

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
NOVEMBER 3, 2022**

PRESENT: Mayor Arvin Amatorio and Council President Buddy Deauna, Council Members Rafael Marte, Ora Kornbluth, and Marc Pascual

ABSENT: Council Members Thomas A. Lodato, and Hernando Rivera

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

Mayor Amatorio 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 Councilman Marte.

AGENDA CHANGES

Motion by Councilperson Kornbluth to add Resolution #22-371 to Approve the Revised Spending Plan, Resolution #22-372 to Approve the Issuance of Debt to Fund the Affordable Housing Program, and Resolution #22-373 to Approve the Grantee Authorizing Resolution for Contract #2100516-2120 - 2021 Funding for Open Space Trust Fund - Improvements to Coopers Pond Phase II: Pond Dredging, Patio, Road - County of Bergen. Council President Deauna seconded the motion. All present voting in favor, none opposed.

PRESENTATIONS

A. Proclamation – Family Court Awareness Month

Mayor Amatorio read into the record the proclamation in acknowledgment of Family Court Awareness Month, whose mission is to raise awareness of the importance of a family court system that promotes child safety and acts in the best interest of children.

CAPITAL IMPROVEMENTS/BOROUGH ENGINEER

A. Engineering & Inspection Status Report

Robert Klein, borough engineer from Remington & Vernick, stated in regards to the road program, Marcotte Lane has been completed. The concrete work on Hickory Avenue is scheduled to be finished. Mr. Klein stated milling and paving is scheduled for Friday November 11, 2022 and Saturday, November 12, 2022. It's expected to be completed by the end of the day November 14th, 2022. The work will be coordinated around school activities. The speed humps will be installed some time after.

Mayor Amatorio inquired how many speed humps are planned to be installed.

Mr. Klein stated there are two planned and are in discussion about adding a third one. The first one will be on one side, just before the school, and another speed hump just after. They are evaluating the third one to be between the school and the Tenafly border. All of this will happen after final paving. Mr. Klein stated the concrete work is completed on W. Broad Street. They are planning to mill tomorrow and pave on Monday. Dick St. & Blauvelt Street are planned for paving on November

4, 2022. Carnation Street has been completed. A small section of Bergen Avenue and 1st St are completed. The contractor is waiting on piping to arrive for final milling and paving at the dead-end portion of Tulip Street. The road needs to be dug up, but it depends on when the piping is delivered.

ORDINANCES

A. Introduction of Ordinances

Motion by Councilperson Marte that the following ordinance be introduced and passed on first reading and setting December 6, 2022 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. Seconded by Councilperson Deauna

Mayor Amatorio read the title of the ordinance into the record:

ORDINANCE 22-2607 - AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF BERGENFIELD ENTITLED "OFFICERS AND EMPLOYEES"

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

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

UNFINISHED BUSINESS

A. Residential Parking Ordinance Requirements

There was no discussion.

B. Lighting Ordinance Requirements

There was no discussion.

C. Recommendations and Nominations for Boards and Committees

Councilperson Marte recommended and nominated the following to serve as a member of the Zoning Board of Adjustment:

Nishant Desai Alt. #2, unexpired term, term expiring 12/31/22

Motion Offered by Councilperson Marte, seconded by Councilperson Kornbluth, that the nomination be confirmed.

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

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

NEW BUSINESS

A. Best Practices Inventory

Richard Cahill, borough CFO, stated that annually all municipalities are required to complete the best practices inventory that is issued by the State of New Jersey This year there were 56

questions on the survey, of which a score of at least 24 is needed to retain state aid. The Borough had a score of 32.5 and will retain all of its state aid. It can be attributed to the borough's administration and council members having implemented a series of state uses as best practices.

ADMINISTRATOR'S REPORT

Borough Administrator Corey Gallo stated on November 9, 2022, the Board of Education will be hosting their annual Veteran's Day event at the Bergenfield High School. On November 11, 2022, the borough alongside the Veteran's Committee will host its Veteran's ceremonies at Borough Hall at 11:00 a.m. If there is inclement weather, the ceremony will take place inside Borough Hall. The milling and paving of Hickory Avenue have been coordinated with the school and the recreation department to ensure there will be no activities taking place simultaneously with the construction. The school's concern was traffic access to and from the school. Mr. Gallo stated the paving company will try to expedite the work by bringing in extra equipment. The contractor requested if the Borough could expand the hours of operation beyond 8 am to 4 pm, which would allow them to start working earlier, so there is not a disruption with the school. The borough will issue notifications to residents that there could be interruptions to normal traffic because of the time changes. The borough is hosting the Food Pantry distribution for residents who need assistance on November 19, 2022. Mr. Gallo stated, as part of a grant, the borough provides 135 hot meals to our seniors at the senior citizen building every Wednesday. The borough is hosting the volunteer dinner at Conlon Hall on December 8, 2022 from 7:00 p.m. to 9:30 p.m. Mr. Gallo stated the borough received today notification of a potential threat amongst the synagogues. The borough along with the Police Department have taken appropriate action to address the potential threat. The police department has increased patrols of the synagogues and the Chief of Police has been in contact with the Prosecutor's Office. Mr. Gallo stated this past weekend, there were numerous events on behalf of the community surrounding Halloween. There was tremendous attendance at each individual event. Mr. Gallo thanked all of the volunteers involved on behalf of administration and the governing body, along with the Recreation Director Ed Volmer, DPW staff, and all of the support staff that was involved with the events. The positive reaction was seen because of the dedication and support of those who participated.

MAYOR & COUNCIL REPORT

Council President Deauna

stated at the Board of Health meeting it was mentioned that COVID-19 cases in Bergenfield decreased over the summer months. The case vitality for COVID-19 in Bergenfield is 0.83% based on the confirmed positive cases. As of October 3, 2022, there are 63 confirmed cases of monkeypox in Bergen County. The Mid- Bergen Health Commission vaccinated 3 people who have required the monkeypox vaccination. No active cases have been reported in Bergenfield. As of October 6, 2022, the United States has reported 26,305 monkeypox cases. The Barrier-Free Committee is working on the playground project and the installation of the brick spaces for the handicapped parking. They are discussing hosting a car show in June 2023. He apologized to the Board of Health members for the premature information he had given

them about the marijuana cultivation facility, as it has not been approved.

No Report.

No reports from OEM and BVAC. She is in agreement with Mr. Gallo regarding the recreation department, the DPW, and the police department who made the past weekend events a success. It was an amazing weekend of events conducted for the children and the rest of the community which could not have been done without those departments. Also, thanks to the work of Mr. Gallo who was in attendance at every event and worked for each event almost 24/7.

stated he is in agreement with Councilperson Kornbluth that the administrator was there and put in a lot of work everyday of those Halloween events. The experience of working there was unique compared to the normal things that go on at Coopers Pond.

stated on November 9, 2022 there will be the Veteran's Appreciation Day at 1 pm at the Bergenfield High School. He stated on November 4, 2022, there will be a celebration of the 50th Anniversary at the VFW Post for the end of the Vietnam War. Proclamations will be presented by Congressman Gottheimer and himself. He expressed his appreciation to Mr. Gallo, the DPW, the recreation department, the high school students, the Bergenfield police department, and the many volunteers who ensured the haunted walk and other Halloween events were successful.

Councilperson Marte

Councilperson Kornbluth

Councilperson Pascual

Mayor Amatorio

CORRESPONDENCE

- a. Amatorio/Democratic Club
- b. Naylis/Board of Fire Officers
- c. Ballo/Bergenfield Public Library

RE: Request to Reserve Cooper's Pond/Sunday, November 6, 2022 – Tuesday, November 8, 2022

RE: Personnel Action Letter - Dated October 21, 2022

RE: Ribbon Cutting Ceremony to Reopen the updated Children's Room Monday, December 5, 2022/5:00 p.m. to 6:00 p.m.

Motion by Council President Deauna, seconded by Councilperson Marte, and all members present voting in favor, to approve Correspondence Item A through C. All present voting in favor, none opposed.

PUBLIC COMMENTS

Barry Doll, resident, inquired if the marijuana facility will get a property tax exemption and requested clarification. Mr. Doll stated has been receiving feedback from council members on the positive impact the marijuana factory will have on Bergenfield. He stated in Ordinance 22-2591, it stated Ordinance 21-2581 was adopted prohibiting marijuana establishments within the Borough, recognizing the sale and distribution of marijuana presented concerns of safety and security within the municipality. The federal government does not recognize it and banks are prohibited from handling funds related to marijuana. The borough continues to charge forward due to the income it will bring. Mr. Doll stated despite what is written in the resolution 22-362, the borough council has approved the production of marijuana. Mr. Doll stated it is naive to think, simply because marijuana is not grown and manufactured within the town, does not mean it will not end up going to sale for residents. Mr. Doll stated at the last cannabis commission meeting, 296 licenses were issued, but none to Eleven Eleven. He inquired what this organization is about and will it bring shame.

Judy Despommier, 69 Lilac Street, stated she wants to bring up the distribution of marijuana tied in with the Family Court Awareness Month. She thought it was wonderful the governing body is concerned with the health and safety of children. However, bringing in a factory gives children easier access because you cannot govern what happens in their homes. It will be distributed to more people. Proper measures need to be looked at to protect the children.

John Smith, resident, stated after the Veterans Day ceremony, there will an open house at the VFW Post from 12:00 p.m. to 4:00 p.m.

Sergeant Major Williams, resident, stated that at the Veterans Day ceremony, the veterans are going to receive pins starting at 10:00 a.m. He stated all Vietnam War veterans will be decorated with special pins.

Borough Administrator Gallo stated indoor facilities are not defined under the statute of agriculture. They are excluded and will be taxed. Mr. Gallo explained money is not the driving factor when it comes to the marijuana facility. Mr. Gallo stated whatever projections are given, he doesn't look at the high end. There is going to be revenue, but it is also going to develop a property in town. If it's not used for that purpose, it may become housing. Mr. Gallo stated he agrees that the company they have agreed to has not received a license. The borough council and Mayor have made the ordinance specifically for that group. He continuously receives calls for information on bringing in point of sales marijuana-based businesses and respectfully tells them it's not something the council is interested in. The State of New Jersey passed the law for marijuana sales. It is naïve to think that surrounding towns will have point of sales and business is not going to come to Bergenfield.

Mayor Amatorio stated, there are probably a handful of applicants who want to bring point of sales businesses to Bergenfield, but it is not something the council is interested in. He stated part of the reason they were entertained was because of the location being on the border of town. The manufacturing shipping truck would be leaving town and the area would be in a secured location, which no one would have access to without the proper authorization. Mayor Amatorio stated Bergenfield is surrounded by towns that are both manufacturing and have point of sales. He stated in prior meetings, they had discussed how prohibiting the sale of alcohol in Bergenfield would not help since alcohol can be purchased outside the town. People will go outside of the town to make the purchase so they cannot prevent the purchasing of it, but will instead lose the revenue from it. He stated they passed the ordinance so Bergenfield would not be automatically be opted in to accommodate, not only the manufacturing, but for all five provisions regarding marijuana.

Mr. Gallo stated the licensing process is regulated by the state of New Jersey and there will be extremely stringent requirements. There are the borough's own requirements on top of the state requirements. There are EPA standards that needs to be met. It's not the town's decision, it's the state's decision. Mr. Gallo explained they allowed the one entity because they control the facility. It is in a discreet, commercial area with access to main thoroughfares.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

CONSENT RESOLUTION 22-357. 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. **22-358**/To Pay Bills
- b. **22-359**/To Approve Raffle Application RA 1386
- c. **22-360**/To Approve Transfer of Appropriations
- d. **22-361**/To Approve Tax Appeal Settlement – 223 South Washington Avenue
- e. **22-362**/To Authorize Submission of a Strategic Plan for the Bergenfield Municipal Alliance Grant for Fiscal Year 2024
- f. **22-363**/To Approve Shared Services Agreement – Special Law Enforcement Officer III (SLEO III) for 2022-2023 School Year – Bergenfield Board of Education
- g. **22-364**/To Approve Additional Cost for the Installation of Gas Line on the Cooper's Pond/Marchbank Property - PSE&G
- h. **22-365**/To Approve Agreement for the Installation of Vehicle Lights and Siren Systems – East Coast Emergency Lighting, Inc.
- i. **22-366**/To Award Contract for Premier Water Rescuer PPE Packages – Firefighter One, LLC
- j. **22-367**/To Approve Change Order No. 1 - Baseball Velcro Replacement System – Field Turf USA, Inc.
- k. **22-368**/To Approve Proposal – Building Resilient Infrastructure in Communities (BRIC) Scope of Services for Metzler's Brook Flood Attenuation – T&M Associates
- l. **22-369**/To Approve Submission of a Grant Application and Execute a Grant Contract with the New Jersey Department of Environmental Protection for a project to design and construct rain gardens to improve stormwater quality and reduce runoff through the NJ DEP Hudson Raritan Estuary Urban Rain Garden Grant Program

Motion by Councilperson Marte, seconded by Councilperson Pascual, to approve the Consent Resolution.

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

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

B. Resolutions

22-370/To Promote to Full-Time Laborer – Tony Romos

Motion by Councilperson Kornbluth, seconded by Councilperson Pascual, to approve Resolution #22-370

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

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

22-371/To Approve Revised Spending Plan

Motion by Councilperson Marte, seconded by Council President Deauna, to approve Resolution #22-371

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

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

22-372/To Authorize the Issuance of Debt to Fund Affordable Housing Program

Motion by Council President Deauna, seconded by Councilperson Kornbluth, to approve Resolution #22-372

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

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

22-373/To Approve Grantee Authorizing Resolution for Contract #2100516 – 2021 Funding for Open Space Trust Fund – Improvements to Coopers Pond Phase II: Pond Dredging, Patio, Road - County of Bergen

Motion by Councilperson Pascual, seconded by Councilperson Marte, to approve Resolution #22-373

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

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

COUNCIL COMMENTS

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

CLOSED SESSION

RESOLUTION 22-374/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 - 1. PBA Local #309
 - 2. 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 Kornbluth, second by Council President Deauna and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 8:53 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Council President Deauna, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:22 p.m.

Marie Quinones
Borough Clerk