

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
FEBRUARY 5, 2019**

PRESENT: Mayor Norman Schmelz and Council President Ora Kornbluth, Council members Thomas A. Lodato, Buddy Deauna, Hernando Rivera, and Rafael Marte

ABSENT: Councilman Arvin Amatorio

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 Mayor Schmelz.

Moment of silence in honor of Councilman Amatorio's mother who passed away in the Philippines.

PRESENTATIONS

None.

ORDINANCES

Mayor Schmelz read into the record:

The following ordinance published herewith was first read by title only on January 15, 2019 and posted on the bulletin board of the municipal center.

**19-2539- AN ORDINANCE TO ESTABLISH THE SALARY RANGE OF EMPLOYEES NOT
SUBJECTED TO UNIONIZED CONTRACTURAL UNITS OF THE BOROUGH OF BERGENFIELD**

Public comments on Ordinance 19-2539.

John Smith, resident, noted several changes need to be made to the ordinance. He stated that the Planning Board and Zoning Board Clerks are listed as secretary, and should be listed as Clerk. The Zoning Board Clerk is also listed in two separate areas.

Borough Administrator Gallo stated that one of them will be deleted and the others will be corrected and listed as Clerk.

Motion by Council President Kornbluth, Second by Councilperson Deauna, to pass Ordinance 19-2539 on second and final reading and is hereby adopted as amended and notice of the same shall be published according to law.

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

Councilperson Lodato: *aye* Council President Kornbluth: *aye*

Councilperson Deauna: *aye* Councilperson Rivera: *aye*
Councilperson Amatorio: *absent* Councilperson Marte: *aye*

B. Introduction of Ordinance

Motion by Council President Kornbluth that the following ordinance be introduced and passed on first reading and setting Tuesday, February 19, 2019 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 Hall as the place for a hearing on said ordinance. Second by Councilperson Deauna.

19-2540 – AN ORDINANCE AMENDING CHAPTER 42 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “LENGTH OF SERVICE AWARDS PROGRAM”

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

Councilperson Lodato: *aye* Council President Kornbluth: *aye*
Councilperson Deauna: *aye* Councilperson Rivera: *aye*
Councilperson Amatorio: *absent* Councilperson Marte: *aye*

UNFINISHED BUSINESS

None.

NEW BUSINESS

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

Mayor Schmelz stated that the information is behind because it is from November, and inquired if there were any accidents reported in January.

Borough Administrator Gallo stated that he believes there was one in December.

Mayor Schmelz stated that the Borough is looking into the Lost Time Accident Frequency Reports and investigating them properly.

B. Recommendations and Nominations for Boards and Committees

Barrier Free Committee

Mayor recommends and nominates the following to serve on the Barrier Free Committee for a one-year term, term expiring December 31, 2019.

Dr. Delores E. Harrison

MOTION by Councilperson Deauna, second by Councilperson Lodato, that the nomination be confirmed. All present in favor, none opposed.

ADMINISTRATOR’S REPORT

Borough Administrator Gallo stated that he met with the 125th Anniversary committee on Wednesday, January 30th. The committee is trying to have an event on local government day on Sunday, April 7th at Borough Hall to hold a “Touch a Truck” in the parking lot. Kids would be able to look and go on the different vehicles and trucks. People would be able to get a tour of the Building and Police station also. The committee would like to hold the event that week because it is

part of Local Government Week. The High School student government will be invited to the April 2nd Work Session meeting, to have them sit on the dais and let them know the role of the Council in a more formal setting. Mr. Gallo stated the committee would like to be involved in the school curriculum to include the anniversary in the history portion. He stated that Family Fun Day is scheduled to be held on June 23, 2019 with more expansive events. The committee would also like to hold a series of festive events on Mondays starting on July 10th and running to August 21st at Cooper's Ponds, comprised of concerts, car shows, movie night, etc. The events will run from 6:00 p.m. to 10:00 p.m. and include concessions stands, beer garden, and other forms of entertainment to bring in funds. Mr. Gallo stated that other ideas have been shared, such as having a scavenger hunt with Bergenfield historical items using geotags, holding historical tours, and a lecture series at the Public Library. The committee would also like to run a Gala around the anniversary, separate and apart from the Volunteer Dinner. Mr. Gallo stated that the Finance Committee will need to review all the suggestions to decide on a budget for the committee.

Mr. Gallo further stated that upgrades have been made in the technology system at Borough Hall, and there is now a new network protecting all the data. He also stated that Congressman Gottheimer's office will have satellite hours on February 21st in the Courtroom from 5:00 pm to 6:00 pm for constituency services. Mr. Gallo further stated the Barrier Free Committee finalized their plans and therefore a purchase order was issued for the equipment and installation of the ADA park. He explained that the original cost for the park was around \$50,000, but a sensory garden was added, since the park will already have the required padding. Mr. Gallo stated that the Committee received funding from the County as well as other donations. The gym equipment for the other side of Memorial Park will also be installed simultaneously in the spring.

Mr. Gallo stated that the Department of Public Works started distributing information on the recycling changes to the businesses in town, which is scheduled to begin April 1st. All residents will receive a 95 Gallon Garbage Can prior to the start date, in order to single stream items. The public will need to be educated a lot more to ensure it is being done correctly, and the Department will be checking to make sure.

Mr. Gallo stated that the new Borough website is scheduled to be launched in the next two weeks. Mr. Gallo explained each department will have the ability to post information onto the website, and Administration will be able to approve prior to publishing.

In addition, Facebook, Instagram, and Twitter accounts are being created for the Borough for information purposes only. Mr. Gallo stated the Department of Public Works has been marking roads that will be chosen for the 2019 road program. Roads that require a grant like CDBG and DOT funds will be automatically included. Roads that need to be milled and paved will be chosen, rather than those that need to be dug up for infrastructure work. Lastly, Mr. Gallo stated he will introduce the budget by the first meeting in March.

MAYOR & COUNCIL REPORT

Council President Kornbluth

stated that the Recreation Committee had their Reorganization meeting on January 28th. All the officers and members stayed the same. They discussed Holiday in the Park was a success despite the cold day. They have been attending meetings for the 125th Anniversary. The Bergenfield Volunteer Ambulance Corps. had 169 calls in January. They responded to the Marcal fire in Elmwood Park, advanced training on strokes at Valley Hospital, and had

1 CPR save. OEM replaced the Borough cell phones saving \$6 per device.

Councilperson Rivera

stated the Environmental Committee met and discussed how they can get enough points to receive Silver recognition from Sustainable Jersey. They also spoke about having a link on the Borough website with news and information related to the Environmental Committee.

Councilperson Marte

No report.

Councilperson Deauna

stated that the Shade Tree Committee reviewed requests for tree removals, trimmings, and trees that need to be investigated further. A vegetative management act bill is going to be passed allowing utility companies to cut or remove trees without approval from the town. The Shade Tree Committee sent a letter to Senator Lagana in opposition to this bill and is asking the Council to pass a resolution in opposition to this bill. The Board of Health members elected their officers, discussed adjustments to employee salaries, vaccine supplies, and concerns with the massage parlors being so close to the school on the avenue, and keeping an eye on the sanitary condition of businesses in town during their meeting. The Barrier Free Committee discussed the playground for the park which was approved. He will be going away to Manila for a short vacation.

Mr. Gallo stated the shades at the massage parlor were measured.

Councilperson Lodato

stated the Planning Board met January 28th, 2019. There weren't any applications, but the board had their annual reorganization. Lou Castellucci was appointed as Chairman, Boswell Engineering was retained as the Board Engineer, and Ron Mondello was retained another year as the Board Attorney. The fire department had its meeting on Tuesday, January 29th, 2019. It is the goal of Chief Naylis to make sure every member is in full compliance with training requirements to tie up loose ends from last year. The board of fire officers meeting is scheduled for next Monday night. The library board of trustees will be meeting on February 14th, 2019 and the Stigma Free committee will be meeting on February 7, 2019. The Fire Department negotiations dialog regarding the firehouse leases is still ongoing.

Mayor Schmelz

stated he attended the county wide Stigma Free breakfast. Bergenfield high school students attended and presented. He attended the Mayors Meeting at the Coach House. They talked about police negotiations. The Challenger league met and there was a tip off. They recognized Jojo, one of the challenger kids who passed away last year. He, Councilman Amatorio, and Corey Gallo went to the Bears pen at Lincoln school. It's for kids 18-21 and will save the Borough millions of dollars over the next five years. He read some books at Lincoln School to kindergarten and first grade students afterwards. He attended the wake for Steve Neff, who was a member of the Recreation Committee and was involved with PAL for over 30 years. Joe Verga spoke about the Environmental Committee and Sustainable Jersey at the Garden Club meeting to get them involved. Mayor Schmelz stated he went to the JIF reorganization meeting. He attended a meeting with LIDL to show the design for the face of the new building. The Fire Department had a fundraiser for the fire training school. St. John's Church had Cardinal Tobin at mass where they celebrated the blue ribbon status Transfiguration Academy received. The 125th Anniversary Committee designed a new sign for town entranceways. FDU recognized the crimestoppers of Bergenfield, Bogota, Englewood, Teaneck and Hackensack. Evan was named as the 2019 Captain at the Challenger program. He attended a farewell to the 2nd Battalion of the 113 Infantry National Guard Alpha and Charlie Divisions as they depart for Operation Enduring Freedom yesterday at the Prudential Center in Newark.

CORRESPONDENCE

A. Doll/Environmental Committee

RE: Request to Reserve Cooper's Pond Meeting House for Poster Contest/Sunday, April 28, 2019/12:00 p.m. to 4:00 p.m.

B. Van Tassel/Bergenfield Lions Club

RE: Request to hold a Coin Toss for White Cane Day/Saturday, March 30, 2019 – Sunday, March 31, 2019/9:00 a.m. to 3:00 p.m.

C. Suero/Franklin Elementary School 5th Grade Committee and Parents Association

RE: Request to Reserve Memorial Park for 5th Grade Picnic/Thursday, June 6, 2019/9:30 a.m. to 2:30 p.m./Rain Date: 6-13-19

D. Murray/Congressman Gottheimer's Office

RE: Request to Reserve Borough Hall Civic Room or Council Chamber for Satellite Office/Thursday, February 21, 2019/5:00 p.m. to 6:00 p.m.

E. Berkowitz/Bergenfield Republican Club

RE: Request to Reserve Cooper's Pond Clubhouse/First Wednesday of each Month 2019/7:00 p.m. to 9:00 p.m.

Motion by Council President Kornbluth, second by Councilperson Rivera, and all members present voting in favor, to approve Correspondence Items A through E.

PUBLIC COMMENT

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

John Smith, resident, stated that the shades at the massage parlor are closed 99.9% of the time, and the ordinance states you have to be able to see inside the business. Mr. Smith expressed that the establishment should be fined. Mr. Smith inquired about the pedestrian signs and inquired whether DPW has a sign maker.

Mr. Gallo stated it isn't the signs causing the delay, it's the base that is needed. The DPW has been putting up the signs in the business district.

Mary Sullivan, resident, thanked Mr. Gallo for having the 4 hour parking signs put up in the municipal lots. She inquired that if the signs that read from 7:00 a.m. to 7:00 p.m. include overnight parking.

Mr. Gallo stated that the ordinance calls for parking to be regulated from 7:00 a.m. to 7:00 p.m. for 4 hour parking. After that, residents can park in the lot. However, residents cannot park on the streets if there is a snow emergency. Mr. Gallo stated there were 65 gallon garbage cans ordered, but he does not project many people will use the smaller cans since pick up will be once a week.

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

Council President Kornbluth requested to add an item to the agenda, and inquired when it can be done.

Borough Attorney Schettino advised her to make a motion and add the item after the Consent Agenda.

Mayor Schmelz inquired whether items can be added at any time, for future reference.

Borough Attorney Schettino explained that if the meeting is advertised in the annual meeting and the agenda is posted to the extent known, then items can be added at any point in time. If the meeting is not advertised and the agenda is not posted, then items cannot be added.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

CONSENT RESOLUTION 19-059. 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. **19-060**/To Pay Bills
- b. **19-061**/To Approve Raffle Application 1346 & Bingo Application 179
- c. **19-062**/To Approve Transfer of Appropriation Reserves
- d. **19-063**/To Approve Temporary Emergency Appropriation
- e. **19-064**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #16-00004
- f. **19-065**/To Approve Tax Refund – 57 Magnolia Street
- g. **19-066**/To Approve Tax Settlement – 211 E Johnson Avenue
- h. **19-067**/To Approve Tax Settlement – 4 Gordon Road
- i. **19-068**/To Approve Tax Settlement – 15 McKinley Place
- j. **19-069**/To Approve Tax Settlement – 106 Cameron Road
- k. **19-070**/To Approve Tax Settlement – 202 Marcotte Lane
- l. **19-071**/To Oppose the NJ Department of Agriculture’s New Beekeeping Regulations
- m. **19-072**/To Approve Addendum to Appointment and Scope of Services – Phoenix Advisors, LLC
- n. **19-073**/To Approve Amendment to Resolution 14-042 Appointing Part-time Elevator Inspector
- o. **19-074**/To Award Bid & Approve Purchase – 95 Gallon and 65 Gallon Garbage Cans – Sanitation Equipment Corp.

Motion by Councilperson Marte, second by Councilperson Rivera, to approve the Consent Resolution.

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

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

Motion by Council President Kornbluth, second by Councilperson Rivera, to amend agreements and appoint Remington & Vernick Engineers as the Borough Engineer and T&M Associates as the Special Projects Engineer.

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

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

COUNCIL COMMENTS

Council President Kornbluth expressed her condolences to Councilman Amatorio for the loss of his mother. She thanked everyone for coming and wished everyone a good night.

Councilman Rivera thanked everyone for coming.

Councilman Marte expressed his condolences to Councilman Amatorio and to the family of Steve Neff.

Councilman Deauna expressed his condolences to Councilman Amatorio and to the family of Steve Neff.

Councilman Lodato thanked everyone for coming and expressed his condolences to Councilman Amatorio

Mayor Schmelz expressed his condolences to Councilman Amatorio. He stated he is confused with having two engineers and feels it would be easier to have one engineer where everyone was happy with, not with an engineer the borough constantly had a problem with. They are going back to the road projects and a lot of those projects are fixing their mistakes they made from being the engineer. He thanked everyone for coming and to have a good night.

CLOSED SESSION

RESOLUTION **19-075**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Personnel

1. Building Department Personnel Matters
2. Health Department Personnel Matters

B. Contracts/Lease Agreements

1. Department of Public Work Superintendent Contract
2. Fire Department Lease Agreement

C. Attorney-Client Privilege

1. Jo-Med Construction Update on Utility Infrastructure Repairs
2. Professional Appointments and Contracts

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 Council President Kornbluth, second by Councilperson Rivera, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:03 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Lodato, second by Council President Kornbluth, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk