

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

**8:00 p.m.  
MAY 21, 2019**

**PRESENT:** Mayor Norman Schmelz and Council President Ora Kornbluth, Council members Buddy Deauna, and Arvin Amatorio

**ABSENT:** Councilmembers Thomas Lodato, Hernando Rivera, and Rafael Marte

**ALSO PRESENT:** Borough Administrator Corey Gallo  
Borough Attorney John Schettino  
Borough Clerk Marie Quinones

Mayor Schmelz called the meeting to order at 8:06 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 Mayor Schmelz.

**AGENDA CHANGES**

Motion by Councilperson Amatorio, Second by Councilperson Deauna, and all present voting in favor, to add the following items to the agenda:

**Correspondence**

Correspondence Item G – Rainey/Clean Communities Request to Reserve Memorial Park on Sunday, June 9<sup>th</sup> from 9:00 a.m. to 12:00 p.m. for community clean up

Correspondence Item H - Landa/Congregation Beth Abraham - Request to put up tent on the corner of Westminster Avenue and Thames Boulevard/September 27, 2019 to October 10, 2019.

**B. Resolutions**

**19-168/**To Approve Change Order No. 4 – Shared Services Agreement with the County of Bergen for Road Resurfacing Projects for the County Ramps – T&M Associates

**19-169/**To Hire Part-Time Temporary Summer Laborer – Jared Haag

**19-170/**To Approve Veteran Tax Exemption and Refund – 214 Elder Avenue

**19-171/**To Authorize Purchase of Property – 230 N. Washington Avenue

**19-172/**To Authorize Capital Purchase – Two (2) Dual Perkins D6220 Tippers – Sanitation Equipment Corp.

**APPROVAL OF MINUTES**

**Motion offered** by Councilperson Amatorio, **Second** by Council President Kornbluth, to approve minutes of the April 16, 2019 Regular Meeting, April 16, 2019 Closed Session Meeting (not to be released), May 7, 2019 Work Session Meeting, and May 7, 2019 Closed Session Meeting (not to be released). All present voting in favor, none opposed.

**PRESENTATIONS**

A. Proclamation – National Emergency Medical Services Week

Mayor Schmelz read the proclamation into the recorded and presented it to the Bergenfield Volunteer Ambulance Corp. (BVAC)

B. Proclamation – Elks National Youth Week

Mayor Schmelz stated that the Bergenfield Elks and Bergenfield High School students teamed up and held a mock council meeting prior to the Mayor and Council meeting. Mayor Schmelz thanked that students for their participation and the Bergenfield Elks for coordinating the event.

C. Proclamation – Bergenfield Arts Program

Mayor Schmelz explained that he decided to honor the arts students when he received the County calendar from the Bergen County Clerk’s office, and noticed that several of the winners were from Bergenfield. Mayor Schmelz honored Kyle Choonoo for his award-winning drawing in the County calendar, and presented proclamations to all the students in the school district that have won art contests all throughout the State of New Jersey.

Motion by Council President Kornbluth, second by Councilperson Amatorio, and all present voting in favor, to recess the meeting for five minutes. The meeting reopened at 8:48 p.m. R.C.

D. Department Hires & Appointments

**19-155/**To Promote Laborer from Part-time to Full-time – Timothy Dillon

Motion by Council President Kornbluth, second by Councilperson Deauna, that Resolution #19-155 be approved.

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

Councilperson Lodato:	<i>absent</i>	Council President Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>absent</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>absent</i>

**19-156/**To Hire Part-Time Temporary Summer Laborers – Juan Londono-Sierra and Andrew Canlas

Motion by Council President Kornbluth, second by Councilperson Deauna, that Resolution #19-156 be approved.

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

Councilperson Lodato:	<i>absent</i>	Council President Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>absent</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>absent</i>

VERBAL COMMUNICATIONS I

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

John Smith, resident, referenced correspondence item B, and stated that street closures were an issue at a previous meeting. He commented that the street closures were denied because there would be no police or auxiliary officer on the street for safety purposes. Mr. Smith noted that the resident requesting the block party will close down the street as soon as the barricades are delivered at noon. He stated that a police or auxiliary officer should be present to assess the situation.

Borough Administrator Gallo stated that all requests are reviewed and vetted on case by case basis. He explained that every matter has to be looked at individually, and is sent to the Police Department for their review and approval.

Deputy Police Chief Massey explained that the request was previously denied because it was received the day before the meeting. He further explained that the Police Department carefully reviews each request and reaches out to the neighbors to ensure there are no issues with the request.

Diana Flagg, resident, inquired whether the Borough Attorney John Schettino will receive a vehicle, since his name is listed for the Ford Escape.

