

BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
8:00 p.m.
May 15, 2018

PRESENT: Mayor Norman Schmelz and Council President Hernando Rivera, Council members Thomas Lodato, Arvin Amatorio, Ora Kornbluth, and Rafael Marte (Arrived at 8:06 PM)

ABSENT: Councilmember Buddy Deauna

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

Mayor Schmelz called the meeting to order at 8:04 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 Council President Rivera.

AGENDA CHANGES

Councilperson Kornbluth requested review of ordinances for court violations regarding court appearances be added to New Business.

APPROVAL OF MINUTES

MOTION OFFERED by Councilperson Amatorio, **SECOND** by Council President Rivera, to approve minutes of the April 17, 2018 Regular Meeting, April 17, 2018 Closed Session Meeting I & II (not to be released), May 1, 2018 Work Session Meeting, and May 1, 2018 Closed Session Meeting (not to be released). All present voting in favor, none opposed.

PRESENTATIONS

A. Poem – "Poppies for the Brave"

Poem read into the record by Mary Sullivan.

B. Proclamation – Aprile Bertomo

Aprile Bertomo read her essay into the record.

Mayor Schmelz reminded everyone the Memorial Day Wreath Ceremony will be at 11:30 AM on Monday, May 28, 2018 at Borough Hall and the parade will be at 2:00 PM.

C. Police Department Awards Ceremony

Police Chief Madalone stated on March 7th, 2018, Police Officers Slater and Warnet responded to 133 Bergen Avenue to a report in which a female was currently in labor. The officers laid her on the floor, observed her crowning, comforted and supported her. Chief Madalone commended Police Officer Greg Slater, Police Officer James Warnet, and telecommunicator Kelsey Peterson and presented them with an Honorable Service Citation. She commended the Bergenfield Volunteer Ambulance Corps, the EMT, and Captain Shell who all worked on this call and for their hard work.

Police Officers Portorreal, Tauber, Knapp, and telecommunicator Racas received the Honorable Service Citation for helping a pregnant woman who was in labor deliver a baby in her home.

Lieutenant Duran, Detectives Witty, J. Brown, Sommer and Tortora received a Unit Citation for their diligent police work, extra surveillance, and through 8 months of investigation were able to capture a burglar that was responsible for 24 burglaries in the Bergenfield community from July-September 2017.

D. Police Department Promotions

1. Oath of Office to Sergeant Eric Ost

- ❖ Biography of Sergeant Eric Ost read by Police Chief Cathy Madalone.

Chief Madalone read biography into the record.

- ❖ **Resolution 18-159**/To Promote Eric Ost to the Rank of Lieutenant in the Bergenfield Police Department

Motion by Councilperson Kornbluth, second by Council President Rivera, that Resolution #18-159 be approved.

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

Councilperson Lodato:	<i>aye</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>absent</i>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

Oath of office administered by Mayor Schmelz.

Eric Ost thanked the police chief, deputy police chief, the captain, and the Mayor and Council for being given this opportunity.

2. Oath of Office to Sergeant William Duran

- ❖ Biography of Sergeant Duran read by Police Chief Madalone.

Chief Madalone read biography into the record.

- ❖ **Resolution 18-160**/To Hire Sergeant William Duran to the Rank of Lieutenant in the Bergenfield Police Department.

Motion by Councilperson Kornbluth, second by Councilperson Amatorio, that Resolution #18-160 be approved.

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

Councilperson Lodato:	<i>aye</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>absent</i>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

Oath of office administered by Mayor Schmelz.

3. Oath of Office to Police Officer Marc Rispoli

- ❖ Biography of Police Officer Marc Rispoli read by Police Chief Cathy Madalone

Chief Madalone read biography into the record.

❖ **Resolution 18-161**/To Promote Marc Rispoli to the Rank of Provisional Sergeant in the Bergenfield Police Department.

Motion by Councilperson Kornbluth, second by Councilperson Marte, that Resolution #18-161 be approved.

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

Councilperson Lodato:	<i>aye</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>absent</i>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

Oath of office administered by Mayor Schmelz.

Marc Rispoli thanked everyone, the police chief, and the Mayor and Council for being given the opportunity and for serving with fellow brothers and sisters on a daily basis.

Police Chief Madalone thanked the Mayor and Council for their continued support of the police department and the members that came out tonight, especially those that are retired.

4. Oath of Office to Police Officer Adam Fingeroth

❖ Biography of Adam Fingeroth read by Police Chief Cathy Madalone

Chief Madalone read biography into the record.

❖ **Resolution 18-162**/To Promote Adam Fingeroth to the Rank of Provisional Sergeant in the Bergenfield Police Department.

Motion by Councilperson Kornbluth, second by Council President Rivera, that Resolution #18-162 be approved.

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

Councilperson Lodato:	<i>aye</i>	Councilperson Kornbluth:	<i>nay</i>
Councilperson Deauna:	<i>absent</i>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>nay</i>	Councilperson Marte:	<i>aye</i>

Oath of office administered by Mayor Schmelz.

Adam Fingeroth thanked the police chief, deputy police chief, police captain, the Mayor and Council, and current and past members of the police department.

COUNCIL COMMENTS

Councilperson Lodato congratulated the four officers on their promotions, stated they were well deserved for their hard work, and wished them all the best. He commended the police officers and the members of the ambulance corps. for all their efforts. He thanked the detective bureau for all of their hard work on the job.

Councilperson Amatorio stated there should be a promotion at every meeting. He congratulated the four officers, wished them a safe career and good luck. He thanked and congratulated the police department and ambulance corps. for going the extra mile and watching the community. Aprile is the pride of the younger generation and hopefully she will get another award again next year.

Councilperson Kornbluth stated the achievement of the emergency service workers, the ambulance corps., the police officers, and the detective bureau, were recognized tonight. She thanked the four officers for their years of service and dedication, congratulated them on their promotions, and wished them a safe and long career.

Council President Rivera stated the police officers deserve more recognition than they received tonight since it hasn't been easy for the officers to get to this point in their careers. You always have the support of your families and the other officers here in the back. He congratulated them and their families.

Councilperson Marte thanked the first responders and the police officers that have contributed to the town and make everyone proud. He congratulated the officers and wished them a long career.

Mayor Schmelz stated it is nice to see a full crowd. There was some Memorial Day recognition with the high school student. There are 2/3 of the first responders being recognized tonight. He congratulated the telecommunicators and the four officers being promoted tonight.

On a motion by Councilperson Kornbluth, second by Council President Rivera, the meeting was recessed for five minutes. The meeting reopened at 9:05 pm.

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 it was suggested two weeks ago that the hire of new employees should be done at the beginning of the meeting and not make them wait.

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

Resolution

18-178/To Hire Part-time Laborer – Jesus Alvarado-Burgos

Motion by Council President Rivera, second by Councilperson Amatorio, that Resolution #18-178 be approved.

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

Councilperson Lodato:	<i>aye</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>absent</i>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

Correspondence

- A. Goldsmith/Resident **RE:** Block Party Request on Harriet Avenue from 62 Harriet Avenue to 80 Harriet Avenue for Jewish Holiday Celebration/Monday, May 21, 2018/11:00 a.m. to 7:00 p.m.
- B. Rainey/Clean Communities **RE:** Request to Reserve Memorial Park Clean-up Event/Saturday, June 2, 2018/9:00 a.m. to 12:00 p.m.
- C. Garcia/Resident **RE:** Request to Reserve Memorial Park Pavilion for Birthday Party/Saturday, June 2, 2018/12:30 p.m.

D. Alexander/Resident

RE: Request to Reserve Coopers Pond for Wedding/Sunday, June 3, 2018/5:30 p.m. to 7:00 p.m.

E. Baldwin/Bergenfield High

RE: Request to Reserve Memorial Park Pavilion for Student Brunch for AP Capstone Course/Saturday, June 16, 2018/10:00 a.m. to 1:00 p.m.

MOTION OFFERED by Councilperson Marte, **SECOND** by Council President Rivera, to approve Correspondence Items A through E. All present voting in favor, none opposed.

A. CONSENT AGENDA

CONSENT RESOLUTION 18-163. 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. **18-164**/Pay Bills
- b. **18-165**/To Approve Raffle Application 1334
- c. **18-166**/To Approve Tax Refund – 220 New Bridge Road
- d. **18-167**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL#06-00045
- e. **18-168**/To Authorize Tax Refund – Various Properties
- f. **18-169**/To Authorize Purchase for Three (3) Police Interceptor Vehicles with Lighting Package through the Cranford Police Cooperative Pricing System – Beyer Ford LLC
- g. **18-170**/To Approve Hold Harmless Agreement for Participation in the Bergenfield Police Community Service Program
- h. **18-171**/To Approve Proposal – Camera System Installation – Ritco Security Systems, Inc.
- i. **18-172**/To Approve Proposal – Inspection and Oversight Services – Washington Avenue, Bergen County Paving
- j. **18-173**/To Approve Proposal – Document Management for Records Retention, Disposal and File Conversion – Foveonics Document Solutions
- k. **18-174**/To Approve Proposal – Scanning Services and Access to Software – Foveonics Document Solutions
- l. ~~**18-175**/To Approve Contract Architectural and Engineering Services – RSC Architects~~
- m. **18-176**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL#17-00008

Councilperson Kornbluth requested resolution 18-175 be removed from the consent resolution.

Borough Administrator Gallo stated the preconstruction services was approved at the last meeting. The dollar amount needs to be added. He will add the dollar amount and if the resolution can be verbalized to memorialize what was done at the last meeting after the consent agenda.

Borough Attorney Schettino stated it is the lesser amount of 6.5% of the estimated preconstruction cost or the actual construction cost, whichever is lower. The estimated preconstruction cost is \$10,400,000. You're paying 6.5% on the \$10,000,000.

Councilperson Kornbluth inquired if that includes the moving cost.

Mr. Gallo stated all of that will be cleared up for the next meeting. The pre-design phase is \$53,000.

Mr. Schettino stated a motion is needed for letter L to be tabled and a motion needs to be added to the agenda to approve the architect for the pre-design for \$53,000. All non-construction costs need to be removed from the estimate.

Mr. Gallo stated all that is being done is memorializing the \$53,000. The pre-design was approved at the last meeting but was not monetized.

Mr. Schettino stated a motion should be made to approve entering into a contract with RSC Architect for pre-design for a sum of \$53,000.

Motion by Councilperson Amatorio, second by Councilperson Rivera to approve Resolution 18-180 Approve Pre-design contract for \$53,000 – RSC Architects.

On a roll call, the vote on Resolution 18-180 was recorded as follows:

Councilperson Lodato:	<i>aye</i>	Councilperson Kornbluth:	<i>nay</i>
Councilperson Deauna:	<i>absent</i>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

Motion by Councilperson Amatorio, second by Councilperson Lodato to table Resolution 18-175.

On a roll call, the vote to table Resolution 18-175 was recorded as follows:

Councilperson Lodato:	<i>aye</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>absent</i>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

Motion by Councilperson Amatorio, second by Councilperson Marte, that the Consent Resolution be approved as amended.

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

Councilperson Lodato:	<i>aye</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>absent</i>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

B. Resolutions

18-177/To Appoint Municipal Humane Law Enforcement Officer – Sergeant Richard Ramos

Motion by Councilperson Kornbluth, second by Council President Rivera, that Resolution 18-177 be approved.

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

Councilperson Lodato:	<i>aye</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>absent</i>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

UNFINISHED BUSINESS

A. Tabled Resolutions

1. **18-123**/To Approve Contract – Municipal Court Administrator
(Tabled 4-3-18)

No action taken.

B. Review of Zoning Designations

Mayor Schmelz inquired if council members have reviewed the zoning designations and are ready to discuss. Mayor Schmelz stated they will meet at 7:30pm before the next scheduled council meeting to discuss as long as everyone is available.

C. Review of Reexamination Report of the Master Plan

Mayor Schmelz inquired if council members have reviewed the reexamination of report of the master plan. Mayor Schmelz stated they will meet at 7:30pm before the next scheduled council meeting to discuss as long as everyone is available.

NEW BUSINESS

Councilperson Kornbluth stated she received a telephone call from a resident who had forgotten to mail their alarm registration and after paying it along with the fine had to appear in court. Last year, there was a resident who had a parking violation, wanted to pay the fine, couldn't just pay it but had to come to court. Someone who has lost a library was not allowed to pay the fine without having a court appearance. The residents' time is being wasted and logging up court space for no reason. The ordinances should be changed.

Mayor Schmelz inquired if there's a reason why someone would appear in court for not paying for a fire alarm.

Councilperson Kornbluth stated it was mandatory through a court ordinance.

Councilperson Lodato stated there usually is a need for a mandatory court appearance when the defense has escalated fines for subsequent offenses.

Mr. Gallo stated it's the entire code, not just one ordinance. There are a lot of different and various ordinances that have same kind of explication. Mr. Gallo inquired where does the council want him to begin since it's so extensive.

Councilperson Amatorio stated a court appearance is required if certain summonses are issued and are neglected.

Councilperson Kornbluth stated the department heads need to look into the ordinances. If someone is willing to pay a fine, they should not be required to make a court appearance.

Mayor Schmelz stated the library had previously requested the ordinance be changed to a higher threshold.

Mr. Gallo stated he will ask the department heads to review the ordinances.

Deputy Police Chief stated they keep a computer generated file on fire alarm licenses. If there are three false alarms, the computer will automatically be flagged and a letter is sent.

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 opposed.

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.

John Smith, resident, commended the site plan committee for doing a fantastic job on the report for the temples, and kudos to the fire department and the police department for their recommendations. Mr. Smith stated Mr. Gallo was correct in what he said about the ordinances. Each council member for which they are a liaison to should work with the committees on the ordinances. Some of the ordinances need to be changed and it's up to the Mayor and Council to change them. Beth Abraham on New Bridge Rd has been approved to make the changes.

Jerry Naylis stated it's been an extremely busy 2-3 weeks for the fire department. There was a serious house fire on Bergen Avenue that extended to the house next door. There was another serious fire on Trinity Court Sunday afternoon and then an apartment fire at Foster Village. The members performed commendably and to the best of their ability with no injuries or deaths. Teaneck fire department was also at the scene at the Trinity Court fire and worked together seamlessly to contain the fire and damage. Additionally, he's been working with Chris Tully and CSX rails to put together training opportunities that will be held in June at Fire and Police Academy in Mahwah. There will be a table top exercise provided by CSX at no cost to taxpayers the last week in October. It's a great opportunity to show how all facets of emergency services work with municipal government to prepare us in case there's a serious incident. The train the trainer will be in October.

Mr. Gallo stated it came out today and was already sent to all emergency services and there will be Full representation at the meeting. It's June 5th, 6th, and 7th, 2018. The Mayor and Council are notified and get details on every fire call he goes to.

Mayor Schmelz stated it's great to see all the towns working together and appreciates all the fire department does. The borough administrator was instrumental in getting the family to feel comfortable.

Mary Sullivan, resident, inquired when the signs will be changed in the municipal parking lots from 2 hours to 4 hours. The ladies at the beauty salon stated they couldn't go have lunch since they had to move their cars.

Councilperson Amatorio stated there are some signs that were changed to 4 hours. The parking ordinance needs to be reviewed to ensure all the signed are changed.

Barry Doll, resident, stated he is representing the Barrier Free Committee tonight and their concerns about the location of the proposed dog park being in close proximity to children. Their other concern is about making the park ADA compliant, making it accessible to anyone in a wheelchair. The council considering other locations is a step in the right direction.

Councilperson Amatorio stated he had spoken with Linda and Council President Rivera about considering other options. Twinboro Park is a possibility.

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

COUNCIL COMMENTS

The Mayor and Council thanked everyone for coming to the meeting and wished everyone a good night.

CLOSED SESSION

RESOLUTION **18-179**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Contracts/Agreements

1. PBA Local 309
2. Telecommunicators Association

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 Amatorio, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:41 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Council President Rivera, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:02 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk