

**BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
8:00 P.M.
MARCH 21, 2017**

1. Meeting called to order at _____ p.m.

2. **OPEN PUBLIC MEETINGS ACT STATEMENT - Mayor Schmelz**

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. In case of an emergency, exits are to the rear and your left. Please turn off all cell phones.

3. Roll Call:

Roll Call	Present	Absent
Councilman Lodato		
Councilman Deauna		
Councilman Amatorio		
Councilwoman Kornbluth		
Councilman Rivera		
Councilman Marte		
Mayor Schmelz		

4. Salute to the Flag

5. Agenda Changes – additions or revisions

6. Approval of Minutes

MOTION OFFERED by Council _____, **SECOND** by Council _____, to approve minutes of the February 21, 2017 Regular Meeting, February 21, 2017 Closed Session Meeting (not to be released), March 7, 2017 Work Session Meeting, March 7, 2017 Closed Session Meeting (not to be released). All present voting in favor _____.

7. Presentations

1. Proclamation – Transfiguration Academy Basketball League *(Mayor Schmelz)*
2. Proclamation – National Poison Prevention Week *(Mayor Schmelz)*

8. Verbal Communications I

Mayor Schmelz opens the meeting and invites the public for comments on agenda items only and asks if anyone present wishes to be heard. Please be advised there will be a limit of five (5) minutes per speaker.

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

9. Correspondence

A. Van Tassel/Bergenfield Lions Club

RE: Request to hold Coin Toss for White Cane Day/May 7, 2017/9:00 a.m. to 3:00 p.m.

B. Doheny/53 Harcourt Avenue

RE: Request to Reserve Cooper's Pond for a Wedding Ceremony/June 23, 2017/10:30 a.m. to 1:30 p.m.

C. Enders/BHS Project Graduation Class of 2017 Committee

RE: Request to Reserve Cooper's Pond for Prom Show-off/June 8, 2017/3:30 p.m. to 6:30 p.m.

D. Gonzales/Lincoln School 5th Grade Committee

RE: Request to Reserve Memorial Park Pavilion for end of the year picnic/June 14, 2017

E. Gallione/Bergenfield Bocce League

RE: Request to Reserve John A. Aversa Bocce Courts/June 11, 2017 (Rain Date - June 25th)/8:00 a.m. to 12:00 p.m.

MOTION OFFERED by Council _____, **SECOND** by Council _____, to approve correspondence Items A through E. All present voting in favor _____.

10. Consent Agenda

CONSENT RESOLUTION 17-113. 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. **17-114/To Pay Bills**
- b. **17-115/To Approve Transfer of Appropriation Reserves (CFO)**
- c. **17-116/To Approve Temporary Emergency Appropriation (CFO)**
- d. **17-117/To Authorize Disposition of Public Property (Borough Administrator)**
- e. **17-118/To Authorize Advertisement for Clerical Position - Fire Safety Office (Borough Administrator)**
- f. **17-119/To Approve Easements for the Purpose of Utilities - Landmark Arms (Borough Administrator)**
- g. **17-120/To Approve Retirement - Kevin Doheny (Chief Madalone)**
- h. **17-121/To Approve Hires - Crossing Guards (Lt. Stapleton)**
- i. **17-122/To Approve Refund of Redemption Monies for Outside Lien Holder TTL#15-00014 (Tax Clerk)**
- j. **17-123/To Approve Tax Refund - 232 N. Washington Avenue (Tax Clerk)**

OFFERED by Council _____ **SECOND** by Council _____

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

11. Unfinished Business

A. Tabled Ordinances

ORDINANCE 17-2500 - AN ORDINANCE AMENDING CHAPTER 299 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED "VEHICLES AND TRAFFIC" (**Tabled 2-7-17**)
(Amendments to Parking)

ORDINANCE 17-2501 - AN ORDINANCE AMENDING CHAPTER 186 OF THE CODE OF THE BOROUGH OF BERGENFIELD ENTITLED "LAND DEVELOPMENT" (**Tabled 3-7-17**)

B. Adoption of Ordinances

The following ordinance published herewith were first read by title only on January 17, 2017 and posted on the bulletin board of the municipal center.

ORDINANCE 17-2502 - AN ORDINANCE AMENDING CHAPTER 299 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED "VEHICLES AND TRAFFIC"
(Amendment to N. Railroad Avenue)

Public Comments on Ordinance 17-2502.

Motion by Council _____, **Second by Council** _____, to pass Ordinance 17-2502 on second and final reading and is hereby adopted and notice of same shall be published according to law.

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

The following ordinances published herewith were first read by title only on March 7, 2017 and posted on the bulletin board of the municipal center.

ORDINANCE 17-2503 - AN ORDINANCE ENTITLED "TOTALLY DISABLED VETERAN'S TAX EXEMPTIONS"

ORDINANCE 17-2504 - AN ORDINANCE PERMITTING QUALIFIED CHARITABLE ORGANIZATIONS TO SOLICIT CONTRIBUTIONS IN THE ROADWAYS SITUATED IN THE BOROUGH OF BERGENFIELD

ORDINANCE 17-2505 - AN ORDINANCE TO ESTABLISH THE SALARY RANGE OF EMPLOYEES NOT SUBJECTED TO UNIONIZED CONTRACTURAL UNITS OF THE BOROUGH OF BERGENFIELD

ORDINANCE 17-2506 - CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Public Comments on Ordinances 17-2503, 17-2504, 17-2505, and 17-2506.

Motion by Council _____, **Second by Council** _____, to pass Ordinances 17-2503, 17-2504, 17-2505, and 17-2506 on second and final reading and is hereby adopted and notice of same shall be published according to law.

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

The following ordinance published herewith was first read by title only March 7, 2017 and posted on the bulletin board of the municipal center.

ORDINANCE 17-2507 - BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW AUTOMOTIVE 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 \$3,100,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, 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 17-2507.

Motion by Council _____, **Second by Council** _____, to pass Bond Ordinance 17-2507 on second and final reading and is hereby adopted and notice of same shall be published according to law.

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

C. Tabled Resolutions

1. 2017 Bergenfield Special Improvement District Budget (**Tabled 3-7-17**)

17-093/To Adopt the 2017 Budget of the Bergenfield Special Improvement District

OFFERED by Council _____ **SECOND** by Council _____

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					

AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

12. New Business

- A. Peddling and Solicitation Ordinance (*Borough Administrator*)
- B. Introduction of Ordinances (*Borough Administrator*)

Motion that the following ordinances be introduced and passed on first reading and setting Tuesday, April 4, 2017 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Executive Chambers of the Bergenfield Borough Hall as the place for a hearing on said ordinances.

ORDINANCE 17-2508 - AN ORDINANCE AMENDING CHAPTER 299 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED "VEHICLES AND TRAFFIC"
(Amendment to Commercial Vehicles, Howard Drive, and West Church Street)

OFFERED by Council _____ **SECOND** by Council _____

Roll Call	Yes	No	Abstain	Absent	Recuse
LODATO					
DEAUNA					
AMATORIO					
KORNBLUTH					
RIVERA					
MARTE					
SCHMELZ (tie)					

13. Committee/Department Reports

MOTION offered by Council President Amatorio that the Committee/Department Reports be spread upon the minutes in full and filed. **SECOND** by _____. All in favor _____.

14. Verbal Communications II

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

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

15. Council Comments

16. Closed Session

RESOLUTION **17-124**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Personnel

- 1. Municipal Court Judge (*Borough Administrator*)

B. Attorney-Client Privilege

1. Bergenfield vs. Glanzberg & Nelson Realty (*Borough Administrator*)

C. Contracts/Agreements

1. Facilities Needs Assessment (*Borough Administrator*)

2. Adheek Tennis Courts (*Borough Administrator*)

17. Return To Open Session

Motion Offered by Council _____ **Second** by Council _____ All in favor _____.

18. Adjournment

There being no further business before the Mayor and Council a **MOTION** offered by _____, **SECOND** by _____, to adjourn the meeting at _____ p.m. All in favor _____.