

**BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
OCTOBER 18, 2022
8:00 P.M.**

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

ABSENT: Council President Deauna

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

Mayor Amatorio called the meeting to order at 8:03 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 Marte.

AGENDA CHANGES

Councilperson Kornbluth motioned to add the following resolutions:

22-350/To Hire Part-Time Laborer – Michael Cardona

22-351/To Hire Part-Time Laborer – Stefon McGinnis

22-352/To Authorize a Resolution Adopting Technology Risk Management Standards in Compliance with the New Jersey Municipal Excess Liability Joint Insurance Fund's Cyber Risk Management Plan's Tier One Requirements

22-353/To Authorize the Request for Qualifications for 2023 Professional Services

22-354/To Authorize the Request for Qualifications for Municipal Court Judge and

22-355/To Extend Professional Services Agreement – Administrative Agent - Community Grants, Planning and Housing, LLC – CGP&H.

Councilperson Marte seconded the motion. All present voting in favor, none opposed.

APPROVAL OF MINUTES

Motion by Councilperson Lodato to approve minutes of the September 20, 2022 Regular Public Meeting, September 20, 2022 Closed Session Meeting (not to be released), October 6, 2022 Work Session Meeting, and the October 6, 2022 Closed Session Meeting (not to be released).

Councilperson Kornbluth seconded the motion. 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.

Diana Flagg, resident, stated that at the last meeting she had asked about the \$1600 being spent for keys to the city and gratitude tokens and inquired who will be receiving them. She was told they will be given out to dignitaries visiting the borough. She then received a picture the next morning of someone, who is not a governing official or employee of the borough, presenting a key to the city to

Bergen Regional. She inquired how someone, who is not an employee of Bergenfield, received a key to the city to present to Bergen Regional. She stated that the matter was not voted on and that there is a lot of activity that is never brought in front of the public. Ms. Flagg inquired how many keys were purchased.

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

Mayor Arvin Amatorio stated Mr. Gallo answered Ms. Flagg's question regarding the keys. He stated that Mr. Gallo found keys to the city in the office and ordered more. Mayor Amatorio stated that his wife presented the key to the city and the proclamation to Bergen Regional on his behalf in recognition of their efforts during the Covid-19 pandemic and their involvement in the Mayor's Wellness Campaign. Mayor Amatorio stated that his wife was the Champion of the Mayor's Health and Wellness Campaign and as such, it was appropriate that she presented to Bergen Regional for their support and sponsorship. The cost of the key is nothing compared to the help and support they provided the borough.

Councilperson Kornbluth assumed there were numerous keys purchased for \$1600.

Mayor Amatorio stated that each key is approximately \$18-\$20 and the coin is about \$12.

Councilperson Kornbluth commented that approximately hundreds of keys and coins were purchased, not just a few. She wanted to confirm for her own clarification.

PRESENTATIONS

None.

CORRESPONDENCE

None.

ORDINANCES

A. Adoption of Ordinances

Mayor Amatorio read the following into the Record:

The following ordinances published herewith was first read by title only on October 6, 2022 and posted on the bulletin board of the municipal center.

ORDINANCE 22-2605 - AN ORDINANCE TO AMEND CHAPTER 232 ENTITLED "PROPERTY MAINTENANCE" OF THE BOROUGH CODE OF THE BOROUGH OF BERGENFIELD, STATE OF NEW JERSEY

ORDINANCE 22-2606 - AN ORDINANCE TO ESTABLISH A NEW CHAPTER IN THE CODE OF THE BOROUGH OF BERGENFIELD, CHAPTER 312, ENTITLED, "RESTRICTED AREAS IN BUILDINGS WHERE MUNICIPAL OPERATIONS ARE CONDUCTED LIMITED TO AUTHORIZED EMPLOYEES ONLY TO PROTECT AND SAFEGUARD PUBLIC RECORDS CONTAINING PERSONALLY IDENTIFIABLE INFORMATION"

Public Comments on Ordinance 22-2605 and 22-2606.

No one came forward.

Motion by Councilperson Lodato, second by Councilperson Marte, to pass Ordinances 22-2605 and 22-2606 on second and final reading and are hereby adopted and notice of same shall be published according to law.

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

A. CONSENT AGENDA

CONSENT RESOLUTION 22-346. 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.

Mayor Amatorio stated that the consent agenda includes the additions starting with Resolution #22-347 to Resolution #22-355.

- a. **22-347**/To Approve Bill List
- b. **22-348**/To Approve Raffle Application RA1385
- c. **22-350**/To Hire Part-Time Laborer – Michael Cardona
- d. **22-351**/To Hire Part-Time Laborer – Stefon McGinnis
- e. **22-352**/To Authorize a Resolution Adopting Technology Risk Management Standards in Compliance with the New Jersey Municipal Excess Liability Joint Insurance Fund’s Cyber Risk Management Plan’s Tier One Requirements
- f. **22-353**/To Authorize the Request for Qualifications for 2023 Professional Services
- g. **22-354**/To Authorize the Request for Qualifications for Municipal Court Judge
- h. **22-355**/To Extend Professional Services Agreement – Administrative Agent - Community Grants, Planning and Housing, LLC – CGP&H

Motion by Councilperson Marte to approve the Consent Resolution as amended. Councilperson Rivera 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>absent</i>	Councilperson Rivera:	<i>aye</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

B. Resolution

22-349/To Hire Crossing Guard – Danilo Miranda

Motion by Councilperson Marte to approve Resolution #22-349. Councilperson Rivera seconded the motion.

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

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

UNFINISHED BUSINESS

A. Residential Parking Ordinance Requirements

Borough Administrator Gallo stated that one of the things he is working on is trying to have alternate side parking on specific streets. He recently met with the Superintendent and Supervisors of the Department Public Works, Police Chief Rabboh and the traffic bureau to determine how this

can be done. Mr. Gallo stated trucks and emergency service vehicles cannot pass through certain streets when cars are parked on the road. He stated that as we move closer to fall and winter, the Police Department will need to be more assertive in keeping cars off the road for leaf collection and snow plowing. He stated that the leaf collection cannot be done effectively when cars are parked on the street, and it becomes too problematic for the trucks to adequately plow and clean in the winter months. Mr. Gallo stated there will be times where the borough will need to be more stringent and put the overnight parking app on hold, because it can become overwhelming. He further stated that leaf collection will be starting soon and will run until the end of March. He also stated that the violation fee should be increased from \$55 to a rate that will encourage more compliance. He commented that in the past, there have been massive announcements during major storms, and about 40 cars are towed. He stated that announcements were made through the reverse 9-1-1 calls and the Police Department drove around telling residents to move their cars. Mr. Gallo stated that overnight parking is a courtesy, but it is being taken advantage of. Alternate street parking needs to be coordinated, but will only be on certain blocks.

Councilperson Ora Kornbluth inquired if someone is seeking to park their car overnight in November, is the police going to give permission if there is leaf collection the next day. She inquired how is it going to work with the application that allows residents to make the overnight parking requests. Councilperson Kornbluth suggested having a response built into the app that sends a response stating that "unfortunately, your request is denied because there will be leaf collection tomorrow." She inquired if there will be no overnight parking from October until March, including weekends and holidays. She stated there will be many upset residents if they block the ability to park overnight during the holiday months. Councilperson Kornbluth agreed with Mr. Gallo that alternate street parking makes sense, but having overnight parking prohibited from January to March in case of snow does not make sense. She Councilperson Ora Kornbluth stated that stopping everyone from parking on the street is impossible, and it seems that the policy will be punishing people who may have company over to those who park their cars on the street while it is snowing. She has seen the trucks plow the roads and it looks like they are able to manage.

Councilperson Rivera stated residents know not to park on the street in the snow. Yet, there are still people who do it. He stated that ticketing is part of the agreement.

Mayor Amatorio stated the borough would have to make massive announcements for that situation.

Councilperson Pascual inquired how alternate street parking will be worked out.

Borough Administrator Gallo stated it becomes problematic when cars are parked on both sides of the street. The snow removal trucks cannot go down the road because there is really no room to operate safely. Mr. Gallo stated that he needs additional information and input from the governing body and committees.

Councilperson Lodato stated he understands certain streets due to narrowness might require alternative street parking. He recommended that streets that are too narrow require parking only on one side of the street only, as alternate street parking can lead to confusion.

Police Chief Rabboh stated it is going to be hard to have parking on one side and alternate to the other side. It will be difficult because of pick-up on specific streets as they are relatively narrow.

Councilperson Lodato stated that to his point, say that specific sides are every other day, people will forget which day it is. People will be parking all over the place which would cause more trouble than it is worth.

Councilperson Rivera stated the problem is enforcing the laws.

B. Lighting Ordinance Requirements

Councilperson Marte stated that last time it was suggested to investigate the density of the lighting to regulate which density is permitted. He stated this is still being developed and as such, he does not have a report.

NEW BUSINESS

A. Ordinance to Create Designated Parking for Purple Heart Recipients

Mayor Amatorio stated they only need to identify the 5 parking spots and will be able to move forward with the ordinance at the next meeting.

B. Recommendations and Nominations for Boards and Committees

Councilperson Marte recommended Nishant Desai to be a member of the Zoning Board. He stated that the appointment will be made at the next meeting.

C. Best Practices Inventory

Borough Administrator Gallo stated that he and the CFO are working on the best practices inventory. He stated that it is required by the Division of Local Government Services, which is tied to the Borough's state aid. He stated every municipality within the state of New Jersey has to fill out the best practices survey and has to score a certain number of points in order to be eligible for state aid. Mr. Gallo stated the checklist will be listed for approval at the next meeting, as the borough should be able to meet the criteria without any issues.

Committee/Department Reports

Motion offered by Councilperson Marte that the Committee/Department Reports be spread upon the minutes in full and filed. Councilperson Rivera 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.

Ken Vogel, resident, stated he helps to set up the Christmas truck at the historical museum. He was the curator for the world's largest model train model. Mr. Vogel stated the property owners from an empty retail store had given him 90-day lease. He inquired if it is possible to have a sidewalk sale, in order to have an open layout of the model train for public display. He stated the 90-day period is from now to January/February 2023. The module takes 4 hours to setup, as the layout is 30 x 70. The model train club is called Hudson Valley Large Scalers and can be seen on YouTube.

Borough Administrator Gallo requested that Mr. Vogel send him an e-mail with details of the events to better understand how it works.

John Smith, resident, handed out packets from the Veteran's Advisory Committee. He stated that next year is the 50th anniversary of the end to the Vietnam War. It is also the 50th year Floyd Thompson was released from being a POW. The packets contain information on how to get the Vietnam Moving Wall to Bergenfield. Mr. Smith stated he will talk to Dr. Tully of the Board of Education to have the schools involved. The last town that was able to bring the Moving Wall had a cost expense of \$25,000. He stated that the request can be made for Memorial Day week, Veteran's Day, or a March date. The location that would be ideal is Memorial Field, between an area that is accessible, but it also has to be secured. Mr. Smith stated that the Police Department will need to be involved to escort the moving wall. Mr. Smith stated that Vietnam Blue Knights also offered to help. Dr. Tully stated that he wants to make it a school project for the kids. The Veteran's Advisory

Committee will have to do fundraisers to raise funds and he hopes the Board of Education will raise funds for it as well. He stated that if the wall comes to Bergenfield, it will remain on site for 5 days and 5 nights, for 24-hour access. He stated at the next Veteran's Advisory Committee meeting, they will be discussing the event. He will also be meeting with the Borough Administrator to coordinate the Veteran's Day Ceremony, which will be on November 11th at 11a.m.

Sgt. Major Williams, resident, requested that the governing body review the information and pay close attention to the packets handed out to them for the Vietnam Moving Wall project. He stated that it will take 12 months or more to plan. It is a 5-day event, with 210 names engraved on the wall that are read each night, and is conducted through a special ceremony. Sgt. Major Williams stated he received the information from Newport, CT. The wall requires 300ft of walking distance.

Councilperson Marte stated he missed the last meeting but will be able to schedule a meeting with himself, the Mayor, Sgt Major Williams and John Smith to review the plan.

Barry Doll, resident, stated at the past meetings he has been stressing the quality-of-life issues involving the pot factory for marijuana cultivation and manufacturing. He stated from the financial aspect, it always comes up about the amount the money, \$1 million, the factory could generate. He read different things about the \$1 million and inquired if anyone has verified those numbers. He commented that someone who is not involved with the project, has to verify the finances. Mr. Doll inquired what is driving the pot factory approval, and whether it was the cost for the new municipal building. He stated the council should inform the public of the overall costs for all the project. He stated that in addition to the new building, the borough has the project of the field at Twin Boro, which is approximately \$2 or \$3 million, includes a grant for \$1-\$1.5 million, but the borough is obligated to come up with the rest of the money. Mr. Doll further stated that another significant project involves the flood situation with Meltzer's Brook, which will cost money. He inquired about the overall projects underway and what the projected total costs for all of these projects will be. He inquired what the impact on tax payers or the residents' costs will be in a few years from now.

Jacqueline Romney, resident, inquired the status of the Traffic Safety Committee. She stated that as of October 11th, the statistics continue to grow. She stated that the traffic incidents are a crisis we continue to face. Ms. Romney inquired of those members who voted for the committee, who decided to keep the Traffic Safety Committee from being open to the public. She stated other towns and municipalities have open meetings. Ms. Romney stated that she previously inquired what updates were made to the 2013 Complete Streets Policy and which ones have been implemented regarding the quality of life for pedestrians and cyclists. She commented that she has not received an answer to the e-mails she sent. Our community is facing a crisis. She requested that Mayor and councilmembers answer the questions.

Diana Flagg, resident, inquired with regards to the \$7,000 payment to St. John's Church that is on the bill list. She inquired that when the place is rented, why is it not approved on the agenda. Ms. Flagg commented that requests for park reservations used to be listed on the agenda for approval. She inquired the requests are never on the agenda for approval, so the public can who is renting out the park. She stated that she learned that DPW was sent there to clean it up on Monday. Ms. Flagg also inquired why Councilperson Buddy Deauna is not in attendance. She commented that she believes the borough collects over \$200,000 in taxes for the property, and their tax bill should go up. She inquired whether the property will become an agricultural use, and whether they will receive a tax reduction. She stated that the since they will be growing a crop, their taxes will be reduced. She inquired how much will be collected in revenue, and commented that all requests should be listed under correspondence for approval.

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

Borough Administrator Gallo stated he will connect with Mr. Vogel and will coordinate with the tree lighting at Cooper's Pond in December. He stated that the biggest event is on Halloween, which is

when the borough closes Washington Avenue for "Trunk-or-Treat." He stated the borough also closes the avenue during the summer for different events in support of businesses. Mr. Gallo stated he will review the packet of information submitted by the Veteran's Advisory Committee and will have a meeting leading up to the event and coordinate with the Board of Education. Mr. Gallo stated that back in 2013, Safe Routes for Schools was focused on various schools regarding flashing lights and red crosswalks. There was a \$100,000 grant that gave signage and walkways. It was finished in 2019 and it took almost four years because of the stringent process requiring a lot of work to be done. He commented that there is not much that can be done regarding a single vehicle accident. It is hard to attribute the claims because motor vehicle accidents are everywhere, all over New Jersey. He stated that the speed humps were put in to slow down the traffic. The borough is prohibited from doing any work on county roads. Mr. Gallo stated that in 2023, they will continue to expand the road and speed hump program around schools. He stated when Hickory Avenue is finished, they will also add speed humps to the road. He commented that this has become an effective means to slow traffic down. He stated placing flashing lights and bike lanes on certain roads such as Chestnut Avenue, where drivers cannot simultaneously drive a car and a bike down the lane would be prohibited. Mr. Gallo stated they are going to continue pushing the agenda to ensure people and pedestrians are safer. He stated that unfortunately the cell phone is the cause 9 out of 10 times when there are accidents. He stated that people are paying more attention to the cell phone rather than the road. He stated they are doing their part as public officials to keep our streets safe. Mr. Gallo further stated that the public was given a scale on bonding, including the building and the field. The money for the field is already encompassed. Fiscally, the revenue for the marijuana facility was not counted on or relied upon. Mr. Gallo stated that when planning, he considers what are the low levels of finances they may have to work with. Mr. Gallo stated there will be a ramp up phase required for them to start growing. It is a projection that will grow overtime. He stated they are still looking at the low end of generating \$750,000. He stated any revenue streams that they generate are going to benefit the community, which enables him, as administrator, to accomplish more things fiscally. He stated the borough is not strangled by the debt that you think the borough has. He stated that the council had to make a difficult decision regarding the new building and he commended them for the decision they made earlier, rather than later, because instead of \$16 million, the cost to build would have been \$20 million or more today. The contract was executed in November 2021 because the rate increases. There have been some changes orders, but the \$600,000 threshold has not even been reached. He stated the about \$40,000 has been tapped of that amount. Mr. Gallo stated the steel is being built and cement has already been laid on the first floor. The building will be closed up for the winter so it can be developed on the inside. He further stated that the field will be finished in spring 2023. As a parent, he can say he is embarrassed as the administrator that the Borough of Bergenfield had children playing on the field the way it was for all those years. The borough will have a field to be proud of because that is what the kids in this community deserve. He stated fiscally, the borough is solid. Mr. Gallo stated the borough controls the rental of St. John's Conlon Hall. There is specific paperwork people have to file along with insurance requirements and indemnification papers. The borough does not rent out Conlon Hall to individuals, only non-profit organizations within the Bergenfield community. He stated that in the instances when the DPW is used to clean-up after an event, a fee is charged for the organization to pay the balance of the work done by DPW employees. He explained that back in August of 2016, the governing body authorized him approve requested without seeking approval of the governing body during a meeting. He stated that the borough is not looking to make money on the fields. He explained the fees are based on the number of people, as written in the ordinance, and all information is documented. The same approach is taken with Cooper's Pond and the other parks. Mr. Gallo stated that in regards to the commercial marijuana facility, he believed they are not included within the agricultural definition. It is a manufacturing facility and would not be considered farm land for tax reduction.

Borough Attorney Schettino stated the farm land exception is for land, not for building and improvements. It's manufacturing and is not treated as crops.

COUNCIL COMMENTS

The governing body thanked everyone for coming and wished all a good night.

CLOSED SESSION

RESOLUTION **22-356**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 - 1. Personnel Matters
 - 2. Local PBA #309

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 Kornbluth, second by Councilperson Pascual, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:16 p.m.

On a motion by Councilperson Kornbluth, second by Councilperson Pascual, the meeting returned to open session at 9:34 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Councilperson Pascual, and unanimously carried, the meeting was adjourned at 9:34 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk