

**OFFICIAL MINUTES  
BOROUGH OF BERGENFIELD  
MAYOR AND COUNCIL WORK SESSION  
NOVEMBER 4, 2021**

PRESENT: Mayor Arvin Amatorio and Council President Hernando Rivera, Council members Thomas A. Lodato, Buddy Deauna, Rafael Marte, 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 8:11 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 Marte.

Mayor Amatorio congratulated Council President Rivera and Councilperson Lodato for winning their re-election and the republican party for running a good campaign.

**AGENDA CHANGES**

Motion made by Councilperson Kornbluth, second by Councilperson Deauna to add Ordinance #21-2588 Amending Chapter 299 of the Code of the Borough of Bergenfield, entitled "Vehicles and Traffic" to ordinances, and Resolution #21-349 to hire part-time laborer Matthew Nickel, Resolution #21-350 awarding bid and approving contract for Epic Management Inc. for the new municipal building, and Resolution #21-351 approving raffle application 1372 to the consent agenda. PBA Local 309 contract update and personnel matters were added for discussion in Closed Session. All present voting in favor, none opposed.

**PRESENTATIONS**

None.

**CAPITAL IMPROVEMENTS/BOROUGH ENGINEER**

A. Engineering & Inspection Status Report

Robert Klein, borough engineer, stated Phase I of the road program is complete, consisting of Barry Place, Berwin Place, Beverly Place, and Merritt Avenue. All work is completed including milling and paving. Phase II of the program is ongoing. There are 6 roads in all. Mr. Klein explained in four of them, the concrete prep work is complete on Elder Avenue, Highland Avenue, Railroad Avenue, and Davis Drive. The contractor is currently on Gordon Rd and will finish by tomorrow and will move onto Spring Avenue. Merritt Avenue was done this year from Third Street to the town line. Once the prep work is done, the contractor will mill and pave. The third project is Anderson Avenue. The contractor is currently onsite doing utility and pipe installation. All of the pipe planned has been delivered and is onsite. Mr. Klein stated once that's complete, he'll do all of the concrete, ADA ramps, etc. the paving of Anderson Avenue will probably take place in the spring when the weather breaks. Mr. Klein stated except for the milling and paving of Anderson Avenue, they are on schedule. The rest should get done sometime this month. Mr. Klein stated the border of Tenafly is at the end of the street on Davis Drive. They had marked off the asphalt to the right of the border and the curb. The curb would have been in Tenafly and the resident had pointed it out to them. The

curb was moved inward a foot to remain in town. The water prior to paving drained into a small creek at the end of the street. They maintained the drainage pattern and the curb put in was flush to the level water to still allow runoff.

Mayor Amatorio inquired if they are on schedule to finish all of the projects before it gets cold.

#### UNFINISHED BUSINESS

None.

#### NEW BUSINESS

##### A. Best Practices

Richard Cahill, CFO, stated every year the borough is required to complete a best practices inventory. It's a series of questions the state provides that cover a variety of topics. They are required to obtain a score of at least 15. The borough scored an 18. The inventory itself was 48 questions. Mr. Cahill explained this is required to obtain state aid.

##### B. Parking Ordinance

Borough Administrator Gallo stated at the last meeting, there were a lot of parking concerns around the club. They determined there were no restrictions of no parking from the area on Madison Avenue from Washington Avenue to James Street, and James Street from Madison to Bergen, and there was no restriction on parking on Bergen Avenue from Washington Avenue to James Street. The ordinance that will be amended is to create no parking that will be beneficial to the residents so complaints don't take place related to the club's parking and bar business in the area. There will be no parking on the street from 11:00 pm to 6:00 am. Madison Avenue and Bergen Avenue already have no parking signs east of James Street.

Mayor Amatorio stated the proposed ordinance would be from the corner of James Street to the corner of Washington Avenue. They are also committed into looking for a parking lot or garage to have valet service.

#### ORDINANCES

##### A. Introduction of Ordinance

Motion by Councilperson Kornbluth that the following ordinance be introduced and passed on first reading and setting Tuesday, December 7, 2021 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Council Chambers of the Bergenfield Borough Hall as the place for a hearing on said ordinances. Council President Rivera seconded the motion.

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

#### **21-2588 - AN ORDINANCE AMENDING CHAPTER 299 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED "VEHICLES AND TRAFFIC"**

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

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

#### ADMINISTRATOR'S REPORT

Borough Administrator Gallo stated that leaf collection has begun in town. There are a lot of cars parked on the street, which is impacting DPW's operation. They will be putting more restrictions on street parking, so DPW is able to clean the leaves from the streets. It is going to affect the quality of life if they are not able to collect the leaves as the weather is getting colder. Mr. Gallo stated

DPW superintendent and the police department are working together on how to address getting the cars off the streets. Mr. Gallo stated he will be meeting with the DEP and T&M on November 22<sup>nd</sup> regarding Metzler's Brook and the flood resiliency project. T&M may have a report and presentation at the December 7<sup>th</sup> public meeting. He thanked all of the volunteers that made all of the events over the weekend happen. Ed Volmer, his family, and the volunteers came out to make the events a success for the kids. It was incredible. There were hundreds of kids going through Coopers Pond for the haunted walk, and it was a great scene that the recreation committee will build on further. Unfortunately, the parade on Saturday was cancelled due to the weather. Mr. Gallo stated the Trunk or Treat on Sunday was an incredible event with many kids attending. Families were so appreciative of what transpired. The health department has provided over 140 Moderna booster vaccines last week. They will have another session this upcoming Wednesday. The department is also issuing flu shots and recommending that everyone receive one. Mr. Gallo stated the veteran's ceremony will be held on Thursday, November 11, 2021 at 11:00 am in front of borough hall. The high school will be hosting their event at 1:00pm. Everyone is welcome.

## MAYOR & COUNCIL REPORT

Councilperson Lodato

stated that at the last Planning Board meeting an application for a two-lot subdivision was made on Hallberg Avenue. It was the same application made by the same developer that was denied. He came back to the board with sufficient revisions. This time he presented an application for 2 four-bedroom homes with 3 parking spaces each fronting on Barry Place, instead of fronting on Hallberg Avenue. This was a tremendous change and improvement from what was presented last time. The application was variance free and approved by the board.

Councilperson Deauna

congratulated Council President Rivera and Councilperson Lodato for a clean campaign. He congratulated the Republican counterparts as well. There were vaccinations at Conlon Hall last week run by the Board of Health. The residents were very happy. They distributed meals to the Senior Citizens yesterday. There will a meeting with the Board of Health on November 10, 2021 to meet the new health director.

Councilperson Marte

stated the Board of Education meeting was very brief. The main subject was to approve an ordinance to avoid bullying and pass a resolution continuing the budget. The Zoning Board heard 4 applications that were all approved. There was one for a swimming pool, another for a subdivision to build 7 units, and two other applications for additions. Yesterday, we distributed food to the elderly which was a successful event.

Councilperson Kornbluth

stated the recreation department worked on the Halloween celebrations for the past weekend. The haunted walk at Coopers Pond went very well. Unfortunately, the parade was cancelled. The movie was moved to Conlon

Hall with a good turnout. There was a large crowd that showed up at Trunk or Treat. They are currently working on Holiday at the Pond. BVAC went on 1,721 calls years to date, 196 calls in October which was a 20% increase over the previous year. They are increasingly getting calls for mutual aid to help out towns in Bergen County because there isn't enough coverage in other towns. Several towns and hospital EMS units are short staffed and reaching out to us to help. BVAC is continuing to equip all members with medical equipment that has oxygen which reduced the average response time to three minutes. OEM has no report.

Council President Rivera

stated it was great to see all the happy faces of the kids and even the elderly at the Halloween events. It's become a tradition that people enjoy. There was a good turnout at the Adams Family 2 movie. He congratulated Councilperson Lodato for his success in his campaign.

Councilperson Pascual

stated there were 14 requests made for trimming or removal at the Shade Tree Committee. Phil Neville is looking for professional hires. He missed the rent leveling meeting last night. They are still short two members, for a tenant and a super. He congratulated Council President Rivera and Councilperson Lodato for winning the last election. The walk-through Coopers Pond this past weekend was great and successful. Movie night and Trunk or Treat were also successful. Kids from other towns were very appreciative and happy that Bergenfield is a welcoming town.

Mayor Amatorio

stated the Planning Board reviewed and approved the continuation of the redesignation of the business districts and continue with the study in the districts of Washington Avenue, Legion Drive, portion of Main Street, Portland Avenue and Woodbine. The matter will return to the council for further consideration. He thanked the police department and the volunteers for the bike safety program. There were a lot of kids that participated and enjoyed learning about a safe way of driving. There were several bicycles and helmets raffled off to the kids. There is a request from the MLK program for donations distributed to shelters and senior citizen centers and there will be a donation box placed at borough hall.

CORRESPONDENCE

None.

## PUBLIC COMMENTS

Barry Doll, resident, stated he is having a difficult time hearing or understanding what is being said tonight by the council due to everyone wearing masks. He requested the mask be taken down when someone is speaking or speak a little louder. Mr. Doll stated the museum society recently held a virtual tea party and was very fortunate to collect \$1,400. They promised to give 25% of it to the food bank at the borough and requested if they can present the contribution at the next council meeting. The museum came into possession of an aluminum handicapped ramp. They are working with the Board of Health and OEM to see if anyone can utilize the ramp. Mr. Doll stated the contractor resolution for the new municipal building has been rushed through and inquired if the attachments could be sent with the minutes on the borough website in advance of the council meeting. Mr. Doll stated at the last meeting, the bond issue was discussed to be for 20 years for 2.5%. Tonight, the council will be approving a contract, but it's not \$18 million, it's \$15 million. He inquired how they come up with the interest rate. Mr. Doll inquired how a contract can be approved if the cost is not known. Mr. Doll inquired about the resolutions regarding the Remington & Vernick change orders.

Borough Administrator Gallo stated some of those costs are for the cell tower, asphalt, and are not part of the contract called soft costs. Mr. Gallo stated it adds up to \$18 million when they encompass everything. Mr. Gallo stated the numbers and calculations are done by the professionals, the bond counsel, CFO, the deputy CFO, and the auditors. The cap of the bond is 2.5% and won't be higher. The plans were updated online last week. Mr. Gallo explained the borough will not know the rate until it goes out to auction. Mr. Cahill had given a model at the last meeting and will post it on the website. Mr. Gallo stated the contract is for the contractor. All the addendums are included. Mr. Gallo stated the change order is for the road work.

John Smith, resident, stated at the last meeting, it was discussed that an ordinance will be passed for no parking from 11:00 pm to 6:00 am by the club. He noted that the town already has an ordinance for no parking on any street from 2:00 am to 6:00 am. Mr. Smith inquired why there is going to be an additional ordinance. Mr. Smith stated DJ's want to come to the VFW post, but he rejects them because they smoke hookah. However, it is allowed at the club. Mr. Smith inquired why the fire official and code official have not looked into that. The parking is not the only problem with the club. The Veterans Day ceremony will be on November 11, 2021 at 11:00 am. The VFW will have free food and refreshments from 12:00 pm – 6:00 pm on that same day. Mr. Smith stated he needs to know approximately how many families are in need, because the VFW will offer free meals for them on Thanksgiving. Mr. Smith stated Sergeant Major requested that he remind everyone that Councilman Pascual's business is donating 2 cents of every gallon of gas to veterans on November 11, 2021.

Borough Administrator Gallo stated the borough is adding 11:00 pm, so that no one parks behind the club.

Diana Flagg, resident, stated she had a phone call today with the administrator regarding a situation on Thames Blvd. Ms. Flagg stated when someone wants to have a block party, it has to be approved in a public meeting. She noted that when it happens on the other side of town, it doesn't need approval. She commented there is chaos on Thames Blvd. and people are unruly. Ms. Flagg stated the council needs to take their power back as there are too many things happening in town that they are not aware of. Ms. Flagg stated she submitted an OPRA request to find out when the administrator was given the power to approve requests for residents to hold events and parties. Ms. Flagg also inquired about the terrace plans on the third floor for the new municipal building. She inquired about why another special attorney is being hired. Ms. Flagg inquired about the three stabbings that happened at Armando's this past weekend and if the council was aware that a group was thrown out of Republic 23 and flashed a gun at the valet. The police department should crack down on this.

Mary Sullivan, resident, congratulated Councilperson Lodato and Councilperson Rivera. She thanked the council for sponsoring the Moderna vaccine clinic. Ms. Sullivan inquired if there has been any progress on the ordinance for outdoor lighting. Ms. Sullivan stated there was a conflict at the last zoning board meeting with the 7-unit apartment that will be built on the corner of Bedford Avenue and Front Street. They had a 40 ft. height, which they said is fine with the schedule B limiting chart. John Smith brought up the fact that the master plan says 40 ft. is fine if it's a commercial property, with stores on the bottom and apartments above. She stated there is a conflict that wasn't resolved and the application was just approved. Ms. Sullivan inquired if there will be a picture of what the new building plan is going to look like before it's done. Ms. Sullivan requested the mailbox be left in front of borough hall.

Borough Administrator Gallo stated the 20-year financial models will be provided. Mr. Gallo stated the in-house Thanksgiving dinner may limit the number of people. He will coordinate with John in the next day or two. The special counsel is for personnel matters he cannot discuss. Mr. Gallo explained the terrace is dead space that will be part of the council chambers used for emergency situations. They will be able to put a tent over it, enclose it, and heat it. The cost to create the terrace is a nominal expense. Mr. Gallo stated Ms. Flagg should call him when she hears about issues as he did not know about the stabbings at Armando's. He didn't receive any notification about police activity matters. There are communication issues that he will need to address. Mr. Gallo stated he has to verify the information regarding flashing of the gun. He hasn't received a report nor a phone call about it. Ms. Flagg has more information than the governing body about these matters. Mr. Gallo stated there are protocols that require the officer in charge to notify the administration in the police department and then him if there are any emergency situations. He then notifies the governing body. Mr. Gallo stated he will address the outdoor lighting at the next council meeting. Mr. Gallo stated the plans, the design, renderings, and picture for the new municipal building have been uploaded to the main page of the borough website. The financial data will be updated. The mailbox will remain in the front of the building. Mr. Gallo stated they have to amend schedule B. The master plan reflects that in order to build 40 ft. high, there needs to be mixed use, with storefronts on the bottom. Schedule B doesn't reflect the verbiage in the master plan. He thanked Ms. Sullivan and Mr. Smith for bringing this to his attention. The land development ordinance will have to be changed in January. He will relay the same to the zoning board.

Mayor Amatorio stated there is an existing ordinance for the outdoor lighting and they are trying to clarify if it can cover and amend it.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

**CONSENT RESOLUTION 21-339.** 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. **21-340/**To Pay Bills
- b. **21-341/**To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #20-00007
- c. **21-342/**To Approve Tax Appeal Settlement – 48 Woodbine Street
- d. **21-343/**To Approve Transfer of Appropriations
- e. **21-344/**To Approve Insertion of Special Item of Revenue in the 2021 Budget – Chapter 159 - Bulletproof Vest Partnership Grant
- f. **21-345/**To Approve Grant Cancellation – Bergen County Census Grant
- g. **21-346/**To Appoint Special Counsel – Alexander L. D'Jamoos, Esq. of the firm of Sattiraju & Tharney LLP
- h. **21-347/**To Approve Capital Purchase – Training Simulators for BVAC – Gaumard Scientific Company, Inc.
- i. **21-348/**To Approve Change Order No. 3 – 2020 Road Program – AJM Contractors

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

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

### **21-349/**To Approve Part-Time Hire – Laborer – Matthew Nickel

Motion by Council President Rivera, seconded by Councilperson Marte, to approve Resolution #21-349.

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>

### **21-350/**To Award Bid and Approve Contract – New Municipal Building – Epic Management Inc.

Motion by Council President Rivera, seconded by Councilperson Deauna, to approve Resolution #21-350.

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

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

### **21-351/**To Approve Raffle Application 1372

Motion by Council President Rivera, seconded by Councilperson Kornbluth, to approve Resolution #21-351.

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

Councilperson Lodato thanked the 4,000 borough residents who voted for them. It's an honor and a privilege to have served the past years and he is looking forward to the next three years.

Councilperson Deauna stated it was a productive meeting. They informed the public they are planning to build a new building. He hopes for the best and wished everyone a good night.

Councilperson Marte congratulated Councilman Lodato and Councilman Rivera for their victory. He thanked them for them for continuing to serve the community.

Councilperson Kornbluth congratulated Councilperson Lodato and Councilperson Rivera and is looking forward to working with them for the betterment of Bergenfield.

Council President Rivera thanked the citizens for voting for them. They will continue to move Bergenfield forward and will continue to help with the betterment of the community.

Councilperson Pascual wished everyone a good night. He congratulated Councilperson Lodato and Councilperson Rivera.

Mayor Amatorio wished everyone a great night and thanked everyone for working for the community. He congratulated Councilperson Lodato and Councilperson Rivera as well.

#### CLOSED SESSION

RESOLUTION **21-352**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
  - 1. PBA Local 309 Update
- B. Personnel
  - 1. Personnel Updates

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 9:30 p.m.

#### ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Marte, second by Councilperson Pascual and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:46 p.m.

Respectfully submitted,

Marie Quinones  
Borough Clerk