

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
TELECONFERENCE VIA ZOOM
AUGUST 8, 2023**

PRESENT: Mayor Arvin Amatorio (joined at 8:27pm), Council President Marc Pascual and Council members Thomas Lodato, Buddy Deauna, Ora Kornbluth, and Domingo Almonte (joined at 8:14 pm)

ABSENT: Council member Hernando Rivera

ALSO PRESENT: Borough Administrator Corey Gallo
Borough Attorney Lisa Biccchi (on behalf of John L. Schettino)
Deputy Borough Clerk Hilda Tavitian

Council President Pascual called the meeting to order at 8:11 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. Notice of this meeting dated July 20, 2023 and August 4, 2023 was sent to the Record, the 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

Councilperson Kornbluth requested that Resolution 23-258, to Authorize Cancellation of All Improvement Assessment for 16 Glenwood Drive North be added to the Consent Agenda. Motion by Councilperson Deauna, seconded by Councilperson Lodato, to add resolution 23-258 to Consent Agenda. All present voting in favor, none opposed.

APPROVAL OF MINUTES

Motion by Council President Pascual to approve minutes of the July 18, 2023 Regular Public Meeting, July 18, 2023 Closed Session I Meeting (not to be released), and July 18, 2023 Closed Session II 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.

John Smith, resident, stated he read Ordinance 23-2612 and is happy with the changes made even though it took some time. It will make things easier and better for the Zoning Board members. Everyone who worked on making the changes did a good job.

There being no one else who wishes to be heard, Council President Pascual closed Verbal Communications I.

PRESENTATIONS

None.

CORRESPONDENCE

a). Castillo/Calvary Lutheran Church **RE:** Request for a Street Closure for Block Party/Arlington Avenue from Clinton Avenue to Delford Avenue/Sunday, September 17, 2023/1:00 p.m. to 4:00 p.m.

Motion by Councilperson Deauna to accept Correspondence. Councilperson Kornbluth seconded the motion. All present voting in favor, none opposed.

ORDINANCES

A. Tabled Ordinance

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

Council President Pascual read the title of the ordinance into the record:

ORDINANCE 23-2612 – AN ORDINANCE TO AMEND CHAPTER 268, ENTITLED “STORMWATER MANAGEMENT” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BERGENFIELD (TABLED 5-2-23)

Motion by Council President Pascual, seconded by Councilperson Kornbluth, that Ordinance 23-2612 be removed from the table.

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

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

Borough Administrator Gallo stated the change Mr. Smith made reference to is regarding the borough engineer. There was no continuity with stormwater management inspections between the Zoning Board engineer and the borough engineer. Mr. Gallo explained the inspection and follow up should be handled by the Zoning Board engineer going forward.

Motion by Councilperson Lodato that the following ordinance be introduced and passed on first reading and setting September 19, 2023 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. Councilperson Kornbluth seconded the motion.

Council President Pascual read the title of the ordinance into the record:

ORDINANCE 23-2612 – AN ORDINANCE TO AMEND CHAPTER 268, ENTITLED “STORMWATER MANAGEMENT” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BERGENFIELD

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

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

B. Ordinance for Adoption

Council President Pascual read into the record:

The following ordinance published herewith was first read by title only on July 18, 2023 and posted on the bulletin board of the municipal center.

ORDINANCE 23-2618 PRIVATELY-OWNED SALT STORAGE

Public Comments on Ordinance 23-2618.

Borough Administrator Gallo stated this ordinance has been required for the borough and all municipalities to be created and established. Mr. Gallo stated these standards are created for privately-owned salters, which the DEP is requiring. The borough has the standards already.

John Smith, resident, inquired about private contractors that plow.

Motion by Councilperson Deauna, seconded by Councilperson Kornbluth, to pass Ordinance 23-2618 on second and final reading and is 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:	<i>aye</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>absent</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

A. CONSENT AGENDA

CONSENT RESOLUTION 23-241. 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.

Councilperson Lodato requested that Resolution #23-248 be removed from the Consent Agenda and considered separately.

- a. **23-242**/To Approve Bill List
- b. **23-243**/To Approve Insertion of a Special Item of Revenue in the 2023 Budget – NJ Department of Community Affairs FY 2023 Local Efficiency Achievement Program Implementation Grant – Chapter 159
- c. **23-244**/To Approve Insertion of a Special Item of Revenue in the 2023 Budget – Mid-Bergen Regional Health Commission Grant – Chapter 159
- d. **23-245**/To Approve Insertion of a Special Item of Revenue in the 2023 Budget – NJ Department of Community Affairs Local Recreation Improvement Grant – Chapter 159
- e. **23-246**/To Approve Insertion of a Special Item of Revenue in the 2023 Budget – NJ Department of Environmental Protection Green Acres Urban Parks Grant – Chapter 159
- f. **23-247**/To Approve Insertion of a Special Item of Revenue in the 2023 Budget – NJ Department of Environmental Protection Green Acres Grant – Chapter 159
- ~~g. **23-248**/To Approve Tax Settlement – Hickory Manor Ridgeway Corp.~~
- h. **23-249**/To Approve Agreement – Two Avtec Scout EX Consoles with Software Package for the New Municipal Building – Goosetown Communications
- i. **23-250**/To Reject Bid and Authorize Rebid - Sidewalk Phase II Improvement Project
- j. **23-251**/To Approve Agreement Addendum – Construction of New Municipal Building – Epic Management Inc.

- k. **23-252/**To Approve Purchase – Lucas Chest Compression System – Stryker Sales Corporation
- l. **23-253/**To Approve Grant with the New Jersey Department of Environmental Protection for Police Athletic League Rain Garden Project – New Jersey
- m. **23-254/**To Approve Professional Services Agreement – Administrative Agent for Affordable Housing Services - AZ Fifty One LLC and Jamela Maali
- n. **23-255/**To Authorize Execution of Deed Restriction – 51 East Main Street, Block 154, Lot 2 - AZ Fifty One LLC
- o. **23-256/**To Amend Retirement Agreement– Health Registrar
- p. **23-257/**To Authorize Participation in Inter-Local Agreement – National Cooperative Contract – Commonwealth of Massachusetts
- q. **23-258/**To Authorize Cancellation of All Improvement Assessment- 16 Glenwood Drive North

Motion by Councilperson Kornbluth to approve the Consent Resolution as amended. Councilperson Lodato 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>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>absent</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

23-248/To Approve Tax Settlement – Hickory Manor Ridgetop Corp.

Motion by Councilperson Kornbluth, seconded by Councilperson Deauna, that Resolution #23-248 be approved.

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

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

B. Resolutions

23-259/To Hire School Crossing Guards for School Year 2023-2024

Motion by Councilperson Lodato, seconded by Councilperson Kornbluth, that Resolution #23-259 be approved.

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

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

23-260/To Hire Part-Time Electrical Inspector – Richard Raspanti

Motion by Councilperson Lodato, seconded by Councilperson Deauna, that Resolution #23-260 be approved.

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

Councilperson Lodato:	<i>aye</i>	Councilperson Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>absent</i>

Councilperson Almonte: *aye* Council President Pascual: *aye*

23-261/To Hire Part-Time Laborer – Ryan Fitzpatrick

Motion by Councilperson Deauna, seconded by Councilperson Kornbluth, that Resolution #23-261 be approved.

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

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

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

Committee/Department Reports

Motion offered by Councilperson Kornbluth that the Committee/Department Reports be spread upon the minutes in full and filed. Council President Pascual seconded the motion. All present voting in favor, none opposed.

VERBAL COMMUNICATIONS II

Mayor Amatorio opens the meeting to Verbal Communications II and invites the public to comment on any subject matter, limited to five (5) minutes per speaker.

John Smith, resident, requested the governing body get in touch with the Planning Board to redo the master plan since it is overdue and update the changes in Schedules A and B. The Zoning Board is having problems as Schedule A and Schedule B is not concurring with what is published. Mr. Smith stated the Vietnam wall will be in Bergenfield on August 31st, 2023. He inquired when the book will be published for that and stated a lot of volunteers are needed. He stated the VFW's annual pig roast will be on Saturday, August 19th, 20223 from 1:00-6:00 pm at the VFW Post. If anyone wants tickets or needs information, they can get in touch with him. It's \$45 for adults, kids 12 and under are free. Mr. Smith stated the 2021 Cox book shows the master plan should be updated every 5 years, but he could be wrong.

Councilperson Lodato stated the master plan is required to be updated every 8 years. It was 5 years and during Governor Christie's term, it was extended to 8 years. It's not overdue at this point.

Borough administrator Gallo stated Dr. Tully and the Board of Education are working on the book and they will have at the printer shortly. They want to get as many sponsors as possible. He will schedule a meeting with Dr. Tully, volunteers, and members of the VFW next week to move things forward. They are in good shape with coordinating and organizing everything.

There being no one else who wishes to be heard, Council President Pascual closes Verbal Communications II.

COUNCIL COMMENTS

Councilperson Lodato stated legislation passed a bill that is on the Governor's desk to permit the burning of Christmas trees. He inquired if they can get the details from the borough attorney's office and found it to be odd. He doesn't know if it will be on a town to town basis. Councilperson Lodato stated there was a recent event where BVAC and both members from the career fire and volunteer staff responded to assist with bringing down, from three flights of stairs, a severely injured person from a building. He stated all of the members work well together when they have to. He thanked all for coming tonight.

Councilperson Deauna inquired when ordinance 23-2618 will be implemented. He wished everyone a good night.

Mr. Gallo stated it will be in effect for winter.

Councilperson Kornbluth thanked all for joining, wished all to have a good summer, and a good night.

Council President Pascual thanked fellow council members and the public for bearing with him this evening. He congratulated and thanked the three new officers, stated they are here for them, and he is praying for their safety.

Councilperson Almonte wished all a good night.

Mayor Amatorio stated it was a great meeting. He had technical problems, but was able to join by telephone and heard everything. He apologized for not being able to join by video and will see all in-person at the September meeting. He thanked the council and everyone who helped arrange the meeting.

CLOSED SESSION

RESOLUTION **23-262**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 - 1. Various Litigation Updates
 - 2. Police Department Personnel Matters
 - 3. Administration Personnel Matters
 - 4. Knickerbocker Country Club Update

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 Deauna, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 8:43 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Lodato, seconded by Councilperson Kornbluth, and unanimously carried, the meeting was adjourned at 9:29 p.m.

Hilda Tavitian
Deputy Borough Clerk