

**BOROUGH OF BERGENFIELD**  
**MAYOR & COUNCIL REGULAR MEETING MINUTES**  
**TELECONFERENCE MEETING VIA CISCO WEBEX**  
**APRIL 21, 2020**  
**8:00 PM**

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

**ABSENT:** No one.

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

Mayor Amatorio called the meeting to order at 8:00 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 April 17, 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 Council President Marte.

Mayor Amatorio wished everyone a good evening, and welcomed everyone to the meeting. He thanked everyone for being in the meeting, including the Borough Administrator, Borough Clerk, Borough Attorney, and all the department heads such as the Borough Auditor Paul Lerch and Borough CFO Rich Cahill. He stated that these are unprecedented times, and although no one is expecting praises, he is proud of personnel, especially all the volunteers, and the Ambulance Corp., who have been working 24/7. Additionally, the Police Department, the Fire Department, and the Department of Public Works, and Borough staff for continuing their work during this situation. You are all very much appreciated. He also thanked the residents for their patience, since it is difficult to understand that we have to adjust to this situation, especially those that have lost their jobs and others that cannot leave their homes because they are not healthy. Mayor Amatorio stated that our hearts and prayers are with everyone, especially the residents that have lost loved ones. We will do our best to make things easier, especially when having these types of meetings, and hope there no challenges.

#### AGENDA CHANGES

On a Motion by Councilperson Kornbluth, second by Council President Marte, Resolution #20-165 to approve agreement authorizing Battelle Memorial Institute to operate the Battelle Critical Care Decontamination System for the for the decontamination of compatible N95 respirators. All present voting in favor, no one opposed.

#### APPROVAL OF MINUTES

MOTION OFFERED by Council President Marte, SECOND by Councilperson Pascual, to approve the minutes of the March 17, 2020 Regular Public Meeting. All present voting in favor, none one opposed.

#### PRESENTATIONS

None.

Councilperson Kornbluth inquired that if items that are left tabled are part of the agenda for discussion.

Borough Attorney John Schettino confirmed that items tabled on the agenda are part of the agenda and residents can comment on it.

Mayor Amatorio inquired if the process is clear on whether items will remain tabled.

Borough Administrator Gallo stated that the salary ordinance will remain tabled because there are discrepancies with the Mayor and Council salary guide and the creation of a position and contract for that agreement.

Mayor Amatorio stated that when the agenda was published, the salary ordinance was not tabled, but the ordinance was tabled in the March 17<sup>th</sup> meeting. He just wants to clarify for the public, in case they do not have a copy of the updated agenda. He stated that unless the Council wants to take action, the ordinance is tabled.

#### VERBAL COMMUNICATIONS I

Mayor Amatorio opened the meeting and invited the public for comments on agenda items only, limited to five minutes per speaker. Mayor Amatorio also explained that anyone that would like to speak should raise the hand near their name, and the host, which is the Borough Administrator, and he will be able to select them. He commented that there are currently 40 participants.

Mary Hernandez, resident, stated that she thanks everyone for doing this and figuring out the virtual meeting. She also thanked the volunteers, the DPW, the Fire Department, the Ambulance Corp. for continuing their work, and expressed her appreciation. She also appreciates the tabling of the Salary Ordinance and the Borough Administrator's interaction with her via email. Ms. Hernandez inquired that in terms of the budget, how come \$50,000 is going towards holiday lights, if has never been part of the budget. She stated that in previous years, the payment was made through the BSID or donations, and there was discussion that the payment should never be made using taxpayer money.

Borough Administrator Gallo explained that the purpose for the \$50,000, is that the BSID has subsequently dissolved. He stated that the BSID is currently in the process of dissolving, and therefore, the monies were put in the budget in the event there are no holiday lights or banners on the avenue, and if a new group organizes, the Borough needs to make sure the funds are in the budget, to ensure that the avenue has the appearance that it should have during the summer and holiday months.

Norman Schmelz, resident, stated that he did not realize there were \$50,000 in the budget for Christmas lights. He expressed that he finds it interesting because last year, as a member of the BSID, it was a struggle to have \$6,000 or \$15,000 for lights, and now there is \$50,000 in the budget for lights. He stated that the Borough has a mission statement that states they will treat the business owners with respect, but the business group has been tormented for years. Mr. Schmelz stated that even \$30,000 was an issue. He further stated that since the Borough Administrator was on the committee, another Councilmember should speak on the issue, on the reason the budget was cut.

Mayor Amatorio stated that no one was against the BSID, their budget was approved each year. He stated that there were issues with regards to their budget, but the budget has always been approved, and he has never been against them. He further stated that in terms of the funding, the initial request came from the BSID.

Barry Doll, resident, stated that he sent a letter to all the councilmembers recommending that the ordinance be tabled, and he suggests that it remain tabled until we are able to surpass this economic problem. He stated that he understands that the employees are deserving of a raise, but

in times of unemployment, in which families are concerned with putting food on the table, the Borough should not be giving pay increases. Mr. Doll recommends that it be on hold until this crisis is over and the economy turns.

Betsy Desoto, resident, questioned why residents are being cut short when matters are brought up or they express concerns. She stated that Mr. Schmelz was cut short when he was speaking. She stated that residents pay taxes and it is disrespectful to be cut off. She commented that this is a dictatorship. Ms. Desoto stated that she does not recall ever being cut off, and that he has not being respectful. She expressed that if the media were involved, everyone would act differently. She questions why she and the other residents can't be unblocked on Facebook. Ms. Desoto expressed that this is not the town she grew up in.

Borough Administrator Gallo stated that is not the meeting process. He stated that Mr. Schmelz was the former Mayor and knows the process well. He can make a statement, make his comment, but there cannot be the back and forth. Mr. Gallo stated that the meeting is not a dictatorship, that is how the meetings are run, and have been run over the years. He explained that the Mayor may have allowed the residents to speak back and forth, but in a meeting like this, where the meeting is being held remotely, and there is a lot to go through, he needs to be respectful and allow everyone an opportunity to speak. Mr. Gallo stated that Ms. Desoto can provide her email, and he will email her the DLGS instructions on running a meeting.

Borough Attorney Schettino stated that the Administrator is correct. He stated that the law provides that the residents be present at public meetings, and during these times, this can be done remotely. He explained that Bergenfield is much more generous than most public entities. He stated that the law calls for the meeting to be opened once to the public. He further explained that at one of the public meetings, Bergenfield opens the meeting twice to the public. Mr. Schettino stated that the law does not require that the meeting be opened twice to the public. He further stated that as the Borough Administrator explained, the public comment portion is for the public to make statements. The public can ask questions but it is up to the Mayor and Council to determine whether the questions are deemed acceptable and whether or not they want to answer them. Mr. Schettino stated that the public can contact the media, but this is not a news story. He explained that this is how every municipality is conducting their meeting. Mr. Schettino stated that per the guidelines, this meeting is no different from an in-person meeting, but it is being held remotely. Furthermore, the DLGS instructions provided that these meetings be as concise as possible since they are being done remotely, and allow the public to speak, by following strict enforcement of the time limitation. Lastly, Mr. Schettino stated that everyone needs to be muted because if there is background noise, it becomes very difficult to hear everyone, especially the speaker.

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

#### Correspondence

a) Garibaldi/Washington School's  
Parents Association

**RE:** Request to Reserve Hickory Field/Ross  
Applegate Park for 5<sup>th</sup> Grade Graduation  
Celebration/June 10, 2020/7:30 a.m. – 4:30 p.m.

Mayor Amatorio stated that this item can be approved and permitted if the state of emergency and public health emergency is over, and the restrictions are lifted.

Councilperson Kornbluth stated that she does is not opposed to approving this request with the contingency that all restrictions are lifted. The request also has to go to the Police Department and all other appropriate departments to ensure it meets all the requirements.

Councilperson Rivera stated that he is not in favor of this request because of the circumstances.

**Motion Offered** by Councilperson Lodato, **Second** by Councilperson Kornbluth, to approve Correspondence Item A. The majority present voting in favor, one member opposed.

ORDINANCES

A. Adoption of Ordinances

Mayor Amatorio read into the record:

The following ordinance published herewith was first read by title only on January 21, 2020, re-introduced on February 18, 2020, and posted on the bulletin board of the municipal center.

**ORDINANCE 20-2559 – AN ORDINANCE AMENDING CHAPTER 186 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “LAND DEVELOPMENT”**

Councilperson Kornbluth stated that many of her concerns with the ordinance have not been addressed. She stated that she will motion to table the ordinance, to ensure that it is reviewed and discussed in person.

Motion by Councilperson Kornbluth, Second by Councilperson Lodato, that Ordinance 20-2559 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>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

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. **(TABLED 3-17-20)**

**ORDINANCE 20-2561 – AN ORDINANCE TO ESTABLISH THE SALARY RANGES OF EMPLOYEES NOT SUBJECTED TO UNIONIZED CONTRACTUAL UNITS OF THE BOROUGH OF BERGENFIELD**

Mayor Amatorio stated that he understands there has been a lot of discussion on this ordinance. He stated that this ordinance was tabled at the last meeting, to allow time for further discussion in person. He also stated that outside of the Mayor and Council, there are other issues that need to be addressed for the operations of the Borough, such as the Deputy CFO position.

Borough Administrator stated that the resolution appointing the individual and approving his contract will need to be tabled as well.

Mayor Amatorio read into the record:

The following ordinances published herewith were first read by title only on March 17, 2020 and posted on the bulletin board of the municipal center.

**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”**

**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.**

Public comments on Ordinances 20-2562, 20-2563 and 20-2564.

Barry Doll, resident, stated that congress has been deliberating and will come out with another phase of infrastructure changes and improvements. He inquired whether municipalities can wait and see what the new rules and laws will be, to see if money can be received towards the infrastructure changes that want to be made here.

Borough Administrator Gallo stated that the Division of Local Government Services has requested that local government file their budgets now. He stated that as money comes available to the Borough and as times progresses, the Borough will have the flexibility to change and capture monies for the projects. However, the division has guided municipalities to file their budget now.

Mayor Amatorio stated that the borough administrator has been in communication with the County and the State, to ensure we capture any additional funding available to the Borough, either through the federal government or state government. He stated that the governing body is mindful of that, but is acting on the guidelines provided by the State as well. Mayor Amatorio stated that the Borough received budget approval, and was notified to proceed. He expressed that the Borough has to operate given the circumstances.

Mary Sullivan, resident, stated that she wants to speak on the budget and therefore will wait to make her comments until the budget discussion. She inquired whether the Public Library employees are paid or furloughed. She further inquired why the employees are being paid, if they are not working. She commented that all the events have been cancelled, and therefore, they have to be saving money. She also stated that other libraries are offer curb side pick-up, where you can order a book online and then pick-up, but expressed her disappointment that the library is not offering similar services. Ms. Sullivan expressed that the employees are being paid a salary without working full-time, but people working in the private industry have lost their job and have to claim for unemployment. She also stated that the library is being provided an additional \$20,000 this year.

Borough Administrator Gallo stated that the employees are working on projects that they have been unable to complete. He stated that the Library Director has been able to catch up and complete many projects, and the Library is also providing online virtual programming. He explained that the staff cannot be in all the time due to social distancing, but have split their time to go in and work on projects. Mr. Gallo stated that the library is not offering curb side pick-up yet, because the Borough needs to consider the number of confirmed cases in town and the magnitude of where the Borough is in comparison to other communities. He further stated that programs may be expanded, as he and the Library Director have spoken about it. At the time, the goal is to limit access and prevent exposure. In the next month or so, the programs will be reconsidered. Mr. Gallo explained that as time progresses, the situation will need to be re-evaluated, and employees may need to be furloughed. It is in the best interest to not make the decision at this time. Mr. Gallo stated that the additional monies is to expand the library services.

Borough Attorney Schettino provided the clarification that the governing body sets the library budget once a year, but the library has an independent board that makes all the decisions regarding their employees. The governing body and the Borough Administrator can make recommendations during a state of emergency, but the ultimate authority rests with the library board as any services they will continue to render to the public during the state of emergency, as well as any decisions they decide to make with regards to their employees. Mr. Schettino also explained that the state government and the federal government are encouraging private and public employers to keep their employees, and are even giving loans, provided that they keep their employees on their payroll. The state government also passed legislation that schools continue to

pay their employees through private contractors, even though they are not providing services. The intent of the federal and state governing is that to the extent that you can, you keep your employees, and they continue to be paid.

Joan Compton, resident, stated that she has no comments, and would like to know why the Mayor fails to answer questions. She stated that she realizes that Mr. Gallo is the administrator, but would like to hear more from the man the residents elected.

ER, resident, commented that the virtual meeting is working well, and inquired whether this will be done in the future. She commented that when the situation returns back to normal, whether the governing body will continue to hold virtual meetings to have the public more involved. She further commented that meetings can even be televised.

Borough Administrator Gallo stated that this will continue for some time. He explained that perhaps the governing body can offer this opportunity once in a while, but is unsure it will uphold under the open public meetings act. He stated that this format is challenging, especially when trying to give everyone an opportunity to speak.

Borough Attorney Schettino stated that this only permitted in present time. He explained that due to the state of emergency, there were special rules offered by the state to allow for remote meetings. Unless the state changes its laws to allow for remote meetings, a meeting as such would not be in compliance with the open public meetings act.

Jen Dacosta, resident, expressed her appreciation for the meeting being held remotely tonight. She inquired whether this can be done again in the future.

Gwen Hill, resident, stated that she noticed there is paving work taking place in Bergenfield. She commented that her street was marked off, and inquired when the paving will be done on Sunset.

Borough Administrator Gallo stated that paving will continue in town and there are some roads the contractors are trying to move on, but the Borough Engineers are working on the timing and coordinating them.

Mary Hernandez, resident, stated that with regards to the budget, there is economic tsunami coming soon. She stated that she supports employees being paid, especially in the library, as she sees the work that is produced. Ms. Hernandez stated there is action on Facebook and it is clear that they are working, and she appreciates their work. She inquired how the budget keeps with the campaign promises of the Mayor and Council. She stated that last fall, there was a lot of talk about commuter parking and other initiatives, and would like to know how the budget represents them. She commented that with regards to the Christmas lights, she recommends whoever New Milford used because the lights were excellent.

Norman Schmelz, resident, stated that he is confused and inquired whether the organization of the agenda items were reorganized, since the comments should have been made with regards to the ordinances that have been moved. He stated that with regards to ordinance 20-2563, what will be the parking restrictions be since the ordinance reads no parking on both sides. Mr. Schmelz stated that the ordinance contradicts itself. He also stated that with regards to 20-2564, he thanks the governing body for continuing with the soccer fields, as he was a major proponent and supporter of the project. Mr. Schmelz stated that he thanks the Mayor and Council because he knows many people will benefit from the soccer fields and other sports projects as well. He commented whether it makes sense to continue with construction even though the players will not be allowed on the field. He stated that New Milford has moved on construction and inquired the status of Bergenfield roads.

Borough Administrator Gallo stated that the borough will continue working on the projects it can work on. He stated that they moved off work from Memorial to work on the baseball fields. Mr. Gallo stated that the Borough is trying to move as quickly as it can.

Councilperson Rivera stated residents on Pelham requested no parking on one side of the street because of the traffic issues. The term “both” should be removed from the ordinance and corrected to the left side.

On a motion by Councilperson Kornbluth, second by Councilperson Marte, the public comments portion on ordinances is closed. All present voting in favor, none opposed.

Motion by Councilperson Rivera, second by Councilperson Lodato, to revise the ordinance from “both” to the “left” side.

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

Motion by Council President Marte, second by Councilperson Deauna, to pass Ordinances 20-2562, 20-2563, 20-2564 on second and final reading and are hereby adopted and notice of same shall be published according to law.

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

#### A. CONSENT AGENDA

**CONSENT RESOLUTION 20-138.** 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. **20-139**/To Approve Bill List
- b. **20-140**/To Authorize the Borough’s Storm Recovery Trust Fund to be used for Coronavirus Expenses and all future Emergencies Declared by the Governor or President of the United States
- c. **20-141**/To Support 2020 Arbor Day Celebration
- d. **20-142**/To Approve Tax Appeal Settlement – 18 Melrose Avenue
- e. **20-143**/To Approve Tax Appeal Settlement – 110 Bergen Avenue
- f. **20-144**/To Approve Tax Refund – Congregation Ohr Ha Torah – 40 Rector Court
- g. **20-145**/To Approve Tax Refund for Veteran Exemption – 14 O’ Neil Street
- h. **20-146**/To Establish a Census Complete Count Committee in Bergenfield
- i. **20-147**/To Approve Retirement – Lieutenant Edward Brown
- j. **20-148**/To Approve Retirement – Peter Marsilio
- k. **20-149**/To Approve Contract – Solid Waste Service Agreement with Covanta Sustainable Solutions LLC – BCUA Solid Waste Cooperative Marketing Program
- l. **20-150**/To Approve Municipal Court Shared Services Agreement
- m. **20-151**/To Authorize Agreement – Renewable Energy – Direct Energy – Bergen County Cooperative Pricing System
- n. **20-152**/To Approve Proposal – Tax Map Maintenance – Remington & Vernick Engineers
- o. **20-153**/To Approve Proposal – Twin Boro Field Improvements Phase 1 – T&M Associates
- p. **20-154**/To Approve Award – West Clinton Avenue & Melrose Avenue Storm Sewer Cleaning & Video Inspection – 11 Enviro Group LLC
- q. **20-155**/To Reject Bid – Sanitary and Storm Sewer Rehabilitation Program

- r. **20-156**/To Reject all Bids – New Municipal Building
- s. **20-157**/To Authorize Bid – Paving of North Prospect Avenue – 2019 NJDOT Municipal Aid Grant
- t. **20-158**/To Approve Award – West Clinton Avenue Sanitary Cleaning & Video Inspection - National Water Main Cleaning Co.

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

**20-165**/To Approve Personal Protective Equipment (PPE) Decontamination Services Agreement – Battelle Memorial Institute

Motion by Council President Marte, second by Councilperson Kornbluth, that Resolution #20-165 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>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

**B. Resolutions**

**20-159**/To Appoint and Approve Contract – Deputy CFO – Kent Christner

Motion by Councilperson Kornbluth, second by Councilperson Lodato, that Resolution #20-159 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>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

**20-160**/To Approve Emergency Hire – Per Diem Nurse – Yoselin S. Abreu

Motion by Councilperson Kornbluth, second by Councilperson Lodato, that Resolution #20-160 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>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

**20-161**/To Hire Part-time Laborer – Casey Baudone

Motion by Councilperson Lodato, second by Councilperson Deauna, that Resolution #20-161 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>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

#### UNFINISHED BUSINESS

##### A. 2020 Local Municipal Budget

##### 1. **20-162**/To Read Budget by Title Only

Motion by Councilperson Kornbluth, second by Councilperson Marte that Resolution #20-162 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>aye</i>
Council President Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

Paul Lerch, Borough Auditor, stated that the state has reviewed the municipal budget and provided the Borough approval to proceed to adopt the budget. The borough has met all the requirements and received positive notation from the Division of Local Government Services. The budget is comprised of the revenues as well as the appropriations. Mr. Lerch stated that the budget is \$42,969,537.00, a little over 5%, with the majority comprised of public and private revenues. The Borough was able to secure grants for projects and road improvements. Surplus anticipation has decreased a little bit, but municipal revenues have been flattened and will remain at 1.9 million. Mr. Lerch explained that since the state budget will start in the fall, there may be an issue with cash flow because the funding will be provided later in the year. General taxation is going up from \$30,429,000 to \$30,734,000. This is roughly \$304,608 and the library is included in that amount, at approximately \$50,000. The budget breakdown includes where the funding is coming from, which is mostly public and private revenues, the majority being general taxation. Mr. Lerch explained that there is a maximum amount the Borough can raise taxes by statute, which is \$34,509,857. However, the borough has kept the amount at \$29,670,658, which is \$4,839,199 below the maximum amount. Mr. Lerch provided a budget spending analysis, which is 5.6% of the budget. The appropriations are where the budget goes, which the majority is absorbed by police services. The maximum amount permitted in the CAP spending is \$32,025,349, but the borough has kept the amount below cap. Mr. Lerch explained that if the borough wanted to include additional spending, they can do so by more than 2.7 million dollars, but have not. The apportionment of the taxes shows the percentage of the taxes that go to the municipal, county, and school taxes, which includes an increase of about \$29 on an average residential home values at \$320,000. Mr. Lerch stated that the majority of the taxes goes to the school district. He explained that the \$29 increase is only for the municipal side, and does not include the county and school taxes.

Norman Schmelz, resident, stated that the school taxes are estimated at 4%. He inquired where the number came from and whether it's an actual number. He stated that they cannot raise more than 2% and the county has been a zero budget for several years.

Mr. Lerch explained that the budget is prepared based on an estimate from several months ago, but the borough can only account for the municipal side. He explained that the borough could have gone up an additional 10%, but the numbers were kept as such.

#### Public Comments on the Adoption of the 2020 Municipal Budget:

Norman Schmelz, resident, inquired how the surplus will be at the end of the year and how much we are anticipating. Mr. Schmelz stated that he looks at the line items, and the borough always anticipates more than the actual monies that come in. He also inquired how much will be anticipated in surplus this year. He commented that additional funding should be taken from

surplus to provide a zero budget. Mr. Schmelz stated that this has been done the last two years. He expressed the Borough is willing to put an additional \$50,000 for Christmas lights, even though this never had to be spent. He stated that the Council should explain to everyone why the Borough needs to pay for Christmas lights this year. He also inquired why the budget is being lowered for parks and recreation. He inquired why 1.2 million are being put down for bond anticipation notes, but only \$500,000 was used last year. Mr. Schmelz commented that the borough should have put the additional \$300,000 in the budget towards a zero budget. He inquired if the Mayor was involved in the decision.

Borough Administrator Gallo stated there was a cost to the zero budgets. He also explained that the parks and recreation budget is not down, the salary line item is down due to retirements and resignations.

Rich Cahill, Borough CFO, stated that due to the zero budget, 1.2 million was never generated in surplus. He explained that the surplus started at 9.5 million, and was reduced by 1.5 million due to lost tax revenues.

Mayor Amatorio stated that several discussions were held on whether another zero budget could be done, but the professionals advised against it, because this is the best way to weather the storm. He stated that he was not involved in making the decision.

Mary Hernandez, resident, stated that other than her question earlier about how the budget keeps with the campaign promises, she has no further comments.

Mayor Amatorio stated that the borough has been working on infrastructure and received over 2 million grants for the fields. He stated that the reason there are private and public revenues in the budget is due to the fact that more funding was received for the fields. He stated that with regards to the roads, more than 10 roads are being paved this year. There have been issues with timing due to the current situation, but the borough is working on catching up and finishing up the roads this year. The budget also includes funding towards park improvements to renovate the parks based on discussions, which results in about \$600,000 which will go towards fields. The borough also has additional funding for little league baseball fields and facilities used by other sports. He expressed his gratitude towards the finance committee for working on the budget. He also thanked the Borough Administrator and professional finance officers.

Councilperson Kornbluth stated that the borough also added additional monies towards little league and the Recreation Department for umpires and equipment.

Mayor Amatorio stated that additional monies were placed in the Recreation budget for events. He explained that if it were not for the crisis, the borough would be rolling out with all this projects.

Councilperson Rivera stated that the finance committee met with all the borough department heads to review their budget and compare to their requests for last year. He stated that the committee had a very long meeting to review all their needs and do their best to move ahead.

Council President Marte stated that the sports fields such as the little league batting cages have been suffering, and so additional funding was included to renovate them. He stated that students from the high school had to go play elsewhere, and therefore the committee decided to include funding for them.

Steven Carmona, President of the Little League, stated he is the president of the little league and this is the first time he learns that funding will go towards the little league. He expressed that he is unsure why the Council President stated that the little league batting cages are in disrepair, because that is beyond him. He explained that ever since he was involved in the program, they have been building up and receive numerous compliments from neighboring towns that come to visit and play with us. He questioned the funding little league will receive.

Borough Administrator Gallo stated that additional funding has been placed in the budget for little league as requested by the Recreation Director. He further stated that additional funding was included in the budget for PAL referees. Mr. Gallo stated that the borough just skinned the Babe Ruth fields and spent over \$600,000 refencing and caging the field, and now is in the process of having the infield redone. He stated that on the other side of the field, the diamond is being put in.

Mr. Carmona stated that the work that has been done in Memorial is great, but the council should know the difference between Babe Ruth and the Little League because there are no issues at little league. He also stated that it was very disrespectful to say "whatever" to a taxpayer.

Jen DaCosta, resident, requested the tax dollars that will go to the county.

Borough Auditor Lerch stated that for every dollar the taxpayer pays in taxes, \$0.34 goes to the municipality, \$0.57 goes to the school district, and \$0.09 goes to the county.

Betsy Desoto, resident, stated that comment made before is disrespectful and the person is deserving of an apology. She stated that the Administrator offered an explanation, but never an apology.

Borough Administrator Gallo stated that he will make an apology. He explained that this is a very complicated process, because if the borough has no holiday lighting in November, and there is no plan in place, residents will be upset. He expressed that as the Administrator, he needs to plan ahead and make sure to advise the council that the monies need to be budgeted in the event there is a need for lights. Mr. Gallo stated that the BSID decided to dissolve. As such, he recommended that monies be put aside until a new organization steps in. He expressed that the former mayor knew the plan because they sat in the meetings together. He stated that if there are no lights in the winter, it would be considered to be a lack of planning on his part. Mr. Gallo stated that he and Mayor Schmelz have a very good relationship, and he has heard much worse.

Mayor Amatorio reminded the callers that this is the public hearing on the budget.

Barry Doll, resident, stated that on the side of revenues, under public and private revenues, the borough is anticipating \$2,550,000 in comparison to \$244,000 last year, and inquired the reason.

Borough Auditor Lerch explained that the majority of the increase is due to grants and Twin Boro field improvements, which is a Green Acres grant. This will also appear on the appropriations side, and therefore it balances out.

Mr. Doll also stated that on the spending side, general public is up 10%, and inquired the reason for it. He inquired if there is one item that makes up the majority because it is a significant increase.

Mr. Lerch stated that there are many parts of the budget that are involved in that figure. He explained that majority of it, about \$50,000 or more, involves the celebration of public events, \$200,000 reserved for tax appeals, and then administration other expenses made of smaller components of all those line items.

Mr. Gallo stated that the majority is for the reserve for tax appeals for successful appeals.

Mr. Doll also inquired why debt service is up by 43%.

Mr. Lerch stated that as the revenue is distorted, the appropriation side will also be distorted because these are offsetting accounts.

Mr. Doll expressed the concern that the borough continues to borrow and should tighten the belt. He commented that since it is April, has the school district provided a definite number. Mr. Doll stated that the council and the school board members should communicate for a more definite

number. The council liaison state there should be more of a partnership. Mr. Doll also suggested that a collection should be done to request donations for the holiday lights.

Mr. Lerch explained that the budget was prepared back in February based on an estimate. In the future, he will focus on the municipal side since it is the only budget the council has control over. He commented that the council has done a great job to keep it less than 1% increase.

Mr. Gallo stated that he has communication with Dr. Tully on a daily basis due to the circumstances. He commented that there is a partnership and the borough and the school district work well together, especially this time to coordinate efforts and understand their needs to reopen and how the borough can assist. Candidly, there have been no conversations on the budget.

Councilperson Kornbluth stated that the borough has no control over the school district budget. She commented that residents should attend their meetings to express their concerns on their budget.

S Donegan, resident, thanked Allison, the Library Director, and the library for all they have been doing, the streaming services and reading to the children, all the programs have been fantastic. Their services have been great during this time of need.

On a motion by Council President Marte, second by Councilperson Pascual, to close the public hearing on the municipal budget.

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

#### **20-163/To Amend 2020 Municipal Budget**

Motion by Councilperson Kornbluth, second by Councilperson Rivera, that Resolution #20-163 be approved.

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

#### **20-164/To Adopt 2020 Local Municipal Budget - As Amended**

Motion by Councilperson Kornbluth, second by Councilperson Rivera, that Resolution #20-164 be approved.

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

Mayor Amatorio stated that he thanks the finance committee, Borough Administrator, and department heads, and the finance department for a job well done.

#### **B. Street Parking Near Foster Village**

Borough Administrator Gallo stated he has no information.

Councilperson Rivera stated that residents are parking in the area since restrictions are lifted.

#### **NEW BUSINESS**

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

Borough Administrator Gallo stated that with COVID-19, the numbers have been staying in line. He stated the next quarter should be a better indication of the true numbers. He further stated that in the safety meetings, the main priority is keeping the staff safe during this COVID-19.

#### Committee/Department Reports

Mayor Amatorio stated that he requested the Borough Administrator prepare a report on the status of all the departments during this time.

Borough Administrator Gallo stated that the borough received its first case after the Fort Lee and Teaneck cases were confirmed. During that time, the borough communicated with the County, the Health Officer, the local health board, the Board of Education and OEM in order to start organizing. First and foremost, the borough was concerned about the safety of the employees and decided to close the building to limit exposure. We also coordinated with all emergency services to ensure they had the appropriate PPE and that all the vehicles are cleaned. The borough purchased a hospital grade sprayer to sanitize all the ambulances and Police Department vehicles after each and every shift. The DPW staff dress in the appropriate gear and spray all the offices throughout the day to try and keep the environment as clean as possible by disinfecting the work spaces and door handles. Unfortunately, the borough has been hit with the virus. We limited our staff as most organizations have, and therefore have some staff working remotely from home and others are here in the office limited hours. Members of the Police Department contracted the virus, as well as the Fire Department, BVAC, and DPW. Luckily, no cases have been severe where members have had to spend time in the hospital. All members are home quarantined. In operations, each department has been modified and are doing as much as they can during these times. As of March 25<sup>th</sup>, the Building Department was providing COs and completing inspections onsite. Due to the Governor's orders, inspections are now being done via Facetime or Zoom. The Fire Official's office cannot conduct new inspections, but are following the same procedures and completing reinspection via Facetime and Zoom. The Court Administrator has followed state guidelines and postponed all cases to mid-May. The cases will probably be moved again to June. The Fire Department, the career and volunteer staff have been working closely to ensure coverage is always met. He stated that fortunately there have been no fires during these times, only one incident. Police Department has been hit with the virus, but they too have been out patrolling and ensuring the roadways and passageways are clear for emergency vehicles. The BVAC, since the pandemic hit, has responded to 365 calls. This has been a tremendous burden placed on this group. They have been out there responding to calls and fighting the fight. I have been working very closely with OEM to ensure all of the needs of BVAC or any other group impacted by this have been met. The Health Department, similar to the BVAC, has been working hard to follow up with all positive cases and evaluate the individuals and understand where they have been. The department has worked an incredible number of hours, because they have to submit the reports to the state. As the list continues grows, they continue to work on Saturday and sometimes on Sunday, to ensure that the borough stays current. There have been complications, but the commitment of the staff has been incredible. The finance office is working behind the scenes ensuring the bills are paid and that operations continue to run. The tax office will soon be working on collection, but the office offers residents the ability to pay their taxes online. Residents can also visit the office by appointment in five-minute intervals and we are working on creating a mail slot for payments. We are trying to offer the best options available for residents. The Clerk's office, unfortunately, OPRA requests continue to come in and they have continued to fulfill them. The business of the borough continues to move forward. The Public Library, even though it has been closed it has kept busy. They offer online services and had 2,700 people review information in a week. There has been some controversy and discussion regarding social services, but what has been done with the food bank has been truly amazing. It is very impressive to see the all the support on how the community has helped one another. The borough has filled and given out hundreds of bags of food for residents in need. The Mayor and Council has been there through it all having conversations throughout the entire process. Many volunteers in town have provided so much of their time to support. The Public Library is calling seniors to follow-up and check up on them, to ensure they are doing well. The residents that utilize the senior bus have been contacted in case they need someone to assist them by picking up food or medicine.

The business district has been given any SBA information that is available. The website has been updated and the web master, Carmine DeMarco, has been working tirelessly to ensure items are posted and all the information is best represented to the community.

Mayor Amatorio stated that the borough is also working on bringing a test site into town. He stated that the company has submitted paperwork for the Borough Attorney's review to ensure it is feasible. If it becomes a possibility, we may have a testing center. Mayor Amatorio also stated that the food bank is doing very well, as it has received donations from various organizations and churches in town, as well as from our residents. He expressed that it is very impressive to see the community come together to assist Bergenfield residents that are in need.

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

Jen DaCosta, resident, inquired who will run the test site and where will it be located. She also inquired if the test will be for residents that have symptoms or have been in contact with someone who tested positive.

Mayor Amatorio stated that the test site will be run by a private entity and the borough providing the site, in order for residents to have immediate access if they wish to be tested. There is no cost to the borough to have the test site. The borough will not run the site, but need to make sure that the liability requirements are covered. Mayor Amatorio stated that the testing will be available to everyone, with or without symptoms.

Borough Administrator Gallo stated that the potential location is Memorial field, this way residents can come in one way, and drive out of the park in the other direction.

Councilperson Kornbluth stated that she believes it will be by appointment only.

Matt Doyle, resident, stated that back when the Mayor and Council members were running, they met with several of the little league dads who learned there was funding available for the little league. Mr. Doyle stated that when he followed up, he was told there was some confusion. Mr. Doyle commented that upgrading Memorial Field and PAL fields is great, but the fields have nothing to do with little league. He stated that if there is any funding available for little league, please speak directly with him, as he is the treasurer of the little league.

Borough Administrator Gallo stated that the little league can receive the funding by creating a requisition through the Recreation Department for any work or items the program needs. Mr. Gallo stated that the program will not receive a check, but a purchase order can be created through recreation for any needs.

Norman Schmelz, resident, stated that the BSID was supposed to be a joint relationship between the local government and local business people, but this never happened. He stated that for the past six years he served on the board, the partnership never happened because there was always a fight regarding the budget. He stated that the board wanted to do a festival on the avenue, and no one supported the idea. He stated that the purpose was to have people on the avenue, and the ideas were always blocked. Mr. Schmelz stated that it never cost the town any money, and now it will cost the taxpayers \$50,000. He commented that the borough can say they need to put up the Christmas lights, but everyone knows the reason. Mr. Schmelz stated that he heard that pay increases have been discussed for several years, but that is not true. He stated that if this was ever discussed, he would like to see the meeting minutes. Mr. Schmelz stated this came up when the finance committee put the raise in last year, and he complained about it. He stated that he can provide a number of reasons the governing body is undeserving of pay increases. He stated that

there are no consequences when a councilmember misses a meeting, or when the liaisons fail to attend their board meetings. He commented that the liaisons need to be switched up in order to attend meetings, and never attend events. Mr. Schmelz stated that the Mayor sits on the Library Board and can answer questions on the library. He commented that the council could have reached out to the school district to learn that their budget will be raised by 1.5%, not 4%. He stated that one person from the Dominoes Club was pushing for batting cages, but that has nothing to do with little league. Mr. Schmelz stated that meetings should be televised, so that residents know what is going on. He inquired if a for-profit company will do the COVID-19 testing, and whether they will charge residents. He inquired if this needs to be bid since the laboratory is a for-profit company. He also inquired if the employees that tested positive are reported under OSHA.

Borough Administrator Gallo stated that the costs will be covered by insurance, as there are set fees that can be charged. He further stated that the reporting is done by the town where the employee resides.

Borough CFO Cahill stated that during a pandemic, the Division of Local Government Services has waived purchasing requirements.

Barry Doll, residents, stated that the council should have stronger ties with the Board of Education. He also stated that the Christmas lights should be paid for by the merchants in town or by requesting for donations from the churches. He stated that more people have called on the phone to participate in the meeting, and therefore should be tried again in the future.

Steven Carmona, resident, thanked the Borough Administrator for doing this meeting and inquired why the borough has spokesman even though there was never one in the past.

Borough Administrator Gallo stated that the goal is to integrate and provide more access for residents. He stated that of it has become a little derailed due to the circumstances, but the goal is to integrate social media more through the borough Facebook page, and create an Instagram and Twitter account to get the word out about the work the borough is completing. He explained that in a meeting as such, everyone wants to know where the money is being spent. He expressed that by having the social media accounts, the borough will be more transparent and the information will be more accessible to residents.

Mr. Carmona stated that that this should be the job of the Mayor. He commented that Mayor DeBlasio has a press conference each and every day. He stated that when the former Mayor was in office, residents never had to call on the Administrator and council to find out information.

Mr. Gallo stated that to the point, the Mayor of New York and the mayor of towns that have press conferences everyday have only one job, and being the mayor is their only job. He stated that the information was only catered to a specific group. The goal is to be more transparent and reach everyone. He stated that this is only a one-year contract and the services will be evaluated at the end of the year. Mr. Gallo stated that the contract is for \$4,000 a month.

Matt Doyle, resident, stated that social media is a great way to reach residents, but residents should be unblocked on Facebook. He stated that ACLU case law states that a public official's page cannot be private.

Mr. Gallo stated that Mr. Doyle is referring to a private Facebook page. The borough now has a Facebook page in which residents can post and make comments. He stated that the page will be monitored and if the comment is inappropriate, it will be removed. Mr. Gallo stated that Mr. Doyle can send him the article and he will have the Borough Attorney review it. He further stated that other officials have blocked people on Facebook as well.

Mr. Doyle commented that he can provide the services for \$3,500.

Mr. Gallo stated that Mr. Doyle is welcome to submit a proposal when the RFP for the services is advertised.

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

#### COUNCIL COMMENTS

Councilperson Lodato stated that the manner of handling the meeting remotely is only being done during this crisis. However, once we return to conducting the meetings in usual fashion, perhaps with this system already in place, we can invite the public to participate remotely while we are together in borough hall. As Mrs. Hernandez requested comments pertaining to the budget via a vi campaign statements, he stated that he was committed to itemizing and exploring every method of achieving cost effectiveness in the budget, while weening out items that are unnecessary, and the committee has done that. He stated that an example of this was when the borough discovered that buying two fire trucks was more cost effective than purchasing one truck at different times, it went ahead and did so. Also, in the past few years, as infrastructure work was being done by utilities and they were opening up the street, the borough was right behind them paving the street, effectively completing twice as many streets. The Borough Administrator has been very effective in coordinating this work. The Mayor and the finance committee have done a great job on the budget.

Councilperson Deauna expressed his compliments to the Borough Administrator for planning this meeting tonight. He stated that there were complaints made, and that is fine. We listen to your comments and take them in consideration, and hopefully we can answer them at our next meeting. He commented that the second wave of this virus could be worse in the winter, and everyone should prepare for it. We need to practice social distancing and senior citizens should stay home. Thank you and good night to all.

Council President Marte thanked everyone that participated in this meeting. He expressed his gratitude for everyone that has helped during this crisis, and deepest condolences with all those who have lost a loved one. He commented that we need to stick together and we will get through this.

Councilperson Rivera stated that he hopes that the next bill passed by congress will provide funding to the municipalities, because he knows this is a burden and the borough will be lowering the collection rate. We wanted to offer assistance and use surplus to alleviate taxes, but this cannot be done. He stated that he asked the borough professionals and understands this cannot be done. The borough will consider passing a resolution lessening the rules in the payments. He proposes that given the circumstances, the borough should change this and pass a new resolution. Councilperson Rivera stated that there are wonderful people that have left everything to protect our society from this situation. He stated that heroes are working tirelessly making sacrifices and working up to 25 hour shifts to fight COVID-19. He expressed his respect, gratitude and admiration for all those working in the front and second lines. He thanked everyone and wished all a good night.

Councilperson Pascual thanked everyone for attending the meeting, as he understands this is time consuming and late in the evening. He stated that this is a time we all need to come together. He understands that everyone has different views and opinions that separate us, but we share the common goal to do the right thing for the town. This is a time we have to come together and stand strong. He wished all a good night and told everyone to take care.

Councilperson Kornbluth thanked everyone for attending the meeting and thanked the Borough Administrator for leading the charge and working 24 hours a day, as well as OEM Coordinator Ryan Shell, the health department and all the health workers in town. She also thanked John Smith for all he is doing running the food pantry. Stay safe and we will see everyone soon.

Mayor Amatorio thanked the Council for all they have done for the community and thanked the Borough Administrator for working late night hours assessing what is going on, and all the departments for all their work. He thanked the DPW for cleaning all the offices, and the BVAC for attending all the calls, as well as the Police Department, the Fire Department, and OEM. Mayor Amatorio thanked all the donors and churches who have donated, as many families have been



helped during this time. He stated that candidly, other residents from another town have been helped as well. Bergenfield residents are prioritized, but cannot turn away residents in need. Mayor Amatorio stated that there is a food pantry at borough hall and the VFW. He thanked John Smith and his wife for all they have done for the food pantry. Thank you to all who have participated on the call. We value your comments and will adjust what we can. Thank you and good night.

#### ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Councilperson Pascual and unanimously carried, to adjourn this meeting, the meeting was adjourned at 11:10 p.m.

Respectfully submitted,

Marie Quinones  
Borough Clerk