

BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
APRIL 19, 2022
8:00 P.M.

PRESENT: Mayor Arvin Amatorio and Council President Buddy Deauna, Council members Thomas Lodato, Rafael Marte (arrived at 8:30pm), Hernando Rivera 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 8:08 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.

Mayor Amatorio requested a moment of silence for Mark Notarangelo and Lenora Schettino.

AGENDA CHANGES

Motion made by Councilperson Pascual to add Resolution #22-161 to approve Raffle Application 1380. Councilperson Rivera seconded the motion. All present voting in favor, none opposed.

APPROVAL OF MINUTES

Motion by Councilperson Lodato to approve minutes of the March 15, 2022 Regular Public Meeting, March 15, 2022 Closed Session Meeting (not to be released), April 5, 2022 Work Session Meeting, and the April 5, 2022 Closed Session Meeting (not to be released). Council President Deauna 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.

John Smith, resident, stated when discussing item #13 under New Business, the council should also discuss garages. Mr. Smith stated that he noticed someone had a mini-Cooper parked in their garage and there was no way a regular size car or van would fit in the garage. He commented that applicants are not meeting the requirements. He also commented that when two lots are created, the new home should require a garage.

Barry Doll, resident, thanked Mr. Smith for being a representative of the Zoning Board of Adjustment. He stated that he has seen garages become living spaces. He inquired the name of the lawsuits the borough is currently in.

Borough Administrator Gallo stated the purpose of the item under New Business is to discuss the ordinance of garages and the allotment of parking spaces based on the size of the home. The other item under New Business pertains to the lighting discussed a couple of meetings ago regarding

businesses using LED lights. Mr. Gallo stated the Planning Board and Zoning Board need to give input before a final decision is made on what the ordinance is going to be. Mr. Gallo stated what takes place with litigations is private until it's resolved. The governing body will receive updates on these matters.

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

PRESENTATIONS

Mayor Amatorio stated that his is honoring Bergenfield residents who participated and won in wrestling tournaments in the past few months. Mayor Amatorio read the proclamations and presented citations to the following:

Calvin Young for his dedication and hard work as Team Captain, finishing in first place at the TCJWL District Tournament, and second place in the TCJWL Region Tournament; and,

Elin Santos for being voted First Team for First Team All North Jersey 2022 and becoming Bergenfield's first Bergen County Women's Coaches Association Champ since 2010, and placing fifth in the states in 2019; and,

Emie Santos for being voted First Team All North Jersey 2022, finishing second place in the BCWCA County, finishing in third place in the New Jersey State Championship, and for becoming the Bears' top state medalist in 33 years; and,

Hunter Steelman for coming in first-place at the TCJWL District Tournament, second-place TCJWL in the Region Tournament, first-place in the New Jersey State Qualifier, and fifth in the New Jersey State Tournament; and,

Joseph Scala, for coming in first-place at the TCJWL District Tournament and Region Tournament, first-place in the New Jersey State Qualifier, first-place in the New Jersey State Championship Tournament becoming State Champ, finishing first-place in the Summer National Tournament to become an All American, and for being undefeated in this age group this season; and,

Michael Valle for his dedication, hard work, and for coming in first-place at the TCJWL District Tournament and Region Tournament, third-place in the New Jersey State Qualifier and fourth-place in the New Jersey State Tournament.

CORRESPONDENCE

a) Naylis/Bergenfield Volunteer Fire Department

RE: Request for Street Closures for Northern Valley Fire Chiefs Parade on Sunday, October 2, 2022 and Holiday Lights Parade on Sunday, December 18, 2022 at 6:00 p.m.

Motion by Councilperson Lodato to accept Correspondence. Council President Deauna seconded the motion. All present voting in favor, none opposed.

ORDINANCES

A. Adoption of Ordinances

Mayor Amatorio read the following into the Record:

The following ordinances published herewith was first read by title only on March 15, 2022 and posted on the bulletin board of the municipal center.

ORDINANCE 22-2598 - AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF BERGENFIELD, CHAPTER 186 ENTITLED "ZONING"

Public Comments on Ordinance 22-2598

No one came forward.

Motion by Councilperson Marte, second by Council President Deauna, to pass Ordinance 22-2598 on second and final reading and are hereby adopted and notice of same shall be published according to law.

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

The following ordinance published herewith was first read by title only on April 19, 2022 and posted on the bulletin board of the municipal center.

ORDINANCE 22-2599 – BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF BERGENFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,100,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

Public comments on Bond Ordinance 22-2599

No one came forward.

Motion by Councilperson Rivera, second by Council President Deauna, to pass Ordinance 22-2599 on second and final reading and are hereby adopted and notice of same shall be published according to law.

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

A. CONSENT AGENDA

CONSENT RESOLUTION 22-150. 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. **22-151**/To Approve Bill List
- b. **22-152**/To Honor Arbor Day – April 29, 2022
- c. **22-153**/To Approve the Governor’s Council on Alcoholism and Drug Abuse DMHAS Youth Leadership Grant Award for Municipal Alliance - Grant Cycle July 1, 2022 – March 14, 2023
- d. **22-154**/To Approve Pay Certificate No. 4 Final and Change Order No. 1 Final – 2021 Road Improvement Program, Phase 2 – 4 Clean Up Inc.

- e. **22-155**/To Accept Bid and Approve Contract – 2022 Speed Hump Project – 4 Clean Up Inc.
- f. **22-156**/To Approve Purchase of Turnout Gear for the Fire Department
- g. **22-157**/To Approve Transferring of Deed – HR Bergenfield LLC and Albarelli Hackensack Associates LP
- h. **22-158**/To Amend Resolution #22-144 Revising Company Name to Office Superstore East LLC

Motion by Council President Deauna to approve the Consent Resolution. Councilperson Marte seconded the motion.

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

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

B. Resolutions

22-159/To Approve Part-time Summer Laborer – Liam Shanahan

Motion by Council President Deauna to approve Resolution #22-159. Council President Deauna seconded the motion.

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

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

22-160/To Approve Extension of Leave of Absence – Kyle J. Smith

Motion by Councilperson Lodato to approve Resolution #22-160. Council President Deauna seconded the motion.

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

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

22-161/To Approve Raffle Application 1380

Motion by Councilperson Pascual to approve Resolution #22-161. Councilperson Rivera seconded the motion.

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

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

UNFINISHED BUSINESS

A. 2022 Municipal Budget

1. **22-162**/To Read Budget by Title Only

Motion by Council President Deauna to approve Resolution #22-162. Councilperson Rivera seconded the motion.

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

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

2. Public Comments on the Adoption of the 2022 Municipal Budget

Barry Doll, resident, inquired about receipts from delinquent taxes and why it is \$180,000 less this year than it was last year. He stated for the anticipated revenue, the budget is calling for \$42,199,345 yet last year, they took in \$42,946,820. He stated the amount is a difference of almost \$747,000 and inquired why that is the case. He inquired if the proposed marijuana factory revenue and appropriations for the new municipal building are included in the budget. Mr. Doll inquired why the other expenses for the Planning Board went from \$500 to \$10,500, the salary wages for Mayor and Council increased from \$66,000 to \$90,000, other expenses under general administrative and executive went from \$263,350 to \$349,300, the salaries and wages and other expenses for Public Safety increased, and the increase in legal expenses.

Borough Administrator Gallo stated there are a lot of lines Mr. Doll went through. Administrative costs had to do with new software systems, emails, and infrastructure that needed to be done. The increase in the Planning Board has to do with the economic development study being done. There is no revenue line in the budget for the marijuana.

Rich Cahill, CFO, stated they are taking a conservative approach with the taxes. Mr. Cahill stated this year's budget is \$1.5 million higher. The budget is amended throughout the year to insert grants.

Mayor Amatorio stated with the increased budget mentioned, the impact to the residents is \$2.

Mary Sullivan, resident, inquired about paying Staples for parking from April 2021 to December 2021. Ms. Sullivan stated the cover sheet for the licensing agreement is through 2023. Ms. Sullivan what will happen to the parking at Stop & Shop. She inquired if the cost of parking is included in the \$18 million budget for the new building.

Borough Administrator Gallo stated the parking is for 2022. Mr. Gallo explained that the parking at Staples is needed to offset employee parking at the borough and Stop & Shop. The contract covers the time period while the new building is going to be built, which will hopefully will be done July 2023. He further stated that parking will not be available when the building is being demolished. Additional parking spaces may also be needed for materials. Mr. Gallo stated that the agreements can be cancelled in thirty days if needed, and he is trying to maximize parking at Staples due to better pricing. He noted this is all budgeted accordingly, there are no additional funds required.

Carolyn Schmelz, resident, stated she doesn't see anything in the budget for Metzler's Brook.

Mr. Gallo stated the engineers are still working on the proposal. There will be an additional bond issued in 2022 for the project. The borough is waiting for the report on the ten-year flood. He commented that if the borough would have followed the 2013 report, the plan would have failed. The borough is working with the County to put a plan in place during the summer months to clean the brooks. They are also working on a permit but the problem is that most of the properties are private properties. Mr. Gallo stated they want to fix the problem but cannot spend \$10 million just

to alleviate the situation versus spending \$20 million to fix it. Mr. Gallo stated they need to figure out how to make the plan better.

Mayor Amatorio stated \$250,000 was initially budgeted to start the process. Mayor Amatorio stated they spoke directly with the homeowners and know something needs to be done. Mayor Amatorio stated they were already working on projects in town and were in touch with Senator Booker's office and DEP. The professionals had said the plan they had from 2013 would not have worked with the amount of water.

Mr. Gallo stated he has spoken with T&M and with DEP. DEP is dealing with other parts of the state and have a very good relationship with the DEP. It is the property owners' responsibility and want to prevent the town from having any liabilities. The borough cannot just go onto private property and start digging.

Ms. Schmelz inquired how the other brooks were widened. She inquired if there is a certain amount of money in the budget allocated for lawsuits with all the pending lawsuits.

Mayor Amatorio stated they are planning to clean the brook which will alleviate the flow of water. Mayor Amatorio stated some of the lawsuits are covered by the insurance.

Mr. Gallo stated thresholds are over tens of millions of dollars.

Mr. Smith stated he didn't see in the budget the property the borough owns and inquired if it will be sold. Mr. Smith stated cleaning out the brook is not going to help. He stated there are ordinances people cannot pump water out into the street, but the building department is allowing them to happen. He commented that it's going to affect the budget. The roads were flooded because of the storm drains. Ordinances are passed but not enforced. He stated that the borough is losing money because no one is doing their job. He inquired how much more money is being given to the library. He commented the library is a babysitting service. He also complimented Allison and stated she is doing a wonderful job as the director.

Mayor Amatorio stated he would rather have kids at the library than on the streets.

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

3. 22-163/To Adopt the 2022 Municipal Budget

Motion by Councilperson Rivera to approve Resolution #22-163. Councilperson Marte seconded the motion.

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

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

NEW BUSINESS

A. Ordinance on Lighting Requirements

Borough Administrator Gallo stated they received complaints regarding LED lighting on storefronts on the avenue and was in violation of the ordinance. Mr. Gallo stated upon review, it was in violation of the ordinance. It specifies outdoor use of lighting for signage is prohibited and serves as a sign. The governing body had asked him to look into it. The borough attorney provided a sample ordinance that outlines what the amount of lumen a fixture can have and the use of LED lighting. It would allow LED lighting on windows, but it limits the number of lumens it can have to only white,

it cannot be flashing, and can only be used during store hours. Mr. Gallo stated the governing body will review it and he put together an ordinance following the model ordinance provided.

Councilperson Marte inquired what they are going to do in the meantime to enforce it.

Mr. Gallo stated there needs to be an ordinance in place to be able to enforce it.

Mayor Amatorio stated the new ordinance should be provided for review and to be introduced at the next meeting.

B. Ordinance on Parking Requirements

Mayor Amatorio suggested creating a committee, two to three members from the council along with a member from the police department, fire department, and ambulance corps., and DPW. They can set up a meeting to create an ordinance.

Councilperson Lodato stated he does not think all the departments are needed to determine whether more than two parking spaces would be required for a home with four or five bedrooms. He stated that a meeting should be held soon.

Councilperson Marte agreed with Councilperson Lodato that it shouldn't be so complicated to make a decision on the number of parking spaces required. The governing body should take a vote.

Mayor Amatorio stated he would like the opinion of the different departments and make a collective decision rather than having members of the council make a decision. Councilman Lodato, Councilman Marte, and Councilman Pascual can be part of the committee.

Committee/Department Reports

Motion offered by Council President Deauna 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.

Mary Sullivan, resident, stated she is glad the council is looking at the lighting, but asked that they not to limit it to the businesses. There should be some restrictions for homes. The church on Arlington and Clinton Avenue has a LED sign that is very bright. She inquired about what is happening on Front Street.

Mr. Gallo stated there is a sink hole and waiting for the contractor to fix it.

Reverend Victor Nieves, pastor of Mercy Church, stated he was unable to attend the last two meetings to express his displeasure with the approval of the marijuana factory in town. He was unable to bring a few hundred people to protest the decision. He believes it is a bad decision for the town and there are more important things than finances. This will affect the children of the town and the real estate. Reverend Nieves expressed on behalf of his parishioners they will continue to protest on the city and state level. There are a lot repercussions they will regret in the future. Marijuana is a gateway drug. Bergenfield should be known for having the best education, best security, and a melting pot of different nationalities instead of being the marijuana producer of the county or state.

John Smith, resident, stated he had given the council the ordinance on lighting. There is a difference between lighting and signage. The ordinance on the lighting states the lights around the window may only be white. It's not signage for those businesses that have it around their windows. It doesn't say the name of their business. The right words need to be put in the ordinance. He inquired what is going to be done about the Christmas lights. He had requested information regarding the pavers through an OPRA request for 2021-2022. The engineer did only 2 paving inspections. There are more than two since the Zoning Board and the Planning Board had applications that involved pavers. He inquired how they were able to get a CO when the inspection report was not complete. No one from the building department wants to go out and look. There was no inspection done at 44 Hallberg Avenue. It was supposed to be done in stages and it was never done. He did a follow up second OPRA request.

Jerry Naylis, resident, thanked the council on behalf of the fire department for remembering Matty Notarangelo who served the community for over 60 years. He thanked the council for approving the two parades and welcomed everyone to join and participate. Mr. Naylis inquired if an analysis was done on what the impact of response time of emergency services would be with the installation of the speed humps. There is a difference between a police vehicle and a 80,000 lb. aerial ladder truck or 60,000 lb. pumper. It would be nice to be consulted for something that is going to have serious impact on the fire department's ability to respond plus the unknown cost of mechanical repairs. There are other jurisdictions that had them installed and are taking them out because of issues like that. He requested going forward the fire department and BVAC be involved with ideas like this. Mr. Naylis stated the amount of development has increased significantly over the past 10-20 years and the amount of green space is being reduced significantly. He suggested speaking with the legislative representatives. They never had water going into the basements and is due to the overdevelopment. He stated just cleaning the brooks will not fix the problem. Mr. Naylis stated unless you are going to require zero runoff and make the calculation proven, more and more basements are going to get flooded.

Mr. Gallo stated the input came from the police department. The police department reviewed the streets and provided guidance. He further stated the borough would not be able to put speed humps on county roads. They are going to put speed hump on a part of Murray Hill Terrace, Hickory Avenue, and some of the roads around the schools and parks.

Norma Rodriguez, resident, stated she is in opposition to the cannabis factory. She's seen her now grown-up children struggle with drugs in high school. She stated her son told her he's seen students using heroine and cocaine. She questioned why they want to bring it into the town when the youth are already struggling with drugs. Studies have shown that cannabis contains carcinogens and toxins. Mrs. Rodriguez inquired about the benefits other than bringing in funds and was concerned about the future of Bergenfield.

Karina, resident, stated she is a mother of two teenagers and as a mother she is very concerned. She stated that other towns are going to combine recognition of the wrestling champions with marijuana and questioned if that is what Bergenfield wants to be recognized for. She stated that the residents trust the governing body not to disappoint them. The library may end up being a rehab place if the marijuana factory is approved. Her husband stated he was a user of marijuana. He is trying to help people stop smoking. The production of marijuana will be a step in increasing the problem. He is not happy if it is brought to the town.

Marcos, resident, stated he knows someone with a drug addiction and most people do not need it for therapy. They start using marijuana and then do some other drugs and become addicted. The marijuana factory will not help this town.

Leann Smith, resident, stated besides against drug use, she also did some research on what it can do to a community. On average, a commercial pot house can take 24 hours a day of electricity. It's about 41,000 kilowatts per hour and the water consumption should be taken into consideration.

Ms. Smith stated it also mentions cannabis releases a volatile organic compound. Once entered into the air, it can be an irritant and a carcinogen. It does lead to other drugs.

Carolyn Schmelz, resident, stated the biggest issue for her is they will also want to dispense due to the revenue coming in. She stated the ordinance was changed to cultivate, how do residents know it will not be changed to be dispensed. Mrs. Schmelz stated she spoke to Mr. Gallo about a crosswalk between Main Street and Portland Avenue, but nothing has happened. It is so dangerous there. She inquired, with the building being built, if it is still handicap accessible. Mrs. Schmelz stated it is sad that there is so much selective enforcement in town. People will go in other people's back yards and issue summonses, but, then a tractor trailer cab is parked on a road for over six days. She inquired if there are any plans to take over the Elks Lodge building. There were a lot on people on the Zoom meetings, as people want to be more involved. She inquired if the council can consider having people listen in, phone in, or have the meetings on Zoom. Social media is great, but horrible also. A lot of information that goes out there is wrong and made up.

Mr. Gallo stated he is waiting for the County as he spoke with them in February. The building is still handicap accessible. The Elks Lodge is the members' responsibility unless they plan to sell the building to a developer. Mr. Gallo stated he is working on having meetings public, and can potentially have them on Facebook live. They even considered partnering with the school on the video production side.

Mayor Amatorio stated there is no eminent domain. It's up to the property owner and the developer. The Elks have the option to develop themselves. The town is not going to condemn any property.

Barry Doll, resident, stated he was humbly moved by the comments made. He stated they will succeed because they will find people that agree with them and find public leaders who will agree with them and will not give up.

Mr. Gallo stated he will look into the lighting for residential and will have a conversation tomorrow about what Mr. Smith had stated. Mr. Gallo stated he will have a conversation with Steven tomorrow and give him a layout of where the speed humps are going to go. They are being beat up by the community over safety and slowing down the flow of traffic. They have looked into signage and have to look into other alternatives. Mr. Gallo stated the information about marijuana is not totally factual. Marijuana has been legalized in the state of New Jersey, not Bergenfield. There are six different types of licenses, one being cultivation and manufacturing. Mr. Gallo explained they are not distributing or providing point of sale. The facility is a closed facility to the public and there will be secured. Children will not be able to purchase marijuana in Bergenfield. Applications for cultivation and manufacturing went in for Teaneck, Hackensack, Paramus, and Mahwah. There are point of sale places already all over. The council has made it clear that will not happen in Bergenfield. The air quality is regulated by DEP and the state of New Jersey. In order for an application to be approved, they have to go through strenuous tasks of inspection on filtration, aeration, pollutants and waste. There will be multiple levels of scrutiny before the application is approved. If the application does not get passed, the owner of the building (the applicant) has already indicated that he is going to build apartment units. The revenue is not the only factor. The business will generate jobs and the development to the facility will improve what is existing property. The residents of the community of Bergenfield, 65% voted on the referendum, stated they were in favor of the legalization of marijuana.

Councilperson Rivera stated he is against marijuana and as long as he is on the council, his vote will be against the retail sale of marijuana in town.

Councilperson Marte stated the council voted no for retail. The reason they voted yes was because of the research done and it won't affect the environment and children and families. They made the decision responsibly.

Councilperson Pascual stated there has to be education and regulation with the product. There is a negative stigmatism associated with marijuana. There are benefits of relieving serious pain someone is dealing with psychologically and physically. He stated if it were point of sale and beyond his control, he would step down from his position.

Councilperson Lodato stated he voted against the ordinance. Marijuana is legal in the state of New Jersey and is going to come to Bergenfield regardless of manufacturing it in town.

Council President Deauna stated he voted yes. They have a different perspective. The council agreed to never to have the retail of marijuana in town. The residents' concerns are also his concerns. The revenue generated is for the Bergenfield residents.

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

COUNCIL COMMENTS

The Mayor and Council thanked everyone for coming to the meeting.

CLOSED SESSION

RESOLUTION 22-164/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

Attorney-Client Privilege

A. Review of Pending Litigation 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 Marte, second by Councilperson Pascual, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 10:27 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Pascual, second by Councilperson Rivera, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 11:13 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk