

BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING MINUTES
JUNE 21, 2022
8:00 P.M.

PRESENT: Mayor Arvin Amatorio and Council President Buddy Deauna,
Council members Thomas 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-Wilson

Mayor Amatorio called the meeting to order at 8:07 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.

AGENDA CHANGES

Motion by Councilperson Kornbluth to add the Special Projects Engineer Presentation on Metzler's Brook to Presentations, Resolution #22-221 to approve Hold Harmless and License Agreement – Fence Replacement on an Easement on Borough Property - 140 East Johnson Avenue, Resolution #22-222 to approve Submission of a NJDOT Municipal Aid Grant Application for the Resurfacing of Roosevelt Avenue, Resolution #22-223 to Approve Proposal for 230 North Washington Avenue Parking Lot Concept Plan, Resolution #22-224 to Award Bid and Approve Contract for Marcotte Lane Roadway Improvements, and Resolution #22-225 to Approve Proposal for Stormwater Outfall Mapping MS4 Tier a Stormwater Permit Requirements to the Consent agenda, and add Personnel Matters to Closed Session. Councilperson Rivera seconded to the motion. All present voting in favor, none opposed.

APPROVAL OF MINUTES

Motion by Councilperson Pascual to approve minutes of the May 17, 2022 Regular Public Meeting. Thomas Lodato 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 everyone is doing the right thing and presenting different ideas. He questioned agenda Item #9 for a car show, which makes improvements for handicap bathrooms at Memorial Park. He stated he had previously served on the barrier free committee and the improvement of the bathrooms was a concern. He stated that bathroom improvements should be completed as a regular expense from tax payers. Mr. Doll also stated he wanted to know the estimated tax payment amount increase in \$USD amount. Also, the consent agreement in the past for the bond resolutions 22-214 and 22-215 should not be a routine item and should be voted on separately. Originally, he had questions for the bond resolution 22-219 the lease of Borough owned property and resolution 22-217, but this was resolved.

Norman Schmelz, resident, addressed the flooding issue in the Metzler Brook project. He displayed pictures of his backyard on July 2nd and stated normal rain turns his backyard into a swimming pool. The engineers previously reported they can build retention basin for reduction of the flooding. Mr. Schmelz stated the building of the retention basin can go above ground or below. He stated that nothing has been cleaned out from the brook for the last 6 months. He noticed residents having to lift their furniture because of the problem with the flooding.

Raymond Wise, resident, stated he lived down the street from the previous resident, Mr. Schmelz, and has been living in area since 1995. He is also dealing with flooding issues. His late daughter had muscular dystrophy and because of the flooding had to relocate her from living on the ground floor. His father-in-law, a 97-year-old WWII veteran has moved into the ground floor of his home. He stated, if the flooding happened again, his father-in-law will have to be moved in emergency as he could die. Mr. Wise, asked about how long were the speed bumps proposed by the town residents before something was done, and wanted to know the cost of the project.

Loretta Borrows & Nancy Valentino, residents, both women living alone. Ms. Borrows stated that family has had her home since 1954 and there was no flooding at the brook then but now there is. They inquired on how many engineering reports are going to be filed until the flooding stops. Ms. Valentino stated she has been living here for 28 years and has been receiving calls at work for the flooding issues. She cannot go to the ground level when it floods and that her boiler, washer, and dryer stopped working. Also, Ms. Valentino stated she cannot afford to keep replacing appliances because of the flooding and pleaded for a solution.

Carolyn Schmelz, resident, was at home alone when the flooding occurred and was unable to move out her furniture from the basement. Bergenfield police officers had to stop cars from entering the street because the water was thigh high. Mrs. Schmelz stated she never had to have flood insurance and the only flooding that had happened was during Hurricane Floyd. Now, flooding occurs every time it rains. She claimed the Mayor has done nothing over two years to fix the Metzler Brook flooding. She stated she has been coming to meetings since Richard Bohan was mayor and inquired why they cannot go into backyards to assess flooding damage and why the focus is on less important projects.

Diana Flagg, resident, stated inquired if the money in from 22-216 to cancel balance of SID, will be returned to the taxpayer or if it will be spent by the council. Ms. Flagg

inquired if the new full-time confidential assistant Justin Boushay hired was an additional employee or a replacement.

Chief Financial Officer (CFO), Rich Cahill, stated it goes into the fund balance and the funds received will go to taxpayers.

Joan MacClugage Gelb, resident, stated that she has lived in the area for 40 years and never had to deal with flooding. Ms. MacClugage Gelb stated adding storm drains have not helped reduce flooding. Also, she stated that the speed bumps are all around town but not around schools near Hickory Avenue.

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

Mayor Amatorio addressed the question on the bathroom. He stated it is an initiative of the Barrier Free Committee.

Borough Administrator Gallo stated in order to make the bathrooms ADA compliant, the fieldhouse needs to be bigger. He stated that the project will be done with proper planning.

Mr. Gallo also addressed questions on the estimated tax bill. He stated the estimated 3% tax bill has three portions containing the local, county, and Board of Education.

Mr. Cahill stated the county needs to adopt their budget so a fourth quarter bill can be adjusted. The Board of Education amount was not available at the time as they have not adopted their budget yet and needs to be estimated. In regards to the two bond sale resolutions on the agenda, Mr. Cahill explained over previous years, bond ordinances were adopted separately. The resolution consolidates the ordinances into one bond sale. Mr. Cahill stated that the SID has officially closed and any balance due will be returned to the tax payers.

Mr. Gallo stated Hickory Avenue needed to be repaved before the speed humps could still be installed. Mr. Gallo stated that the overall amount of time to install the speed humps was less than one year and less than \$100,000 was spent on the cost associated with the speed humps. Also, he stated the reason speed humps were installed was due to the amount of traffic accidents and other safety concerns. Mr. Gallo stated they have been working on Metzler's Brook since 2015. It has been a slow process because it has to go through the DEP. The brook is not only affecting Bergenfield but is part of a regional issue. The Borough has to do its part to clean out the Brook. Mr. Gallo explained that the improvements won't completely fix the flooding issues. Borough administrator Gallo stated the engineer needs to make the report and present the findings to the governing body and the public.

Mayor Amatorio stated that there have been conflicting reports between engineering through the previous years. The council has spoken with the engineer at T & M and the feedback was that the previous reports would not work. Mr. Amatorio stated they don't want to spend \$10 million if it won't work. A quarter of a million dollars has been set aside for the brook project. He stated the Borough has sought help from the DEP,

Governor, Congress, and Senator Corey Booker. Mayor Amatorio stated they will let the professionals address the final reports on Metzler's Brook.

PRESENTATIONS

A. Awards Honoring Students in the Arts

Mayor Amatorio honored Bergenfield students that were "My County" poster contest winners. The students will have their artwork featured in the 2022-2023 election calendar.

Mayor Amatorio read the proclamations into the record for the following students: Annia Tamayo, Sean Arietta, Kristin Williams, Ava Villaroma. A special proclamation was presented to the art educator, Charlene Anolik.

Motion by Councilperson Kornbluth, second by Councilperson Lodato to adjourn meeting for a five-minute recess. Meeting resumed at 9:01 p.m.

B. Special Projects Engineer Presentation on Metzler's Brook

Rob Keady, T&M engineer, stated they reviewed reports previously performed by Remington and Vernick, Boeing & Faustino. He stated after reviewing the reports, they then performed field visits to observe existing conditions for basin locations and the existing conditions at Metzler's Brook. They used available mapping, and surveying to understand general elements at the sites for the proposed basin. Also, they performed a preliminary hydrologic-analysis for the potential basins at 5 locations. The first page of the report is a map which displays the locations of the 5 potential basins. The 1st basin is at PAL field, which the study found the capacity would be able to contain up to a 10-year storm event assuming basin is above ground. Any storm event past 10 years would cause the basin to overflow. The 4th basin is at John O'Keefe Park which has capacity for a 2-year storm event. The 5th basin's location would be at Knickerbocker Country Club and has the capacity of a New Jersey Flood Hazard Area rated storm event which is rated at a 100-year storm event. A 2-year storm event is a 2% chance of a storm to happen in any given year. A 10-year storm event is a 10% chance of a storm event happening in any given year. This is based on DEP criteria.

Mr. Keady explained Metzler's Brook site observations started at PAL field to Ivy Lane shows existing conditions. The location photos were on map pages. The 1st and 2nd photo shows a tree crossing across the brook which has the potential to impact the flow of water and accumulate debris, the 3rd photo shows a narrow channel underneath the roadway which shows vegetation growing that is impacting the channel, the 4th photo shows an area of retaining wall and debris accumulating in the channel, and photo 5 displays a narrow channel that has some flow but the rest is vegetated. The remaining photos show conditions with debris accumulating within the brook. He stated T & M met with NJDEP a few months ago, prior to performing the study to understand the intent of the Borough in improving the flooding conditions throughout Metzler's Brook. There is a 2nd meeting with DEP next month to review T & M's results from their observations and determine which improvements the DEP will give permits. Also, there will be a discussion and review on the regional impact of the flooding.

Borough Administrator Gallo stated that the pictures of the brook show debris and blockage. The borough needs permits from the NJDEP to clean out the debris. Also, the borough will be prohibited to take out specific trees impacting the brook along with replacing any collapsed retaining walls. These are the steps the borough is trying to inform the public about.

Mr. Keady stated, in order to perform stream cleaning, you need to apply for permits from the NJDEP. The stream cleaning permit would grant the borough the right to clean the stream but not allow dredging, deepening, and/or expanding the brook. He stated along with the permit, you need a permit for the right of entry to clean a specific area of the brook.

Mr. Gallo stated the process with NJDEP to clean Metzler's Brook is complicated.

Mr. Keady stated to analyze the depth of water is a complex engineering study. T & M is taking a different yet high-level approach to determine what is and is not feasible. When the Borough moves forward on the solutions, T & M can then move also to a more complex analysis.

Councilperson Marte inquired how do they relate to the percentage of storms to a period of time.

Mr. Keady stated a 2-year storm is the smallest or lightest storm in an analysis, while a 100-year storm event is the largest in an analysis in accordance with DEP regulations. A 100-year storm is a storm that has a 1% of happening in any given year. On a regular basis these storms are happening more often than 1% at a time. This is acknowledged by DEP.

Councilperson Deauna inquired, once the project is started, how long is the timeline to complete it.

Mr. Keady stated it depends on the scope of work. A 2-year storm event and a 10-year storm provides minimal relief. He stated additional questions with DEP are focused on if we can widen or deepen the brook. A heart-to-heart discussion needs to happen with DEP that would allow us to go beyond typical regulations.

Councilperson Pascual stated the problems with the process of NJDEP are receiving a permit and where to relocate the debris.

Mr. Keady stated the DEP process takes time and depending on the permits, it may take a few months to receive. Mr. Keady stated stream cleaning permits take approximately 6-8 months to receive. Then, a contract/bid needs to be released to have the work done. Following the clean-up, the debris has to be collected and removed from the site. Also, the NJDEP permits work to be performed on the bank and prohibited to be done within the stream.

Councilperson Kornbluth inquired how many months into the process are we to having the streams cleaned.

Mayor Amatorio stated if you have plans with other engineers to perform a regional evaluation, then we should approach the state/governor in order to expedite the permit process. He stated they will make sure to have all the towns within the region to sign-off on the project.

Mr. Gallo stated there has been a collaborative effort to bring everyone involved in the county to make sure this is a regional project. Internally, the Borough still has to go through its own processes. The process is multi-faceted so it is slow. He stated they have to seek federal funds for regional efforts and because you are talking about an area going from Overpeck County Park to Cresskill, this could be a \$100 million project. Mr. Gallo stated he is going to request an emergency to try and speed up the process.

Mayor Amatorio stated they can start the process and put pressure on the DEP.

Ms. Schmelz inquired if they can simply have the fall branched removed. It would improve the water flow and it would be in the town's budget.

Mr. Keady stated it does not involve money but rather the DEP needs to issue the permit.

Mr. Gallo stated it is not a money issue.

Mr. Schmelz inquired if bills that were passed through the assembly would allow the town to act without requiring permission from the DEP. Mr. Schmelz, inquired if the administrator can you ask a senator.

Mr. Gallo stated he understands the bills the resident is referencing, but the DEP said it does not apply. He stated he doesn't talk to the senator.

Mr. Keady stated the DEP is a state agency and you have to appeal to the state.

CORRESPONDENCE

a). Forcier/Barrier Free Advisory Committee

RE: Requesting Approval to Host a Car Show to Donate Funds towards Enhancing the Safety and Accessibility of ADA Compliant Bathroom(s) at Memorial Field/Location: Bergenfield High School/Date: June 25, 2023 (rain date: July 16, 2023)/Time: 9:00 a.m. to 3:00 p.m.

b). Chavier/Resident

RE: Request for a Street Closure for a Block Party/Stillman from Dick to Blackwell/Date: July 30, 2022/Time: 2:00 p.m. to 10:00 p.m.

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

ORDINANCES

A. Adoption of Ordinance

The following ordinance published herewith was first read by title only on May 17, 2022 and posted on the bulletin board of the municipal center.

BOND ORDINANCE 22-2602 – BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF BERGENFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,300,000 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 22-2602.

No one came forward.

Motion by Councilperson Rivera, second by Councilperson Marte to pass Ordinance 22-2602 on second and final reading and are hereby adopted and notice of same shall be published according to law.

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

Councilperson Lodato:	<i>aye</i>	Councilperson Kornbluth:	<i>aye</i>
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 22-198. 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.

- **22-199**/To Approve Bill List
- **22-200**/To Approve Liquor License Renewals for the 2022-2023 Term
- **22-201**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL#21-00003
- **22-202**/To Authorize Tax Collector to Prepare and Mail Estimated Tax Bills
- **22-203**/To Approve Tax Appeal Settlement – 19 Dover Court
- **22-204**/To Authorize Veteran’s Tax Exemption – 14 New Jersey Avenue
- **22-205**/To Amend the Veteran’s Advisory Committee to Appoint Edgar Garcia to the Membership
- **22-206**/To Approve Retirement – Public Health Nurse
- **22-207**/To Approve Insertion of a Special Item of Revenue in the 2022 Budget – Clean Communities Grant – Chapter 159
- **22-208**/To Approve Insertion of a Special Item of Revenue in the 2022 Budget – Equipment Modernization Program Grant – Chapter 159

- **22-209**/To Approve Proposal – Areas in Need of Redevelopment Studies & Presentations for Areas G & H – Neglia Engineering Associates
- **22-210**/To Approve Pricing Proposal – GOVPILOT Software Contract for Cloud-based Government Management Platform for Multiple Departments – SHI International Corp.
- **22-211**/To Approve Contract – Network Supplies and Equipment – CDW Government LLC
- **22-212**/To Approve Retirement – DPW Laborer – Phil Ruegger
- **22-213**/To Approve Proposal – NJDOT Required Test Cores for Anderson Avenue – Sor Testing Laboratories Inc
- **22-214**/To Approve Resolution Combining Several Authorizations of Bonds into a Single Issue and Prescribing the Details and Bond Form Thereof for \$27, 870, 000 General Improvement Bonds dated August 1, 2022
- **22-215**/Resolution Authorizing the Publication, Printing, and Distribution of a Notice of Sale and the Publication of a Summary Notice of Sale and Prescribing the Forms Thereof for \$27,870,000 General Improvement Bonds, Dated August 1, 2022, Approving the Preparation, Distribution, and Execution of a Preliminary and Final Official Statement for Such Bonds, Undertaking to Provide Continuing Disclosure of Financial Information, Covenanting to Comply with the Internal Revenue Code of 1986, as Amended, and Authorizing Various Matters in Connection with Electronic Bidding for the Bonds
- **22-216**/To Cancel a Balance in a Reserve for the Special Improvement District
- **22-217**/To Approve Memorandum of Agreement – Schedule of the Collective Negotiation Agreement for the Bergenfield Employees’ Association
- **22-218**/To Approve Settlement Agreement – Bergen Realty Properties, LLC and J&D 46 Anderson Associates LLC
- **22-219**/To Authorize Bid – Lease of Borough Owned Real Property for the Design, Construction, Management & Maintenance of a 160 Foot Monopole Cell Tower and Related Facilities
- **22-220**/To Approve Sale of Surplus Property
- **22-221**/To Approve Hold Harmless and License Agreement – Fence Replacement on an Easement on Borough Property - 140 East Johnson Avenue
- **22-222**/To Approve Submission of a 2NJDOT Municipal Aid Grant Application for the Resurfacing of Roosevelt Avenue
- **22-223**/To Approve Proposal – 230 North Washington Avenue Parking Lot Concept Plan – T&M Associates
- **22-224**/To Award Bid and Approve Contract – Marcotte Lane Roadway Improvements – A. Takton Concrete Corp.
- **22-225**/To Approve Proposal – Stormwater Outfall Mapping – MS4 Tier A Stormwater Permit Requirements – T&M Associates

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

A. Ordinance on Parking Requirements

No discussion.

B. Ordinance on Lighting Requirements

Councilperson Ora Kornbluth stated the committee met prior to the last meeting.

Councilperson Marte stated a discussion about the issues involved with the lighting had occurred. He stated a solution discussed was to leave the issue as is, until they develop a new ordinance. In the discussion, they also evaluated which lights/signs should be allowed and needs to be defined within a new resolution.

Councilperson Kornbluth stated they discussed limiting the hours, colors, and brightness of lights in stores.

NEW BUSINESS

A. Administrative Hires & Appointments

22-226/To Hire Full-Time Confidential Assistant – Justin Boushay

Motion offered by Councilperson Pascual, seconded by Council President Deauna, to approve Resolution #22-226.

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>

22-227/To Hire Part-Time Summer Intern – Samuel Olivencia.

Motion offered by Council President Deauna, seconded by Councilperson Rivera, to approve Resolution #22-227.

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>

22-228/To Hire Full-Time Violations Clerk – Nadia Cavli

Motion offered by Councilperson Kornbluth, seconded by Councilperson Rivera, to approve Resolution #22-228.

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>

22-229/To Hire Part-Time Laborer – Jarrett Richardson

Motion offered by Councilperson Pascual, seconded by Councilperson Rivera, approve Resolution #22-229.

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>

22-230/To Hire Part-Time Summer Laborer – Jordi-Manuel Marie Guerrero

Motion offered by Council President Deauna, seconded by Councilperson Rivera, to approve Resolution #22-230.

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>

22-231/To Hire Part-Time Summer Laborers/Help

Motion offered by Councilperson Kornbluth, seconded by Councilperson Rivera, to approve Resolution #22-231.

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>

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.

Bochy Lora, head of community outreach for the Dominoes Club, stated he is here to support John Smith and would like the lighting for the sign at the entrance of Bergenfield be addressed. He stated that this was third time bringing up the lighting.

Borough Administrator Gallo stated when they put the light on the pole at Memorial Park, PSEG was supposed to put a spotlight for the Bergenfield sign. If it is not there, then they will have it resolved.

Mr. Lora, commended the work the town has been doing for the last 8 years, and said he has seen improvement to the town since moving in.

Barry Doll, resident, stated the topic he is concerned about involves the marijuana factory proposed to be placed at the old Sears building. He sent an article to the council referencing the town of Readington, which opened a similar factory. The neighborhood complained about the odor and fumes coming from the factory. He inquired if any council members contacted Readington because of the article.

Borough Administrator Gallo stated there is nothing to discuss because the application has not yet been approved.

Mr. Doll stated Readington is 47 sq. miles while Bergenfield is 2.9 sq. miles as a point of reference. The population in Readington is 16,000 while Bergenfield is 20,000; which is 9,000 people per sq. mile. Mr. Doll stated Readington is having problems with the factory because they cannot make fumes disappear. We need to learn from their mistakes and request that we do not want the factory in our town. A mistake was made and the town was given the wrong information when voting on the factory's approval.

Norman Schmelz, resident, stated that the Borough of Hillsdale's Office of Emergency Management (OEM) sent notifications through a system that alerted residents about potential flooding and inquired if Bergenfield can start the same alert notices.

Jacqueline Romney, resident, proclaimed she was advocating on 1st Amendment rights involving being blocked on social media. She requested the policy on the reason for being blocked, looked at the Facebook policy, and looked up the mayor's Facebook page. She stated in regards to the mayor's page, events are posted involving the community that are not on the Borough's website. She is concerned with the comments she made being removed on the mayor's page. Yet, the comments were answered by the borough administrator. Ms. Romney inquired as to why the borough is responding to a public owner and not allowing her to participate on the Mayor's page that involves community information.

Borough Administrator Gallo inquired, for clarity on the record, if she was commenting that the borough deleted something on the mayor's private page. Mr. Gallo explained that the borough does not have access to the mayor's private page.

Ms. Romney stated last time Councilman Rivera had suggested another resident should hire a lawyer and inquired as to why she should hire a lawyer.

Councilperson Rivera, stated if she feels her 1st Amendment Rights are being violated then she can hire a lawyer. He stated that anyone can hire a lawyer anytime they think they need it. It is a simple suggestion.

Fred Sahlberg, resident, stated he conducted an impromptu traffic study which its purpose was for the safe and rapid movements of vehicles. The study was on Prospect Avenue where there is a no left-hand turn sign and the two speed bumps. He pointed out the no left-hand turn sign is no longer warranted. Mr. Sahlberg also presumed the council knew about the homeless man sleeping at the Nissan dealership. He suggested they call social services or notify the owner of the lot. If there is nothing done about the homeless man, then there could be a liability. Mr. Sahlberg stated he waited on bringing up the homeless issue directly to the borough because he called the Police Department to notify them, and was told there was nothing that could be done because he is on private property. Mr. Sahlberg suggested an ordinance.

Borough Administrator Gallo proclaimed he did not know about the homeless man. He suggested if there is something Mr. Sahlberg sees, then he should let the borough know about it. Specifically, in this scenario, he should let him know about it and the borough can have the county get involved and get social services to help the man.

Councilperson Marte, referring to Mr. Sahlberg, stated he thought he did the right thing by coming to us rather than confronting the individual. The council can refer this person to the right resources if you do see they are in danger or need help.

John Smith, resident and Vietnam Veteran, proclaimed the homeless man Mr. Sahlberg had spoken about was first sleeping behind Kirkland Tire, then was kicked out, and has been moving in-between Nissan properties. He gets up at 7:30 am without any clothes on. Secondly, a lot of things have been mentioned about the Memorial Day Parade (MDP). The questions he received was where were the firetrucks. He recalled a time he was disrespected as a veteran, with the first being at an airport in 06/27/1970, coming home from his second tour in Vietnam, had water thrown on him, and was spit on while walking through the airport in San Francisco. He made a few points about Memorial Day:

1. On Memorial Day we remember those we've lost. Visit the cemetery of your loved one to pay your respects (or even individuals you don't know). Go up to a veteran and/or a veteran grave and say thank you for protecting our freedoms.
2. I served while defending the flag, to give people, like the Fire Department, the ability to volunteer and to protest. The difference between us is...I can say I defended the flag, whereas, they can tell everyone they prefer to ride the coattails of people like me and protest. They prefer that their freedoms be given to them because they are a citizen, they don't want to earn them. While I did it for 20 years.
3. When expressing opinions, we have choices: 1) keep quiet and voice no opinion, 2) fall into line behind a loud mouth bully, letting them do all the

- talking and/or hiding behind someone to hurl insults, or 3) step up, express your opinion, and accept the consequences from one's deeds or words.
4. It is ironic that many of the loudest mouths attacking the memories of our Deceased Veterans never served in the service, never lost someone in the fight for America's freedom or the defense of our country, and are doing so for personal gain or jealousy.
 5. Many Americans don't give our deceased veterans the respect they deserve. Young men and women, who LAID DOWN THEIR LIFE FOR US, SO THAT WE COULD LIVE A HAPPY LIFE! I also think of my LORD, WHO ALSO LAID DOWN HIS LIFE FREELY FOR ME. GOD BLESS EVERY SOLDIER WHO HAS EVER GONE TO WAR TO GIVE US OUR FREEDOMS. THERE ARE SO MANY OUT THERE WHO DO NOT REALIZE THE SACRIFICES, EVIL WAS COMING FOR US AND OUR SOLDIERS STOOD IN THE GAP TO "KEEP US FREE" TO BE HAPPY, SAD OR WHATEVER!!!

Mr. Smith continued to state (in reference to the BFD's actions on the MDP), as a Veterans Committee Chairman, I am no longer giving the line order on the parade route. Proclaims, the Firefighters had a meeting in April to decide on non-participation in the MDP. Mr. Smith stated the firefighters owe the Veterans on the memorial plaques/wall an apology. Also, that the firefighters wanted to be first in the MDP and would not allow children on the firetrucks, yet will allow their own children on. Proclaims, it's about them and what they want. Also, proclaims the firefighters made the town get rid of their old firetrucks so they could have private landscapers park on their property.

Sergeant Major Williams stated he supports Mr. Smith. He stated as a 40-year veteran, he has been on 3 tours, wounded twice, and was rewarded a bronze star. The Sergeant Major proclaimed that what occurred on Memorial Day was a disrespect to every man on that plaque. He declared that he was placed on the panel of Veterans Services to make changes. He stated they pay for the firefighters' salaries and equipment and that the firefighters pre-planned in abandoning the parade. As a retired Sergeant Major, he was given a coin, on the coin he stated there are 7 points called values. One of those values are respect, along with loyalty and duty. In reference to the coin, he stated that the firefighters did not follow their code-of-conduct by making things political and protesting the parade. He inquired, as to what actions the panel will take on the events of May 30th.

Councilperson Lodato stated the Chief and no other officers are here to represent and respond in regards to the accusations.

Jerry Naylis, resident, stated in reference to resolution 22-218, the settlement with Bergen Reality, LLC and J&D, he assumed it involved collection of waste on private properties within the borough. He recalled years ago being told the borough does not collect from private property.

Borough Attorney Schettino stated the borough does not collect commercial property debris and this is regarding residential property. The borough is required to collect from residential properties or refund the property owner if the Borough is unable to collect the debris. There is an exception that if residential properties owners cannot or are unwilling to comply with Borough's rules on collection of debris, then they have to

collect their own debris. Mr. Schettino stated in regards to resolution 22-218, after financial review it was more cost-effective for the borough to refund the owners rather than collect it. This resolution benefits the borough. He stated, in reference to the address, there was not information available at the time.

Mr. Naylis, resident, stated he had sent an OPRA request regarding speeding tickets within a 64-month period. He has not received the locations of where the speeding tickets occurred and stated that the borough has had less than 2 speeding tickets per month. Mr. Naylis wanted to know where the speeding has taken place in regards to where the speed humps were installed. He expressed that the speed humps were ill conceived and a waste of borough funds. He presumed the speed humps will cause damage to trucks and affect the BVAC along with its patient care. Mr. Naylis further declared that he has volunteered in the town of Bergenfield for 50 years and resents the implication that firefighters do not care about the people who are honored on Memorial Day. The Memorial Day service held included honoring the 5 residents from Bergenfield who served in the line of duty. He honored his father, who was in WWII by visiting his grave, and referenced his brothers who served in the military. He stated the 1st Declaration Day on 1865, was conducted by former slaves in South Carolina which was a war protest. He invited anyone to get up in the middle of the night to respond to calls and join in his duties as a firefighter.

Diana Flagg, resident, stated she recalls that the prior day on June 20th, 2022, borough employees were given a ½ day, and that it is not in the union contracts. She inquired if the Bergenfield Police Department gets a ½ day and where the money comes from. Ms. Flagg inquired about the DPW. She stated she cannot believe this can happen in this town.

Mr. Gallo stated the Bergenfield Police Department gets comp time. Mr. Gallo stated they work until 12:20p.m.

Ms. Flagg stated the last time they met was back in January and referenced the marijuana factory. She congratulated Mr. Lodato on voting 'no' on the factory. Also, she stated that she was shocked as a woman that Councilperson Kornbluth voted in favor of the factory and recalled that Councilperson Rivera did not attend the meeting. She stated that the council should be vocal and was stunned that no one thought of Bergenfield and that the Council does right for Bergenfield, and consider the town. She inquired for Councilperson Rivera to explain his reasons for voting in favor of it. Ms. Flagg stated that just because 66% of residents voted for it, does not mean the town wants it. She suggested the marijuana factory should go back up for a vote so people can vote 'no'.

Councilperson Rivera explained it again that it was through education and regulation.

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 and wished all a good night.

CLOSED SESSION

RESOLUTION **22-232**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 - 1. PBA Local 309 Update
 - 2. Personnel Matters

On a motion by Councilperson Kornbluth, second by Councilperson Marte, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 10:31 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Councilperson Marte, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk