

BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
7:00 p.m.
DECEMBER 21, 2021

PRESENT: Mayor Arvin Amatorio, Council members Thomas Lodato, Buddy Deauna, and Marc Pascual

ABSENT: Council members Rafael Marte, Ora Kornbluth, and Hernando Rivera

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

Mayor Amatorio called the meeting to order at 7:15 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 Deauna.

AGENDA CHANGES

Councilperson Pascual motioned to add Resolutions #21-394 to approve T&M Associates' proposal to conduct a preliminary analysis within Metzler's Brook, #21-395 to approve Neglia Engineering's proposal for planning services for areas in need of redevelopment, and #21-396 requesting the Planning Board's review of additional areas in need of redevelopment to the consent agenda. Councilperson Deauna seconded the motion. All present voting in favor, none opposed.

APPROVAL OF MINUTES

Motion by Councilperson Lodato to approve minutes of the October 19, 2021 Regular Public Meeting and October 19, 2021 Closed Session Meeting (not to be released), November 4, 2021 Work Session Meeting and November 4, 2021 Closed Session Meeting (not to be released), December 7, 2021 Work Session Meeting and December 7, 2021 Closed Session Meeting (not to be released). All present voting in favor, none opposed.

VERBAL COMMUNICATIONS I

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

John Smith, resident, inquired with regards to a Medicare reimbursement on pages 2 and 17. He inquired why the same person is being refunded twice. He questioned the policy and why it's taken several years for the person to be refunded.

Borough Administrator Gallo stated that the received date and the date the purchase order was prepared differ. He will verify the reason, but he has a series of bills going back a number of years that needed to be paid. He signed off on them and remembered seeing the statements.

Rich Cahill, Borough CFO, explained there are employees that retired from the borough with a set number of years of service with full benefits. As part of that benefit, they are entitled to reimbursement of Medicare part B. The refunds are being taken from two separate budgets for different amounts.

Borough Attorney Schettino stated that the purchase order can be pulled and the bill list can be approved subject to verification.

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

PRESENTATIONS

None.

CORRESPONDENCE

a.) Women's and Children Program (WIC) RE: Request to Reserve the Borough Hall Council Chambers/2nd and 4th Monday of Every Month in 2022

Borough Clerk Quinones explained the request was made contingent upon the building being open to the public.

Motion by Councilperson Pascual to accept Correspondence Item A. Councilperson Lodato seconded the motion. All present voting in favor, none opposed.

ORDINANCES

A. Adoption of Ordinances

Mayor Amatorio read into the record:

The following ordinance published herewith was first read by title only on December 7, 2021 and posted on the bulletin board of the municipal center.

Mayor Amatorio read the titles of the ordinance into the record:

ORDINANCE 21-2589 – AN ORDINANCE AMENDING CHAPTER 232 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “PROPERTY MAINTENANCE”

Public comments on Ordinance 21-2589.

Mary Sullivan, resident, requested an explanation on the ordinance.

Borough Administrator Gallo explained that changes need to be made to the borough code to update the code from the 2003 edition of the International Property Maintenance Code to the 2021 edition. He explained the packet is too thick to be disseminated, but will be available in the borough code.

John Smith, resident, inquired who will enforce the code. He stated that code enforcement is not enforcing the code or issuing summonses. He further stated that the code enforcer is being compensated \$80,000 per year, but is not enforcing the code.

Mayor Amatorio stated that he understands the concern on enforcement, but the borough code has to be updated.

Motion by Councilperson Deauna, seconded by Councilperson Pascual to pass Ordinance 21-2589 on second and final reading and are hereby adopted and notice of same shall be published according to law as amended.

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

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

A. CONSENT AGENDA

CONSENT RESOLUTION 21-380. 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. **21-381**/To Approve Bill List
- b. **21-382**/To Schedule the 2021 Sine Die and 2022 Reorganization Meetings
- c. **21-383**/To Approve Raffle Application 1374
- d. **21-384**/To Approve Raffle Application 1375
- e. **21-385**/To Approve Shared Services Agreement – Maintenance and Repair of Vehicles 2022 – Borough of Paramus
- f. **21-386**/To Approve a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Drainage Improvements and the Reconstruction of Hickory Avenue
- g. **21-387**/To Approve Contract - Telecommunicator's Association
- h. **21-388**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #19-00007
- i. **21-389**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #19-00008
- j. **21-390**/To Approve Tax Refund – Oster Bergenfield Properties
- k. **21-391**/To Approve Exempt Veteran Tax Refund – 135 Mackay Drive
- l. **21-392**/To Authorize Police Department Participation in the 1033 program LESO Program
- m. **21-393**/To Approve Transfer of Appropriations
- n. **21-394**/To Approve Proposal – Preliminary Analysis to Investigate the Flooding within the Metzler's Brook – T&M Associates
- o. **21-395**/To Approve Proposal – Planning Services for Areas in Need of Redevelopment – Neglia Engineering
- p. **21-396**/To Request Planning Board Review of Additional Areas in Need of Redevelopment

Motion by Councilperson Pascual to approve the Consent Resolution as amended. Councilperson Deauna seconded the motion.

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

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

UNFINISHED BUSINESS

No discussion.

NEW BUSINESS

No discussion.

Committee/Department Reports

Motion offered by Councilperson Lodato that the Committee/Department Reports be spread upon the minutes in full and filed. Councilperson Deauna seconded the motion. All in favor, none opposed.

VERBAL COMMUNICATIONS II

Mayor Amatorio 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, demonstrated a Huntington Learning Center sign that has been left at the Public Library's parking lot and borough right of ways. She stated that the learning center should be fined. She further stated that the 2022 recycling calendar advertised on the borough website has many errors. Ms. Sullivan stated there are yellow squares on the calendar, but she is unsure what they mean because there is no color key or explanation of the codes. Ms. Sullivan also stated that the Fire Department lights parade was not advertised on the borough website. She never received a robo call, nor was it advertised on the Fire Department website.

Mayor Amatorio stated the signs will be picked up tomorrow. Huntington Learning Center will be notified and given a warning. The Fire Department lights parade was on social media.

Borough Administrator Gallo stated the printed recycling calendar has the answer key. He will update the calendar on the website with the correct version.

Barry Doll, resident, referenced the information available on the website for the proposed building, and stated that in review of the debt service, the cost of the building with the bond and construction, is going to cost the borough \$45 million. He noted an article in the Jewish Link regarding a \$100,000 contribution made by residents for the purchase of BVAC equipment. He commented that there was a need and the residents responded. He stated that residents would like a definitive figure for the new building.

John Smith, resident, stated that the Veterans Advisory Committee submitted a request to their liaison for members to be added by resolution, but the item never made it onto the agenda. Mr. Smith stated that the committee would like a liaison that can attend the meetings and relay information to the Mayor and Council.

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

COUNCIL COMMENTS

Councilperson Lodato thanked everyone for coming to the meeting and wished everyone happy holidays and happy new year.

Councilperson Deauna wished everyone a Merry Christmas, and advised everyone to please get tested for COVID-19.

Councilperson Pascual advised everyone to be safe and practice social distancing. He wished everyone happy holidays.

Borough Administrator Gallo stated that the information referenced in the Jewish Link was shared with him and members of the governing body during the volunteer dinner. He explained that there is a situation with a private ambulance corp. coming into town, and as such, the BVAC was proactive and went to a few people for donations to purchase the equipment they need. He noted that the Mayor and Council has always been supportive and has purchased all the items the ambulance corp. has asked for. He further stated that in reference to the reimbursement payments, there were two purchase orders because one is for calendar year 2019 and the other is from calendar year 2020. The person submitted for reimbursement for payments made towards their Medicare. He stated that the person may have been sick, lived out of state, or perhaps dealing with other circumstances.

Mayor Amatorio stated that every year, departments are asked for a list of items they need. The Mayor and Council has always been supportive to meet those needs. He thanked everyone for coming to the meeting and wished all a happy and healthy holiday season.

CLOSED SESSION

RESOLUTION **21-397**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 - 1. PBA Local 309 Contract Update
 - 2. Redevelopment Study

- B. Contracts/Agreements
 - 1. Police Department Personnel

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 Pascual, second by Councilperson Deauna, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 7:58 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Pascual, second by Councilperson Deauna, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:27 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk