

**BOROUGH OF BERGENFIELD  
MAYOR & COUNCIL REGULAR MEETING  
8:00 P.M.  
MARCH 20, 2018**

1. Meeting called to order at \_\_\_\_\_ p.m.

2. **OPEN PUBLIC MEETINGS ACT STATEMENT – Mayor Schmelz**

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. In case of an emergency, exits are to the rear and your left. Please turn off all cell phones.

3. Roll Call:

Roll Call	Present	Absent
Councilman Lodato		
Councilman Deauna		
Councilman Amatorio		
Councilwoman Kornbluth		
Councilman Rivera		
Councilman Marte		
Mayor Schmelz		

4. Salute to the Flag was led by \_\_\_\_\_.

5. Agenda Changes – additions or revisions

6. Approval of Minutes

**MOTION OFFERED** by Council \_\_\_\_\_, **SECOND** by Council \_\_\_\_\_, to approve minutes of the February 20, 2018 Regular Meeting, February 20, 2018 Closed Session Meeting (not to be released), March 6, 2018 Work Session Meeting, and March 6, 2018 Closed Session Meeting (not to be released). All present voting in favor \_\_\_\_\_.

7. Presentations

A. Proclamations - Bergenfield United Soccer (*Mayor & Council*)

B. Fire Department Presentation (*Fire Chief Naylis*)

C. Police Department Presentations (*Police Chief Madalone*)

1. Oath of Office to Oscar Lopez

❖ Biography of Oscar Lopez read by Police Chief Madalone

❖ **Resolution 18-092**/To Hire Oscar Lopez to the Rank of Police Officer in the Bergenfield Police Department.

**OFFERED** by Council \_\_\_\_\_ **SECOND** by Council \_\_\_\_\_

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					

MARTE					
SCHMELZ (tie)					

2. Oath of Office to Daniel Jean Baptiste

- ❖ Biography of Daniel Jean Baptiste read by Police Chief Madalone
- ❖ **Resolution 18-093**/To Hire Daniel Jean Baptiste to the Rank of Police Officer in the Bergenfield Police Department.

**OFFERED** by Council \_\_\_\_\_ **SECOND** by Council \_\_\_\_\_

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

8. Verbal Communications I

Mayor Schmelz opens the meeting and invites the public for comments on agenda items only and asks if anyone present wishes to be heard. Please be advised there will be a limit of five (5) minutes per speaker.

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

9. Correspondence

- A. Rocco/Franklin School 5<sup>th</sup> Grade Committee **RE:** Request to Reserve Memorial Park for Franklin School 5<sup>th</sup> Grade Picnic/Thursday, June 7, 2018 (Rain Date: Tuesday, June 12, 2018)/All-day
- B. Boyce/Washington School 5<sup>th</sup> Grade Committee **RE:** Request to Reserve Ross Applegate Park for 5<sup>th</sup> Grade Picnic/Friday, June 15, 2018 (Rain Date: Monday, June 18, 2018)/All-day
- C. Rainey/Clean Communities Cleanup **RE:** Request to Reserve Cooper's Pond/Saturday, April 14, 2018/ 9:00 a.m. to 12:00 p.m.
- D. Haag/BHS Baseball **RE:** Coin Toss Request/Saturday, April 7, 2018
- E. Naylis/Board of Fire Officers **RE:** Personnel Action Letter/March 15, 2018

**MOTION OFFERED** by Council \_\_\_\_\_, **SECOND** by Council \_\_\_\_\_, to approve Correspondence Items A through E. All present voting in favor \_\_\_\_\_.

10. Consent Agenda

**CONSENT RESOLUTION 18-094.** 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. **18-095**/To Pay Bills
- b. **18-096**/To Approve Raffle Applications 1327 and 1328 *(Borough Clerk)*
- c. **18-097**/To Support the Preservation of Community Development Block Grant Program (CDBG) Funding FY 2018-2019 *(Mayor Schmelz)*
- d. **18-098**/To Approve Temporary Emergency Appropriation *(CFO)*
- e. **18-099**/To Approve Transfer of Appropriation Reserves *(CFO)*
- f. **18-100**/To Approve Grant Agreement for CDBG Funding – Hughes and Madison Avenue *(Borough Administrator)*
- g. **18-101**/To Approve Proposal – MS4 Stormwater Pollution Prevention Plan – T & M Associates *(Borough Administrator)*
- h. **18-102**/To Approve Change Order No. 1 – FY’ 2017 Riverside Cooperative Road Improvement Program – D & L Paving Contractors, Inc. *(Borough Administrator)*
- i. **18-103**/To Approve Change Order No. 3 – 2017 Inflow & Infiltration Sanitary Infrastructure Repairs – North American Pipeline Services LLC *(Borough Administrator)*
- j. **18-104**/To Approve Disposition of Surplus Property *(Borough Administrator)*
- k. **18-105**/To Approve Tax Refund – 35 Thames Boulevard *(Tax Collector)*
- l. **18-106**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL#10-00040 *(Tax Collector)*
- m. **18-107**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL#15-00010 *(Tax Collector)*
- n. **18-108**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL#15-00011 *(Tax Collector)*
- o. **18-109**/To Approve Contract – Affordable Housing Planner – Burgis & Associates *(Borough Attorney)*

**OFFERED** by Council \_\_\_\_\_ **SECOND** by Council \_\_\_\_\_

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

B. Resolutions

**18-110**/To Promote to Laborer to Full-time – Craig Von der Osten *(Borough Administrator)*

**OFFERED** by Council \_\_\_\_\_ **SECOND** by Council \_\_\_\_\_

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

**18-111/To Hire Part-time Laborer – Joel Gil (Borough Administrator)**

**OFFERED** by Council \_\_\_\_\_ **SECOND** by Council \_\_\_\_\_

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

11. Unfinished Business

A. Tabled Resolutions

1. **18-073/To Approve Developer’s Agreement (Tabled 2-20-18)**

**OFFERED** by Council \_\_\_\_\_ **SECOND** by Council \_\_\_\_\_

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

B. 2018 Bergenfield Special Improvement District Budget (Borough Administrator)

1. Public comments on BSID 2018 Budget

2. **Resolution 18-078/To Adopt the 2018 Budget of the Bergenfield Special Improvement District**

**OFFERED** by Council \_\_\_\_\_ **SECOND** by Council \_\_\_\_\_

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

C. Adoption of Ordinances

The following ordinance published herewith were first read by title only on March 6, 2018 posted on the bulletin board of the municipal center

**ORDINANCE 18-2522 – AN ORDINANCE AMENDING CHAPTER 136 OF THE CODE OF THE BOROUGH OF BERGENFIELD ENTITLED “CONSTRUCTION CODES, UNIFORM”**

**ORDINANCE 18-2523 – AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

Public Comments on Ordinance 18-2522 and 18-2523.

**Motion by** Council \_\_\_\_\_, **Second by** Council \_\_\_\_\_, to pass Ordinance 18-2522 and 18-2523 on second and final reading and is hereby adopted and notice of same shall be published according to law.

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

D. Adoption of Bond Ordinance

The following ordinance published herewith were first read by title only on March 6, 2018 posted on the bulletin board of the municipal center

**BOND ORDINANCE 18-2524 – BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW AUTOMOTIVE VEHICLES AND NEW FIRE ENGINES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF BERGENFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$4,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF SUCH BONDS.**

Public Comments on Bond Ordinance 18-2524.

**Motion by** Council \_\_\_\_\_, **Second by** Council \_\_\_\_\_, to pass Ordinance 18-2524 on second and final reading and is hereby adopted and notice of same shall be published according to law.

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

- 12. New Business
  - A. Introduction of Ordinance

Motion that the following ordinance be introduced and passed on first reading and setting Tuesday, April 3, 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 Hall as the place for a hearing on said ordinance.

**18-2525 – AN ORDINANCE ENTITLED “ESTABLISHMENT OF RULES AND REGULATIONS FOR DOG PARK”**

**OFFERED** by Council \_\_\_\_\_ **SECOND** by Council \_\_\_\_\_

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

B. Changes to Minor Work Provisions in UCC (*Borough Administrator*)

C. Alternate Side Street Parking During a Snowstorm (*Mayor Schmelz*)

13. Committee/Department Reports

**MOTION** offered by Council President Amatorio that the Committee/Department Reports be spread upon the minutes in full and filed. **SECOND** by \_\_\_\_\_. All in favor \_\_\_\_\_.

14. Verbal Communications II

Mayor Schmelz opens the meeting to Verbal Communications II and invites the public to comment on any subject, limited to five (minutes) per speaker.

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

15. Council Comments

16. Closed Session

RESOLUTION **18-112**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Police Department Matter (*Chief Madalone*)

B. Attorney-Client Privilege

1. Building and Acquisition Update (*Borough Administrator*)

2. Municipal Court Professionals (*Borough Administrator*)

C. Contracts/Agreements

1. PBA Local 109 Update (*Borough Administrator*)

17. Return To Open Session

**Motion Offered** by Council \_\_\_\_\_ **Second** by Council \_\_\_\_\_ All in favor \_\_\_\_\_.

18. Adjournment

There being no further business before the Mayor and Council a **MOTION** offered by \_\_\_\_\_, **SECOND** by \_\_\_\_\_, to adjourn the meeting at \_\_\_\_\_ p.m. All in favor \_\_\_\_\_.