Recreation Department held basketball tryouts. All fall sports with the exception of soccer are finished. The Rutgers safety course was held for the coaches. The Recreation Department is working on Holiday at the Pond on December 8th.

Councilperson Marte

stated he doesn't have a report but congratulated Joe Verga for stepping up and helping to coordinate the town's anniversary events.

Councilperson Amatorio

stated he has no report. The next Zoning Board meeting will be December 10th at Borough Hall, not at the Library.

Councilperson Deauna

stated the Shade Tree Committee met yesterday but he was unable to attend. The

Rent Leveling board will meet tomorrow. They did not meet for a long time because there wasn't a quorum and will discuss who will be on the board for next year.

Councilperson Lodato

stated the Planning Board met last month and the Lidl application, for a grocery store at the ACME location, was passed. There will be a subtenant that has not been identified yet. There will be some lighting changes and the sign will be moved closer to the entrance. It will be a good addition to the Borough. He requested the sign ordinance be amended to reflect a sign be removed within 30 days of a business closing. There was one on the corner of Main Street and Washington. There is an antique store sign and the business has been closed two years. Also, when a new sign is put up, it should entirely cover the old sign. He missed the last library meeting.

Councilperson Amatorio stated applicants who come before the Zoning Board have to put big amount of money into escrow for a small budget.

Mayor Schmelz stated a lot of people complain about the escrow. A resident wanted to put a deck and didn't do it since he had to put \$3,000 into an escrow account.

Councilperson Kornbluth stated it takes 6 months to get the escrow money back which is even worse.

Councilperson Amatorio inquired why it is done in the first place. There is no relevance.

Borough Attorney Schettino stated the professionals who are representing the board need to be spoken with to see if the fees charged can be limited and be reviewed. Otherwise, the town will have to pick up the cost. The escrow laws are very strict and the professional has to itemize everything done on the file because the applicant is entitled to see it. The escrow amount should be returned in three months.

Councilperson Lodato stated the attorney for the Zoning Board has to give an annual report, which he hasn't seen.

Mr. Schettino stated he will reach out to Ron Mondello for the annual report.

Council President Rivera stated it is important when employees get recognition. The Local Board of Health Association have awarded Public Health Nurse Patricia August as Public Health Nurse of the Year, and will be honoring her at a dinner on December 6th, 2018. The ticket for the dinner is \$50.

Mayor Schmelz

thanked the Veterans committee for the Veterans Day ceremony. He advised that the Borough will receive a \$250 credit for the JIF course he took while he was at the League of Municipalities. He was also with the Environmental Committee when they received the Sustainable Jersey award at the League of Municipalities. The Stigma Free event called

AIR was held at Roy Brown School on Thursday night. One of the members of the Garden Club had a mini stroke at the wreath sale and is recovering now. He attended the Governor's mansion for a Hanukah celebration. He attended the sing along at the Senior Citizen's community center last night. The senior advisory committee luncheon is on Sunday.

CORRESPONDENCE

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| A. Tavitian/Shade Tree Committee | RE: Request to Reserve Cooper's Pond Fieldhouse for Arbor Day Celebration/Saturday, April 13, 2019/10:00 a.m. to 1:00 p.m. |
| B. Shanahan/Boy Scout Troop 180 | RE: Request to hold fund-raiser and sale wreaths during Holiday in the Park/Saturday, December 8, 2018/11:00 a.m. to 5:00 p.m. |
| C. Mari/Girl Scout Troop 97137 | RE: Request to Reserve Cooper's Pond for Christmas Celebration/Saturday, December 15, 2018 |
| D. Iturralde-Rachev/Parents' Associations of Bergenfield | RE: Request to place donation box in Borough Hall for MLK Day/collection through January 10, 2019 |

Motion by Councilperson Deauna, second by Council President Rivera, to approve Correspondence Items A through D. All present voting in favor, none opposed.

PUBLIC COMMENT

Fire Chief Naylis stated the fire department has gone on 684 calls year to date. The weekly training continues with each company even through the holidays. The vehicles and other equipment had mandatory testing. There were minor repairs needed, but overall are in good shape. The new apparatus is under construction and the Department is anticipating an April delivery. The annual Santa run will be Sunday, December 16th from 12:00 noon to 6:00 pm. The parents buy the gifts for the kids by making a \$5 donation.

John Smith, resident, inquired of the governing body, how many business there are in town and how many are on Washington Avenue. He stated there were 70 businesses that participated in the Food Crawl and inquired if all of the businesses were contacted. All of the businesses in town pay SID taxes. Mr. Smith stated there are at least 3 lights out already with the new Christmas lights on Washington Avenue. There aren't many decorations from New Bridge Rd to Clinton Avenue. He also inquired why the bulk of the decorations are from Clinton Avenue on. The table ordinance stated the tables can't be placed in the Borough's right of way. Everyone should be treated the same. All of the businesses are violating the Borough ordinance since they are in the Borough's right of way. Mr. Smith inquired why the pedestrian signs haven't been put up. Mr. Smith inquired why there is still one massage parlor, near Washington and Clinton Avenue, that is within 100 feet of the school and you can't see inside the business.

Mr. Gallo stated 16-18 signs were ordered for the crosswalks. They just bought the top pieces since the borough has the bottom pieces. Mr. Gallo stated the massage parlor is in compliance with the ordinance. It can be off the window, within a certain number of feet. Mr. Smith stated the governing body shouldn't use the Palisades Park ordinance about tables outside.

Mary Sullivan, resident, suggested the new code enforcement official hired should work once or twice a month until midnight to enforce illegal housing and parking. Ms. Sullivan stated there was report that comingling businesses, in Pennsylvania and Long Island, are going out of business. Ms. Sullivan inquired if this has been fully investigated and inquired if the borough is going to do this in 2019. Ms. Sullivan wished the SID luck. The parking signs haven't been changed yet.

Mr. Gallo stated the plan is to go to single strand. He went out to bid and received only one proposal. The Borough will be re-bidding for the services. The cost of single stream is going to save manpower hours. If it doesn't work, the 96 gallon can for all of the recyclables will be green to comply with Sustainable New Jersey colors. If challenged, a smaller 65 gallon blue can will be purchased to comingle and separate.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

CONSENT RESOLUTION 18-326. 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. **18-327/**To Pay Bills
- b. **18-328/**To Approve Raffle Application 1343
- c. **18-329/**Request Approval for the Insertion of a Special Line Item of Revenue – Drunk Driving Enforcement Fund Grant
- d. **18-330/**To Approve Grant Cancellation for Municipal Alliance Grant
- e. **18-331/**To Authorize Membership to National Cooperative NPPGov
- f. **18-332/**To Approve Grant Agreement – Irving Place & Demott Avenue Roadway Improvements – FY 2018-2019 Community Development Block Grant
- g. **18-333/**To Approve Bergen County Community Development Grant – FY 2019 CDBG for W. Clinton Avenue Roadway Improvements Project – Bergen County Community Development Program
- h. **18-334/**To Authorize Submission of Strategic Plan for Bergenfield Municipal Alliance Grant for Fiscal Year 2019 Form 1A and Approve Fiscal Grant Cycle July 2014 – June 2019 Form 1B
- i. **18-335/**To Approve Tax Settlement – 136 North Washington Avenue
- j. **18-336/**To Approve Tax Settlement – 42 Portland Avenue
- k. **18-337/**To Approve Retirement – Code Enforcement Officer
- l. **18-338/**To Approve Tax Refund – 162 Bergen Avenue
- m. **18-339/**To Approve Removal of Property from the 2018 Tax Sale – Block 1 Lot 1 Armour Place
- n. **18-340/**To Authorize Refund of Redemption Monies to Outside Lien Holder for TLL #14-00014
- o. **18-341/**To Approve the Advertising for the Position of Full-time Code Enforcement Officer

Motion by Councilperson Lodato, second by Councilperson Kornbluth, to approve the Consent Resolution.

On a roll call, the vote was recorded as follows:

Councilperson Lodato:	<i>aye</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>

COUNCIL COMMENTS

The governing body thanked everyone for coming to the meeting and wished everyone a good night.

Mayor Schmelz stated there is no parking at the end of 293 Murray Hill Terrace. He inquired if the grass area is borough property. It is a county building and people get ticketed for parking there beyond two hours.

Councilperson Amatorio stated tags should be issued for the health care workers that go into the building.

Mr. Gallo stated the senior center should communicate with their professionals (nurses and doctors) to let them know they need to give their license plates to the police department.

Councilperson Rivera stated the professionals should register their cars with the police department.

Mayor Schmelz inquired where the visitors should park.

CLOSED SESSION

RESOLUTION 18-342/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 - 1. Update on Martin Street Report
 - 2. HR Bergenfield LLC
 - 3. Cablevision

- B. Collective Bargaining/Agreements
 - 1. P.B.A. Local 309 Agreement

- C. Contracts/Agreements
 - 1. Update on Municipal Building Construction

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 Lodato, second by Councilperson Kornbluth and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 10:30 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 11:22 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk