

**OFFICIAL MINUTES  
BOROUGH OF BERGENFIELD  
MAYOR AND COUNCIL WORK SESSION  
VIRTUAL MEETING VIA ZOOM  
FEBRUARY 1, 2022**

**PRESENT:** Mayor Arvin Amatorio and Council President Buddy Deauna, Council members Thomas A. Lodato, 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 8:02 p.m. with the reading of the Open Public Meetings Act Statement, "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. Meeting dates for the year are confirmed at the Annual Meeting. The Annual Notice is sent to the Record, Star Ledger, Twin Boro News, and Cablevision, placed on two Municipal Bulletin Boards and is on file in the Office of the Borough Clerk. Notice of this meeting by the January 28, 2022 Sunshine Notice was 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.

Mayor Amatorio requested a moment of silence for the passing of the mother of former Mayor Norman Schmelz.

**AGENDA CHANGES**

Councilperson Kornbluth made a motion to add Ordinance 22-2599, an ordinance adopting redevelopment plan, the request from Bergenfield Little League to hold Coin Toss Fundraisers on several dates on borough and county roads to Correspondence, and Resolutions 22-069 approving license agreement with UB Dumont LLC, 22-070 to appoint public defender Robert Medzdorf, 22-071 to approve revised agreement for Tax Appeal Counsel, 22-072 to approve revised agreement for labor counsel, 22-073 to approve 2021 Losap to the Consent Agenda, and Resolutions 22-075 hiring part-time DPW Laborer Robert Spina, 22-076 hiring Full-time Laborer Matthew Nickel to Resolutions, and Resolution 22-077 to discuss PBA Local 309 Agreement and Personnel Matters in Closed Session. Councilperson Marte seconded the motion. All present voting in favor, none opposed.

**PRESENTATIONS**

None.

**CAPITAL IMPROVEMENTS/BOROUGH ENGINEER**

**A. Engineering & Inspection Status Report**

Robert Klein, engineer from Remington & Vernick, stated that all 2021 work is complete with the exception of the milling and paving of Anderson Avenue, which should take place in the spring depending on the weather. Mr. Klein stated they are planning the 2022 road program. They will be preparing BID documents to install speed humps throughout town, but need to decide where the locations of the speed humps will be. He anticipates having them installed in the spring. Mr. Klein

stated he provided a list of all the 2022 roads for consideration. He advised that some of the roads were disturbed by Suez when doing their lead replacement program. The roads will include: Blauvelt Avenue, portion of Dick Street, Carnation Street, the entirety of Tulip Street, Lee Place, Clinton Park Drive, N. Railroad Avenue, Bergen Avenue, First Street, and West Broad Street. He stated they have to see how many of the streets can be done depending on the budget. They are trying to obtain funding to do Hickory Avenue. M Marcotte Lane is also included. They are finishing a concept plan that includes drainage work and resurfacing the road and there is currently one ongoing. They will be in touch with the gas and water companies to coordinate road work. Mr. Klein stated they will provide a concept plan and engineer's cost report for the work to be done at Marcotte Lane. He advised that speed humps are not placed at the same time the roads are resurfaced. Contractors usually put in 3-4 speed humps per day. It will take a couple of weeks to put in 20-25.

Mayor Amatorio inquired if there is a final list for the roads that will be done in 2022 or whether they were just roads for consideration. He stated that he has seen roads that are in worse conditions. Mayor Amatorio inquired if Marcotte Lane was the road they weren't able to complete for the past two years because there was construction in the residential area. He noted that they should check with the building department, PSE&G and Suez if they are going to be doing any work. Mayor Amatorio inquired if the roads that will have the speed humps have been identified.

Borough Administrator Gallo stated the roads Mr. Klein mentioned were selected with guidance from the DPW. Mr. Gallo stated this was supposed to be completed in 2021, but held off because of all the other work being done. Mr. Gallo stated they will have to plan for it soon to have it done by the fall. Mr. Gallo stated they have started to identify some roads. They have received some guidance from the police department and the traffic division pertaining to the speed humps. It's going to be areas around schools and parks and the surrounding streets to slow traffic down. The speed humps will be placed on roads that have already been paved, that are problematic, and are speed runs. For example, people fly on Murray Hill Terrace. There is a no left hand turn on W. Central Avenue that seems to be restricting people and people are not respecting it. The police are trying to enforce it, but can't be there 24 hours. The portion of Prospect Avenue from River Edge Rd to the city line is a borough road. There will be two speed humps put in to slow traffic down at the intersections. Mr. Gallo noted that speed humps cannot be put on county roads.

Councilperson Rivera stated Marcotte Lane needs a lot of underground improvements.

Councilperson Lodato stated he was driving in Fort Lee and noticed 4-5 foot strips, 3 or 4 placed together in a row, that caused vibrations to slow down cars and traffic. He inquired if they would be less costly and whether they are beneficial to the DPW.

Mr. Klein stated speed humps are more effective in slowing down traffic. The rumble strips can serve as an alternative in areas where speed humps are not desired or roads where they can't be put in. The speed humps are 12 feet wide and 3 inches high, made of asphalt and painted. There is signage warning of a speed hump ahead.

Mr. Gallo stated the rumble strips are noisy when you go over them and can be annoying to residents.

Councilperson Pascual requested that Chestnut Street, right off of Hickory Ave, be surveyed also.

Councilperson Marte stated Shelby Street and Maple Street that connect to Hickory Avenue have also been shattered for a long time.

## ORDINANCES

### A. Introduction of Ordinances

Motion by Councilperson Pascual that the following ordinances be introduced and passed on first reading and setting March 15, 2022 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. Councilperson Kornbluth seconded the motion.

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

**22-2592 - AN ORDINANCE AMENDING SPECIFIED PORTIONS OF THE EXISTING AFFORDABLE HOUSING ORDINANCE OF THE BOROUGH OF BERGENFIELD TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE BOROUGH'S AFFORDABLE HOUSING OBLIGATIONS**

**22-2593 - AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF BERGENFIELD, LAND USE, CHAPTER 186 ENTITLED "LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF BERGENFIELD" (20 Percent Set Aside)**

**22-2594 - AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF BERGENFIELD, CHAPTER 186 ENTITLED "ZONING" (Revised Inclusionary Housing Zone)**

**22-2595 - AN ORDINANCE ADOPTING REDEVELOPMENT PLAN INCLUDING AREAS BLOCK 344, LOT 4 - 358 SOUTH WASHINGTON AVENUE  
BLOCK 258, LOT 5 - 314 SOUTH WASHINGTON AVENUE  
BLOCK 133, LOT 20 - 60 WEST MAIN STREET  
BLOCK 133, LOT 1 - 16 SOUTH FRONT STREET  
BLOCK 133, LOT 2 - 11 VAN HOUTEN STREET  
AREA ALONG WOODBINE STREET FRONTAGE  
AREA ALONG LEGION DRIVE  
PREPARED PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW  
N.J.S.A. 40A:12A-1 ET. SEQ.**

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

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

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

ADMINISTRATOR'S REPORT

Borough Administrator Gallo stated they fenced in the proposed structure for the construction area for the new borough hall behind the current borough hall today. They will be working with the utility companies to move the existing utilities that are in the footprint of the new borough line. Mr. Gallo explained most of the gas line piping has been done already and Suez will probably start sometime next week. The construction company is going to mill the footprint the proposed area of the construction site later in the week or next so they can begin putting shovels in the ground the next couple of weeks and begin the foundation work. A ceremony for the same will be coordinated.

Mr. Gallo stated he had a telephone conversation with the CFO and Paul Lerch to review the 2022 budget. COVID-19 is impacting all towns and the state has pushed back the date of budget introduction to April. Mr. Gallo stated they were looking to introduce the budget at the March 15<sup>th</sup> meeting, just waiting for the Annual Financial Statement from the CFO. He has had meetings with the department heads regarding the processes they need to maintain and adhere to in the area of purchasing. Mr. Gallo stated there are some challenges taking place. He gave an example of purchasing vehicles in 2022 because there may not be vehicles/trucks required for DPW and the police department available under state contract, but are working closely with the vendors. Mr. Gallo recognized the efforts of the entire team of the borough this past weekend due to the storm, being shorthanded on all levels because of COVID-19 and retirements. The police department made an excellent effort working with the DPW. DPW did a great job with the plowing over many shifts. Members of the Bergenfield Volunteer Ambulance Corps. and the Fire Department were housed overnight. Luckily, there weren't any fires and the BVAC calls were limited.

## MAYOR & COUNCIL REPORT

Councilperson Kornbluth

stated the recreation committee winter sports are going well. They are working on future events and have been in touch with schools for scheduling sports programs at the gyms. BVAC had 225 calls since January 2022. Last year in January, they had 157 calls, with a 25% increase. The average response time for all calls is 3 minutes and 12 seconds. OEM monitored the recent snow storm and prepared paperwork to request FEMA reimbursement.

Council President Deauna

stated he distributed food to the seniors with Councilman Marte. The seniors were very appreciative. There will be a Board of Health meeting via Zoom on Tuesday and the board is going to review two applications for part-time nursing positions. The Municipal Alliance will also have a Zoom meeting.

Councilperson Rivera

no report

Councilperson Lodato

stated the Planning Board met on January 24, 2022 for the reorganization. Robert Rivas will continue as the chairman. Most of the members will continue in the various positions they held during the past year. He will be the Planning Board liaison to the Zoning Board of Adjustment for the purposes of keeping communication between the two boards. There were no applications for review. David Juzmeski, planner from Neglia Engineering, highlighted the study done for the areas in need of redevelopment which focused on the properties located on W. Main Street, S. Front Street, and S. Washington Avenue. He discussed the overall condition of the properties that are considered to be designated for redevelopment, whether there

be disrepair, safety and health issues, conforming with current borough ordinances, and if use of the property is obsolete. He described each of the properties and stated it is a non-condemnation process. They wouldn't take the property from anyone, but would reestablish and redesignate the zoning ordinances in those areas. It would be up to the owner of the property to choose to redevelop those properties or not. The library board met on January 13, 2022. Tom Neats will remain president of the board. The Stigma Free committee did not meet in January, but is planning to have a meeting this Thursday. The Fire Department officers met on January 10, 2022. It was the first meeting with Chief Steven Naylis. The meeting went well, everyone remained focused, and the meeting was conducted thoroughly. The fire department will be hosting a Beefsteak on February 19, 2022. Robert Beyea resigned after 50 years of long-time service.

Councilperson Pascual

no report

Councilperson Marte

no report

Mayor Amatorio

stated although the planner did not mention the integrity of the structure of the building at the Planning Board meeting, it appears that some of the structures don't look safe. He suggested when the reports are submitted to the borough, the engineers should check the integrity of those buildings for any disrepair. The DPW, police department, fire department, and the BVAC did an excellent job. Mayor Amatorio stated they are hiring nurses for the health department as the public health nurse is currently on medical leave. Mayor Amatorio stated there was an accident with the police department and he spoke with the police chief earlier in the day. The police officer is safe and there is no serious damage. Hopefully, the police officer will recover soon and wished her well. The town received a grant for \$60,000 to improve the tennis courts.

#### CORRESPONDENCE

A. Naylis/Board of Fire Officers

**RE:** Personnel Action Letter – dated 1/26/22

B. Luppino/Bergenfield Little League

**RE:** Request to hold a Coin Toss Fundraiser on Several Dates on Borough and County Roads

Motion by Councilperson Marte, seconded by Councilperson Lodato, and all members present voting in favor, to approve Correspondence Item A. All present voting in favor, none opposed.

## PUBLIC COMMENTS

Mary Sullivan, resident, inquired why the first council meeting in November isn't November 1, 2022 since the general election isn't until November 8, 2022.

Barry Doll, resident, inquired about the status of ordinance 22-2591 regarding the municipal building. Mr. Doll inquired if there are anticipated supply problems with the construction of the new building. He inquired why the Board of Health and the Municipal Alliance were not notified and asked for their input regarding the cannabis ordinance. Mr. Doll stated he looked at the estimated production and revenue table that was prepared by Eleven Eleven. It shows that in the initial stages, the town might get \$1 million, but then it tapers off. They anticipate that more competition would lower the amount. Mr. Doll stated this is a projection and would like to see something prepared by an independent source, not affiliated with Eleven Eleven. Mr. Doll stated there was a letter to the Mayor on November 30, 2021 that mentioned a commitment to an 88% minority women workforce. He inquired if that is in violation of affirmative action. He suggested the council engage an experienced person, perhaps an attorney, to review the contract and prepare an independent summary of what the pitfalls may be and make any adjustments. He is opposed to this in this town, even if the cannabis will not be sold in the town. If they supply it, some other town like Dumont or Teaneck will sell it and he does not want to see this happen in this area. The contract should be reviewed further before entering into it.

Elba Cortes, resident, stated she has been a resident since 2003 and is concerned with the LED lights all over town. The flashy lights look like it's the Vegas Strip. The most intrusive is Café Latino with red and green lights on both sides of the storefront. The other stores with LED lights are Tony's, the barbershop, and the hair salon. Ms. Cortes stated these are the kind of lights you find at 24-hour liquor stores, not in a quaint, residential neighborhood. It is taking away from the enjoyment of everyone's homes and decreasing the value of properties. Ms. Cortes cited from article 6, under section 186-48, the requirements regulating signs in the borough of Bergenfield. She inquired if the borough is going to do anything about the lights.

John Smith, resident, inquired if the warning signage of the speed humps will be included or need to be purchased separately. Mr. Smith mentioned there have been accidents at the flashing lights.

Borough Administrator Gallo stated they will look at the calendar for the November date of the council meeting. Mr. Gallo stated they are going to be impacted with the supply issues for any kind of construction project there is. The contractor said he doesn't see more than a 45-day window past the due date of where they are supposed to take the building over. It will take 18 months to build and another 6 months to take the other building down and remove it along with the cell tower. Mr. Gallo stated they are on target. The contractor ordered 95% of the project ahead of time when the contract was signed in November 2021. Mr. Gallo explained they are just waiting on the delivery of the goods. Mr. Gallo stated the cannabis ordinance is just to allow this business to apply for the opportunity to receive approval from the state to be a grower/manufacturer. There is no guarantee that the business will receive the application. This is specific to this business since they have entered a formal contract to acquire the property, which was formerly the Sears building. There is going to be a long, extensive vetting process to determine whether or not he gets it. He stated when he referenced the revenue the town would be receiving, he included the revenue the town would get from the actual manufacturing. He stated the value of the property taxes is also going to increase dramatically as a result of the revenue for that business. There will be a time and place for the Municipal Alliance and Board of Health to be involved. Mr. Gallo stated they are only in the infancy stage of the process.

Mayor Amatorio stated the state gives preference to the applicants whose ownership belongs to minority and women. If the business is owned by minority women, there's a good chance of getting approved and getting a license. The town is not obligated or tied to the business even if they receive a license. Mayor Amatorio stated they want make sure they are given the opportunity to vet the process. Mayor Amatorio stated they are going to do whatever the state law requires.

Mr. Gallo stated Ms. Cortes made very good points and it is something he also noticed along the Avenue. It is something they are looking to address this year and a letter will be going out to the businesses letting them know they are in violation. They will be given 20 business days to remove the lights and they will be fined if it is not done. It started out as being decorative, but is in violation of the ordinances. The town is going to put up the warning signage for the speed humps.

Councilperson Lodato inquired why the businesses are not instructed to immediately shut the lights off. They may want to go to the Board of Adjustment for variance in the meantime they should be instructed to shut them off.

Mr. Gallo stated they will address them that way.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

**CONSENT RESOLUTION 22-052.** 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. **22-053**/To Pay Bills
- b. **22-054**/To Approve Transfer of Appropriation Reserves
- c. **22-055**/To Approve Temporary Emergency Appropriation
- d. **22-056**/To Approve Tax Court Judgements for Several Properties
- e. **22-057**/To Approve Resolution Authorizing Refund of Redemption Monies to Outside Lien Holder for TTL #20-00002
- f. **22-058**/To Approve Cancelling and Transferring 2020 Mother Lot Assessment – 186 Melrose Avenue
- g. **22-059**/To Approve Resignation – Scott Jezequel
- h. **22-060**/To Approve Affirmative Marketing Plan Pertaining to Low-and-Moderate Income Housing for the Borough of Bergenfield
- i. **22-061**/To Appoint Site Plan Committee Secretary – Tracey Zysman
- j. **22-062**/To Appoint Board Fire Officers Board Secretary – Nancy Naylis
- k. **22-063**/To Appoint Rent Leveling Board Secretary – Claudia Ramirez
- l. **22-064**/To Approve Agreement – Animal Control Services – TYCO
- m. **22-065**/To Approve Shared Services Agreement – Public Health Services – Mid-Bergen Regional Health Commission
- n. **22-066**/To Approve Engineer Services Proposal – Installation of Speed Humps – Remington & Vernick Engineers
- o. **22-067**/To Approve Agreement – Time Lapse Video Services - Custom Video Productions Inc.
- p. **22-068**/To Appoint Municipal Housing Liaison
- q. **22-069**/To Approve License Agreement – UB Dumont LLC
- r. **22-070**/To Appoint Public Defender – Robert C. Metzdorf Esq.
- s. **22-071**/To Approve Revised Agreement – Tax Appeal Counsel
- t. **22-072**/To Approve Revised Agreement – Labor Counsel
- u. **22-073**/To Approve 2021 LOSAP List

Motion by Councilperson Pascual, seconded by Councilperson Rivera, 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>
Council President Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

## B. Resolutions

### **22-074/**To Appoint Full-Time Keyboard Clerk 1 – Grisel Almonte

Motion by Councilperson Marte, seconded by Councilperson Rivera, to approve Resolution #22-074.

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

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

### **22-075/**To Hire Part-Time DPW Laborer – Robert Spina

Motion by Council President Deauna, seconded by Councilperson Kornbluth, to approve Resolution #22-075.

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

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

### **22-076/**To Hire Full-time DPW Laborer – Matthew Nickel

Motion by Councilperson Lodato, seconded by Councilperson Kornbluth, to approve Resolution #22-076.

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

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

## COUNCIL COMMENTS

Councilperson Lodato thanked everyone for coming.

Councilperson Kornbluth stated thanked everyone for coming and wished everyone a good night.

Councilperson Rivera wished everyone a good night and God bless everyone.

Councilperson Pascual wished everyone a good night and to take care.

Councilperson Marte thanked everyone for coming and to have a good night.



Council President Deauna expressed his condolences to former Mayor Norman Schmelz for the passing of his mother. He wished everyone a good night.

Mayor Amatorio extended sincere condolences on behalf of the council to former Mayor Norman Schmelz on the passing of his mother. He thanked everyone for joining the meeting and advised everyone to be safe.

CLOSED SESSION

RESOLUTION **22-077**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
  - 1. PBA Local 309 Agreement
  - 2. 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 Councilperson Kornbluth, seconded by Councilperson Pascual and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:10 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, seconded by Councilperson Marte and unanimously carried, the meeting was adjourned at 9:48 p.m.

Respectfully submitted,

Marie Quinones  
Borough Clerk