

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
SEPTEMBER 9, 2021**

PRESENT: Mayor Arvin Amatorio and Council President Hernando Rivera, Council members Thomas A. Lodato, Buddy Deauna, Rafael Marte, Ora Kornbluth, 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 8:10 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 Councilman Pascual.

AGENDA CHANGES

Councilperson Kornbluth made a motion to add resolutions 21-287 approving Community Grants, Planning and Housing, LLC agreement to the consent agenda and resolution 21-288 approving the liquor license transfer from 333 B&B LLC to Aloha Krab of Bergenfield LLC to resolutions, and added police department personnel matters and liquor license application to closed session. Council President Rivera seconded the motion. All present voting in favor, none opposed.

PRESENTATIONS

A. Proclamation - Drive Sober or Get Pulled Over 2021 Statewide Labor Day Crackdown

Mayor Amatorio read the proclamation into the record.

B. Proclamation - Hunger Action Month

Mayor Amatorio read a proclamation in honor of Hunger Action Month. He stated that the governing body would like to honor a family that has selflessly donated to the Bergenfield Food Pantry.

Councilperson Marte read the biography of the Oreoles family into the record.

Mayor Amatorio presented the Oreoles Familia and his family with a plaque for their generous contributions to the Food Pantry.

C. Hiring and Appointments

21-272/To Hire Part-time DPW Laborer – Jacob Vasquez

Motion by Councilperson Marte, seconded by Councilperson Deauna, that Resolution #21-272 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>	Council President Rivera:	<i>aye</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

21-273/To Hire Seasonal Crossing Guards – Prax Sanchez & Elena Sanchez

Motion by Councilperson Marte, seconded by Councilperson Kornbluth, that Resolution #21-273 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>	Council President Rivera:	<i>aye</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

CAPITAL IMPROVEMENTS/BOROUGH ENGINEER

A. Engineering & Inspection Status Report

Borough Engineer Klein stated Phase 1 of the road programs, consisting of Merritt Avenue, Beverly Place, Irving Place, Barry Place will be mobilized and the contractor will let him know when they will begin work next week. The other contractor for the Phase 2 road program, consisting of Elder Avenue, Spring Avenue, S. Railroad Avenue, Highland Avenue, Davis Drive, and Gordon Rd, is planning to mobilize the week after next. Mr. Klein explained that both contractors would have already started if it wasn't for the weather. The roads they will start with depends on the materials they are able to obtain, and may start on the roads that do not require utility work. The work on Anderson Avenue will start the week after if the contractor can get the supplies.

Councilperson Marte inquired if it is due to the shortage of supplies that some roads cannot be started.

Councilperson Pascual inquired about the stripes on Clinton Ave going towards the high school.

Mr. Klein stated there are three roads that need utility work, Gordon, Merritt, and Anderson. Mr. Klein stated that striping on Clinton Avenue is included with the phase 2 work to be done along S. Railroad Ave.

ORDINANCES

A. Adoption of Ordinance

The following ordinance published herewith was introduced by title only on August 17, 2021 and was posted on the bulletin board of the municipal center.

ORDINANCE 21-2585 - AN ORDINANCE AMENDING CHAPTER 303 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED "VEHICLES FOR HIRE"

Public Comments on Ordinance #21-2585.

Mary Sullivan, resident, inquired if limousines are covered under the commercial and recreation vehicles ordinance. She commented that they have TLC plates, not commercial plates.

Borough Administrator Gallo stated they have the same restrictions; the requirements still apply.

Mary Hernandez, resident, stated she would like to know what the changes are.

Mr. Gallo stated it was just the fees on the licenses that were changed to be in line with the state of New Jersey.

Motion by Councilperson Kornbluth, seconded by Council President Rivera, to close public comments on Ordinance 21-2585. All present voting in favor, none opposed.

Motion by Councilperson Kornbluth, seconded by Councilperson Marte, to pass Ordinance 21-2585 on second and final reading and is 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>	Council President Rivera:	<i>aye</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

UNFINISHED BUSINESS

None.

NEW BUSINESS

A. Request from 420 Windsor Road

Borough Administrator Gallo read and explained the request submitted by the resident into the record.

Mayor Amatorio stated that the request involves a small piece of property that belongs to the borough, but the borough has no use for it. Mayor Amatorio stated he has some questions regarding liability. Mayor Amatorio stated they will wait for the borough attorney to address the council's questions.

Councilperson Kornbluth stated there are too many questions, as well as liability issues.

B. Banner for Bergenfield Veterans

Mayor Amatorio stated that he received a request from the Veterans Advisory Committee to put up banners for veterans living in Bergenfield. He noted there are about 800 veterans residing in Bergenfield.

John Smith, Veterans Advisory Committee Chairman, stated all they have is World War II and Vietnam War veterans. The committee wants to honor other veterans as well. The Bergenfield residents are going to pay for the banners. He commented that Wallington is running a similar program, and have banners up of veterans that came back from Afghanistan. The banners can be for active-duty veterans, combat veterans or National Guard. They will start placing the banners at the VFW and go along New Bridge Rd and Prospect Avenue, where the veterans live. Mr. Smith stated there are already brackets up on the poles for the holiday decorations and takes DPW less than half hour to put up. Mr. Smith stated the committee will raise the money to purchase the brackets. Mr. Smith stated he doesn't know how many banners there will be, but there will be a deadline and a cut off date.

Mayor Amatorio inquired if they intend to do it for combat veterans or for all veterans. Mayor Amatorio inquired how long it would take to put up the banners. He explained the borough is trying to come up with an efficient plan. Mayor Amatorio inquired who will be responsible for compensating a contractor that is hired to put up the banners, and who will decide where the banners will be placed. He commented that it's a great idea to honor all the veterans, but they have to take liability and other matters into consideration. They can offer it to everyone, but there needs to be a maximum number of banners and it needs to be done within a certain time.

Borough Administrator Gallo stated it will take anywhere from 30 to 45 minutes to put up a banner. Mr. Gallo stated the banners that are currently on Washington Avenue are for deceased members and come down at different times of the year. Mr. Gallo inquired if the other banners are

going to remain up all year long, and whether the DPW will be responsible to put up and remove 800 banners. Mr. Gallo stated he is not against the banners, but there needs to be a balance. Mr. Gallo stated they will have a meeting with the veterans next week to further discuss the matter.

ADMINISTRATOR'S REPORT

Borough Administrator Gallo stated there are some delays in the road projects because of delays in obtaining supplies. The DEP approved the permits for the Twin Boro Fields and the project is currently out to bid. Mr. Gallo stated the fall recreation programs are off the ground. There are COVID restrictions that are still in place. The borough posted information on vaccines and testing on the website and Facebook. Mr. Gallo stated there have been some issues surrounding the brook. In January 2020, they met with the DEP, and met on two different occasions since then to discuss how they can assist residents in alleviating flooding issues along Metzler's Brook. Mr. Gallo explained that the borough even requested the assistance of the Army Corps. of Engineers to come and do a study, to help and figure out ways to improve the brook. Mr. Gallo stated their request was denied by the Army Corps. of Engineers. The DEP told the borough they would make the permit process easier, as the borough asked them to lighten up the permit process as it is very arduous and costly for residents. The borough also spoke to federal officials, including Senator Booker, Congressman Gottheimer, and the Governor in hopes to receive assistance. The borough has been working on this before the flooding issues, it has all been very frustrating for the administration. Mr. Gallo stated the borough has done all they can. He explained that the next step is to obtain funding. He explained that the borough came up with a plan with the Borough Engineers to start dredging Cooper's Pond and work backwards through the entire brook. The borough has already received a grant for more than \$200,000 for the dredging of Cooper's Pond. In addition, the borough has applied for federal funding and the proposal is currently before the senate finance committee. If the borough can receive the additional funding, it'll hopefully be anywhere from \$500,000 to \$1 million. The borough will do its best to clean up what it can. He stated that that he understands there are residents who have muskrat issues. He asked that Tyco Animal Control look into the matter, but they denied the request. As such, the borough contacted Coopers Pest Control and requested they set traps to alleviate the issue. Mr. Gallo expressed that it is not easy to have conversations with residents and answer the emails because he is equally frustrated. He commented that the spotlight isn't only on Bergenfield, but on all of New Jersey. Mr. Gallo stated that during Hurricane Sandy, the Army Corps. of Engineers completed a study and discussed the new 100-year flood plan, and came up with different models. He commented that many towns complained and stated their town was never going to be in a flood zone, because it was going to cost their constituents money. Unfortunately, the studies are coming to fruition. He commented that the DPW is doing all they can to clean-up. He explained that there are issues at the dumps, as the dumps have no room for garbage. The trucks went to dump at 4 a.m. and had to wait 4 hours to dump the trash. The trucks that arrived at 8 a.m. didn't return until 4 p.m. He explained that the borough continues to hire part-time staff in hopes to have them go through a process to become a full-time employee, as the department is short about ten employees since 2016. He commented that the department is overworked as they do not have enough staff. Mr. Gallo further commented that he recognizes all the issues everyone is facing and will continue to address them in hopes to have a resolution for the community.

Mayor Amatorio stated when he was running for office, he promised the flooding issue was one of his goals to address. As soon as he took office in January 2020, he called DEP to come to Bergenfield to discuss the issue. There were several managers from DEP and presented the plan that was done a few years ago. They started addressing the plan as early as January 2020. Unfortunately, it should have been done earlier. Then, the COVID-19 pandemic hit and they had to change their priorities. Mayor Amatorio explained they tried to get the DEP to make the permit process easier. The borough cannot put up retaining walls as it would be illegal for the borough to dredge the brook. He stated that he spoke with the Governor, Congressman Gottheimer, and Senator Booker. Mayor Amatorio stated he understands these are sensitive issues and they have applied for funds. Mayor Amatorio stated they are not neglecting the issue and it is inaccurate for some people to say they are neglecting the issue. The borough officials are doing their best to get a resolution.

MAYOR & COUNCIL REPORT

Councilperson Lodato

stated the fire department and other emergency services did an outstanding job responding to conditions brought by the storm. The fire department responded to 75 storm related calls mostly due to flooding and assisting people who were trapped in vehicles. There were two structural fires, one of which the fire department had to rescue residents trapped on the roof. The fire department responded to two mutual aid calls in Englewood. The Bergenfield fire department will be hosting the Northern Valley Fire Chief's parade on Sunday, October 2nd, 2021 at 1:00pm. The Planning Board will be meeting on September 27, 2021 to review a subdivision on Hallberg Avenue. The library is meeting tonight which he won't be able to attend.

Councilperson Deauna

stated the borough administrator sent a memo regarding testing for the unvaccinated once a week. According to CDC guidelines it is recommended that everyone who received the Moderna or Pfizer vaccine receive the booster after 8 months of getting second vaccine. They will be scheduling dates at Conlon Hall for residents to receive the booster.

Mayor Amatorio stated the Board of Education has a good percentage of vaccinated staff in the school district.

Councilperson Marte

stated the application for 145 W. Main Street was denied. Another application for 40,44,46, 48 Hickory Ave for a townhouse development was adjourned for September 17th, but was later withdrawn by the developers. He invited everyone to come and support the veterans at their pig roast on Saturday, September 11, 2021.

Councilperson Kornbluth

stated BVAC has gone on 1,387 calls year to date. It's a 3% decrease from the same time last year. However, there's been a significant increase in calls for psychiatric emergencies over last few months. Also, they have responded to the working fires with the fire department. OEM has responded to the recent storms to assist the police and the DPW. They are preparing paperwork to obtain FEMA reimbursement for all the storms. The recreation department is working on field schedules with the schools, administration, and athletic directors. All spring and summer sports are finished. Fall sports and practices are all starting up. They held Rutgers safety courses for the coaches. They also held three

successful closures on Church Street for the dance parties with a DJ and food trucks. Family Fun Day was cancelled a few times because of the weather.

Borough Administrator Gallo stated they are not sure if they will be able to hold the fireworks because the vendor has other obligations through the month of September. It also becomes hazardous to have fireworks in October with the leaves falling.

Councilperson Pascual

stated the Rent Leveling Board meeting was scheduled last week but was cancelled due to the weather. The next scheduled meeting is October 6, 2021.

Mayor Amatorio

commended the fire department, police department, and those who rescued the fire victims last week. There were residents who were rescued from the roof of their house because of a fire. It is very sad that the house that burned was first flooded and the next day there was a fire. Mayor Amatorio stated arrangements were made to provide assistance to those who were affected. He commended the fire department for their response at two fires that day. He stated the residents heard the spark from the electrical wiring in the house. He thanked the fire department, police department, emergency management, and BVAC. Luckily, there wasn't any equipment lost in town. Some towns lost equipment due to the flooding and are relying on mutual aid from different communities to respond to their emergencies.

CORRESPONDENCE

a.) Opatovsky/Disabled American Veterans

Re: Request to Reserve Veteran's Chapter 32 Memorial Park for Rock-toberfest Fundraiser/Sunday, October 3, 2021/11:00 a.m. to 7:00 p.m.

b.) Naylis/Bergenfield Volunteer Fire Dept

Re: Northern Valley Fire Chief's Parade/Sunday, October 10, 2021/1:00 p.m. to 5:00 p.m.

Motion by Council President Rivera, seconded by Councilperson Marte, and all members present voting in favor, to accept Correspondence Items A through B. All present voting in favor, none opposed.

PUBLIC COMMENTS

Claire Goldstein, resident, stated she appreciates what the town is trying to do about the flooding. She stated her house flooded with 2 feet of water and she does not live on the brook. She explained that when this happened 23 years ago, they were told they had to seal their basements, which they did. They put in new French drains, a sump pump, a back up sump pump, and spent thousands of dollars to make sure water would not enter their house. They haven't been able to find someone to take away the water that is still there. She stated they are very frightened of it happening again.

Luis Marchiona, resident, stated the flooding this past week was horrendous and was worse than it has ever been and he doesn't live near the brook. The flooding came up through the street drainage. He had 44 inches of water in his basement and lost his boiler, hot water tank, refrigerator, washer and dryer. Mr. Marchiona stated the town has not been able to solve their problem and is failing the residents of the community. He suggested allowing the residents to deduct the cost of flood insurance from the property taxes.

Jennifer DaCosta, resident, stated she had 3-4 feet of water in her basement. She lost her washing machine, dryer, furnace, hot water heater, refrigerator, and other memorabilia. She inquired if there is a possibility for residents to apply for a partial tax abatement. She stated her insurance is only going to cover \$10,000, which is not enough for all her appliances. She needs someone to professionally clean the raw sewage. Ms. DaCosta stated the borough should stop building around town. Most people have their yards paved and nothing has been done about it. Ms. DaCosta inquired if the sewer system is cleaned by the DPW.

Borough Administrator Gallo stated the DPW cleans the drains when needed. They flush drains all the time. Mr. Gallo further stated he is looking into the FEMA program and paperwork where a resident affected by the storm can receive up to \$35,000. He will share the information upon receipt. Mr. Gallo stated there were roads that were washed out completely.

Mayor Amatorio stated the borough is looking for ways to alleviate the issues by seeking funds. They need to resolve the issues as a community. The borough has reached out to the economic development committee in the county for guidance about FEMA grants.

Frank DaCosta, resident, stated his dad had the job of operating the sewer vac that cleaned the storm drains. He doesn't know how the DEP is helping as it was written in the article. There was a different Mayor from a different political party who stated he would help him when he had the same amount of water in his basement in 1998 and nothing has been done.

Mr. Gallo stated one of the website addresses is www.disasterassistance.gov.

Fred Sahlberg, resident, stated that providing a decrease in property taxes if a resident has flood insurance is a great idea. Mr. Sahlberg stated flood insurance does not cover sewer back up. He stated that the building department should be notified to waive fees if the residents have to replace a furnace, a hot water heater, or anything that was damaged during the storm. Permits should be free of charge.

Borough Attorney Schettino stated the Mayor and Council does not have jurisdiction over tax abatements. Local governments do not have the ability to create their own tax abatement policy. Even though the town collects taxes, it is under the jurisdiction of the county and state tax board. The legislation is specifically intended to remove local influence. Taxes are for the county, school system, and the local government. They are three entities property taxes go to. The governing body does not have the legal authority to implement a tax holiday or abatement. Mr. Schettino explained if someone lives in a flood zone, their assessment should be reduced. You should check to see if your property has been designated as a flood area, then check your property tax card and see whether you are getting a deduction for being in a flood zone. If not, you would file a property tax appeal, which would be handled by the local assessor. Mr. Schettino stated if you are not satisfied by the result at that level, you would file a report with the county tax board or go to tax court. The governing body cannot intercede. Bergenfield is not unique to the severe flooding. He suggested that residents take pictures and keep receipts when submitting claims. Many times, insurance companies do not cover damages because it is considered an act of God. It's going to take millions of dollars to repair infrastructure damage caused by the flooding. FEMA, the DEP, and the Army Corps. of Engineers are great sources, but take a long time to review the work. The council is going to do whatever they can to find a solution.

Julia Ladzyga, resident, stated they have been living in this disaster for the past 15 years. The stream runs through her property. They have been complaining about this and have not been heard. It is not fair that she is unable to use her property and yard, nor does she feel safe in her

own home. The town says it is a state problem, and the DEP says it is a town problem. Ms. Ladzyga stated she needs to replace everything in her home. She commented that needs to be addressed and a solution needs to be found. The residents are looking for active assistance, solutions, and leadership. Properties that are open and have the brook running through it need to be dealt with because it is a safety issue, as children can fall into it. She also stated that all of the muskrats are coming into her backyard. It is a health hazard and requested a solution be found.

Mayor Amatorio apologized for what she has experienced and sympathizes with the situation. Mayor Amatorio stated he had instructed the administrator to contact animal control, which they did to address the animal issue.

Borough Administrator Gallo stated Tyco is contracted with the borough and is responsible to pick up any dead animals. Mr. Gallo explained the borough reached Tyco, but they advised the borough needs an exterminator. There is a process for the borough to contract services, and three quotes are needed. Mr. Gallo stated Cooper Pest Control has been selected. They were supposed to go out last week, but were delayed. He further stated that approvals are needed to go into the resident's yard to allow pest control to do the things they need to do.

Borough Attorney Schettino stated the town was fined several years ago by the DEP when the town did work in the brook. Mr. Schettino explained it is a natural stream and relocating it is never going to happen. The stream can be dredged, but it needs to be approved by the state. Even if the stream is dredged, it will eventually go back to the way it was. Mr. Schettino suggested all the flooded areas be forwarded to the borough engineer for an analysis as to what solutions, if any, are available for the area.

Mayor Amatorio stated when he was in contact with the DEP in January 2020, they discussed the same. They asked the state for provisional authority for a certain level of approval. Borough officials suggested the residents would submit their applications to the borough and the borough would submit it to the state, but the state denied the request.

Borough Administrator Gallo stated they asked the DEP to make the application process easier because it is too expensive.

Stephanie Aviles, resident, stated her property is the only property that is open and has the brook running through her backyard. She inquired if there are other properties in town that have the stream or brook in their backyards.

Mayor Amatorio stated he has been in contact with Congressman Gottheimer and Senator Booker. They have been raising the alarm with everyone who can help.

Mr. Gallo stated properties on Deerfield Street, Grove Street, New York Avenue, and other streets have the brook in their backyards. There are areas that run near the PAL field in which the pipe has sediment in it. Mr. Gallo stated he will call the Superintendent tomorrow morning to make sure Cooper Pest Control comes to town. He will contact the residents to receive authorization to go into the backyards.

Borough Attorney Schettino stated they can dredge the water wherever it's needed. It might be one part of the stream or the entire stream. He explained that it is a temporary fix to find out the cause of the clogging of the stream.

Johnny Opatovsky, inquired if the DAV was approved for the October 3rd event. He also inquired if the certificates for the Memorial Day Parade were signed.

Borough Administrator Gallo responded that the request has been approved.

Mayor Amatorio stated the certificates will be signed this evening.

Raymond Wise, resident, stated he has a capped stream in his backyard with a manhole access. His backyard floods in every storm. Mr. Wise stated he had raw sewage coming up his toilet in his basement during this storm. He inquired if there is something he can do to put his sewer line as a shut off valve to protect his property.

Borough Attorney Schettino stated it sounds like a resident's sewer line may be connected to the storm sewer line, which is not permitted. The property owner is responsible for the sewer line from their house to the connection. If there is some type of debris in that line, it has to be cleaned out. If it is beyond that, then the town is responsible.

Mayor Amatorio stated they will send the DPW to check the line.

Mary Sullivan, resident, stated the council was going to look into motion lights and requested they expand that to include flood lights and spot lights. Lights should be limited and shaded. Ms. Sullivan stated shaded lights are only required for commercial buildings in the ordinance. She explained there isn't anything in the ordinance about residents having shaded lights. The house at 91 Highgate Terrace was sold on June 30, 2020 for \$995,000. Substantial improvements were made on the property, but it was never reassessed. Records shows that the entire house is assessed at \$327,000.

Mr. Gallo stated it will be reflected in October 2021 and the taxes will go back to 2020. The tax assessor may not have a record of it at this time. The county may not have sent the information in time for reassessment. He will take the paperwork and file the added/omitted for the 2021 tax as well as assess the June 2020 tax. Mr. Gallo explained he has had several meetings with the tax assessor and tax collector on these matters. He also had a meeting with the building department to make sure everything is being followed the way it is supposed to per Mr. Molinelli's report.

John Smith, resident, stated that he had given a copy of the Metzler's Brook report to the Mayor and Council when Mayor Driscoll was the mayor. Metzler Brook was taken care of back then. Mr. Smith inquired why it is taking so long for them to receive an answer about getting a garbage can that is lost. Mr. Smith stated that he submitted an OPRA request for the ordinance about garbage cans. He explained that the ordinance does not say who is responsible for the cans. He commented that the ordinance doesn't say the homeowner is responsible and what happens when the garbage cans are destroyed or stolen. Mr. Smith inquired why a veteran or any other resident should pay \$144 to receive a new garbage can. He stated that the veteran was told to look for the garbage can or call the old homeowner. Mr. Smith announced that the VFW will be holding a pig roast this Saturday, September 11, 2021 from 1:00pm to 6:00pm. He thanked Councilman Marte and Councilman Rivera for their donations.

Borough Administrator Gallo inquired what the cost was in the Metzler Brook report. He stated that back in 2013, it was \$13 million.

Norman Schmelz, resident, state all the residents are present at the meeting due to flooding problems. It is not respectful to shame people that have brooks going through their yard. In July, there were two flooding problems in the same neighborhood. The brook was full with branches and leaves blocking the culvert. Mr. Schmelz stated he had given the administrator copies of the Metzler Brook feasibility study from 2005 when he was the Mayor. He read the report from 2013 into the record. Mr. Schmelz read the phases from the engineering report. Mr. Schmelz stated the engineer had said it doesn't matter if you fix the brook if you have too much water going through it. Phase 1 would cost \$1.5 million, Phase 2 would cost \$1.7 million, Phase 3 would cost \$438,000, for a total cost of \$3.65 million in 2013 prices. It was brought up again in 2019 by residents who had flooding. The borough administrator arranged a private meeting with Council President Kornbluth, Councilman Lodato, and at the time Councilman Amatorio. Mr. Schmelz stated from the meeting notes, it talks about how the councilmembers met with Assemblyman Tully and Assemblywoman Swain to discuss the flooding issues. Mr. Schmelz read "it gave the borough a platform for Bergenfield residents who had issues with flooding on their properties a means to fix the problem". Mr. Schmelz stated half of the people here tonight do not have a brook in their backyard and inquired how they should fix the problem. He commented that doesn't have to do with living on the

brook, the problem is there is too much water. Mr. Schmelz stated a press release went out stating that only people who lived on the brook would receive help. Mr. Schmelz stated they can have a retention basin put in without interrupting any activities. He further commented that dredging Cooper's Pond has nothing to do with Metzler's Brook.

Borough Administrator Gallo stated this was an issue that happened all over New Jersey.

Sergeant Major inquired how the FEMA information is going to be relayed. He inquired if the information can be mailed. He inquired if there was any follow up with the lights at Memorial Park. He also commented that the number of banners for veterans will not be 800.

Borough Administrator Gallo stated they are going to post it on the website, put on Facebook, and may do a reverse 911 call. Mr. Gallo stated the borough cannot rely on the mail system. Mr. Gallo stated he received a report on the lights today. DPW spoke with PSE&G and they are hoping to have that done within the next two weeks.

Joel Berkowitz, resident, stated there are a lot of water and flooding problems in town. He is curious because he doesn't hear the rest of the council commenting. The council needs to clear some of the red tape, work together on the problems, and work harder. They are moving too slow and there are more and more problems arising.

Ray Keim, resident, stated he lives on the other end of the brook. He hears about things getting done for other brooks in town, but not on his side of town. PSE&G did work on the other end of New Bridge Road and they paid for it. All of those residents are out of the flood zone. He is paying for flood insurance and his property floods all the time. He inquired if the town's plan for dredging Cooper's Pond is going to affect him. He commented that the catch basin on the corner of Elm Street and Washington Avenue by the cleaners is an issue. He explained that it is a county sewer line that was never fixed. He commented that if it was fixed, there would be less water going down Elm and School Street.

Mr. Gallo stated he will look at Hirschfield Brook as well.

Jacqueline Romney, inquired why the meetings are not being publicized on Zoom or televised and why the council has not updated this process.

Mayor Amatorio stated the meetings are currently being held in-person.

Motion by Councilperson Marte, seconded by Councilperson Deauna to close public comments. All present voting in favor, none opposed.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

CONSENT RESOLUTION 21-274. 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. **21-275/**To Pay Bills
- b. **21-276/**To Approve Raffle Application 1371
- c. **21-277/**To Approve Grant Cancellation – Bergen County ADA Ramp Construction Project
- d. **21-278/**To Approve Tax Refund – 90 Lilac Street
- e. **21-279/**To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #19-00001
- f. **21-280/**To Approve Tax Refund – 50 S. First Street
- g. **21-281/**To Approve Pay Certificate No. 5 – 2020 Road Program – AJM Contractors

- h. **21-282**/To Approve Purchase of Network & Computer Upgrades for the Police Department – G.T.B.M., Inc.
- i. **21-283**/To Approve Tax Refund – 19 Rector Court
- j. **21-284**/To Approve Tax Refund – 1 Marcotte Lane
- k. **21-285**/To Approve Tax Refund – 32 Whitman Street
- l. **21-286**/To Approve Personnel Policies and Procedures Manual
- m. **21-287**/To Approve Agreement – CBG&H

Motion by Councilperson Deauna, second by Council President Rivera, to approve the Consent Resolution as amended.

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

B. Resolutions

A. Liquor License Transfer

- 1. Hearing on the Person to Person & Place to Place Transfer of Liquor License No. 0203-33-006-005 located at 333 S. Washington Avenue from 333 B&B LLC to Aloha Krab of Bergenfield LLC located at 505 S. Washington Avenue

No one came forward.

Motion by Councilperson Deauna, seconded by Council President Rivera to close the public hearing on the Person to Person and Place to Place Transfer of Liquor License No. 0203-33-006-005 located at 333 S. Washington Avenue

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

- 2. **Resolution 21-288**/To Approve the Person to Person & Place to Place Transfer of Liquor License No. 0203-33-006-005 located at 333 S. Washington Avenue from 333 B&B LLC to Aloha Krab of Bergenfield LLC located at 505 S. Washington Avenue

Motion by Councilperson Marte, seconded by Council President Rivera that Resolution #21-288 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>	Council President Rivera:	<i>aye</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

COUNCIL COMMENTS

The governing body thanked everyone for coming and wished everyone a good night.

CLOSED SESSION

RESOLUTION 21-289/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Attorney-Client Privilege

1. Municipal Building
2. Economic Development
3. Police Department Personnel Matters
4. Liquor License

Minutes will be taken of the meeting and released to the public at the time that the matter is resolved. After Closed Executive Session, the Mayor and Council will reconvene in the Executive Chambers to adjourn this public meeting.

On a motion by Councilperson Kornbluth, second by Council President Rivera and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 11:04 p.m.

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, the meeting was adjourned at 11:33 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk