

BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
8:00 p.m.
September 18, 2018

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

ABSENT: Councilperson Kornbluth

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 Councilperson Amatorio.

AGENDA CHANGES

None.

APPROVAL OF MINUTES

Councilperson Lodato requested that a change be made to his comments in the September 4th meeting minutes.

Motion by Councilperson Lodato, Second by Councilperson Deauna, to approve minutes of the August 21, 2018 Regular Meeting, August 21, 2018 Closed Session Meeting I and II (not to be released), September 4, 2018 Work Session Meeting as amended, and September 4, 2018 Closed Session Meeting (not to be released). All present voting in favor, none opposed.

PRESENTATIONS

A. Proclamation - Childhood Cancer Awareness Month

Mayor Schmelz read the proclamation into the record.

B. Proclamation – Ovarian Cancer Awareness Month

Mayor Schmelz read the proclamation into the record.

C. Proclamation – Sickle Cell Awareness Month

Mayor Schmelz read the proclamation into the record.

D. Burbio Digital Cities Program

Mayor Schmelz stated he was introduced to Burbio Digital Cities at Ramsey Day and is a great software package you can get on your cell phone or online for updates of events that take place in Bergenfield. It is easy to add/delete different organizations, committees, and teams. It doesn't cost

the town or anybody anything.

Julie, co-founder of Burbio Digital Cities, stated Burbio is a website. They work in bringing communities together by updating events. They keep track of school events, sports news, committees, and different organizations. All of the information is in one place and they have partnered with many different communities. You will receive updates and notified if there are any changes in the schedules for the organizations you follow that are relevant to you.

Anissa, from Burbio, stated services are free. The benefit of Burbio is that all the information is in one spot. There is a strict policy that no emails are sent to anyone. All that needs to be done is to send out an announcement about the Burbio link and have the different organizations put their events on the calendar. They have developed the software from scratch and there is no spyware involved. There are about a dozen organizations from Bergenfield on Burbio right now. You can follow other town events, besides your own. They will have the graphics for the governing body tomorrow. Anissa stated she has the resolution Ridgewood had passed.

Motion by Councilperson Amatorio, second by Councilperson Deauna, to adopt the Burbio Digital Calendar program for public events and information.

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>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.

Christopher Naylis, Chief of the Fire Department, requested that Ordinance 18-2534 remain on the table.

John Smith, resident, inquired why the Borough continues to purchase from Bauers.

Borough Administrator Gallo stated that the bill includes a compilation of items.

Mr. Smith, resident, inquired the salary for the SLEO and whether they will be compensated by the Borough of the Board of Education.

Mr. Gallo explained that the positions falls within the organization of the Police Department, but the Board of Education will compensate them at a per diem rate.

Deputy Chief Massey stated they are retired police officers and they are not eligible if they have more than 3 years unless they have a waiver from the state. They are per diem employees. The new hires are allowed to carry guns based on where they are going to be in the police department. They will carry it on their uniform.

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

Correspondence

- A. Gallione/Bergenfield Bocce League **RE:** Request to Reserve John A. Aversa Bocce Grove/Sunday, October 7, 2018/8:00 a.m. to 2:00 p.m. (Rain Date – October 14, 2018)

- B. Savoye/Rotary Club of Bergenfield- **RE:** Request to Hold 5K Run/Prospect Avenue to New Bridge Road – Bergenfield High School/Sunday, October 28, 2018
- C. Glass/Resident **RE:** Request to Reserve Memorial Park Pavilion for Birthday Party/Sunday, September 30, 2018/11:00 a.m. to 7:00 p.m.

Motion by Councilperson Lodato, Second by Council President Rivera, to approve Correspondence Items A through C. All present voting in favor, none opposed.

A. CONSENT AGENDA

CONSENT RESOLUTION 18-269. 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. **18-270/**To Pay Bills
- b. **18-271/**To Approve Grant Application and Execute a Grant Contract – Municipal Aid 2019 N. Prospect Roadway Rehabilitation
- c. **18-272/**To Approve Little Red Mailbox Program and Appoint Jennifer DaCosta as the Keeper
- d. **18-273/**To Award Bid and Execute Agreement – One (1) 2018 Ford F-350 Regular Cab & Chassis with 9’ 2-3 Yard Dump Body or Brand Name Equivalent – United Ford
- e. **18-274/**To Approve Shared Services Agreement – Municipal Snow Plowing Agreement for the 2018 – 2020 Snow Plowing Seasons – County of Bergen Department of Public Works
- f. **18-275/**To Approve Tax Refund – 110 Hillside Avenue
- g. **18-276/**To Approve Tax Refund – 16 Elm Street
- h. **18-277/**To Oppose Suez Water’s Rate/Tax Increase
- i. **18-278/**To Accept and Approve Two (2) Year Maintenance Bond – FY 2016 CDBG Bergen Avenue Improvements – A.J.M. Contractors, Inc.
- j. **18-279/**To Approve Tax Appeal Settlement – 311 South Washington Avenue

Motion by Councilperson Lodato, second by Council President Rivera, that the Consent Resolution be approved.

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>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

B. Resolutions

18-280/To Authorize Appointment of Municipal Representatives to the Bergen County Community Development Regional Committee for FY 2018-2019

Motion by Council President Rivera, Second by Councilperson Amatorio, that Resolution #18-280 be approved.

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>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.

C. Adoption of Ordinances

The following ordinance published herewith was first read by title only on September 4, 2018 and posted on the bulletin board of the municipal center.

ORDINANCE 18-2536 – AN ORDINANCE AMENDING CHAPTER 17 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “POLICE DEPARTMENT”

Public Comments on Ordinance 18-2536.

No one came forward.

Motion by Councilperson Marte, Second by Councilperson Lodato, to pass Ordinance 18-2536 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>absent</i>
Councilperson Deauna:	<i>aye</i>	Council President Rivera:	<i>aye</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

NEW BUSINESS

None.

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.

Mary Sullivan, resident, expressed that there is a residential off street parking problem in town, and therefore the Borough code should be changed. The garage requirements should be eliminated and add a requirement for the number of parking spaces based on the number of constructed bedrooms regardless of how it's being used. The Zoning Board is running their own show.

Mayor Schmelz explained all of the homes without garages went before the Zoning Board of Adjustment and were approved. Even if an ordinance is changed, the Zoning Board of Adjustment can approve it. The governing body doesn't have any jurisdiction over the Zoning Board.

John Smith, resident, explained the ordinance states a garage cannot be converted for living space, yet the Zoning Board of Adjustment approved a request to convert a garage that was used for storage into a dining room. The mansion on Spring Street needs to be checked. Roof water is supposed to go into the drainage pit, but the water is shooting out across the street and you can see the PVC pipe coming out from under the curb. The building inspector should be more friendly and re-educated to eliminate problems.

Diana Flagg, resident, inquired about the status of the Molinelli investigation. She expressed that she never received the \$3.00 savings she was promised during the introduction of the budget, and received the same tax bill as last year. Ms. Flagg stated that there are many lights out on Washington Avenue and advised the governing body not to pay the public service bill. She inquired if there was an answer on how the error occurred in assessing Mr. Lodato's property. Ms. Flagg inquired why the Fire Department has not received any grants, and expressed the grant consultants should look into it and secure grants for the Fire Department.

Borough Attorney Schettino explained a report has been submitted to the governing body that is under review and will be released to the public at a future time when a determination has been made.

Borough Administrator Gallo explained that the assessment was based on an old set of plans that were never updated, and the property was never physically reviewed. He also stated that there are two grants outstanding.

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 attending, and wished all a good night.

Mayor Schmelz stated that there will be a Pig Roast at the VFW and Elks on Saturday. He also stated that the Library's Bash the Trash event and the Recreation Movie Night at the Park were a great success.

CLOSED SESSION

RESOLUTION **18-281**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Personnel

1. Department of Public Works Personnel Matters

B. Collective Bargaining Agreement

1. PBA Local 309

C. Attorney-Client Privilege

1. Tax Office Matters
2. Municipal Building

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 Amatorio, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:16 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Council President Rivera, second by Councilperson Lodato, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:35 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk