

**BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
OCTOBER 19, 2021
OFFICIAL MINUTES**

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

ABSENT: Ora Kornbluth

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

Mayor Amatorio called the meeting to order at 8:05 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 Councilperson Lodato.

AGENDA CHANGES

Council President Rivera motioned to add the Democratic Committee's request to reserve Cooper's Pond from Sunday, October 31st through Tuesday, November 2nd and a resident's request to reserve the Tennis Courts at Memorial Park on Sunday, October 24, 2021 for a breast cancer foundation fundraiser. Mayor Amatorio noted that three resolutions also have to be added to the Consent Resolution including Resolutions 21-335, 21-336, and 21-337, and Police Department Personnel Matters need to be added to closed session. Councilperson Marte seconded the motion. All present voting in favor, none opposed.

APPROVAL OF MINUTES

Motion by Councilperson Marte to approve minutes of the September 21, 2021 Regular Public Meeting, September 21, 2021 Closed Session Meeting (not to be released), October 5, 2021 Work Session Meeting and October 5, 2021 Closed Session Meeting (not to be released). Council President Rivera seconded the motion. All present voting in favor, none opposed.

VERBAL COMMUNICATIONS I

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

Barry Doll, resident, stated that he has a question pertaining to item number 10, adoption of ordinances. He stated that ordinance 21-2586 is being proposed for approval this evening, but he would like clarification because residents are confused with the amount of money and what the governing body is approving. He stated that the previous amount was for 12 million, and asked the governing body to plug-in the new number.

John Smith, resident, inquired what will be the duties of the individual being hired under resolution #21-320. He stated that this is a conflict of interest because the individual is a real estate agent and her husband is a builder. He stated that if the person is going to be issuing COs and building permits, it's a conflict of interest.

Fred Sahlberg, resident, stated that finances are not his forte. He stated that if the building will cost 30 million dollars, he hopes the borough is not over spending. He commented that there is pandemic going on, people are out of work and unable to pay their taxes all throughout the United States. He stated that he really hopes the building is not a runaway slush fund. He commented that it will be up to the public come down and inspect the new building. He advised everyone to look closely.

Diana Flagg, resident, stated we all saluted the flag, but no flag should fly higher than our flag. She commented that no flag in this country should fly higher than our flag, all other flags should be below it. She questioned the building inspector's salary being raised to \$80,000. She inquired what was his previous salary. She questioned the raise because for two years, he hasn't done anything about the signs on Washington Avenue. She expressed there are illegal signs all along the windows that are not supposed to be there.

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

Mayor Amatorio stated that the ordinance is cancelling the 12 million, because this amount was for the renovation of the building. He explained that the cost of renovation and the cost of building gap closed. He further explained that there was also a concern that once the renovation was being done, there would be more change orders for work to be done, and then it would end up being around the same number. He stated that the bond ordinance is being amended to build a new borough hall.

Borough Administrator Gallo stated that the bond ordinance is there to ensure that the borough has enough of an expense. The bid specifications for the police department have not changed. The borough previously went out to bid and received proposals for numbers much higher than the current bid prices received. If approved at the next meeting, the cost will roughly be \$15.4 million, which is a reduction in price. The new building will be behind the current borough hall, it will have no basement, and will be minimum bare bones. He explained there will be no filing, it is a straight foundation slab, steel building, with stone outside. He further explained that staying up with building code standards changes prices. He stated that the police department is required to have a sally port and certain things are going to be required. Mr. Gallo stated that it'll be a basic structure so that 30 years from now, if an area is obsolete, they can redo that specific area instead of the entire building. Mr. Gallo stated that within the \$15.3 million, there are \$600,000 in contingency costs built into that number. He further stated that in May 2023, the cell tower lease expires. Within the \$15.3 million, the cost for the cell tower is anticipated. This calculation also covers the areas around borough hall such as the sidewalks and parking lots. He stated that this is very calculated. All the department heads have been involved and former elected officials. He also stated that the bids were very competitive, as 5 bids came within \$400,000. He questioned whether it'll be cheaper tomorrow than it is today. He believes that bond rates and interest rates have started going up. The borough needs to act within this opportunity before the numbers go up. He stated that this is a difficult decision to make, but the borough cannot continue kicking the can down road like other problems.

Mayor Amatorio inquired whether the borough will continue receiving revenue when the cell tower is replaced.

Mr. Gallo stated that the revenue from the cell tower is about \$185,000 to \$190,000 per year, and will continue to go up when the tower is replaced.

Mayor Amatorio stated that the bond will be paid in 20 years. He stated that the most important question that interests the residents is the impact of this ordinance on our taxes in the next 20 years.

Rich Cahill, CFO, stated that over the last number of years, the borough has aggressively paid down debt, including debt that has been sold and debt that has not been sold. In the 2021 budget, the total debt service that has been paid down is \$3.2 million dollars. He explained that the auditor and financial advisor put together a model based on 20-year bonds being sold on 2 and a quarter

percent, they are projecting over the next 8 years, paying less than the current \$3.2 million. The reduction and the savings in debt service will be used to aggressively pay down any new projects. The next time the borough will see an increase in the budget related to debt service will be in the year 2030, as projected.

Mayor Amatorio stated that the borough continues to pay the debt service at \$3.2 million, the amount was included in the 2021 budget, and yet the borough did not raise taxes in 2021, and may continue to do so without increasing taxes.

Mr. Cahill confirmed the next time the budget will be impacted will be in the year 2030. He stated there may be things that happen in between, but the borough also has surplus that can be used.

Councilperson Pascual inquired that if the borough knocks down the building, will it be environmentally safe.

Mr. Gallo stated that the borough has already done soil testing because there are test wells all over the borough site. The test wells have been cleaned and some have been closed. He stated there are no issues in the soil in borough hall. He further stated that when the building comes down, a basin will be created to have a water retention basin here at borough hall. He commented this will be done per DEP requirements. He stated that within the \$15.3 million, \$650,000 has been allotted to asbestos abatement.

Council President Rivera stated that those who do not learn from the past are condemned to repeat. He stated that we need to learn from our neighbors.

Mr. Gallo stated that in compliance with the State regulations, a borough employee condemned the building next door. With regards to the new hire, the process was transparent and the information was disclosed to him. He explained the position will be in code enforcement. He further stated that the code enforcement office does not issue COs or construction permits. Mr. Gallo expressed there is no conflict of interest. He stated that any work the employee's husband has does in town will be inspected by a different town.

Borough Attorney Schettino stated that the employee will also need to recuse herself from any application or any issue in which her husband is involved in. She cannot participate in any way.

Mr. Gallo stated that the same has been disclosed to her. She is clerical support staff and will solely handle code enforcement matters. Mr. Gallo further stated that the Building Inspector's salary is currently \$74,000. He stated that the employee hasn't received a raise since he first started working in the borough. He stated that the value and work ethic of employees should always be considered.

PRESENTATIONS

A. Administrative Hirings and Appointments

21-320/To Hire Full-Time Keyboard Clerk 1 – Claudia Ramirez

Motion by Council President Rivera, second by Councilperson Deauna, that Resolution #21-320 be approved.

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

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

CORRESPONDENCE

- a.) Maltabano/Resident **RE:** Request for Street Closure/Blauvelt Avenue from Walters Street to Dick Street/Sunday, October 31, 2021/11:00 a.m. to 7:00 p.m.
- b.) Herrera-Marte/Democratic Municipal Committee **RE:** Request to Reserve Cooper's Pond/Sunday, October 31, 2021 to Tuesday, November 2, 2021
- c.) Chan/Resident **RE:** Request to Reserve Tennis Courts at Veterans Memorial Park for National Breast Cancer Foundation Zumba Class Fundraiser/Sunday, October 24, 2021 at 2:00 p.m. (Rain Date: November 7, 2021)

Motion by Councilperson Pascual to accept Correspondence Items A through C. Council President Rivera Seconded the motion. All present voting in favor, none opposed.

ORDINANCES

A. Adoption of Ordinances

Mayor Amatorio read into the record:

The following ordinances published herewith were first read by title on October 5, 2021 and posted on the bulletin board of the municipal center.

ORDINANCE 21-2586 - BOND ORDINANCE TO AMEND IN ITS ENTIRETY THE BOND ORDINANCE (ORD. NO. 18-2527) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE MUNICIPAL BUILDING RENOVATION PROJECT IN, BY AND FOR THE BOROUGH OF BERGENFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$12,000,000 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," ADOPTED ON JUNE 19, 2018.

ORDINANCE 21-2587 - AN ORDINANCE AMENDING CHAPTER 273 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED "STREETS AND SIDEWALKS"

Public Comments on Ordinances #21-2586 and #21-2587.

Barry Doll, resident, stated that all he has heard is that the cost for the new building will be \$18 million over 30 years. He stated that no one referenced the interest rate, until the CFO mentioned its 2 and a half percent. He stated that he came up with a couple of models, and based upon the mortgage loan amortization schedule, at 3 percent interest, the cost will be \$27 million dollars. He stated that at 4 percent interest the cost will be \$30 million dollars, and at 5 percent the cost will be 36 million dollars. He stated that the borough doesn't have an exact interest rate, but in any model, the cost will be a lot more than \$18 million dollars. Mr. Doll stated there are roughly 7,300 taxpayers in town. He stated that using the referenced model, taxpayers will pay \$3,700 more in taxes, \$123 per year. He stated that if its \$30 million, taxpayers will be \$4,100 in taxes, \$137 per year. He stated this is just for the bond. The estimates for projected revenues have not been shared. Mr. Doll stated the borough should not rush into this project or make a decision until everyone has all the facts. He stated that now he heard \$15.3 million in comparison to \$18 million. Then, he heard 20 years to 30 years. He stated that the council waited a year, a few more months will not matter. He asked that the governing body abstain until they have all the facts.

Mayor Amatorio stated that the governing body has been consistent in the cost. It has been \$15.3 million, because that's the amount of the bid. The cell tower revenue will be close to \$200,000. The figures you used are based off the mortgage interest rates. He stated that bond rates are different.

Rich Cahill, CFO, stated that the financial model is based on the current market rate of sale of bonds. He explained that three models were proposed: a fifteen year, a twenty year, and a twenty-

five year to see how the debt service and interest would fit into the budget. The auditors believe that the twenty-year model would work the best for the borough.

Borough Attorney Schettino stated that he was in a conference in respect to the \$44 million bond issued by the Bergen County Improvement Authority. The Improvement Authority does not want to go out above 20 years due to the rising trend in interest rates. It would be cheaper to spend the money now rather than later. He stated that the larger properties and commercial property owners will pay more than a one family residential home, when it comes to the payment in taxes for this property.

John Smith, resident, stated that he attended the meeting where residents were complaining about the rise in costs, and Dumont officials said there would be no increase. He also remembers the cost that was referenced for the borough hall. Mr. Smith advised everyone to look at the record and see how the borough is losing tax appeals on commercial properties. He commented that the property owners continue to take the borough to court because there are no big businesses in town. He stated that the local businesses cannot pay the property taxes, it'll be up to the homeowners to do it. He stated that at the last two meetings, residents complained about the flooding. He stated that the borough doesn't want to do anything, because it'll cost millions. He questioned what is more important, the residents or comfort of the new building. He stated that many FEMA grants were declined, yet residents are expected to pay for a new building. Mr. Smith further stated that there is no guarantee over the cell towers due to the evolving technologies. He stated that the income from the cell tower should be guaranteed in writing. He stated that the borough should use the money received from grants to help the public. He further stated that the governing body should think about the residents that voted to put them in office.

Borough Administrator Gallo stated that it was referenced in the last meeting and the meeting prior to that one, the borough plans on doing both. There is no reason it cannot be done. We need to put together a real plan to prepare to do this. The borough is looking into a loan with the infrastructure bank that offers 0% interest in debt service and only required to pay 50% of the costs. The borough already hired the engineers to look into the structures. He stated that the plan that was previously offered would not have worked in this last storm. Mr. Gallo advised that when a plan is provided, it will be reviewed and presented. He stated that regardless of the costs, the Council made it very clear that they would like to proceed to take action, and a fiscal plan has been put together to provide financial stability and room to complete both projects.

Mary Sullivan, resident, questioned if the plans have changed from two to three years ago, and if the code requirements have been updated. With regards to the previous plans, she was told that solar panels were not possible. She stated that future legislation may require green solar panels and electric charging stations for employees, as Governor Murphy is pushing for green technology. She questions if there were plans for charging stations because by 2030, it might be impossible to buy a brand-new gas-powered car.

Borough Administrator Gallo stated the borough has been awarded two electric garbage trucks and respective charging stations. After everything with the building is set, the town could potentially get some electric vehicles as well. He stated that the borough is planning for more electric charging stations in the future.

Ms. Sullivan hopes that employees can have charging stations when they come to work. She stated that some homes cannot be modified to use electric charging stations such as apartments or multi-vehicle driveways. Ms. Sullivan hopes the borough can provide employees charging stations. She also stated that the world is changing with smaller and shared work spaces, hybrid work schedules for employees to work from home and moving towards a paperless society. She expressed that the building plans did not accommodate for this changing world. She stated that the borough should consider having a smaller building to accommodate those who are working from home or have a shared desk space. Ms. Sullivan stated that she called three government agencies and all three of them were remote agencies.

Borough Administrator Gallo stated that the borough only worked from home for two months before returning to the office. By Memorial Day 2020, all staff were back into the office. People want to have a hands-on experience with government rather than work from home. The borough is heading into a paperless system. The borough has partnered with GovPilot to have all permits electronically available online. Additionally, homeowners will be able to submit electronic architectural plans to the Building Department. The system will be rolling out by December and the rest of the departments will be done by the first quarter. Mr. Gallo questioned if the service provided by work from home government agencies has been satisfactory compared to working from the office. Mr. Gallo believes that it is a disservice to have the employees working from home during these times. Mr. Gallo ensured that all workers were working at the Borough offices to provide the community the support they need during the entirety of the pandemic.

Borough Attorney Schettino stated that government entities were not prepared to go remote. When schools went remote it was a disaster, because remote teaching is not the same as in-person teaching and the same can be said for government work. Public entities are saying that because they have done remote work, it is a more effective way to provide services. While the world is changing, nobody is anticipating working remotely to downsize public facilities.

Mayor Amatorio stated that we understand your concerns, and in regards to environmental issues in the town, they are being explored with engineers and architects. The cost of what the town will recover in terms of energy is not enough. The design of the building has so much sunlight, that the lights can be turned off during the daytime. They have designed the building to be green efficient.

Mr. Gallo stated there is not enough space for it to be energy efficient. The energy trade off wasn't going to work because there is not enough direct sunlight to do so. In the process, he inquired what credit and grant money can the borough receive back if they implement green features such as waterless bathroom systems, and no handles on the door. The committee explored every option possible to receive the most amount of money to transition to a greener building within the budget.

Ms. Sullivan inquired if the public will receive new plans for the final building structure.

Mr. Gallo stated that he will make the plans available again, but noted that it is the same structure that was designed three years ago.

Norman Schmelz, resident, stated that the borough went through all those drills and looked at electric cars grants and more. The building will be beautiful. He only questions renovation versus building a new. He stated that this building used to be an Elk's Lodge in 1923, and he knows of an Elk's Lodge in Rutherford that was built in 1928 that was renovated. He noticed that the building was renovated within the walls, but their heating vents are outside of walls. He commented that the borough should think outside the box. If the borough replaces all the chairs, it would be more feasible as the woodwork and other parts of the building are beautiful. He also stated that if plans were cut down more, the borough doesn't have to spend more. He stated that at one point, the Police Department wanted three floors. Mr. Schmelz stated that it might be time to look at what renovation costs could be by completing smaller projects. He stated that with a democratic governor and democratic council, the borough should be able to receive funding from the state.

Borough Administrator stated that the asbestos within the walls is an issue. The pipes are also an issue. He stated that if you walk down the hallway, there is a slope, and the crack on the first floor runs from the stairs to the front steps. This is all problematic when thinking about renovation.

Diana Flagg, resident, stated that the COVID-19 pandemic is such a difficult time, with many poor people in the town that cannot afford food, and now there is a new variant. She inquired why tax the residents and add another burden. She stated that having a new building all to have a private bathroom, the governing body should sit back and think about spending.

Motion by Councilperson Pascual, second by Council President Rivera, to close public comments. All present voting in favor, none opposed.

Motion by Councilperson Marte, second Council President Rivera, to pass Ordinances 21-2586 on second and final reading and 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>absent</i>
Councilperson Deauna:	<i>aye</i>	Council President Rivera:	<i>aye</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

Motion by Councilperson Marte, second Councilperson Deauna, to pass Ordinances 21-2587 on second and final reading and 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>absent</i>
Councilperson Deauna:	<i>aye</i>	Council President Rivera:	<i>aye</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

A. CONSENT AGENDA

CONSENT RESOLUTION 21-321. 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. **21-322/**To Approve Bill List
- b. **21-323/**To Approve Chapter 159 - Insertion of Special Item of Revenue in the 2021 Budget – Bergen County Community Development Grant
- c. **21-324/**To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #20-00003
- d. **21-325/**To Authorize Tax Refunds for Court Judgements for Several Properties
- e. **21-326/**To Approve Liquor License Renewal – Lula’s Latin Cuisine
- f. **21-327/**To Approve Municipal Alliance Grant Funding for Fiscal Year 2020-2025
- g. **21-328/**To Appoint Special Counsel and Approve Agreement – Edward DeFazio, Esq. of the firm Bruno & Ferraro, Esqs.
- h. **21-329/**To Accept Resignation – Keyboard Clerk II – Marisol Lopez
- i. **21-330/**To Authorize Pay Increase – Building Inspector
- j. **21-331/**To Approve Capital Purchase – Desktop Computers – G.T.B.M., Inc
- k. **21-332/**To Authorize Advertisement of RFQ for 2022 Professional Services
- l. **21-333/**To Approve Change Order No. 3 – 2020 NJDOT West Clinton Avenue Roadway Rehabilitation – DLS Contracting
- m. **21-334/**To Approve Pay Certificate No. 3 Final - 2020 NJDOT West Clinton Avenue Roadway Rehabilitation – DLS Contracting
- n. **21-335/**To Authorize Public Sale of Municipal Property
- o. **21-336/**To Approve Agreement – COVID-19 RT-PCR Surveillance Test – New Bridge Medical Center
- p. **21-337/**To Authorize the Acceptance of the State of New Jersey Department of Law and Public Safety Office of the Attorney General SFY21 Body-Worn Camera Grant Program State Fiscal Year 2021

Councilperson Marte motioned to approve the Consent Resolution as amended. Councilperson Deauna seconded the motion.

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

Councilperson Lodato: *aye*
Councilperson Deauna: *aye*
Councilperson Marte: *aye*

Councilperson Kornbluth: *absent*
Council President Rivera: *aye*
Councilperson Pascual: *aye*

UNFINISHED BUSINESS

No discussion.

NEW BUSINESS

No discussion.

Committee/Department Reports

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

Sean Urban, resident, stated that he emailed with the Borough Administrator regarding Republic 23 and thanked him for his quick reply. He noted that this is too big of an issue in his neighborhood. He explained that his neighborhood has a couple of issues with Republic 23, the first being noise. Mr. Urban stated that he supposes the business obtained permits and was inspected for sound proofing. He stated that the business isn't sound proofed and the music is being heard a couple of houses down. Mr. Urban stated that he is unable to sleep until their closing time around 2 a.m. and 3 a.m., and his wife who is five months pregnant needs to go to a friend's apartment in Jersey City for a good night rest, because she cannot sleep in her own home. Mr. Urban stated this is supposed to be a quiet community, but he is unable to sleep. He called the police multiple numbers of times, and all they can do is ask them to turn it down. Mr. Urban stated that the liquor license law states that one cannot operate a noise machine in the establishment if it is affecting the neighboring community. He stated that the second major issue pertains to parking, as many of the customers park on Bergen Avenue, James Street and Madison. The customers make a lot of noise on their way to and from the club, and all the police officers can do is lead them to their cars. Mr. Urban stated that this has become a nuisance. He stated that customers blast music in the cars, have fights, scream and argue in front of his home. Mr. Urban stated this is a normal occurrence every weekend. He commented that this has become a mental health crisis because of sleep deprivation.

Borough Attorney Schettino stated that most towns have a noise ordinance, but the state regulates the decibel levels, and they aren't as low as one would think. The Borough Administrator will look into the noise ordinance, and the County may be able to send someone to test the decibels. He noted that if the establishment exceeds the decibel levels, they can be ordered to bring the noise down. If they are within their decibel levels, the borough cannot require them to lower it.

Mayor Amatorio stated there is an ongoing dialogue between the borough and the club owners to address the issue. He stated that if they are within their decibels, they can continue to operate. He also stated that just because it is legal, it doesn't mean it's good for residents. Therefore, the borough is working with them to address the issue and perhaps they can soundproof the club or turn down the volume, but we are mindful of the residents' concerns. He stated that we want the business to succeed, but we also want the residents' peace of mind as well.

Borough Administrator Gallo stated that he held a meeting with the owners and one of their requests was for the borough to place "no parking" signs on Bergen, Madison, and other surrounding streets. He stated that the owners also live in Bergenfield, and so they are trying to

run a business in a successful manner. Additionally, they are trying to enter into an agreement with a private parking lot to rent spaces and create a valet service. Mr. Gallo stated that the clientele may not be from their club, because they also have people that are drunk knocking on their door and are not allowed in. Mr. Gallo stated he understands the residents' concerns, and the business owners are being responsive and understanding, and want to work with the borough and residents to find a solution. The owners are willing to hire an engineer to come in and listen to the decibels near the homes. They want to work with the residents, because they too are residents of the borough.

Robert Policano, Chairman of the Rent Leveling Board, requested the support of the Mayor and Council. He stated that the board has been down two members for over two years, which makes it very difficult to have a quorum and conduct meetings. He stated that the members can be landlords, tenants, or homeowners. He asked the Mayor and Council to please appoint volunteers to the board.

Jacqueline Teel, resident, stated that she is here on behalf of Bergenfield Junior Football program, and inquired with regards to incident that occurred Friday evening, October 15th, between 7 p.m. and 8 p.m. Ms. Teel stated that her senior and junior cheer squads were told they had to leave Hickory field by Police Officers. She questioned the complaint filed by Corey Gallo, stating that other juveniles were not being allowed to use the field. Ms. Teel stated there were adults present, including cheerleading coaches and the president of the program.

Borough Administrator Gallo stated that he was unaware of the situation. The call he received referenced that kids were looking to use the field, and other kids were on the field, and it became combative. He asked the Police Department to look into it.

Ms. Teel stated that the field was being painted by volunteer coaches of the community, so there wasn't enough room to play on the field. The children that came to the field to play volleyball were told there wasn't enough room, but can play at 8 p.m. when cheerleading is over. The children made a call and handed the phone to the police officer stating that his father who is a councilman would like to speak with him. The coaches were told that a complaint was filed and the children will have to leave the premises. Ms. Teel stated that parents had to be called at 7:15 p.m. to pick up their children.

Borough Administrator Gallo apologized for the miscommunication, as he was away out of the state. He received a phone call and followed up by calling the Police Department to request that someone go to the park to see what is going on due to the complaints. Mr. Gallo stated that at no point in time did he know the matter involved the junior football program, because if he knew it was football, he would have known it was a scheduled program. Mr. Gallo stated that he never received a phone call back from the police department advising him of what transpired. As such, he figured the department handled the matter. He also asked Mr. Volmer to look into the matter. Mr. Gallo stated that the Recreation Department always takes precedence, and apologized to the program.

Jo Valdez, resident, expressed her concerns regarding the Delta Gas Station and Bergenfield Auto Mall. She stated that residents have issues with both businesses, pertaining to parking and loud music. Ms. Valdez stated it's like a discotec in the summer months. She stated that she has been a resident in her home for over seventeen years and she doesn't want to hear it. Ms. Valdez stated that cars park on the yellow lines, at the fire hydrant, double park on E. Englewood, to the point that she cannot turn down on her street. She stated that there are auto tires all over the premises and it is an eyesore. She also stated that cars are parked overnight on their clean streets, and she has to call to report that the car has been left there several days. Ms. Valdez stated that the Delta Gas Station leaves a car parked on the sidewalk while the gas attendant is pumping gas. She stated that when she tries to make a left off her street, she cannot see. Ms. Valdez stated the used car dealership should provide parking for their customers. The dealership should provide parking, not the residents. The used car dealer also parks some of his cars on the street. She stated that the residents need help. She also stated that the CSX horn is very loud at 2 a.m., and asked the town to do something about it. Ms. Valdez also inquired what the ordinance is for dogs. Ms. Valdez

stated that a left turn signal should be placed at the street light off New Bridge Road, to make the left onto Washington Ave.

Borough Administrator Gallo stated that there have been many problems and issues, and the borough has fined them. He stated that if cars are double parked, the police department should be notified. The residents should call the police desk to submit complaints. Mr. Gallo stated that the complaints have been forwarded to the police department. He stated that he will have another meeting with the staff to address this again and ensure compliance. Mr. Gallo asked Deputy Chief Massey to reach out to the County and look into a left turn signal.

Kathy Elson, and her son Jeremy, residents, stated that she would like to address the situation on Central Avenue and Prospect Avenue with the no left hand turn, where at least 50 cars make the left hand turn a day. Ms. Elson thanked Corey, as he was instrumental in having the signs put up. She stated that now someone needs to enforce them. Ms. Elson stated that a few weeks ago, a woman was struck by a car at that intersection. She further stated that was the first one to be struck by a vehicle back in May 2020. Ms. Elson stated that she takes pictures of people making the illegal turn and has been flipped the bird, but something has to be done. She stated that the Police Department was going to place an electronic sign there, but it was only placed there for three days, and wasn't lit up for two of them. Ms. Elson stated that if the law isn't going to be enforced, then take down the sign. She stated that people have no regard for any signs. Ms. Elson stated that if this is not address, she'll go to the news with it. She stated that she sits there all day long, and never sees a Police Officer stop anyone. She inquired where are the officers all day. Mr. Jeremy Elson stated that he almost saw his mom die last year, and asked everyone to put themselves in his shoes. He noted that a nineteen-year-old kid is out there without a ticket for hitting her. She was crossing the street walking her dog, and the dog died. He inquired what will it take to get something done.

Borough Administrator Gallo stated that the issue will be addressed. He stated that Deputy Chief Massey is present at the meeting and will address the matter.

Deputy Chief Massey stated that when the ordinance came into effect, a patrolman was there for several days. He stated that the officers sat there in their cars to educate the public for a month. Deputy Chief Massey stated that the officers need to monitor the entire town, cannot just monitor one street. He stated that after having an officer stationed there for an entire day, he thought the public would be educated by now.

Borough Administrator Gallo stated he understands his point, but perhaps now the public needs more than just education and summonses need to be issued.

Mayor Amatorio stated that he truly understands her concerns, and noted that requests have been received to remove the signs. He stated that residents circulated a petition to remove the no left hand turn sign. It was explained that the sign was installed for the prevention of car accidents.

Borough Administrator Gallo stated there are other measures the borough is trying to take, such as installing speed bumps, to slow down traffic on Prospect between River Edge and Columbia. He stated that an officer cannot sit there for eight hours, as the department has other functions and responsibilities. Mr. Gallo stated that he will speak to Chief Rabboh and Deputy Chief Massey.

Ms. Johnson, resident, stated that she is present to complain about noise and the recent increase in air traffic and air traffic pollution. She stated that Teterboro and nearby airports changed their flight plans, and the planes fly right over Knickerbocker, and come down to 250 feet. She stated that the amount of noise is a nuisance. Ms. Johnson stated that this is harmful to the residents in Bergenfield. She recently retired and the planes fly over her home all day long, over Knickerbocker, the armory and into Teterboro airport. Ms. Johnson stated that she submitted complaints to the NY/NJ Port Authority, the MCC committee and the Teterboro MCC committee. She inquired if someone can be appointed to the board. Ms. John stated that the Borough of Woodcliff Lake appointed someone to the committee. She stated that if someone sits at Foster Village, they can see the planes flying over Bergenfield and can track their height on the Webtrack website. She stated

that a flight is tracked every two minutes. Ms. John stated that she isn't looking for information, but is hoping the council can help the community.

Borough Attorney Schettino stated that the FAA handles this. He stated that anyone can attend the meetings, but cannot make comments. Mr. Schettino stated that the person attends the meetings, but is not appointed to the committee. He stated that Woodcliff Lake encouraged the community to make complaints. The complaints have to be constant and continuous. He stated that all the Mayor and Council can do is pass a resolution concerning the noise complaints to send to the board and Congressman Gottheimer's office. He stated if the borough were to change the flight patterns, it'll impact another community. He further stated that everyone will need to be on board, including the FAA, Port Authority, and the pilots. He commented that when pilots are comfortable with a flight pattern, they tend to stick to it. He explained that one of the airports caused a reroute, making it more extensive than it used to be. This is a very difficult and long process. The borough can give residents the website to submit complaints.

Taahir Jairam, owner of Republic 23, stated that he met with the Borough Administrator as soon as they heard about the concerns. He stated that they hired security for the back of their building, and shut down their Thursday events to help the community. He stated that he understands the frustrations as he grew up in this town, and this is his community as well. Mr. Jairam stated that he attended high school here, as well as his father. He noted that since the business opened, they have given back to the community by donating backpacks and hosting a turkey drive. Mr. Jairam apologized for all the noise as it's a pain for him as well. He stated that if the signs are put up, summonses can be issued and cars can be towed. He further stated that they are looking to start a valet service on the other side of Washington Avenue to keep the traffic away from the area. Mr. Jairam stated that the business owners pay their taxes and are trying to do their best. He commented that their employees depend on them to feed their families and they are only opened Friday night, Saturday night, and Sunday afternoon to try and work with the community. He has already lowered the music by 30% and will also look into working with the engineers.

Borough Attorney Schettino suggested that an employee go outside around where the gentlemen lives, and see if they can hear the music, and take certain measures like lowering the music, sound proofing, and so on.

Mr. Jairam stated that he will do that, but also noted that the business has been at the location for over 30 years, and nothing has changed.

Sergeant Major, resident, stated that on September 19th, he made a call to the CEO and spoke with his secretary. He expects a phone call with him to discuss the situation with the lights. Sgt. Major suggested that the regional manager be contacted. He stated that the street crossing signs on New Bridge and Wilbur Road, that are being blocked by a tree. He stated the signs should be moved. He further stated there are no signs on Rector Court. He stated that two individuals were hit this past weekend in the morning. Sgt. Major stated that the traffic on New Bridge and Washington is bad, the traffic backs up to the train and something should be done. He further stated that the borough passed a commercial vehicle ordinance, but there was a tractor parked at a home for two weeks, with plates from Indiana, and never received a summons. He asked that the borough do something about the street crossing signs.

Borough Administrator Gallo stated that he has called several representatives from PSE&G, including the public affairs person, but will speak to the regional manager. He also stated that Sgt. Major should have called in the tractor to the police department. Mr. Gallo commented that he agrees that signage is important, but police presence and enforcement is important. People also have to be responsive as well.

Jacqueline Romney, resident, stated that she is here to ask the same questions she has been asking. She thanked Kathy and her son for coming to advocate for the same issue she has been advocating for several months. Ms. Romney stated that the police report indicates there were 56 crashes this month, and the total car crashes is 500+, and 17 pedestrians have been involved in car crashes. She further stated there are 27 hit and runs, and 2 pets were killed. Ms. Romney

inquired why the traffic safety committee hasn't met this year. She stated that at the last meeting, she showed the actions of other traffic safety committees, and they have all met through the COVID-19 pandemic. She also has a list of over 40 municipalities that broadcast, audio, and zoom their meetings to keep residents informed and aware. Ms. Romney stated that she shared a copy of the complete street projects, and inquired what efforts have been made to update this information since 2013. She stated that nothing has been done. Ms. Romney stated that she does not dispute the salaries of the police department, but 8 million dollars in salary in Bergenfield, is much higher than other municipalities. She stated that as heard from other residents, more presence is needed. She stated that it is unacceptable that this salary is being provided, and the number of motor vehicle crashes continue to be this high.

John Smith, resident, stated that he has been complaining about residents having to pay for garbage cans. He stated that the administrator conducted an investigation, but received no answer. He also stated that he reviewed the ordinance, and no where in the ordinance does it say that the resident is responsible to pay for the garbage can. He stated that batting cages have been received and inquired why they haven't been put up. Mr. Smith also inquired how many pedestrian signs have been received from Bergen County, and whether they were requested from the county for Washington Avenue and New Bridge Road. He asked how many will be coming in and where are they going to be placed. Mr. Smith stated that there was an accident and someone was almost struck on Lilac Street and Washington Avenue, a county road that used to have a sign. Mr. Smith commented that other towns have flashing lights, but the borough rather spend millions of dollars on a soccer field. Mr. Smith also stated that since residents are making noise complaints on the weekends, a Code Official should come in on the weekends to address them. He commented that he calls the Police Department, but the officers do not arrive fast enough. He mentioned that the person that parks the BMW on the sidewalk at the gasoline station, also has a motorcycle. Mr. Smith inquired with regards to the road debris on W. Central Avenue and whether it will be cleaned up. Mr. Smith stated that the street light on Clinton Avenue cannot be seen because it is blocked by the trees. He said that the DPW should cut down those branches. Mr. Smith also stated that members of the synagogues were walking on Cameron Road without their vests, and he couldn't see them. He commented that is going to take for someone to be killed for the borough to take action. Mr. Smith further stated that the type of rocks put at the dog park cuts their paws. He commented that the park is not dog friendly. Mr. Smith stated that he will be issuing an OPRA request for the number of signs ordered from the County.

Borough Administrator Gallo stated that 100 pedestrian signs will be coming in. The locations will be determined once they are received. Mr. Gallo stated that the rocks at the dog park are rounded, which is what is supposed to be used. He also stated that he never said he contacted the County.

Diana Flagg, resident, stated that she was surprised to see that the borough is having a shop and eat crawl starting tomorrow. She noticed that Crossroads Deli was included, neither was the famous Dan's Deli, which the young children and the high school students love. She also didn't see the Wagon Wheel. She inquired who gathered all the information. Ms. Flagg commented that the borough hired the same company that was hired by the Bergenfield Special Improvement District (BSID), and now the residents have to pay for this. She stated that's the issue with the democrats, because nothing ever costs anything. She commented that when the BSID ran the event, they paid for it. Ms. Flagg stated that now she has to pay for a public relations firm being compensated \$3,000 a month, the band and entertainment during outdoor dining on Washington Avenue, and now the person that came up with this idea for the BSID. The borough eliminated the BSID, when they used to pay for all this, and now the residents have to pay for it. Ms. Flagg stated that now the trunk a treat will take place on Halloween, and inquired if the BSID used to pay for it. She commented that she is not happy when she has to pay for all this. She inquired what was wrong when the BSID was paying for this, when they had their own budget to pay for it. She commented that it should be placed on the ballot to see how the people in the town will vote.

Mayor Amatorio commented that we are all paying for the events as taxpayers.

Barry Doll, resident, stated that he has no hard feelings against the Mayor and Council, because he knows they worked very hard on this project and made a decision. He hopes it all works out well. Mr. Doll thanked the council and expressed that he will continue to be involved.

Councilperson Pascual made a motion to close Verbal Communications II. Council President Rivera seconded the motion. All present voting in favor, none opposed.

COUNCIL COMMENTS

The Mayor and Council thanked everyone for coming to the meeting and wished all a good night.

CLOSED SESSION

RESOLUTION **21-338**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Attorney-Client Privilege

1. Knickerbocker Country Club
2. Fire Department Personnel Matters
3. Police Department Personnel Matters

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 Rafael Marte, second by Hernando Rivera, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 10:02 p.m.

On a motion by Councilperson Marte, second by Councilperson Pascual, and all present voting in favor, the meeting returned to Open Session at 11:44 p.m.

Council President Rivera motioned to authorize the Borough Administrator to seek guidance from Special Counsel for an independent investigation. Councilperson Marte seconded the motion. All present voting in favor, none opposed.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Marte, second by Councilperson Pascual, and all present voting in favor, the meeting was adjourned at 11:45 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk