

**BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING**

**7:30 p.m.
August 15, 2017**

PRESENT: Mayor Norman Schmelz and Council President Arvin Amatorio, Council members Thomas Lodato, Buddy Deauna, Ora Kornbluth, Hernando Rivera, and Rafael Marte (came at 7:44 p.m.)

ABSENT:

ALSO PRESENT: Borough Administrator Corey Gallo
Borough Attorney John Schettino
Deputy Borough Clerk Hilda Tavitian

Mayor Schmelz called the meeting to order at 7:33 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 by the August 11, 2017 Sunshine Notice has been sent to the Record, Star Ledger, Twin Boro News and Cablevision and posted on two municipal bulletin boards. In case of an emergency, exits are to the rear and your left. Please turn off all cell phones."

CLOSED EXECUTIVE SESSION I

RESOLUTION 17-263/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Personnel

1. Building Department Personnel Matters
2. Tax Office Personnel Matters

Motion by Councilperson Kornbluth, Second by Councilperson Rivera, to approve resolution 17-263. All members present voting in favor, none opposed.

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.

ADJOURNMENT:

There being no further business to come before the Council, on a motion by Councilperson Lodato, second by Council President Amatorio and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:04 p.m.

The Public Meeting reopened at 8:06 p.m.

The Salute to the Flag was led by Mayor Schmelz.

AGENDA CHANGES

Items I, J, and K added to Correspondence
Resolution 17-286 added to Consent Agenda

Motion by Councilperson Kornbluth, Second by Councilperson Rivera, to add Correspondence Items I, J, and K and Resolution 17-286 to Consent Agenda. All members present voting in favor, none opposed.

APPROVAL OF MINUTES

Motion by Councilperson Lodato, second by Council President Amatorio, to approve minutes of the May 16, 2017 Regular Public Meeting, May 16, 2017 Closed Session (not to be released), June 8, 2017 Work Session, June 8, 2017 Closed Session (not to be released). All members present voting in favor, none opposed.

PRESENTATIONS

A. Annual Insurance Review - Risk Manager

Mr. Ezio Altamura, from Otterstedt Insurance Agency JIF, thanked the governing body and the community for their support and condolences. Mr. Altamura thanked the Borough for appointing them as their risk manager for 2017. Mr. Altamura stated page 1 is just an introduction of their agency. Mr. Altamura stated on page 2 there is a list of public entities they ensure in the state of New Jersey. Mr. Altamura stated page 4 is the beginning of the 2017 Risk Management Plan, which covers Workers' Compensation, General Liability, Automobile Liability, Blanket Crime, Property, Public Officials and Employment Practices Liability, Volunteer Directors and Officers Liability, and Cyber Liability. Mr. Altamura explained on page 9, letter E, is the Public Officials Liability. The Borough of Bergenfield carries a \$20,000 deductible and co-insurance of 20% of the first \$100,000. That is a very good deductible and co-insurance available. Mr. Altamura stated since there aren't any Public Officials claims, the Borough benefits from having a lower deductible and insurance. Mr. Altamura stated on the bottom of page 9, Letter F, is the Employment Practices Liability which is the same deductible and co-insurance due to no claims throughout the Borough for many years. Letter G, on page 10, is the Optional Directors and Officers Liability in which the Borough carries a \$1 million limit subject to a \$1,000 deductible. The Property section begins on the bottom of page 10 through page 17. Mr. Altamura stated they cover all property, the buildings, recreation equipment, fire department equipment, and trucks and vehicles. The property policy is subject to a \$2500 deductible. Mr. Altamura stated on page 18, Letter L, is the umbrella liability, a \$5 million CSL and per member local unit annual aggregate excess of \$10 million. The historical properties are all listed. On page 19, Letter M, is the optional umbrella coverage over the public officials liability and employment practices liability. There is an additional \$4,000,000 on top of the \$2,000,000 that exists on the underlying coverage. Mr. Altamura stated the recreation accident policy and bonds for statutory positions can be found on page 20 and 21. There is an accident and sickness policy that covers the volunteer ambulance and Emergency Management Services. There is a list of quasi entities coverage on page 21 that provides coverage for organizations that provide services to the Borough, including the Bergenfield Special Improvement District. Mr. Altamura stated that insurance coverage is provided for Group life, health, dental, and prescription drugs as well as volunteer accident insurance policy. Mr. Altamura explained that on page 22 there is a side by side comparison of the risk management in progress. A 5 year snapshot has been provided. There has been a decrease, vast drop, in the severity and frequency of claims in 2017. There has been a very positive trend over the past several years.