Borough Administrator Gallo stated that the name means he requested the item be added to the agenda.

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

#### Correspondence

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| A. Murphy/Franklin School Parents Association | <b>RE:</b> Request for Street Closure/Franklin Avenue from Main Street to Church Street/Wednesday, May 22, 2019/8:00 a.m. to 4:00 p.m.     |
| B. Miano/Resident                             | <b>RE:</b> Block Party Request/ValValkenburg Avenue between Hallberg Avenue and Spring Avenue/Friday, May 24, 2019/ 4:00 p.m. to 9:00 p.m. |
| C. Goldsmith/Resident                         | <b>RE:</b> Block Party Request/Harriet Avenue/Sunday, May 26, 2019/10:00 a.m. to 7:00 p.m.   |
| D. Javier/North Bergen Resident               | <b>RE:</b> Request to Reserve Memorial Park Pavilion/Sunday, June 2, 2019/12:00 p.m. to 4:00 p.m.  |
| E. Lee/Church of the Good Shepherd            | <b>RE:</b> Request to Reserve Memorial Park Pavilion/Sunday, July 14, 2019/8:00 a.m. to 3:00 p.m.  |
| F. Ferrer/Resident                            | <b>RE:</b> Request to Reserve Memorial Park Pavilion/Saturday, August 3, 2019/11:00 a.m. to 4:00 p.m.                                      |
| G. Rainey/Clean Communities                   | <b>RE:</b> Request to Reserve Memorial Park for Community Litter Cleanup/Sunday, June 9, 2019/9:00 a.m. to 12:00 p.m.                      |

Council President Kornbluth requested that item H be considered separately and recused herself from the matter.

**Motion offered** by Council President Kornbluth, **Second** by Councilperson Amatorio, to approve Correspondence Items A through G. All present voting in favor, none opposed.

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| H. Landa/Congregation Beth Abraham | <b>RE:</b> Request to put up tent on the corner of Westminster Avenue and Thames Boulevard/September 27, 2019 to October 10, 2019 |
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It was clarified that the tent will be placed in John Paul Park. Given the potential construction, the synagogue may need additional space due to overflow during the high holiday services. The synagogue will cover any and all expenses for clean-up, Police detail, etc.

**Motion offered** by Councilperson Amatorio, **Second** by Councilperson Deauna, to approve Correspondence Item H. Two members voting in favor, Council President Kornbluth recused.

ORDINANCES

No ordinances for consideration.

A. CONSENT AGENDA

**CONSENT RESOLUTION 19-157.** 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. **19-158/**To Pay Bills
- b. **19-159/**To Approve Purchase – 2019 Ford Escape - Route 23 Ford Automall
- c. **19-160/**To Approve Contract – 2019 Ford Escape – Route 23 Ford Automall
- d. **19-161/**To Accept Retirement and Authorize Termination Payments – Police Chief
- e. **19-162/**To Authorize Payment for Pay Certificate No. 5 Final – Bergen County ADA Road Program – P.A. Contractors, Inc. – Remington & Vernick Engineers
- f. **19-163/**To Authorize Payment for Pay Certificate No. 4 – Bergen County ADA Road Program – P.A. Contractors, Inc. – T & M Associates
- g. **19-164/**To Authorize Payment for Pay Certificate No. 5 Final – Bergen County ADA Road Program – P.A. Contractors, Inc. – T & M Associates
- h. **19-165/**To Authorize RFQ – Construction Management Services
- i. **19-166/**To Approve Proposal – FY’ 2019 NJDOT North Prospect Avenue – Remington & Vernick Engineers
- j. **19-167/**To Approve Contract Modification No. 1 – Professional Services Agreement – 2019 Road Improvement Program – Remington & Vernick Engineers

Motion by Councilperson Amatorio, second by Council President Kornbluth, that the Consent Resolution be approved.

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

Councilperson Lodato:	<i>absent</i>	Council President Kornbluth:	<i>aye</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>absent</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>absent</i>

B. Resolutions

**19-168/**To Approve Change Order No. 4 – Shared Services Agreement with the County of Bergen for Road Resurfacing Projects for the County Ramps – T&M Associates

**19-169/**To Hire Part-Time Temporary Summer Laborer – Jared Haag

**19-170/**To Approve Veteran Tax Exemption and Refund – 214 Elder Avenue

**19-172/**To Authorize Capital Purchase – Two (2) Dual Perkins D6220 Tippers – Sanitation Equipment Corp.

Motion by Councilperson Amatorio, second by Council President Kornbluth, that Resolutions #19-168, #19-169, #19-170, and #19-172 be approved.

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

Councilperson Lodato:	<i>absent</i>	Council President Kornbluth:	<i>aye</i>
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Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>absent</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>absent</i>

**19-171/To Authorize Purchase of Property – 230 N. Washington Avenue**

Motion by Councilperson Amatorio, second by Councilperson Deauna, that Resolution #19-171 be approved.

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

Councilperson Lodato:	<i>absent</i>	Council President Kornbluth:	<i>nay</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>absent</i>
Councilperson Amatorio:	<i>aye</i>	Councilperson Marte:	<i>absent</i>

**UNFINISHED BUSINESS**

**A. Path to Progress Resolution**

No discussion.

**NEW BUSINESS**

**A. Lost Time Accident Frequency Report for the Bergen County Municipal Joint Insurance Fund**

Mayor Schmelz stated that the Borough had another good month and is moving up in the numbers. He complimented the work of the Safety Officer, Robert Byrnes Jr.

**B. Parking at Senior Center Building**

Councilperson Amatorio stated that there was a meeting with residents from the Senior Center, in which they expressed their concerns over parking at that location. He explained that the health providers have a hard time finding parking when meeting with clients that reside at that building, and therefore he is trying to resolve the issue.

Mayor Schmelz stated that he has raised this issue in the past, and brought the matter to the attention of Freeholder Sullivan. He confirmed that the property belongs to Bergenfield, and all the visitors have to do is call into the Police Department.

Councilperson Amatorio inquired whether the health providers can complete a waiver and register with the Police Department for a permit. This way, residents no longer have to call the Police Department.

Councilperson Kornbluth inquired who will provide the permit.

Borough Administrator Gallo clarified that the health providers and nurses can complete an application and obtain a placard.

Mayor Schmelz noted there are issues with people parking on the street, and the change could bring up issues in other areas.

Borough Administrator Gallo explained that the exception would only be for doctors, nurses, social workers, and persons in an official capacity.

Councilperson Amatorio stated that the Borough can speak to the County to develop parking, but this can serve as a temporary solution in the interim.

Deputy Police Chief Massey stated that a tracker can be placed in that area to record all activity and brainstorm ideas. He also stated that the ordinance does not have to be changed because the Police

Department has discretionary powers and can keep a list of the vehicles that should not be ticketed.

Borough Attorney Schettino explained that it would be considered a standing order. He further explained that the discretionary period could be used as a pilot, and the ordinance can be amended as necessary based on the information received.

Deputy Police Chief Massey stated that he will put together a policy and form for the Borough Administrator to review.

#### Committee/Department Reports

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

John Smith, resident, commented that the governing body spoke about pavers at a previous meeting, and the Borough Administrator mentioned it would be sent to the Planning Board. Mr. Smith stated that a copy of the report was received by the Mayor and Council, but no action has been taken. He referenced that he spoke to the chairman of the Planning Board and the pavers are not pervious. He stated that the applicants use silica sand. Mr. Smith inquired who will be responsible to enforce this, and whether it would be the engineer or code enforcement officer. Mr. Smith also stated that the delivery trucks at McDonalds are supposed to make all deliveries prior to 9:00 a.m. He commented that a truck was making a delivery after 9:00 a.m., had to back into the restaurant lot, and disregarded the pedestrian crossing sign.

Mayor Schmelz agreed with Mr. Smith's comments, but inquired how this can be enforced. He inquired how one can know the difference in between sand and silica.

Borough Attorney Schettino stated that if the permit approved did not allow silica, the code enforcement officer could ask them to rip it off.

Mayor Schmelz clarified that the Planning Board votes on the subdivision, not the plans.

Borough Administrator Gallo stated that the ordinance will be prepared for first read at the next meeting. He also referenced that as a member of the Zoning Board of Adjustment, Mr. Smith should document the situation, take pictures, and inform him of the violations.

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

#### COUNCIL COMMENTS

The Mayor and Council thanked everyone for attending and wished all a good night. Mayor Schmelz mentioned that the Memorial Day events will be held on Monday, the Fire Department Ceremony will start at 10:00 a.m., the Borough Veterans Committee Ceremony will start at 11:00 a.m., and the parade will start at 2:00 p.m.

#### CLOSED SESSION

**RESOLUTION 19-173**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

1. Attorney-Client Privilege
  - A. Utility Infrastructure Repairs Matter
  - B. Political Activities during Election Year

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 Council President Kornbluth, second by Councilperson Amatorio, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:35 p.m.

#### ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Council President Kornbluth, second by Councilperson Deauna, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:05 p.m.

Respectfully submitted,

Marie Quinones  
Borough Clerk