

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

**PRESENT:** Council President Buddy Deauna, Council members Thomas Lodato, Rafael Marte, Ora Kornbluth, and Marc Pascual

**ABSENT:** Mayor Arvin Amatorio and Councilperson Hernando Rivera

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

Council President Deauna called the meeting to order at 8:05 p.m. with the reading of the Open Public Meetings Act Statement, "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. Meeting dates for the year are confirmed at the Annual Meeting. The Annual Notice is sent to the Record, Star Ledger, Twin Boro News, and Cablevision, placed on two Municipal Bulletin Boards and is on file in the Office of the Borough Clerk."

The Salute to the Flag was led by Council President Deauna.

**AGENDA CHANGES**

Councilperson Kornbluth made a motion to add Resolution #22-261 to promote Keyboard Clerk III – TACO – Tracey Zysman, Resolution #22-262 to authorize NJDCA Grant Application for Firefighting Gear, Resolution #22-263 to approve hold harmless indemnification agreement for 140 East Johnson, Resolution #22-264 to approve the amended Housing Element and Fair Share Plan dated June 7, 2022, and Resolution #22-265 to approve St. John's Raffle Application #1381. Councilperson Marte seconded the motion. All present voting in favor, none opposed.

**APPROVAL OF MINUTES**

Motion by Councilperson Pascual to approve minutes of the June 21, 2022 Regular Public Meeting. Councilperson Marte seconded the motion. All present voting in favor, none opposed.

Borough Administrator Gallo provided an update on the actions taken to correct the flooding issues. Mr. Gallo stated they met with the Department of Environmental Protection. This meeting resulted in the development of a two-phase initiative. Phase One includes a 5,400 linear foot survey of the existing conditions at the cross sections of Metzler's Brook, field work, and the preparation of permit plans for the cross sections of Metzler's Brook to be cleaned. It also includes: permits for stream cleaning, individual flood hazard, fresh water wetlands general #25, sediment sampling for future disposal, and a preparation of county soil conservation district. Applications and reports regarding these permits must be submitted to the DEP. Phase Two introduces additional plans to reduce flooding. A discussion of regional reduction of flooding with neighboring municipalities such as: Tenafly, Teaneck, Cresskill, and Englewood occurred in correlation with Phase Two. The agenda additionally proposes a resolution to approve the proposal from T&M for professional studies. DEP mandates the cost to be \$165,000, an increase from the initial \$40,000 proposal. This increase can be attributed to the additional surveys necessary. The resources have been committed to this process in anticipation of approval by the council.

**VERBAL COMMUNICATIONS I**

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

Barry Doll, resident, suggested to contact Bill Sheehan, the Hackensack River Keeper regarding the flooding. Bill Sheehan has experience with flooding in Moonachie and Little Ferry. Mr. Doll inquired why the cost of the audit, purchasing of equipment, and liens are included in the consent agreement, but the hiring of part-time employees is not. He requested clarification for why the section for the municipal liaison for Community Development is left blank.

Borough administrator Gallo clarified the section is intended for the Community Development Block Grant. The county requires a council liaison be present at the meeting.

Councilperson Kornbluth stated she is the liaison and has been for at least six years.

Jerry Naylis, resident, questioned the proposed Ordinance #22-2603 for Areas in Need of Redevelopment along Woodbine Street and Legion Drive. He wanted information regarding the impact the redevelopment would have on Bergenfield's flooding issue and how long the engineering studies will take.

John Smith, resident, followed up on a discussion from the last meeting regarding the storm water management. He had expressed a concern that small projects that would affect flooding are not being discussed. He referenced a recent Ridgewood ordinance which requires a permit for anyone who cuts down a tree to replace the tree with a new one. He used his own street, Windsor Road, and the Synagogue being built on Rector Court as examples of the flooding issues being impacted by the cutting down of trees. He discussed the lack of trees planted at PAL, despite the plans to do so. He stated he wishes to see the replanting of trees be included in the plans to clean Metzler's Brook. Mr. Smith also suggested putting in place an ordinance similar to the one Ridgewood has.

Miriam Grahn, resident, stated flood reduction is necessary on Wilbur Road in particular. She stated that there is a consistent flooding issue, even without the inclement weather that typically causes it.

Diana Flagg, resident, inquired about resolution #22-246, the purchase of chassis and chargers for two electric garbage trucks. She inquired whether they come in one piece.

There being no one else who wishes to be heard, Council President Deauna closed Verbal Communications I.

Borough administrator Gallo informed Ms. Flagg that a \$1,000,000 grant was received from the state to be used to purchase electric garbage trucks. He explained the required process is to order the chassis and then the body is put on the trucks. Mr. Gallo informed Barry Doll the audit's cost was approximately \$60,000.

Borough attorney Schettino stated the redevelopment process was discussed at the previous meeting. He explained the municipality is in the early stages of the redevelopment process. First, the study must be conducted. A hearing with the Planning Board is conducted. The Mayor and Council will determine if the area should be redesignated as area in need of redevelopment. There will be no engineering work done at this point in the process. If a redevelopment plan is accepted, it will then be determined what type of establishments will be allowed at these locations. The applicant must then revisit the Planning Board to present their drainage plan. The drainage plan must be reviewed by the borough engineer. In order to be accepted, the new drainage plan must meet the quality of the current standard, or surpass it. Mr. Schettino explained the applicant is responsible for the full cost of designing and presenting the plans. The Borough only takes on the cost for the review of said plans.

Borough administrator Gallo stated that planting trees at PAL is in the plans. A study will be conducted. Mr. Gallo also stated he will review the ordinance from Ridgewood to see what they have

implemented. Mr. Gallo stated, in regards to the Woodbine Street and Legion Drive redevelopment, it's a slow process as DEP moves slow. He hopes to see forward momentum from DEP in the next couple of months.

PRESENTATIONS

No presentations.

CORRESPONDENCE

a). Almonte/Resident

**RE:** Request for a Street Closure for a Block Party/Porter from Orchard to View/July 30, 2022/10:00 a.m. to 9:00 p.m.

b). Conklin/Former Resident

**RE:** Donate bench and plaque for Cooper's Pond in honor of Andrew V. Bradshaw

Motion by Councilperson Pascual to accept Correspondence Items A and B. Councilperson Kornbluth seconded the motion. All present voting in favor, none opposed.

ORDINANCES

A. Introduction of Ordinances

Motion that the following ordinances be introduced and passed on first reading and setting August 16, 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.

Council President Deauna read the title of the ordinance(s) into the record:

**ORDINANCE 22-2603 AN ORDINANCE DESIGNATING THE FOLLOWING PROPERTIES AS AREAS IN NEED OF REDEVELOPMENT: AREA ALONG WOODBINE STREET FRONTAGE (AREA G), AREA ALONG LEGION DRIVE FRONTAGE (AREA H) PERPARED PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW N.J.S.A. 40A:12A-1 ET. SEQ.**

Motion by Councilperson Kornbluth, seconded by Councilperson Marte that ordinance 22-2603 be introduced.

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

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

**ORDINANCE 22-2604 "DISORDERLY CONDUCT" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BERGENFIELD**

Motion by Councilperson Pascual, seconded by Councilperson Kornbluth that ordinance 22-2604 be introduced.

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

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

A. CONSENT AGENDA

**CONSENT RESOLUTION 22-233.** 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.) **22-234/**To Approve Bill List
- b.) **22-235/**To Certify 2021 Audit
- c.) **22-236/**To Approve Corrective Action Plan
- d.) **22-237/**To Approve Tax Appeal Settlement – Church Street Bergenfield Associates LLC
- e.) **22-238/**To Award Bid and Authorize Contract – Twin Boro Field Improvements, Phase 1 – Thomas and Sons
- f.) **22-239/**To Approve Proposal for Professional Services – NJDEP Permitting Services – Metzler Brook Stream Cleaning/De-Snagging – T&M Associates
- g.) **22-240/**To Amend Retirement Agreement – Public Health Nurse
- h.) **22-241/**To Approve Shared Services Agreement – Snow Plow Agreement for 2022-2024 – County of Bergen
- i.) **22-242/**To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #19-00009
- j.) **22-243/**To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #20-00011
- k.) **22-244/**To Authorize Appointment of Municipal Representatives to the Bergen County Community Development Regional Committee
- l.) **22-245/**To Approve Purchase – Three (3) 2022 Ford Escape Vehicles – DFFM, LLC
- m.) **22-246/**To Approve Purchase – Chassis and Chargers for Two Electric Garbage Trucks – Hudson County Motors, Inc.
- n.) **22-247/**To Approve Purchase – Two Electric Garbage Trucks – Sanitation Equipment Corp.
- o.) **22-248/**To Approve Purchase – Two (2) Chevrolet Tahoe Vehicles – Gentilini Chevrolet LLC
- p.) **22-249/**To Approve Purchase – Excavator Trailer – Cherry Valley Tractor Sales
- q.) **22-250/**To Approve Purchase – Kubota Excavator & Equipment – Cherry Valley Tractor Sales
- r.) **22-251/**To Award Bid and Authorize Contract - Hickory Avenue Improvement- DLS Contracting Inc.
- s.) **22-252/**To Award Bid and Authorize Contract – 2022 Road Program Improvements, Phase 1 – AJM Contractors Inc

Motion by Councilperson Kornbluth, seconded by Councilperson Marte, to approve the Consent Resolution.

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>absent</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

No discussion.

NEW BUSINESS

A. Administrative Hirings and Appointments

**22-253/**To Hire Recreation Department Employees

Motion by Councilperson Kornbluth, seconded by Councilperson Marte that Resolution #22-253 be approved.

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

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

**22-254/**To Hire Full-Time Laborer – Ryan Nelson

Motion by Councilperson Pascual, seconded by Councilperson Kornbluth that Resolution #22-254 be approved.

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>absent</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

**22-255/**To Hire DPW Summer Help – Patrick Cassidy

Motion by Councilperson Pascual, seconded by Councilperson Lodato that Resolution #22-255 be approved.

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>absent</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

**22-256/**To Hire DPW Summer Help – Tony Ramos

Motion by Councilperson Marte, seconded by Councilperson Pascual that Resolution #22-256 be approved.

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>absent</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

**22-257/**To Hire DPW Mechanic – Lawrence Merschrod II

Motion by Councilperson Pascual, seconded by Councilperson Lodato that Resolution #22-257 be approved.

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>absent</i>

Councilperson Marte: *aye*

Councilperson Pascual: *aye*

**22-258/To Promote to Keyboard Clerk II – Jaime Luppino**

Motion by Councilperson Pascual, seconded by Councilperson Kornbluth that Resolution #22-258 be approved.

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

Councilperson Lodato: *aye*  
Council President Deauna: *aye*  
Councilperson Marte: *aye*

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

**22-259/To Promote to Keyboard Clerk II – Javier Nunez**

Motion by Councilperson Pascual, seconded by Councilperson Marte that Resolution #22-259 be approved.

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

Councilperson Lodato: *aye*  
Council President Deauna: *aye*  
Councilperson Marte: *aye*

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

**22-260/To Promote to Tax Clerk II – Pam Lesnak**

Motion by Councilperson Pascual, seconded by Councilperson Marte that Resolution #22-260 be approved.

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

Councilperson Lodato: *aye*  
Council President Deauna: *aye*  
Councilperson Marte: *aye*

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

**22-261/To Promote to Keyboard Clerk III - TACO - Tracey Zysman**

Motion by Councilperson Pascual, seconded by Councilperson Kornbluth that Resolution #22-261 be approved.

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

Councilperson Lodato: *aye*  
Council President Deauna: *aye*  
Councilperson Marte: *aye*

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

**22-262/To Authorize DCA Grant Application for Firefighting Gear**

Motion by Councilperson Marte, seconded by Councilperson Lodato that Resolution #22-262 be approved.

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

Councilperson Lodato: *aye*  
Council President Deauna: *aye*  
Councilperson Marte: *aye*

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

**22-263/To Approve Harmless Indemnification Agreement - 140 East Johnson Avenue**

Motion by Councilperson Pascual, seconded by Councilperson Marte that Resolution #22-263 be approved.

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>absent</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

**22-264/To Approve the Amended Housing Element and Fair Share Plan dated June 7, 2022**

Motion by Councilperson Pascual, seconded by Councilperson Kornbluth that Resolution #22-264 be approved.

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>absent</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

**22-265/To Approve St. John's Raffle Application #1381**

Motion by Councilperson Pascual, seconded by Councilperson Marte that Resolution #22-265 be approved.

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>absent</i>
Councilperson Marte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

**Committee/Department Reports**

Motion offered by Councilperson Lodato that the Committee/Department Reports be spread upon the minutes in full and filed. Councilperson Marte seconded the motion. All present voting in favor, none opposed.

**VERBAL COMMUNICATIONS II**

Council President Deauna opened the meeting to Verbal Communications II and invited the public to comment on any subject, limited to five minutes per speaker.

Barry Doll, resident, read a statement into the record that was in opposition to the application for Eleven Eleven, applications 1102 and 1034 for a marijuana cultivation factory. He explained this is due to the danger it could pose to public health and quality of life. Additionally, Mr. Doll stated that building the factory is inconsistent with the master plan. He expressed concern for the impact any odor and/or volatile organic compounds (VOCs) expelled from the factory would have on residents and children with asthma or similar breathing problems. He used Readington, NJ as an example of a similar facility that caused the aforementioned issues. The proposed facility would be in the vicinity of four places of worship, a diner, a music school, an armory, a pediatric medical facility, a shopping center, residential homes, and an elementary school. The cultivation/manufacturing

facility belongs in the country. He asked the council to amend ordinance 22-2591 based on further review and consideration of the possible negative effects the facility could have on the community.

Judy Desponnier, resident, stated she is opposed to the proposal of the location of the marijuana cultivation factory. She expressed concern over the standardized safety precautions that are implemented in the factories, or lack thereof. She cited cases of similar factories that have had explosions due to the usage of their VOCs.

Diana Flagg, resident, stated during the last meeting the money from SID that was turned over to the Borough had been dissolved. She expressed concern, as a taxpayer, that she and other residents will be funding the projects SID once did. She stated she was informed the Borough cannot give the money back to the taxpayers, but it should be returned to those who paid into it, such as shopkeepers and landlords. She stated if the council receives the money, it has to stay in surplus for up to a year. However, due to excessive spending, the money will be used immediately. She addressed Council President Deauna regarding his plan to create a Chamber of Commerce to handle small projects when the SID was dissolved. Ms. Flagg expressed concern over the responsibility now falling back to the taxpayers. She inquired whether the marijuana cultivation factory is expecting approval in the Borough. She stated she was informed that if the application is not approved, then it would become an apartment building.

Steven Naylis, resident and Chief of Bergenfield Fire Department, stated a meeting occurred on May 10<sup>th</sup>, 2022 regarding the Memorial Day Parade. The parade route and schedule were discussed. At the end of the meeting, borough administrator Gallo had brought up the subject of positions within the line of the march. Chief Naylis asserted that Veterans Committee member John Smith had said Bergenfield fire department vehicles were to be placed at the end of the parade due to the diesel exhaust. He presented the following facts against being placed at the end of the line of the parade. The first fact was that the Bergenfield fire department is always in service, even while the parade is in progress. He stated no mutual aid is allowed if an emergency occurs during the parade. Second, Chief Naylis stated most emergencies occur at the end of the parade. However, during this particular Memorial Day Parade, there were two medical calls. Third, in the event of an emergency, the number of spectators at the parade create a slower response time. People are slow moving, even with lights and sirens. Further, this creates a hazard to the people in the case of the vehicles needing to move quickly, which is not a risk the Bergenfield fire department was willing to take. Fourth, the new fire trucks have clean air systems to reduce emissions of diesel exhaust. Additionally, first responder vehicles, such as ambulances, are powered by gas not diesel. Fifth, the Memorial Day Parade is an open-air event that occurs entirely outdoors. Therefore, the Bergenfield fire department does not consider vehicle exhaust an adequate explanation as there is little to no risk of harm. He stated the Veteran's Committee member, John Smith, showed no interest in hearing the concerns of the Bergenfield fire department and showed no concern for the involvement of any emergency services. On May 27<sup>th</sup>, 2022, the Bergenfield Volunteer Ambulance Corps and Volunteer Fire Department were asked to leave the parade. On May 30<sup>th</sup>, 2022, the Volunteer Fire Department had no participants in the Memorial Day Parade. Chief Naylis stated he has received disrespectful emails from Veteran's Committee member, John Smith and Borough administrator Gallo. He claimed Veteran's Committee member, John Smith, has a long-standing vendetta against the Naylis family and accused borough administrator Gallo of allowing said vendetta to continue. He asserted that Mr. Gallo issued sanctions at the insistence of Veterans Committee member John Smith. Chief Naylis accused Veteran's Committee member John Smith of perpetuating the situation and continuing to use bullying tactics against the Volunteer Fire Department. He stated that a meeting between himself and Veteran's Committee member John Smith was requested and was denied. He stated prior to the meeting regarding sanctions, he was informed the Volunteer Fire Department does not have a right to due process, which is a right protected by the Constitution of the United States. He claimed that the actions against the Volunteer Fire Department are uncalled for and that the Volunteer Fire Department was never intending to disrespect any veteran, living or deceased and apologized on behalf of the Volunteer Fire Department for its non-participation in the parade. The Volunteer Fire Department will always serve and meet the requirements of their sworn



duty regardless of who holds the positions of police chief, Mayor, councilmember, or borough administrator.

Mary Sullivan, resident, stated it has been a couple of years since the installation of an athletic field project started at Twin Boro Field. She stated at the time, the cost of this project would be funded by a \$2 million grant and \$1.7 million would be coming from the Borough. However, the current T&M Associates bid for Phase I is for \$3,576,645, which means there is less than \$200,000 left. She then read in the planning Board minutes that Mayor Amatorio had stated the lowest bid result was \$4.6 million. This number adds an extra \$900,000 in cost for the project. She stated the funds for the project would be better spent on the re-pavement of roads and/or solving the flooding issue. She stated due to the Borough utilizing a state issued grant, people from other municipalities will be allowed to use the new facilities. She stated the borough is spending more money than is being reported on.

John Smith, resident, stated the first resident who discussed the marijuana cultivation facility claimed it is in the vicinity of a school. O'DiBella is not technically a school as it is not recognized by the state of New Jersey. He stated that Chief Naylis did not mention the meeting held by the Fire Committee on April 19<sup>th</sup>, 2022. At the meeting, they made the decision to not participate in the Memorial Day Parade. He stated numerous groups participating in the parade had requested to be first in line. He discussed the issue with multiple municipalities, such as New Milford and Hawthorne. The Hawthorne Fire Chief informed him that the Hawthorne Fire Department and Ambulance Corps are always last in the parade. He stated this is the same for the other municipalities he spoke to. He stated at the May 10<sup>th</sup>, 2022 meeting regarding the Memorial Day Parade, the following groups/people were present: Chief of Police, DPW, Ambulance Corps, Fire Department, Veterans Committee, and the borough administrator. The administrator had asked at the meeting if there were any problems, to which all present replied there were none. He has asked the chiefs of the fire department and the Ambulance Corps for nominations for their individual staff members of the year, due by May 15<sup>th</sup>, 2022, of which he is still waiting to receive. He apologized to the Mayor and Council for his behavior at the previous meeting.

A resident from Wilbur Road stated she is concerned with the flooding and stormwater drainage on her street.

Lora Shade, President of the Bergenfield Volunteer Ambulance Corps, stated that at the May 10<sup>th</sup>, 2022 meeting, the BVAC did raise their concerns. She stated when remarks were made in regard to exhaust emissions, it was suggested to sit parade spectators on the opposite side of the road, out of the way of the emissions. The concern was that BVAC would have to push residents to the side during the parade so they could tend to an emergency. Ms. Shade stated formations of other town's parade is of no concern. BVAC's concern is Bergenfield residents. She claimed Veterans Committee Member John Smith is pretending such concerns were never raised by BVAC. She then stated the request to be moved to the front was for the efficiency of the duties for BVAC and Bergenfield Fire Department.

Jerry Naylis, resident, stated there were no police officers present at the 2022 Bergenfield High School graduation. However, there were career firefighters parked in their call vehicles outside, on duty for the entire Borough. He inquired into the reasoning behind utilizing career firefighters at an outdoor event, resulting in paying them overtime. He was informed the event could have been moved indoors. However, events such as flea markets have been held in the high school with the use of one fire official to check all exits. He asserted that having five firefighters working an event is a waste of taxpayer money.

There being no one else who wishes to be heard, Council President Deauna closed Verbal Communications II.

Borough administrator Gallo stated that regarding the application for Eleven Eleven, there has been no update or status change from the state. The application is classified as pending. Mr. Gallo stated the information shared about the combustibles is inaccurate. There are stringent standards surrounding marijuana cultivation facilities that must be followed from the State and other various areas, including the DEP. However, it is uncertain whether or not the application for the marijuana facility will be approved. Mr. Gallo stated the cost for the Twin Boro Field project has proved to be higher than originally considered. Twin Boro Park is the largest and most underutilized park in the Borough. Mr. Gallo explained the surfaces and areas within the park are unusable. He stated this project is necessary to provide kids within the Borough a better-quality place to play. Mr. Gallo stated the police department was short staffed the day of the graduation ceremony. A meeting was held with the police department and the fire department where the consensus was to have some police officers count the amount of people entering the event to ensure the number of attendees was accounted for. The fire department would assist in other areas of the event. He also stated the cost of overtime for the fire department ultimately cost less than it would for police officers. The decision to use less police officers came from the Police Chief. Mr. Gallo stated there are 32 groups in the parade and questioned whether it would have arguably been easier for the emergency vehicles to have moved with the parade, rather than against it in the case of an emergency near the rear of the parade. The BVAC was present at the event. Mr. Gallo stated the borough values and appreciates the Bergenfield Volunteer Fire Department. He stated the BVFD made a mistake by not participating in the parade, which resulted in disciplinary action from the appropriate authority. He informed the BVFD that they have the right to appeal in writing, which would provide them with the due process they are seeking. Mr. Gallo stated until this point, no such appeal had been filed. He stated going forward, the career staff will be participating in similar events. He stated that until an appropriate apology is issued to the VFW, DAV, and the Veterans Committee, the Borough vehicles will not be utilized for ceremonial events. He explained his role was to issue the disciplinary action, which was not a result of any influence from Veterans Committee member, John Smith.

Councilperson Kornbluth stated she had a meeting with two other councilmembers, the Chief of the Fire Department, and the Ambulance Corps president about a month ago. The issue of the Memorial Day parade positions was discussed at this meeting. It was decided that the Bergenfield Fire Department would have a conversation with the Veterans Committee to see what could be worked out, but the meeting never occurred. She then inquired as to whether the fire department would be willing to sit down with the Veterans Committee to talk and issue an apology. She suggested setting up a meeting in order to resolve this issue with Councilperson Lodato, as liaison, present.

Councilperson Lodato stated he was present at the meeting referenced by Councilperson Kornbluth. He thought it was clear following that meeting that the decision would be discussed with the Veterans Committee. As far as the sanctions, he stated that he advised the Bergenfield fire department to file an appeal upon receiving the sanctions as is their right. He reiterated that advice.

Borough administrator Gallo stated part of the flooding issue is overdevelopment. He stated that the area will be checked to ensure there is no debris built up in the inlets. However, due to the area being largely impervious surfaces, there is nowhere for the water to drain to. Measures are being taken to resolve the flooding by making improvements to those areas. The area in question has been placed on the DPW's agenda to check.

#### COUNCIL COMMENTS

Councilperson Marte stated, as the Veterans Committee liaison, he is pushing for a meeting to occur regarding the parade.

Councilperson Kornbluth stated she believes a meeting between the Veterans Committee and the Bergenfield volunteer fire department would help to resolve the issue. She expressed appreciation and gratitude to all the volunteers in the Borough.

Councilperson Pascual emphasized the importance of the Veterans Committee and the Bergenfield volunteer fire department to sit down and converse regarding the Memorial Day Parade. He stated that they need to come together and work this out as a community. He stated that the bottom line is that, even if it takes multiple attempts at the conversation, it must be had for a resolution to be agreed upon. He stated in regards to the flooding issue, he believes Bergenfield is ahead of the regional problem by a couple steps. Everything that can be done is being done.

Council President Deauna stated they are doing their best to address the flooding problem. In regard to the conflict surrounding the parade, he stated that it is a quarrel that can be fixed. He thanked those in attendance and wished everyone a goodnight.

#### CLOSED SESSION

RESOLUTION **22-266**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
  - 1. PBA Local 309
  - 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, second by Councilperson Lodato, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:29 p.m.

#### ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Councilperson Pascual, and unanimously carried, the meeting was adjourned at 10:06 p.m.

Respectfully submitted,

Marie Quinones  
Borough Clerk