Councilperson Kornbluth inquired if the decrease in claims can be due to having automated garbage trucks for garbage pick up.

Mr. Altamura replied yes, it can be due to having the automated garbage trucks. This has been seen in other towns also. Claims were severely reduced in 2017. There were only 9 worker's compensation claims from January to July. Mr. Altamura stated there are some recommendations made on the left side of the packet. He works on the front end with administration, Corey and Karen, regarding Family Fun Day, fireworks display to make sure everything is good with the

insurance certificates and that the Borough is covered. Mr. Altamura stated on page 23 there are items listed in which he works on different safety initiatives with Corey, Karen, and Phil and Fred in the DPW. On page 24 some of the items that are insured are the fire trucks and apparatus. Mr. Altamura stated, on page 26, it's listed the Borough of Bergenfield was the recipient of the Safety Incentive Silver Award. A plaque was presented and the Borough was awarded a \$1500 check. This is the 5th year the Borough has achieved this success. For the policy year 2016, the Borough of Bergenfield received a \$34,872 dividend in response to the overall profitability of the Bergen Municipal JIF. There was a \$9,200 assessment credit in 2017 due to the police department maintaining Police Accreditations status. GJEM Insurance Agency is proud once again to be a Gold Level sponsor for the Bergenfield Family Fun Day which was held on June 4, 2017. Mr. Altamura thanked Corey Gallo and Robert Byrnes Jr., the safety coordinator, for their support and doing a great job.

Mayor Schmelz thanked Mr. Altamura for helping with Family Fun Day.

B. Update on Cooper's Pond Vineyard – Fred Clark Jr.

Mr. Fred Clark Jr. stated the 20 grapevines were ordered from the nursery in California in time to be planted. There were extra 5 vines received from the distributor. 23 of the vines are looking very good. Mr. Clark Jr. stated DPW removed soil between the old barn and well. DPW also put up a fence that was left over from the Garden Club. Mr. Clark Jr. explained that he had a soil test done with Rutgers University and is awaiting results.

Borough Administrator Gallo inquired where the soil sample was done.

Mr. Clark Jr. stated it was done in the location where the vines were planted. Mr. Clark Jr. stated he had paid \$150 for the test and is not concerned about being reimbursed at this time. His main concern is whether the soil is contaminated, specifically if there is lead. DPW took an inch off the top layer of the soil for grading. The grading left a little pool at the bottom of the vineyard since there is some sloping and would like DPW to come back and grade it again. Mr. Clark Jr. stated he had spoken to Mr. Neville a few times but would appreciate it if someone else spoke to Mr. Neville about it. He would like to level the pitch about an inch or two, approximately 15-25 feet to grade.

Councilperson Kornbluth suggested that Mr. Gallo should give Phil Neville the instruction as to what needs to be done with the vineyard going forward.

Mr. Gallo asked Mr. Clark Jr. to send him an email as to what he would like to be done so he can go there with Phil to see what needs to be done.

Mr. Clark Jr. stated he would like to have a trellis installed in the dormant season. It would cost from \$500 to \$1,000 for a 4x4x10 post and wire, and whatever the DPW labor cost would be. Mr. Clark Jr. stated, that in previous conversations, volunteers were not to install the trellis due to insurance liability reasons. Mr. Clark Jr. stated they will try to set that up with DPW between October and next March.

Mr. Gallo inquired about needing the posts and the wire and how the volunteers would do it.

Mr. Clark Jr. confirmed that the posts and wire are needed. Mr. Clark Jr. stated he could do it since he does construction. He can do it himself but can also try to get as many volunteers as he can to help him.

Mr. Gallo stated the Borough wants to help out a volunteer project but it has become a Borough project now with DPW doing the digging and grading, and having to put up posts. Mr. Gallo stated there are more and more things that need to be done in the coming months and the following months are going to be very busy with leave pick up and the winter. Mr. Gallo stated he will

discuss it with DPW and see if they have the means to do it. The vines look good. It just becomes difficult with other entities looking to have us do other things as well.

Mayor Schmelz inquired if it is an insurance issue. If not, Fred would be able to get the volunteers to do it.

Mr. Clark Jr. stated that he was told the Borough would have to install the trellis due to insurance purposes. Mr. Clark Jr. stated he would like to one day organize an instructional winemaking facility on the property. Before creating a proposal, he would like a discussion or approval from the governing body as well as move forward in asking guidance from Green Acres. Mr. Clark Jr. stated he will continue giving updates. Mr. Clark Jr. stated it was done once in order to have the soil tested for lead and the soil was safe for people to consume the fruits. Mr. Clark Jr. stated it would be nonprofit to start raising money for restoration of the historic buildings. The fruit doesn't need to be grown there. There can be classes and raise money by other methods. Mr. Clark Jr. would like to see various improvements done to the area and having the vineyards would only be the first step.

Council President Amatorio stated it is pre-mature to give approval and proceed. The trellis isn't done and the grapevines aren't grown yet. Once the grapes are grown and successful, we can plan on the next step.

Mayor Schmelz stated that museum already has a nonprofit status. Mayor Schmelz inquired why money couldn't be raised through the museum and have a separate account for Mr. Clark Jr.'s purposes.

Mr. Clark Jr. stated he could be in control of the fundraising of the nonprofit. He would be elected to be on the museum board. He has some ideas as the sole proprietor and can bring others on board. Mr. Clark Jr. stated it will take 3-5 years to have a good harvest.

Councilperson Kornbluth asked Mr. Clark Jr. what he wants to do if he starts a nonprofit.

Mr. Clark Jr. stated he wants to fundraise for historical preservation of the old Marchbank building. The winemaking is an activity the nonprofit could use to raise money. There could be classes and wine tastings where the money would go towards restoring the buildings. There is the old barn, the old stable, and the mill on the property that needs substantial money to restore. Mr. Clark Jr. stated he wants to start another nonprofit since he isn't a member of the museum board. Barry Doll told Mr. Clark Jr. that it would be better to keep the entities separate.

Council President Amatorio stated they would need to continue discussion at another session and there might be some legal issues that might need to be resolved since the property is owned by Green Acres and Mr. Clark Jr. wants to do fundraising for the property.

Mr. Gallo stated the Borough will purchase the lumber for the trellis.

Mayor Schmelz requested Mr. Clark Jr. send the original proposal, the plans to the governing body along with the bill.

Capital Improvement/Borough Engineer

A. Remington & Vernick

Paul Cray, Borough Engineer, stated most of the content on his report dated August 15, 2017 are ongoing grant applications and project close outs. The field survey was completed for the Bergenfield Swim Club property. There was a pre-construction meeting for the Riverside Cooperative and will start on August 17th, weather permitting.

Mr. Gallo stated the DOT project of milling and paving will be from Wednesday, August 23rd to Saturday, August 26th on Front and Woodbine Streets. There will be no traffic Friday and Saturday. We having been putting those messages out as the list is put together.

Mayor Schmelz stated there should be more updates on a daily basis. For example, there is going to be work done on Bogert Place but we don't know when. It will be an inconvenience when soccer starts with people going up and down and the street while the street is ripped up. He would like to see it down before soccer begins. There's a lot of streets ripped up and we should let our residents know what's going on next. Mayor Schmelz stated that Hoover School people are already questioning is everything going to be done before school starts. It seems like we are 5 weeks behind and going to be rushing to get the job done. Mayor Schmelz stated he wants to make sure everything is done well before school starts. Even before school, fall sports and band practices begin.

Mr. Gallo stated the messages will be put out through Nixle, the Borough website, and social media. Mr. Gallo stated that all the curbs for the Safe Routes to Schools are done. They did the paving for crosswalks and in the next couple of days the Riverside Coop will be milling their part, excluding the walkways.

Mr. Cray stated they are trying to minimize any disruption. Mr. Cray stated that the utility repair project is the most active this week. There is a crew doing work on Maiden Lane. Mr. Cray explained there is a second crew working on Front Street. The two contractors have been coordinating to remain on schedule. Mr. Cray stated work on W. Central Avenue between Washington Avenue and Prospect Avenue was finished in the second area on the Inflow and Infiltration project. Mr. Cray stated everything is going per contract in regards to the inspections with the pipes with a couple of things that needed follow up.

Mr. Gallo stated that there was a meeting and everyone understands the goal that as much as can be done will be paved and completed having an aggressive list.

