

BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
SEPTEMBER 20, 2022
8:00 P.M.

PRESENT: Mayor Arvin Amatorio and Council President Buddy Deauna, Council members Thomas Lodato, Rafael Marte, Ora Kornbluth, Hernando Rivera and Marc Pascual

ABSENT: No one.

ALSO PRESENT: Borough Administrator Corey Gallo
Borough Attorney John Schettino
Borough Clerk Marie Quiñones-Wilson

Mayor Amatorio called the meeting to order at 8:05 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 Lodato.

AGENDA CHANGES

Motion by Councilperson Kornbluth to add Resolution 22-331/To Approve Change Order No. 1 – Twin Boro Field Improvements Phase 1- Thomas & Sons and Resolution 22-332/To Authorize Sale of Surplus Property on GovDeals Auction to the agenda. Councilperson Pascual seconded the motion. All present voting in favor, none opposed.

APPROVAL OF MINUTES

Motion offered by Councilperson Pascual, second by Councilperson Marte, to approve minutes of the August 16, 2022 Regular Public Meeting, the August 16, 2022 Closed Session Meeting (not to be released), the September 6, 2022 Work Session Meeting, and the September 6, 2022 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.

Barry Doll, resident, inquired what the criteria is for allowing memorials to be placed in Coopers Pond. He inquired if there is a Christmas tree at Van Saun Park.

Diana Flagg, resident, inquired about the keys to the city and medallions that are on the bill list and asked who will they be given to.

Angie Silvestri, resident, inquired if dismissiveness is a normal thing at town meetings.

Borough Administrator Gallo stated there is a protocol that needs to be followed. The Mayor and Council cannot converse back and forth with the residents. After the hearing is closed, responses are provided by the governing body.

Borough Attorney Schettino stated that is what this town does. He commented that most towns do not even respond. The public session is only for comment. There is no requirement for the council to respond to the statements or questions asked. There is not supposed to be dialogue. The law does not require the governing body provide a response.

Jacqueline Romney, resident, inquired about the role of the safety coordinator and if he is concerned about traffic safety.

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

Borough Administrator Gallo stated he does not think there is a standard procedure for memorials. A request is received from time to time from people wanting to donate an item to the park, such as a bench or an area that needs planting. Mr. Gallo stated it is a good idea to have a criterion created, if there isn't one.

Mayor Amatorio stated that each year, every town in Bergen County is given a tree to decorate at Van Saun Park. The community is encouraged to participate in the decoration of the tree.

Mr. Gallo stated this group wanted to set this up in advance and will be responsible for decorating the tree. Mr. Gallo stated there were keys to the city found in his office. Mayor Amatorio thought it was a good idea to continue the tradition. The medallion will be given out as a memento. Mr. Gallo stated he gives answers to questions as a protocol.

Mayor Amatorio stated he needs to put an order for only those people recognized are allowed to speak. He stated those who want to speak will be give the opportunity to at the right time.

Mr. Gallo stated as a member of the Bergen JIF, every town is required to have a safety coordinator. It is to ensure all employees are trained and there be maintenance of the training records. It is a standard measure every town has. Bergenfield was one of three towns in Bergen County to obtain platinum status. The town received a monetary award and reduction in the insurance premium for meeting the safety requirements for employees and operations.

PRESENTATIONS

None.

CORRESPONDENCE

a.) Navarro-Steinel/Resident

RE: Request for Permission for a "Celebration of Life Tree and Plaque/Marker" in honor of her husband, Charles K. Steinel at Coopers Pond

b.) Edwards/Brownie Troop 98029

RE: Request for Permission to Decorate the Borough Tree at Van Saun Park during the Holidays

Motion by Councilperson Lodato to accept Correspondence items A and B. Councilperson Kornbluth seconded the motion. All present voting in favor, none opposed.

ORDINANCES

None.

A. CONSENT AGENDA

CONSENT RESOLUTION 22-315. 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. **22-316**/To Approve Bill List
- b. **22-317**/To Cancel Grant – Fiscal Year 2022 Municipal Alliance Grant
- c. **22-318**/To Approve Tax Refund – 193 Hickory Avenue
- d. **22-319**/To Approve Veteran Tax Exemption – 241 E. Main Street
- e. **22-320**/To Approve Veteran Tax Exemption- 14 New Jersey Avenue
- f. **22-321**/To Approve Veteran Tax Exemption- 47 Davis Drive
- g. **22-322**/To Approve Proposal for Professional Grant Support Services – Twin Boro Park, Phase II Grant Application – T&M Associates
- h. **22-323**/To Approve Proposal for Professional Services - Redevelopment Plan for Area D – The Neglia Group
- i. **22-324**/To Approve Gas Service – Installation of a Gas Line on the Cooper/Marchbank Property
- j. **22-325**/To Approve Agreement – Arborist Workshops for Initial Certifications – ACRT, Inc.

Motion by Council President Deauna to approve the Consent Resolution. Councilperson Marte 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>aye</i>
Council President Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

A. Resolutions

22-326/To Approve Hire – Full-Time Public Health Nurse – Liezl Cruz

Motion by Council President Deauna, second by Councilperson Marte, that Resolution #22-326 be approved.

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

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

22-327/To Approve Hire – Part-Time Public Health Nurse - Christine Nicholson

Motion by Council President Deauna, second by Councilperson Rivera, that Resolution #22-327 be approved.

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

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

22-328/To Approve Promotion from Summer Part-Time Laborers to Part-Time Laborers

Motion by Councilperson Pascual, second by Councilperson Rivera, that Resolution #22-328 be approved.

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

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

22-329/To Approve Pay Increase – Safety Coordinator

Motion by Councilperson Pascual, second by Councilperson Marte, that Resolution #22-329 be approved.

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

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

22-330/To Approve Agreement – F.M.B.A. Local 65

Motion by Councilperson Pascual, second by Councilperson Rivera, that Resolution #22-330 be approved.

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

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

22-331/To Approve Change Order No. 1 – Twin Boro Field Improvements Phase 1- Thomas & Sons

Motion by Councilperson Marte, second by Councilperson Rivera, that Resolution #22-331 be approved.

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

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

22-332/To Authorize Sale of Surplus Property on GovDeals Auction

Motion by Councilperson Rivera, second by Councilperson Kornbluth, that Resolution #22-332 be approved.

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

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

UNFINISHED BUSINESS

A. Residential Parking Ordinance Requirements

Mayor Amatorio stated the committee needs to meet on this.

B. Lighting Ordinance Requirements

Councilperson Kornbluth stated there have been a few conversations and an update will be provided soon.

NEW BUSINESS

None.

Committee/Department Reports

Motion offered by Council President Deauna that the Committee/Department Reports be spread upon the minutes in full and filed. Councilperson Marte seconded the motion. All present voting 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.

Michael Ramos, resident, stated he was at the meeting last month regarding the flooding at his property, 90 E. Broad Street. He sent emails asking if there were any updates. Mr. Ramos inquired if the DEP permits were obtained to clean the brook and improve the flooding. He presented pictures of his property and stated he lost his swimming pool.

Angie Silvestri, resident, stated September is National Recovery month and the town has not held any Stigma Free events. There was another overdose just last week in town. She stated nothing been done to bring awareness to the problem. Ms. Silvestri stated this problem is growing and no one is doing anything about it. She is here to bring awareness in hopes that something can be done.

Barry Doll, resident, stated Councilperson Deauna had mentioned at a Board of Health meeting that the pot factory was approved. Mr. Doll stated many residents are opposed to the pot factory and have been speaking with the cannabis commission and legislators. He inquired how the information came about and how valid is it.

Judy Desponnier, resident, stated she is stunned about what Barry is discussing tonight. She stated the residents should be told about any decisions made. She is online and attends every cannabis commission meeting and Eleven Eleven has not been approved so far.

Christine Denning, resident, stated she is troubled that there seems to be lack of transparency from the council when a resident came here and talked about a well-known pervasive drug problem, not just in Bergenfield, but the entire country. Ms. Denning stated there have been too many deaths linked to drugs. She is so sad for the youth of the town when they point to all of you when their parents ask them about drugs and smoking marijuana and say how bad could it be when the governing body approved a production facility in town. Ms. Denning stated she is disappointed in the secrecy which is nothing to be proud of.

Angie Silvestri, resident, stated she wanted to clarify that people who are in recovery use medical marijuana in the community. She stated the town can't be blamed for anything that's being done. She stated she is in favor of the town approving it as a person who is in recovery. There is so much research with medical marijuana for recovery and prevention. Ms. Silvestri stated it is the parents' responsibility to teach their kids. She stated there are two sides to every story.

Jacqueline Romney, resident, inquired who decided the traffic safety committee should not be open to the public. She inquired if the policy of only issuing warnings for speeding has changed and how many tickets have been issued in the community. She stated according to the OPRA reports, there have been 436 car crashes as of August 17, 2022 and 11 pedestrians and cyclists have been involved.

Karen Glover, resident, stated she hopes the governing body will be able to answer the questions about the facility. She inquired if they will be able to provide the security needed or will the town police provide it. They couldn't provide the security needed for the roller rink and had to be closed. John Smith, resident, stated there was a meeting on August 29, 2022 with the borough administrator, Councilman Marte, Councilman Pascual, and Councilman Lodato as liaison for the fire department. Mr. Smith stated towards the end of the meeting Councilman Lodato drafted a letter that will be taken care of and proper apologies would be given. He had responded to an email as Veterans Committee Chairman, rejecting it. It was not an apology. He had done an OPRA request for how many fires there were in the past 20 years in Bergenfield. There was only one emergency after the parade was over. There is no difference between being first or last in line. The police department and DPW are at every intersection during the parade. The Veterans Committee also didn't accept the email. He is not faulting the fire department for the decision made not to participate, he's faulting Chief Steven Naylis. Mr. Smith requested to have a meeting to discuss the Veteran's Day ceremony.

Sergeant Major Williams, resident, thanked the council for fixing the light at Memorial Park. He stated he didn't get a response about the new law of licensing in the police department. He inquired what is being done with police officers that need to be certified. Sergeant Major Williams stated there was an agreement made at the meeting and it was not followed. He stated one of the kids with a motor bike at the high school hit his car. Kids are not following the bicycle law. Electric bikes need to be registered. He thanked the governing body and everyone else who attended the POW/MIA ceremony. Colonel Thompson is officially recognized in the national museum in Washington D.C. as of today.

Diana Flagg, resident, stated the cannabis in Bergenfield is not for medical purposes. The governing body voted to grow and manufacture it and didn't want anyone to know about it. The only one who stood up and voted no was Councilman Lodato. It was announced after it was approved. Ms. Flagg stated she called Mr. Gallo and asked him who had told him about it. Ms. Flagg stated she read in the health department report that Republic 23 was given citations for allowing people to smoke hookah. She couldn't wait to share the news.

Kathy Sahlberg, resident, inquired about the status of the house.

Fred Sahlberg, resident, requested the council take a ride to Phelps Avenue and Merritt Avenue tomorrow, during daylight, and look at the house with 2 ½-3 feet high grass and weeds.

Mary Sullivan, resident, stated they will now be spending \$2.6 million for Twin Boro Field for ball fields, not necessarily for Bergenfield kids, as it is Green Acres funding and on the border of Dumont. The money received from the pot factory will help supplement Twin Boro Field.

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

Borough Administrator Gallo inquired if Mr. Ramos received a letter. T&M Associates is surveying the brook that is required in order to obtain the permit from DEP. Mr. Gallo stated DPW is cleaning Hirschfield Brook. The town is allowed to go in and clean because it is all pre-existing cement. Mr. Gallo stated he met with the administrators from Tenafly, Teaneck, and Englewood to discuss putting a plan together going forward. Bergenfield is ahead of the other town's in working with the DEP. Mr. Gallo stated the borough can't go into private backyards to clean the brook.

Mayor Amatorio stated the town is doing its best to address the flooding situation and to clean out the brooks.

Mr. Gallo stated the old plans were only to capture a 10-year storm and will cost millions. The borough has to compile a long-term plan with the other towns. The first goal is to clean the brook. It's going to cost over \$100,000 for the survey. They are doing whatever needs to be done. Mr. Gallo stated he had coordinated with the police department and Ms. Silvestri to set up a booth at public events. They provided her the opportunity to make awareness at the summer concerts. Mr. Gallo stated he recognizes that awareness is very important and will put Ms. Silvestri in contact with the Stigma Free committee to coordinate all efforts.

Mayor Amatorio stated there is no secret dealing and there is full transparency in the decision making. The town is not involved in the approval of the license. They may have received an indication that they may have been approved, but they don't have the approval yet. Mayor Amatorio stated when they have the approval, they will come back to apply to the building department and that is the time when the governing body can comment. It hasn't come to the borough for consideration.

Borough Attorney Schettino explained no one can be issued a license in the state of New Jersey for marijuana, medical or recreational, in a secret meeting. It's controlled by the state. The state issues the license. The borough had to adopt an ordinance whether to permit certain types of marijuana facilities. The business cannot sell retail. They can only distribute to other businesses out of town. Security is extremely regulated by the state of New Jersey. He stated that the town cannot supersede the state. The regulations are more impressive than what is required for banks. Mr. Schettino stated drug use among teenagers is a major issue. Bergenfield is no different than any other city in the country. Marijuana is everywhere and it was approved by 60% of the voters. The overwhelming population has been smoking marijuana illegally, which is why they voted to make it legal. The company will have to go before the Planning Board and at that time they will have to present everything about the facility. The public will have the opportunity to ask questions about the security and any other issues about the facility.

Council President Deauna stated the conversation occurred at an open meeting of the Board of Health. He stated that he made the comment.

Mayor Amatorio stated he had communicated to the council that there was an indication that they can potentially be approved as they have a positive response from the cannabis commission.

Mr. Gallo stated on September 9th, 2022 he received an email from code enforcement stating the REHS inspector had sent a letter to the property owner on Phelps Avenue. The property owner has until September 16th, 2022 to clean it up. If it is not done by then, the DPW will schedule a time to clean it. Mr. Gallo stated traffic issues are under the directive of the police department. Complaints received are sent to the Police Chief or the Superintendent of the schools. Mr. Gallo stated speeding and accidents happen everywhere, in other towns also because people drive too fast. The speed humps are to slow down people. The police department cannot be everywhere. Mr. Gallo stated he agrees with the statement generated by Councilman Lodato, regarding the August 29th, 2022 meeting. An apology was made, but it was not to the satisfaction of the Veterans Committee. The sanctions were rescinded.

Councilperson Lodato stated the letter referenced by John Smith was written by the Fire Chief. It was not meant to offend anyone and apologized if anyone was offended.

COUNCIL COMMENTS

The Mayor and Council thanked everyone for coming and wished all a good night.

CLOSED SESSION

RESOLUTION **22-333**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Personnel

1. Police Department Personnel Matters

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 Kornbluth, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:31 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Pascual, second by Councilperson Kornbluth, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 11:20 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk