

**BOROUGH OF BERGENFIELD**  
**MAYOR & COUNCIL REGULAR MEETING**  
**4:30 p.m.**  
**March 17, 2020**

PRESENT: Mayor Arvin Amatorio and Council President Rafael Marte (4:40 p.m.), Council members Thomas Lodato, Buddy Deauna, Ora Kornbluth, and Marc Pascual

ABSENT: Councilmember Hernando Rivera

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

Mayor Amatorio called the meeting to order at 4:35 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 via the March 16, 2020 Sunshine Notice has been sent to the Record, Star Ledger, Twin Boro News and Cablevision and posted on two municipal bulletin boards and the Borough website."

The Salute to the Flag was led by Councilperson Deauna.

#### AGENDA CHANGES

Motion by Councilperson Kornbluth, second by Councilperson Deauna, to add the March 16, 2020 Emergency Meeting for approval of minutes, and Resolution #20-135 to amend the 2020 Meeting Schedule. All present voting in favor, no one opposed.

#### APPROVAL OF MINUTES

**MOTION OFFERED** by Councilperson Kornbluth, **SECOND** by Councilperson Deauna, to approve minutes of the February 18, 2020 Regular Public Meeting, February 18, 2020 Closed Session Meeting (not to be released), March 3, 2020 Work Session Meeting, and March 3, 2020 Closed Session Meeting (not to be released), and March 16, 2020 Emergency Meeting. All present voting in favor, no one opposed.

#### PRESENTATIONS

None.

#### 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, commented that the approved minutes state that the applicants do not need to advertise if meetings are cancelled and the application will therefore be considered at the following meeting. Mr. Smith stated that someone should notify the Chairman that Mr. Schettino explained this is not permitted.

Borough Attorney Schettino stated that he notified the Chairman.

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

Correspondence

- a) Merlo/Bergenfield Education Association **RE:** Request to Reserve Memorial Field for Softball Charity Game/Saturday, May 30, 2020/8:00 a.m. – 2:00 p.m. (Rain Date: June 6, 2020)
- b) Naylis/Board of Fire Officers **RE:** Personnel Action – Dated March 3, 2020

Councilperson Kornbluth stated that given the State of Emergency the request to reserve the field should be amended and approved subject to the park being open on that date.

**MOTION OFFERED** by Councilperson Kornbluth, **SECOND** by Councilperson Deauna, to approve Correspondence Items A through B, as amended. All present voting in favor, none opposed.

ORDINANCES

A. Adoption of Ordinances

Mayor Amatorio read into the record:

The following ordinance published herewith was first read by title only on March 3, 2020 and posted on the bulletin board of the municipal center.

**ORDINANCE 20-2561- AN ORDINANCE TO ESTABLISH THE SALARY RANGE OF EMPLOYEES NOT SUBJECTED TO UNIONIZED CONTRACTURAL UNITS OF THE BOROUGH OF BERGENFIELD**

Motion by Councilperson Kornbluth, second by Councilperson Deauna, that Ordinance 20-2561 be tabled.

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

B. Introduction of Ordinances

Motion by Councilperson Marte that the following ordinances be introduced and passed on first reading and setting Tuesday, April 21, 2020 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. Seconded by Councilperson Deauna.

Mayor Amatorio read the title of the ordinances into the record:

**ORDINANCE 20-2562 - AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**ORDINANCE 20-2563 - AN ORDINANCE AMENDING CHAPTER 299 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “VEHICLES AND TRAFFIC”**

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

A. CONSENT AGENDA

**CONSENT RESOLUTION 20-125.** 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. **20-126/**To Approve Bill List
- b. **20-127/**To Certify Compliance with the EEOC Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 and sign Group Affidavit
- c. **20-128/**To Approve Tax Refund – 443 Wildrose Avenue
- d. **20-129/**To Approve Tax Refund – 230 N. Washington Avenue
- e. **20-130/**To Approve Revised 457 Deferred Compensation Plan Documents – Lincoln Financial
- f. **20-131/**To Authorize Bergenfield Fire & Ambulance Departments Annual LOSAP Payment
- g. **20-132/**To Approve Temporary Emergency Appropriation
- h. **20-133/**To Approve Grant Cancellation – NJDOT Safe Routes to School
- i. **20-134/**To Approve Task Force on COVID-19
- j. **20-135/**To Amend 2020 Meeting Schedule

Motion by Council President Marte, second by Councilperson Deauna, 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>absent</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

UNFINISHED BUSINESS

A. Street Parking Near Foster Village

No discussion held.

NEW BUSINESS

A. Complete Count Committee

Mayor Amatorio stated that in the interest of time, the census has been extended, and the County has permitted the Borough to utilize the funds and be reimbursed any expenditures up to the highest amount of the grant, which is \$10,000. Mayor Amatorio stated that the Borough will create a committee to oversee the Census count in town.

Borough Attorney Schettino stated that the committee can be formulated and the resolution can be memorialized at the next meeting.

Mayor Amatorio stated that the information will be submitted to the Borough Clerk to be forwarded to the Borough Attorney for the resolution to be prepared for the next meeting.

B. 2020 Municipal Budget

Borough Administrator Gallo stated that the following items include the introduction of the capital and operational budget, which includes an increase of less than 1%. He commented that the Borough has been fiscally responsible, and has been able to stream line and pay down debt. Mr. Gallo further commented that at the next meeting, the Borough will reject the bids for the new

Municipal Building, and will look to re-bid in the next 6-9 months from now. Mr. Gallo stated that the Borough is in good financial shape, which will result in a higher bond rating.

Councilperson Kornbluth inquired about the tax increase per home.

Mr. Gallo stated that the tax increase should be under \$35 for a home assessed \$300,000. He explained that the small increase is in place after having two zero budget increases, and scheduled work to be done such as the continuance of road work and the parks that need to be updated. He stated that the \$2.2 million grant the Borough was awarded will be utilized for the fields at Twin Boro park, and the Borough will be able handle the swim club all at the same time. Mr. Gallo further stated that the Police Department is in need of three vehicles, the Fire Department needs a pick-up truck with a lift gate, the Department of Public Works needs another pick-up truck and a sewer camera to be used for road work. Mr. Gallo stated they are reducing some of the surplus.

Mayor Amatorio stated that with debt payments and expenditures, the surplus is still at a comfort level.

Councilperson Kornbluth commented that the Auditors also recommended no more surplus be utilized.

Council President Marte stated that the Borough is providing more services, and keeping costs down.

**20-136/**To Introduce Municipal Budget for Calendar Year 2020 and Advertise Public Hearing to be held on April 21, 2020

Motion by Councilperson Kornbluth, second by Council President Marte, that Resolution #20-136 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>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

C. 2020 Temporary Capital Budget

**20-137/**To Approve 2020 Temporary Capital Budget

Motion by Council President Marte, second by Councilperson Deauna, that Resolution #20-137 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>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

D. Introduction of Bond Ordinance

Motion by Councilperson Marte that the following ordinance be introduced and passed on first reading and setting Tuesday, April 21, 2020 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. Seconded by Councilperson Pascual.

Mayor Amatorio read the title of the ordinance into the record:

**ORDINANCE 20-2564 - 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 \$4,000,000 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.**

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

Committee/Department Reports

Motion offered by Council President Marte that the Committee/Department Reports be spread upon the minutes in full and filed. Second by Councilperson Lodato. All in favor, none opposed.

Councilperson Kornbluth stated that the governing body has been discussing changes to the meeting schedule due to the State of Emergency.

Borough Administrator Gallo stated that in light of the State of Emergency, his office is exploring various forums to hold meetings, whether it's a log-in to a web-based meeting or conference call, especially for the public comments portion of the meeting. He stated that the April 7<sup>th</sup> meeting is cancelled, and the Borough will continue to have one meeting a month due to the emergency situation. He further stated that this meeting was held in order to pay bills and to introduce the budget. He commented that he is working on solutions for future meetings, whether it's web-based like Zoom, a forum where you can see the person, but the problem is that not everyone has a computer where they can facetime. The website is being updated and robo calls have been made to keep the public informed.

Councilperson Kornbluth stated that the public can call-in by phone.

Mr. Gallo stated that his office is looking into this because the situation is fluid and there are many changes going on. He stated that yesterday the County Executive was going to shut down businesses as of today at 8:00pm, but that got pushed back and now is extended to Saturday 8:00pm. He expressed that they are implementing the webpage and providing updates on Facebook, and Twitter are important, and Instagram will be up and running to immediately post the changes that are occurring.

Councilperson Kornbluth stated she heard that the Governor may close businesses altogether today again.

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.

Diana Flagg, resident, stated that on her way to the meeting, she drove through the intersection of Washington and Main, and there is a hole that started as a crack. She questioned what the Mayor and Administrator learned from their trip to Washington, and stated that she received information via OPRA from Emerson, and learned that there were zero charges because the Mayor paid for herself and did not charge the town. Ms. Flagg also inquired the status of all the committee reports, and questioned whether the Police Department conducts background checks for the persons appointed to the Recreation Committee. Ms. Flagg commented how people were appointed to the

Veterans Committee, if they have to be a member of the VFW, and commented that no corrections were made in the minutes. She expressed that no one corrects anything, and the Borough Clerk never makes any corrections.

Borough Administrator Gallo stated that the intersection is a County road and the repairs cannot be done in the winter. He further explained that the committee minutes need to be approved by their respective committees, and therefore, are unavailable to the public.

Councilperson Kornbluth stated background checks are done for the coaches.

Borough Attorney Schettino stated that if corrections are made at a public meeting, the changes are reflected in the minutes of the meeting in which the corrections were made. He commented that the minutes are considered at a future meeting, not the meeting in which it occurred.

John Smith, resident, stated that last Wednesday he sent an e-mail on the paving issue in town. He stated that residents take advantage when paving, because once they receive their CO, they continue to pave. He further stated that water runs off to the street, there are no retention basins, and inquired who's checking on this.

Borough Administrator Gallo stated that he received the email and will look into this in the next couple of days. Mike Ravenda, the zoning officer, will be reviewing what Mr. Smith gave him.

Mr. Smith commented that the VFW will be closed and all events will be rescheduled. He stated that the State VFW closed all the halls and bars effective today. He further commented that the regular members of the Veterans Committee must be a resident, but others can be on the committee. He explained that is the case with Johnny O, and there is nothing illegal about it. Mr. Smith stated there are six applications on the agenda for the Zoning Board meeting scheduled for April 6<sup>th</sup> that will be cancelled. Mr. Smith also thanked everyone for the donations that helped the families in need, and stated that the Dominoes Club brought in another 15 bags of food. He expressed that it is good to see the community helping out.

Councilperson Kornbluth stated all construction is supposed to stop as of 11:00pm tonight.

Borough Administrator Gallo stated he heard construction is supposed to stop Saturday. The Governor changed what the County Executive did. All of the restrictions go into effect on Saturday.

Mayor Amatorio thanked Mr. Smith on behalf of the people who volunteered to do the food drive for the VFW opening their doors to conduct the food drive.

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

## COUNCIL COMMENTS

Councilperson Lodato thanked everyone and stated that all should be mindful of the conditions we are under and be careful.

Councilperson Deauna stated that a state of emergency has been declared and everyone should be safe.

Council President Marte stated that everyone be safe and try to contain themselves to their homes.

Councilperson Kornbluth stated everyone should stay safe, be careful, and look out for each other. There are many people who are hurting and are in worse position than us. Our prayers go out to them and hopefully we'll be sitting here with this blown over at the meeting next month.

Councilperson Pascual stated this is time the community needs to come together and be one.

Mayor Amatorio thanked all the members of the Council, the Administrator, the Clerk and John for working together. It's been a roller coaster ride this past week. Everyone is here working together for the community and will get through the economic impact of the problem, not just the country but for the residents. Be safe.

#### ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Councilperson Marte, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 5:22 p.m.

Respectfully submitted,

Marie Quinones  
Borough Clerk