

**BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
MARCH 19, 2024
8:00 P.M.**

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

ABSENT: Council member Marc Pascual

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

Mayor Amatorio called the meeting to order at 8:01 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 Friday, March 15, 2024 was 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 Mayor Amatorio.

AGENDA CHANGES

Councilmember Kornbluth made a motion to remove Ordinance 24-2621, an Ordinance Amending Chapter 291 of the Code of the Borough of Bergenfield Entitled "Trees" from the agenda, and add to Resolution 24-123 To Authorize Grant Application – New Jersey Department of Community Affairs Grant for Bergenfield Challengers Program to the Consent Agenda. Council President Rivera seconded the motion. All present voting in favor, none opposed.

APPROVAL OF MINUTES

Motion by Councilperson Almonte to approve minutes of the February 20, 2024 Regular Public Meeting and February 20, 2024 Closed Session Meeting (not to be released), March 5, 2024 Work Session Meeting and March 5, 2024 Closed Session Meeting (not to be released). Councilperson Deauna 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.

Mary Sullivan, resident, thanked the governing body for passing Resolution 24-116 Approving Resolution Opposing New Jersey Senate Bill 2347 Concerning Development of Accessory Dwelling Units and Related Municipal Land Use Regulations.

Barry Doll, resident, inquired how he can get a copy of the ordinance regarding trees. He inquired about the litigation issues listed on the agenda Closed Session.

Borough Administrator Gallo stated the tree ordinance is still a draft and is not finalized yet. The litigation issues are pending employee related matters, grievances that have resulted in lawsuits.

Mayor Amatorio stated information regarding pending lawsuits that go to court can't be released. The privacy of the employee needs to be protected. Knickerbocker Country Club v. Bergenfield is tax related.

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

PRESENTATIONS

None.

CORRESPONDENCE

- a.) Steelman/Bergenfield Little League **RE:** Request to hold Coin Tosses for Several Dates from April through June
- b.) Mehnert/Jefferson School Parents' Association **RE:** Request to Reserve Hickory Field for 5th Grade Celebration/June 12, 2024/9:00 a.m. to 3:20 p.m. (Rain Date: 6/13/24)

Motion by Council President Rivera to accept Correspondence. Councilperson Almonte seconded the motion. All present voting in favor, none opposed.

ORDINANCES

None.

A. CONSENT AGENDA

CONSENT RESOLUTION 24-114. 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. **24-115**/To Approve Bill List
- b. **24-116**/To Approve Resolution Opposing New Jersey Senate Bill 2347 Concerning Development of Accessory Dwelling Units and Related Municipal Land Use Regulations
- c. **24-117**/To Approve Temporary Emergency Appropriation
- d. **24-118**/To Approve Raffle Application RA 1417
- e. **24-119**/To Approve Contract – Professional Services – Community Grants, Planning, and Housing LLC “CPG&H”
- f. **24-120**/To Approve Contract – Decommission the Twin Boro/Vivien Field Park Cell Tower – Gallop Construction Service Inc.
- g. **24-121**/To Approve Pay Certificate No. 7 Final Change Order No. 4 Final – 2020 Road Program – AJM Contractors
- h. **24-122**/To Approve Tax Refund – 96 N Queen Street
- i. **24-123**/To Authorize Grant Application – New Jersey Department of Community Affairs Grant for Bergenfield Challengers Program

Motion by Councilperson Lodato to approve the Consent Resolution. Councilperson Almonte seconded the motion.

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

Councilperson Lodato: *aye*
Councilperson Deauna: *aye*
Councilperson Almonte: *aye*

Councilperson Kornbluth: *aye*
Council President Rivera: *aye*
Councilperson Pascual: *absent*

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

Committee/Department Reports

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

John Smith, resident, requested that the individuals doing the coin toss be notified that the kids cannot go onto the road. He commented that he hasn't seen any bills submitted by the Mayor's Senior Citizens Committee on the bill list, and inquired who is ensuring their bills are submitted. Mr. Smith inquired who is checking to ensure that the seniors going on the trips are Bergenfield residents, since it's taxpayers from Bergenfield that are giving money for their trips. He commented that someone at the Little League complex used to check to verify all the members participating are Bergenfield residents.

Borough Administrator Gallo stated the borough pays for the cost of the bus when the Mayor's Senior Citizens Committee goes on trips, and the people in attendance pay for their own tickets. The committee monitors themselves.

Barry Doll, resident, stated that contrary to Mr. Smith's comments, the Mayor's Senior Citizens Committee is very diligent in screening who goes on the trips and who pays. Mr. Doll stated you cannot join a town related event the Seniors Committee have unless you are a Bergenfield resident.

Ashley Callejas, resident, stated she has been trying to meet with the Mayor since January. She has concerns about speeding across the street from the high school, on Levitt Avenue and S. Vivyen Street. She had spoken to the borough administrator and he had said his hands were tied. She has videos with kids speeding and drag racing. She has contacted the police department and they can't do much. Ms. Callejas suggested parking an unmarked vehicle on the street to slow down cars from speeding. She stated that speed humps should be placed on the road and expressed that the Fire Department is in agreement.

Mayor Amatorio stated he responded right away when he saw Ms. Callejas's email and communicated with the administrator and the police chief about her concerns.

Borough Administrator Gallo confirmed that he spoke with Ms. Callejas on several occasions, and shared her concerns with the had police chief and the deputy police chief, and they both spoke with her directly. He clarified that he stated it is out of his jurisdiction, as he cannot instruct a police officer to watch that road for 24 hours. Mr. Gallo stated that speed humps can't go east of the

firehouse, as the department raised issues with all of the speed humps placed on Prospect Avenue. He explained that a proposal is being considered to place the speed humps west of the firehouse, closer to Ms. Callejas's property on W. Clinton Avenue, around the bend, as part of the 2024 project. Mr. Gallo further explained that when the Mayor or a Councilmember receives a concern, it is directed to him as he is responsible for running the day-to-day operations and functions of the town. The concern was brought to his attention and he addressed it with the Police Department.

Felipe Callejas, resident, stated there was someone hit on Prospect Avenue three years ago. He stated people are speeding and it's scary, especially during school hours.

Mr. Gallo stated this was an unfortunate situation, but it was due to lighting, not speeding. He stated that since then, there is more lighting and it is now very bright on Prospect Avenue.

Council President Rivera inquired if officers can be assigned to that area.

Police Chief Rabboh stated that his department sent letters to the schools to advise the administrators and parents of the situation and there are officers there on a daily basis.

Robert Policano, Chairman of the Rent Leveling Board, read a letter written by the Board into the record, stating that the board is updating the Rent Leveling ordinance, processing hardship applications, capital improvement applications, updating fee schedules, and requested an increase in salary for the board clerk that is completing all the work.

Mayor Amatorio requested that the letter be submitted to the Borough Clerk for our records.

Sergeant Major Williams, resident, stated a veteran just received 100% disability tax exemption. He stated there should be a set timeline for processing these requests, as they should not take as long as 40-45 days. He commented that people keep coming to the VFW Post asking for names and information of veterans. Trenton will not give out private information. He will not be giving out any names of any veterans. He reminded everyone that the veterans will be having a Murder Mystery Night fundraiser on April 30th, 2024.

Alejandra Duque, resident, stated that she has to park her vehicle by the bus stop at 4:50 a.m. to take the bus to work in New York, and as such, she has to report her vehicle each and every night for overnight parking. She commented that there are people from other towns that are also parking their cars in town and registering, but are taking the spots from Bergenfield residents. She requested that the borough consider allowing people to pay for a decal to be able to park their cars in town. She expressed that she shouldn't have to call in her car each and every night.

Mary Sullivan, resident, stated that her friend raised several questions regarding the ambulances parked on Prospect Avenue, and asked her to share them at a public meeting. She inquired if there are any issues with having two ambulances parked outside, exposed to the elements of weather. She further inquired if the way the ambulances are parked in tandem, causes any detriment to the response time in saving lives. She commented if a cover should be placed over the ambulances to protect them from the weather, and whether it is safe to have them idling. She also inquired if the ambulances contain medications that are temperature sensitive, that are affected if the ambulances are left out in the hot or cold weather. Ms. Sullivan also expressed if there are concerns of the ambulances being broken into for the medications.

Borough Administrator Gallo stated the Police Department will advise the Little League regarding traffic safety, and that he will take the comments regarding the committees into advisement going forward. Mr. Gallo explained that since he started, the borough has been hiring full-time employees to serve on the boards and committees as clerks, to help stabilize the boards and committees. He stated that in the past, these positions were filled by volunteers. Now, employees serve in those roles, and are given a stipend set by the salary ordinance, which is currently in the works. Mr.

Gallo explained that if a \$5,000 raise is given to the Rent Leveling Board Clerk, the same has to be given to all the other Board Clerks. He further explained that the decision is ultimately made by the Finance Committee and the Council, and he will look into it and do something collectively, so that it is uniform. Mr. Gallo stated that the employee Mr. Policano is referring to is very highly regarded and is due for a potential promotion. In terms of the veteran's tax exemption, he spoke with the Tax Collector, who advised that it was approved, but required sign-off from the Tax Assessor. The Tax Assessor was on vacation for two weeks, but is due to return tomorrow to process the paperwork for approval at the next meeting. Mr. Gallo stated that the borough is looking to address the parking issues in town.

Mayor Amatorio stated the borough is aware that people from out of town are parking their vehicles here to take the bus to New York. He commented that the borough tried to address this issue by making changes to the ordinance, to no avail. He explained that the borough cannot stop out of town residents from parking on public streets. He commented that municipal parking decks, where residents and out of towners can park for a fee, may be a solution.

Mr. Gallo stated that with regards to the ambulances, their service life may be better covered than exposed, but having a car port can create a zoning issue. He is unsure if there are issues with the ambulances being left out in the cold, their medications, and response time, but will speak with Ryan Shell of the Ambulance Corp., to receive answers on Ms. Sullivan's questions.

Mayor Amatorio thanked everyone for their comments and the governing body can be emailed directly and will provide a response as soon as they can.

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

COUNCIL COMMENTS

The governing body thanked all for coming to the meeting tonight.

CLOSED SESSION

RESOLUTION 24-124/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Attorney-Client Privilege

1. Knickerbocker Country Club v. Bergenfield
2. Revaluation
3. Pending Litigation 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 Councilperson Lodato, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:15 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 Rivera, and unanimously carried, the meeting was adjourned at 9:46 p.m.

Marie Quiñones-Wilson
Borough Clerk