

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
MAY 2, 2023**

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

ABSENT: Councilmember Domingo Almonte

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

Mayor Amatorio called the meeting to order at 8:07 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 Lodato.

A moment of silence was held for Fire Captain Richard O'Connor.

AGENDA CHANGES

None.

PRESENTATIONS

None.

CAPITAL IMPROVEMENTS/BOROUGH ENGINEER

A. Engineering & Inspection Status Report

Bob Klein of Reminton & Vernick Engineers, Borough Engineer, stated that the sidewalk replacement project is ongoing and about halfway complete. The road improvement project phase 1 designs are complete for Roosevelt Avenue and North Taylor Street, and will need to go out for bid once the DOT approves the project. He further stated that Phase 1 authorization for this evening include the parking lots at Twin Boro Field and Memorial Park.

Mayor Amatorio asked what is the rate of compliance with the sidewalk repairs and inquired if the residents are calling. He further inquired if the borough is encouraging residents to do the repairs when Code Enforcement does inspections.

Mr. Klein responded that they are taking calls from residents and the services are offered to those whose sidewalks are in disrepair at the homeowner's cost.

Councilperson Deauna congratulated the contractor on a job well done in the area by his house.

Council President Pascual inquired about the contract and costs for the Borough versus the contract with the residents.

Councilperson Kornbluth inquired if there have been any complaints or if the Code Enforcement office is giving the list of sidewalks that need repairs to the contractor and administrator.

Business Administrator Gallo stated the Code Enforcement is involved and there is spot in the quarterly newsletter that explains the services are being offered at a cost around \$170 per slab. Ultimately the cost of sidewalk repair, if it is not damaged by a borough tree, is on the homeowner. Residents can also contact the Borough Administration office and DPW for more information.

ORDINANCES

A. Adoption of Ordinances

Mayor Amatorio read into the record:

The following ordinances published herewith were first read by title on March 21, 2023 and posted on the bulletin board of the municipal center.

ORDINANCE 23-2612 – AN ORDINANCE AMENDING CHAPTER 268 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “STORMWATER MANAGEMENT”

Public Comments on Ordinance 23-2612.

Borough Administrator Gallo stated that he met with Borough Engineer Bob Klein, and he requested that the ordinance be tabled for further review.

Motion by Councilperson Kornbluth, seconded by Council President Pascual, that Ordinance 23-2612 be tabled.

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

Councilperson Lodato:	aye	Councilperson Kornbluth:	aye
Councilperson Deauna:	aye	Councilperson Rivera:	aye
Councilperson Almonte:	absent	Council President Pascual:	aye

Mayor Amatorio read into the record:

The following ordinance published herewith was first read by title on April 4, 2023 and posted on the bulletin board of the municipal center.

ORDINANCE 23-2616 – BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE AND ELECTRIC VEHICLES, 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 \$3,302,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT OR FULLY FUND APPROPRIATIONS FROM THE CAPITAL IMPROVEMENT FUND, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Public Comments on Ordinance 23-2616

Barry Doll, resident, stated that in terms of bonds financial data, there is \$48,000,000 to be paid over the next 20-25 years. He stated that while he is not saying that the Borough should not continue improvements, the borough should look at what is being done in the future. He stated that the borough is paying 2 to 3 million dollars per year for interest and so on these bonds. He

commented that the sources to pay come from taxes, in addition to other expenses such as maintenance, salaries, health care. He asked that the borough look at how this is going to be done and its' impact on the future.

Motion by Council President Pascual, seconded by Councilperson Rivera, to approve Ordinances 23-2616 on second and final reading and are hereby adopted and notice of same shall be published according to law as amended.

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

Councilperson Lodato:	aye	Councilperson Kornbluth:	aye
Councilperson Deauna:	aye	Councilperson Rivera:	aye
Councilperson Almonte:	absent	Council President Pascual:	aye

UNFINISHED BUSINESS

A. 2023 Municipal Budget

1. **23-150**/To Read Budget by Title Only

Motion by Councilperson Kornbluth, seconded by Councilperson Deauna, that Resolution #23-150 be approved.

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

Councilperson Lodato:	aye	Councilperson Kornbluth:	aye
Councilperson Deauna:	aye	Councilperson Rivera:	aye
Councilperson Almonte:	absent	Council President Pascual:	aye

2. Public Comments on the Adoption of the 2023 Municipal Budget

Barry Doll, resident, inquired if there will be comments or discussion on the budget. He inquired if any of the councilmembers have input or concerns about the budget, as having a conversation is healthy.

Borough Attorney Schettino reminded the public that this is an opportunity to voice their concerns or comment on the budget, not to ask questions.

Councilperson Rivera stated that the council spoke with all the department heads on their needs and cost of services, and that is where this budget came from.

Borough Administrator Gallo stated that the Finance Committee meet met with the department heads to review the expenses year over year. He stated that looking at 2021 and 2022, there is a spike in cost such as fuel, parts, etc. He further commented that we have had various conversations with our CFO Richard Cahill, the Deputy CFO Kent Christner, the Departments, and the Finance Committee behind the scenes. Mr. Gallo explained that they worked hard on reallocating monies from one line item to another. For example, for line item for road salt, hasn't been used nearly as much due to lack of snow, so the monies were reallocated to other departments.

Councilperson Rivera cited an example in which the Library Board asked for more funding, but they found a middle ground as inflation has been an issue.

Borough Administrator Gallo explained that since he has been here in 2015, this has been the process throughout the years.

Councilperson Kornbluth stated they are very mindful about the impact on the residents and as such, we looked to keep the increase on the residents to a minimum, while continuing to run the

Borough smoothly. She explained that we have certain items we do not have control over like pensions and insurance.

Richard Cahill, Borough CFO, stated this has been the most challenging budget, but by going to the middle and collaborating with the departments, we have a good and fair budget that works for everyone.

John Smith, resident, inquired what is the surplus from 2022.

Mr. Cahill stated that the surplus is 10 million dollars.

3. **23-151**/To Adopt the 2023 Municipal Budget

Motion by Councilperson Lodato seconded by Councilperson Kornbluth, that Resolution #23-151 be approved.

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

Councilperson Lodato:	aye	Councilperson Kornbluth:	aye
Councilperson Deauna:	aye	Councilperson Rivera:	aye
Councilperson Almonte:	absent	Council President Pascual:	aye

Mayor Amatorio thanked the Council and Borough Administrator Gallo, CFO Richard Cahill, and the Finance Committee for their work on the budget.

NEW BUSINESS

None.

ADMINISTRATOR'S REPORT

Borough Administrator Gallo provided an update on the Borough Hall elevator, and stated that the piston needs to be replaced, and the estimated cost is \$70k to \$90k to repair. He explained that it is not cost effective to invest that amount into the current building, when we are expected to move to the new building in the upcoming months. He explained that residents that need to access the building and cannot use the stairs should call Borough Hall to speak with employees from the department, the employees will meet with residents on the ground floor. He further explained that a table will be set by the elevator in order for employees to service the residents. Mr. Gallo stated that target date of moving into the new building is mid-august, but the date is subject to change. He stated that the the furniture for the new building is out to bid and is now available on the online portal for public viewing. He further stated that the Twin Boro project is moving along, and the turf will be installed in week to ten days. The anticipated oprning date is by Memorial Day or early June. Mr. Gallo stated that the Veterans Committee has identified signage issues at the park, and all signs that need repairs will be taken care of by the DPW. A meeting will be held next week to discuss the Memorial Day Parade with the Veterans Committee and all emergency services.

MAYOR & COUNCIL REPORT

Councilperson Lodato	No Report.
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Councilperson Deauna the Barrier Free Committee Meeting has been postponed due to elevator issue.

Councilperson Almonte	No report.
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Councilperson Kornbluth

the Recreation summer sports registration is starting up, as well as the adult kickball summer league registration which will run starting July 10th through August 25th. The Mayor's Wellness Program has been well attended; the programs have caused Pickleball to be scheduled on different evenings. The Little League and men's softball has started with a nice turnout. The Recreation Committee is starting the preliminary work for Family Fun Day. The BVAC has responded to 818 calls. OEM emergency operations renewal plan has been approved by the state police and are working to update the 9-1-1 call center and radios. A new ambulance will be purchased using donations.

Councilperson Rivera

confirmed that the interest paid on bonds in 2022 was \$219,000. He also confirmed that \$1.2 million of the principle has been paid.

Council President Pascual

stated that the Shade Tree Committee held a seedling give away was last Friday. He stated that residents have been calling to have the DPW to have trees checked for removal. The Zoning Board of Adjustment considered three applications; Block 220 Lot 24.04 was an application for a one family to two family home, basically an interior improvement, Block 284 Lot 7 was an application for a pool and patio, which was approved, but the applicant has to move the pool 10 feet closer to the home and had to submit a plan for a seepage pit, and lastly, 392 South Washington was an application that was previously approved. The board members asked that the Mayor and Council look at R5 and R6 applications to make it easier for the residents to apply, as lot coverage in R6 is harder to obtain than R5. He will advise the Zoning Board of Adjustment that they must officially communicate their request in writing to be presented to the Mayor and Council.

Mayor Amatorio

the Mayor's Wellness program is now on its third week, and new activities include Barre classes and Martial Arts; people are very happy with the program. The men's softball program opened up with ten teams at Hickory Field. The fields are being utilized and Conlon Hall is serving as the site for the Recreation Center with different sport programs, and we should continue to look on how to offer programming not just in sports, but with the community and our seniors as well.

CORRESPONDENCE

- a). Naylis/Board of Fire Officers **RE:** Personnel Action Letter Dated April 17, 2023
- b.) Shade/Resident **RE:** Request for a Road Closure/N. Franklin Avenue between W. Main Street and W. Church Street/Saturday, September 23, 2023/2:00 p.m. until 11:00 p.m.

Motion by Council President Pascual, seconded by Councilperson Rivera, and all members present voting in favor, to accept Correspondence Items A and B. All present voting in favor, none opposed.

PUBLIC COMMENTS

Sergeant Major Williams, resident, thanked everyone for attending the pinning ceremony. The post is still receiving requests for pins from Vietnam Vets and he will continue to update the council on numbers. He stated that the signs designated for the residents who were Veterans have some issues that need to be repaired. He will forward the Borough Administrator the list of signs, which should also be outside by the entrance of the park. He inquired if there is funding in the budget to have the repairs done, as it is mostly wooden signs. He also noted that the plate on New Bridge Road needs to be lifted up. He praised the work on the sidewalks and supported the idea that residents call the contractor.

John Smith, resident, also thanked the Council, the Borough Administrator, and Confidential Assistant AJ Stewart for attending and supporting the Vietnam Veteran Pinning Ceremony. He also thanked the governing body for passing the ordinance designating parking spots for Veterans that are Purple Heart recipients. He stated that the signage for these spaces need to be added. He further stated that he is glad that the land development ordinance on storm management plan was tabled. He noted that the ordinance includes the requirements for major developments, but smaller developments also cause water runoff. The requirements should be for the small projects as well, as nowhere in the ordinance does it say that seepage pits are required. He stated that clarification needs to be provided on who does the inspection, and who enforces it. He further stated that the lady on Glenwood Dr. complained that she has flooding issues, after two houses were built next door. He stated that those houses never applied for a variance. However, even if it doesn't go for a variance, someone should be doing the inspections to ensure that flood water is taken care of. There should be uniform requirements, as it is harder for R6, and it should be fair across the board.

Mary Sullivan, resident, stated that if more is going to be done for seniors, the location needs to be looked into. She stated that no one goes to Murry Hill Terrace because there is no parking. She inquired what ever happened to the proposal to expand road. She further noted that the CDC is advising seniors receive their second COVID vaccine. She asked that the Borough hold a clinic at Conlon Hall for the Bivalent Shot. She stated that the Mayor and Council should have an annual afternoon meeting with seniors, so they can interact and ask questions.

Barry Doll, resident, commented that he understands that the payment of debt for millions of dollars, includes payment on interest and principal. With regards to the sidewalk program, he suggested that the sidewalk be repaired around the tree, so we are not removing the trees. Mr. Doll read a statement regarding his appeal to the Zoning Board of Adjustment's decision on an application. He clarified that he is not suing the board, instead he is appealing the decision to go forward with three-two family homes on a 5,000 square foot lot at 145 West Main St. The court accepted the complaint for legal proceedings. He stated there is no request for monetary awards, he is doing this because he had no choice than to go through the appeal process. He stated how hard it

is for a resident to appeal the Zoning Board of Adjustment. He commented that this all has a bearing on the run off and flood water retention that has been discussed during this meeting.

Borough Administrator Gallo stated that the borough is trying to keep as many trees as possible, but cannot shave the roots, because it compromises the trees.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

CONSENT RESOLUTION 23-152. 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. **23-153/**To Pay Bills
- b. **23-154/**To Approve St. John's the Evangelist Church Carnival Application – August 15, 2023 to August 19, 2023
- c. **23-155/**To Approve Raffle Applications RA 1395, 1396, and 1397
- d. **23-156/**To Certify Compliance with the EEOC Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 and sign the Group Affidavit
- e. **23-157/**To Authorize ReBid – Thomas Roos Park Tennis Court Resurfacing and Pickleball Court Installation Specifications
- f. **23-158/**To Approve Proposal – 2023 Road Improvement Program Phase 2 – Remington & Vernick Engineers
- g. **23-159/**To Authorize Purchase – Two (2) 2023 Ford Utility Police Interceptor Vehicles – Gentilini Chevrolet LLC
- h. **23-160/**To Authorize Purchase – One (1) 2022 Chevrolet Tahoe Vehicle – Gentilini Chevrolet LLC
- i. **23-161/**To Approve Proposal – VESTA 911 Emergency Call Handling System and Services – Motorola Solutions Inc.

Motion by Councilperson Rivera, seconded by Councilperson Lodato, to approve the Consent Resolution.

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

Councilperson Lodato:	aye	Councilperson Kornbluth:	aye
Councilperson Deauna:	aye	Councilperson Rivera:	aye
Councilperson Almonte:	absent	Council President Pascual:	aye

COUNCIL COMMENTS

The Mayor and Council thanked everyone for coming to the meeting, and thanked the Library Director, Allison Ballo, for opening their doors to us.

Mayor Amatorio also stated that a Barrier Free Committee member passed away this weekend. He asked everyone to keep Ms. Patricia Flaherty in our prayers.

CLOSED SESSION

RESOLUTION **23-162**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Attorney-Client Privilege

1. Police Department Personnel Matters
2. Fire 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 Kornbluth, seconded by Councilperson Rivera, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:09 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, seconded by Council President Pascual, and unanimously carried, the meeting was adjourned at 9:47 p.m.

Marie Quiñones-Wilson
Borough Clerk