Mr. Cray stated they will make sure communication is flowing between the Borough engineer, DPW, and Mr. Gallo with the updates. Mr. Cray stated that concrete work is underway with the NJDOT resurfacing of Woodbine Streets – South and North Front Streets. Milling and paving is scheduled for August 23, 2017 through August 27, 2017. Mr. Cray stated the final ramp plans for North and South Washington Avenue have been submitted to the county and approved.

Mr. Gallo stated is up to the county to approve the contractor who will be doing the work. We are just waiting to see who the approved contractor for the project is so we can get our purchase order in. There's less than month to go. It would be sometime in September. Mr. Gallo stated they are at the mercy of the county. Mr. Gallo stated the DPW truck wash was completed and it is being used to wash the trucks onsite.

Council President stated it would have to be done as quickly as possible before winter.

VERBAL COMMUNICATIONS I

Mayor Schmelz opened the meeting and invited the public for comments on agenda items only, limited to five minutes per speaker.

Mr. John Smith inquired why the Borough is still paying for senior nonresidents to go on the bus trips. The bus has New Milford residents on it. Mr. Smith stated it is on the flyer that non Bergenfield residents are welcome to go on the trip.

Mr. Gallo stated the payments that are being made are not for the senior bus when there is a fee. It is for the cost of the fee for an event they are attending. We're covering the cost of food and various other things. The extra cost is covered by the senior group.

Councilperson Kornbluth inquired if the cost is being paid for Dumont and New Milford residents, or only Bergenfield residents.

Mr. Gallo stated he wasn't aware that there were nonresidents on the bus. Mr. Gallo stated he will verify.

Mayor Schmelz stated the parties at the Bergenfield VFW are only for Bergenfield residents.

Mr. Smith stated that there is nothing mentioned about landscapers leaving the grass clippings in the resolution regarding grass. Mr. Smith inquired how the landscapers going to be addressed. Mr. Smith stated it's not going to solve the problem. The landscaper is still going to put the clippings in the trash can.

Mr. Gallo stated is it a resolution to recommend, it's not a mandate. Mr. Gallo stated you choose to have a landscaper pick up the grass clippings.

Mr. Smith stated PAL and the recreation department sponsored a UGAL team for the UGAL tournament. He doesn't see the bill in which PAL submits and the recreation department pays.

Mr. Gallo stated the bill may not have been received yet and can find out for Mr. Smith.

Ms. Diana Flagg inquired what Councilperson Kornbluth had stated at the beginning of the meeting.

Mr. Gallo stated it was an authorization to have our appraisal company go out and evaluate/reassess certain properties in town that need to be reassessed.

Ms. Flagg inquired if there is a deadline to have this done so the information can be entered on the computer by October 1st. Ms. Flagg inquired if the values of the homes go up, will it spread over five years.

Mr. Gallo stated the goal is to have it done by October 1st. That's why it was authorized tonight.

Borough Attorney Schettino stated it will not be spread over five years.

Ms. Flagg inquired about the architect that the Borough engineer had mentioned during his update regarding the survey being done for the swim club.

Mr. Gallo stated there no architect involved with the survey of the swim club being done. Mr. Gallo explained they are awaiting the topographies to be done.

Ms. Flagg inquired why there was a bill paid to the Borough of Oradell for Family Fun Day. Ms. Flagg inquired why the Borough was only charging \$60 an hour for the Borough of Dumont to utilize the Borough's court. Ms. Flagg inquired why they aren't providing their own police officers. Ms. Flagg inquired who is getting the 10%. Ms. Flagg inquired if the Borough is paying the police officer's social security and FICA during those hours. Ms. Flagg inquired to whom a funeral arrangement sent to that cost \$130.

Mr. Gallo stated that they had rented the stage for Family Fun Day from the Borough of Oradell since the county stage was booked. Mr. Gallo stated it was a continuance of the agreement with the Borough of Dumont from last year. Mr. Gallo stated why are you going to kick a guy when they're

done. We're not making money and we're not losing money. \$60 an hour covers our costs. Mr. Gallo stated Dumont has their own police officers but there is one Bergenfield police officer. Dumont is paying for our police officer. Mr. Gallo stated the 10% goes to the Borough. Dumont has three officers here and there is accountability and representation of the Borough by having our police officer here. It's an outside detail that the Borough doesn't pay for. Dumont pays \$80 an hour and the Borough gets 10%. Mr. Gallo stated the Borough doesn't pay FICA, the employee does. Mr. Gallo stated the insurance agent's wife passed away.

Ms. Mary Sullivan suggested the grass clippings issue should be put on the recycling calendar.

Mayor Schmelz stated Ms. Sullivan should be given a copy of the calendar in advance since she has a lot of good ideas and she can proofread it.

Ms. Cathy Sahlberg stated the grapevine is a good project but it is becoming blurred as to what the town is paying for and what is volunteer. Ms. Sahlberg inquired if the governing body had approved paying for the soil to be tested. It should be addressed.

Mayor Schmelz stated approval was given for two soil tests but only one was done. It will be up to council to decide.

Mr. Barry Doll stated he is a member of the St. John's Senior group and also a member of the Mayor's group. There's also a group that goes on trips from Murray Hill Terrace, which is senior housing. Mr. Doll explained the St. John's group doesn't receive any assistance from the Borough. The Atlantic City trip that was referenced as all being welcome on the flyer on the bulletin may have been the Atlantic City trips where they do take anybody that wants to go on the bus and they pay. They Mayor's Advisory group does get a budget for the trips which is only for the expense of the bus, not the luncheon or venue going to. It's up to the individual's to pay for. It's a tremendous help.

Councilperson Kornbluth inquired who goes on that bus.

Mr. Doll responded that only Bergenfield residents go on the bus. The Borough is only paying for Bergenfield residents. Mr. Doll inquired if the assessments are going to be retroactive as there are homes that have been under assessed for several years. Mr. Doll inquired if the Borough will accept any information on homes because residents have been keeping track of homes they feel were not properly assessed.

Mr. Schettino stated it can only go back two years. Mr. Schettino stated the company is only limited to homes that have taken out permits since 2010. It's not any overall evaluation or reassessment of the entire community. If referring to homes in this category, the Borough Administrator would be happy the information and cross reference it.

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

CORRESPONDENCE

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| A. Enriquez/St. John the Evangelist | RE: Request to Reserve Hickory Park for Alter Servers Picnic/Saturday, August 26, 2017/10:00 a.m. to 4:00 p.m. |
| B. Manlapaz/St. John the Evangelist
R.C. Church | RE: Request to Reserve Memorial Park Pavilion for Picnic and Rosary-Mass/Sunday, August 27, 2017/10:00 a.m. to 5:00 p.m. |
| C. Stein/Resident | RE: Request to Reserve Jacoby Park/Wednesday, August 30, 2017/3:00 p.m. to 7:00 p.m. |

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| D. Jordon/BHS Class of '57 | RE: Request to Reserve Memorial Park Field for 60 th Reunion Alumni Softball Game/Saturday, September 9, 2017/10:00 a.m. to 1:00 p.m. |
| E. Landa/Congregation Beth Abraham | RE: Request to Reserve Vivyen Field for Family Carnival/Sunday, September 10, 2017/9:00 a.m. to 4:00 p.m. |
| F. White/BHS Class of '67 | RE: Request to Reserve Memorial Park Pavilion and Field for 50 th Reunion/Saturday, October 7, 2017/12:00 p.m. to 3:00 p.m. |
| G. Chong/Calvary Lutheran Church | RE: Request to hold Block Party/Arlington Avenue to Delford Avenue/September 10, 2017/12:00 p.m. to 6:00 p.m. |
| H. Sabatino/Fire Inspector | RE: Request Leave of Absence – Letter dated August 3, 2017 |
| I. Gonzalez/Resident | RE: Request to Reserve Memorial Park Pavilion for Birthday Party/Saturday, August 26, 2017/11:30 a.m. to 7:30 p.m. |
| J. Smith/VFW Post #6467 | RE: Request to Use Picnic Tables/Saturday, September 9, 2017 & Put Up Banner by VFW Post |
| K. Savoye/Rotary Club of Bergenfield-Dumont | RE: Request for Approval to Hold Annual 5K Run/Sunday, October 29, 2017 |

Motion by Council President Amatorio, second by Councilperson Rivera, and all other members voting in favor, that items A through K are approved.

A. CONSENT AGENDA

CONSENT RESOLUTION 17-264. 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. **17-265/**To Pay Bills
- b. **17-266/**To Approve Cut It and Leave It Program – Sustainable Jersey Committee
- c. **17-267/**To Urge the State Legislature to Extend 2% Cap on Police and Fire Arbitration Contract Awards
- d. **17-268/**To Approve Tax Refund – 120 Woodbine Street
- e. **17-269/**To Approve Tax Refund – 19 Dagget Street
- f. **17-270/**To Approve Tax Refund – 58 S. Washington Avenue
- g. **17-271/**To Approve Tax Refund – 80 New Bridge Road
- h. **17-272/**To Approve Tax Settlement – 33 Woodbine Street
- i. **17-273/**To Authorize Bid Specifications and Advertisement – Electrical Maintenance Services
- j. **17-274/**To Approve Proposal – Computer Generated Street Map and Election District Map – Remington & Vernick
- k. **17-275/**To Approve Change Order No. 1 - DPW Truck Wash – T.R. Weniger
- l. **17-276/**To Approve Pay Certificate No. 2 and Final – DPW Truck Wash – T.R. Weniger
- m. **17-277/**To Accept Maintenance Bond and Release Performance Guarantee – DPW Truck Wash – T.R. Weniger
- n. **17-278/**To Approve Change Order No. 1 – 2016 Various Sanitary Sewer Improvement – M. Ingannamorte & Son Inc.
- o. **17-279/**To Approve Pay Certificate No. 3 and Final – 2016 Various Sanitary Sewer Improvement – M. Ingannamorte & Son Inc.

- p. **17-280**/To Accept Maintenance Bond and Release Performance Guarantee – 2016 Various Sanitary Sewer Improvements – M. Ingannamorte & Son Inc.
- q. **17-281**/To Reject All Bids – Two (2) 2017 Ford F450 4x4 Chas/C 6.7L Power Stroke V8 Diesel 6 Speed Automatic Truck with Snow Plow or Brand Name Equivalent
- r. **17-282**/To Approve Shared Services Agreement – Municipal Court Facilities – Borough of Dumont
- s. **17-283**/To Approve Grant Application and Execution of Contract – West Central Avenue Phase 2 Roadway Preservation Project – New Jersey Department of Transportation
- t. **17-284**/To Authorize Capital Purchase – Two (2) Chevy Tahoe Command Vehicles – Day Ford & Chevrolet Inc.
- u. **17-285**/To Authorize Capital Purchase – Two (2) Chief Command Vehicle Lighting and Cabinet Upfit – 10-75 Emergency Vehicles, LLC
- v. **17-286**/Authorize Associated Appraisal Group to Perform Assessments of Properties that have Undertaken Improvements from 2010 to present

Motion by Councilperson Marte, second by Councilperson Rivera, that the Consent Resolution be approved.

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>aye</i>
Council President Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

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**)

No Action.

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

No Action.

NEW BUSINESS

A. Introduction of Ordinances

Motion that the following ordinances be introduced and passed on first reading and setting September 5, 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 ordinance.

ORDINANCE 17-2514 - AN ORDINANCE AMENDING CHAPTER 239 OF THE CODE OF THE BOROUGH OF BERGENFIELD ENTITLED "RENTAL PROPERTY"

Motion by Councilperson Kornbluth, Second by Councilperson Lodato, the Ordinance 17-2514 be introduced and published.

On a roll call, the vote can be recorded as follows:

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

Council President Amatorio: *aye*

Councilperson Marte: *aye*

B. Reexamination Report of the Master Plan

Mayor Schmelz stated the reexamination report of the master plan was done and there were some recommendations. The council should look at the recommendations and which ones they want to approve. Mayor Schmelz stated one of those recommendations was to look at parking spots since it was recommended in the ordinance that there should be two parking spots for every seat in a restaurant. Mayor Schmelz stated the council should look at the recommendations and address those items at the next work session on September 5, 2017.

C. Park Rangers

Mayor Schmelz stated that he a mayor's walk around Cooper's Pond every Wednesday night from 6:30 to 7:30 p.m. and has noticed a lot of things going on. Mayor Schmelz stated he has spoken with Phil Neville about it. He has suggested having Park Rangers. Some of these issues are that people will walk their dogs and are feeding the geese. People are also leaving a memorial park and the basketball courts a mess. DPW will have to go there every day. Phil Neville has gone down there and has talked to some people. It will be clean for a day and the kids clean up. Mayor Schmelz stated maybe it might become a branch of the auxiliary, have paid people, or volunteers. Mayor Schmelz explained that park rangers could be created to police the parks. Mayor Schmelz stated it would be from 5:00 p.m. to 1-2 hours after closing.

Councilperson Kornbluth stated there is no real closing time at Memorial Park. There have been issues with kids playing until midnight and driving cars onto the court. Councilperson Kornbluth state perhaps some of the other issues would go away if there was enforcement at Memorial Park first.

Deputy Chief Massey stated that he will bring the topic back to the office and the police department would enforce whatever is decided.

Mr. Gallo stated other towns have park rangers that is more of a clean up than enforcement. If someone is unruly, the park ranger would call the cops and the cops would come down and take care of business. Mr. Gallo explained in most instances, the park ranger would be a high school or college kid receiving \$10 an hour that clean up and maintain the parks in other towns. The park ranger is there to make sure things are not broken, people are not being disruptive, and just be a presence operating on the weekends or from dusk until the park.

Councilperson Kornbluth stated she is not looking for an added expense since there are numerous parks in Bergenfield, even at \$10 an hour. Councilperson Kornbluth stated she is not sure what authority a high school student would have over an adult. She inquired whether the DPW cleans up the parks regardless.

Mr. Gallo stated DPW does clean up the parks. Mr. Gallo explained if people are unruly, leaving their garbage, the park ranger will tell them to pick up after themselves. People will know the park ranger is around and can call the cops to come and write summons.

Mayor Schmelz suggested Hickory, Memorial Park, and Cooper's Pond should be covered.

Council President Amatorio suggested that a DPW person could be at the park all day long and could tell people what not to do.

Mayor Schmelz stated Cooper's Pond is open until 11:00 p.m. Mayor Schmelz stated there has been an increase in the number of people visiting Cooper's Pond since the fishing derby. It's just a

suggestion and could be on a volunteer basis or a branch of the auxiliary. Phil Neville is upset that Memorial Park is a complete disaster every morning.

Councilperson Kornbluth inquired about what authority the police has.

Deputy Chief Massey stated the police department can enforce an ordinance if it is being violated.

Mr. Gallo stated the police are not being hired to police the parks when they should be patrolling the streets.

Councilperson Rivera stated that we have to first, educate and teach kids to do the right thing before we start policing them.

Mayor Schmelz stated that would the job of a park ranger to watch the kids play basketball, to interact with the kids, and remind people that they can't bring their dogs to the park. It's a quality of life issue and we need to respect our parks.

Councilperson Kornbluth stated it needs to be enforced by the police that when the park is closed, the basketball court is closed also. There were cars driving onto the basketball courts a couple of weeks ago when the park was closed.

Mayor Schmelz stated that is clearly a police issue. Phil Neville had told Mayor Schmelz that he could have someone stay for a couple of hours after the parks close. A sign is needed in Memorial Park. Mayor Schmelz stated he would like to continue the discussion at the work session meeting on September 5, 2017.

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 Councilperson Kornbluth. All in favor, none opposed.

VERBAL COMMUNICATIONS II

Mayor Schmelz opened the meeting to Verbal Communications II and invited the public to comment on any subject, limited to five minutes per speaker.

Ms. Diana Flagg stated Bergenfield had park rangers in the 1990's and it was a waste of money. The police should step up and patrol the parks. The police are the authority. Ms. Flagg stated that the park rangers should be left alone. Ms. Flagg inquired if there are bathrooms at Vivyen Field since she noticed a group requested to use the park for more than four hours.

Mayor Schmelz stated there are bathrooms at Vivyen Field, but are usually locked.

Ms. Eileen Fay inquired about why the tax assessor won't be doing the assessments since someone else is going to be hired to assess the homes that weren't properly assessed. Ms. Fay stated she passed a house on Glenwood Drive East that was sold for \$899,000 and is still assessed at \$279,000. Ms. Fay inquired if the tax assessor is supposed to be assessing homes once they are finished.

Mr. Gallo stated that what she is seeing on the internet does not truly reflect that house. Mr. Gallo stated the house Ms. Fay is talking about got their certificate of occupancy in January of 2017. That doesn't hit the added assessment value until October 1 of 2017.

Ms. Fay inquired if they will be paying the additional taxes from January 1st, 2017.

Mr. Schettino stated the assessment will go back to the date of the certificate of occupancy. There will be a tax adjustment from the date of the certificate of occupancy.

Ms. Fay stated that it is unfair to people who go to an open house and see that taxes are \$9,000 and when that person buys the home and gets a tax bill for \$30,000. Ms. Fay stated the person won't be able to pay their taxes. Ms. Fay explained when she added an extension to her home going back 30 years, she got her tax bill right away. She doesn't understand why there has to be a 8-9 month lag.

Mr. John Smith inquired what will happen if people have a certificate of occupancy from four years ago and if it will be backdated four years.

Mr. Schettino stated it can go back to the date of the certificate of occupancy. You can only go back a maximum of two years. If someone got a certificate of occupancy from 2015 and there wasn't any assessment for the improvement, they are going to get a pass and will only go into effect for 2016 and 2017.

Mr. Smith stated the residents are at a disadvantage since the Zoning Board doesn't have a planner. The applicants come with attorneys, planners, and engineers. Mr. Smith stated he would like the council to suggest or come up with an idea how the zoning board could use the planning board's planner, or on a case by case basis. Mr. Smith stated that other members of the Zoning Board do not want to have a planner appointed. Mr. Smith stated the boards are here for the residents and not certain individuals. Mr. Smith stated they have to take the word of the applicant and he's not a professional. If there's a planner to give insight to the members and maybe they will start listening to the residents. Mr. Smith stated it should be up to the council to determine to have a planner for the Zoning Board.

Mr. Schettino stated the Zoning Board only has to appoint someone. Mr. Schettino stated the council can recommend to the Zoning Board to appoint a planner but they can choose to not use a planner. Mr. Schettino stated the board can appoint a planner and it is the applicant that pays for the town's planner. It doesn't cost the town any money. Mr. Schettino stated most towns have a planner for the Zoning Board. The board has to vote to appoint a planner to use only at the time to review an application. The entire board would vote to authorize the planner to review the application. The applicant would be instructed to post money in escrow for whatever time it took to do the review and issue a report. Sometimes the board will use an engineer depending on the issue.

Councilperson Lodato stated that the planning board had used a traffic consultant when the TD Bank was built.

Mr. Smith stated three members on the Zoning Board told him to forget about appointing a planner for the Zoning Board. It might sway their decision if they know that it won't cost the Borough. Mr. Smith stated he's seen things with the McDonald's planner at the meeting. Mr. Smith stated he had said things that would happen and the applicant's planner had said "no way". There was no one there to represent the Borough. The member representing the Borough will have a different outlook not for the applicant. Bergenfield is changing as well as what the community is looking like. We want people to move in, not move out. Mr. Smith stated he had a problem with the architect and engineer with the last application. Mr. Smith stated he would like the council to guide him and he will do whatever he's told. He is trying to do the right thing by listening to the residents but is at a disadvantage when he is arguing with the applicant's planner.

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

COUNCIL COMMENTS

Councilperson Lodato thanked everyone for coming to the meeting.

Councilperson Deauna stated there is some political turmoil in Virginia and hopefully it won't spill over in New Jersey, where there are a good makeup for residents, Jewish people, Italians, Irish, Hispanics, and Asians. He hopes it remains the same and that Bergenfield is a great town.

Council President Amatorio wished everyone a great night and thanked everyone for coming.

Councilperson Kornbluth thanked everyone for coming.

Councilperson Rivera wished everyone to enjoy the rest of their summer.

Councilperson Marte thanked everyone for coming to the meeting.

Mayor Schmelz stated there was a ribbon cutting at the Green Spot the other night. Everyone should check it out on Washington Avenue. He helped cut the ribbon at the Filipino Festival in Secaucus. Mayor Schmelz stated he was at the Korean Independence Day flag raising and today there was an Indian Day flag raising. We need to embrace the diversity in Bergenfield.

CLOSED SESSION II

RESOLUTION **17-286**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Personnel

1. Social Services Personnel Matters
2. Fire Department Personnel Matters
3. Fire Official Personnel Matters

B. Attorney-Client Privilege

1. Police Department Retiree Benefits

C. Contracts/Agreements

1. Facilities Needs Assessment
2. Health Services Shared Services Agreement
3. Volunteer Dinner Proposal
4. Paperless Meeting Proposal

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 Rivera, and all present voting in favor, the meeting was adjourned to Closed Session II in the Executive Chambers at 9:56 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Councilperson Rivera, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 12:00 a.m.

Respectfully submitted,

Hilda Tavitian
Deputy Borough Clerk