

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
OCTOBER 6, 2022**

PRESENT: Mayor Arvin Amatorio and Council President Buddy Deauna, Council members Thomas A. Lodato, Rafael Marte, Ora Kornbluth, Hernando Rivera, and Marc Pascual

ABSENT: No one.

ALSO PRESENT: Borough Administrator Corey Gallo
Borough Attorney John Schettino
Borough Clerk Marie Quiñones-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

Councilperson Kornbluth motioned to add Ordinance 22-2606 – an ordinance to establish a new chapter in the code of the Borough of Bergenfield, Chapter 312, entitled, "Restricted Areas in Buildings Where Municipal Operations are Conducted Limited to Authorized Employees Only to Protect and Safeguard Public Records Containing Personally Identifiable Information," and Resolution #22-344 to approve the lease and memorandum of lease of borough owned real property for the design, construction, management and maintenance of a 180-foot monopole cell tower and related facilities at 230 N. Washington Avenue. Councilperson Pascual seconded the motion. All present voting in favor, none opposed.

PRESENTATIONS

A. Presentation – Veterans Advisory Committee

John Smith, Chairman of the Veterans Advisory Committee, presented the borough a flag in honor of Colonel Thompson, a major in the Army's Special Forces who was taken prisoner in northern South Vietnam, and was held captive for 10 days short of nine years. Mr. Smith stated that a ceremony was held in his honor and is presenting the borough his flag to be flown in front of borough hall. Mr. Smith thanked Mr. Jim Hurley and Mr. Barry Doll for bringing this to his attention. A copy of the proclamation has been shared with the Bergenfield Public Library and the Bergenfield Museum.

Mayor Amatorio accepted the flag on behalf of the Borough of Bergenfield and stated it is an honor to fly the flag in front of borough hall. The town is proud to have heroes and will support the veterans as much as they can. He thanked Mr. Smith and the veterans committee.

Sergeant Major Williams stated Colonel Thompson has also been recognized at the national museum.

CAPITAL IMPROVEMENTS/BOROUGH ENGINEER

A. Engineering & Inspection Status Report

Bob Klein, Remington & Vernick engineer, stated the road program is progressing nicely. The contractors are halfway done with the concrete curb work on Hickory Avenue and will finish the road by the end of October. They will be ready to mill and pave at the beginning of next month. Marcotte Lane is scheduled to be paved next week. It was originally scheduled for this week, but had to be moved because of the rain. Mr. Klein stated the road program consisting of Blauvelt Avenue, Dick Street, Tulip Street, Carnation Street, Bergen Avenue, sections of Bergen Avenue and First Street should be paved soon. All the prep work has been done. Lee Place has been paved and is completed. There is only West Broad Street left to be done. The concrete work is scheduled to begin within a couple of weeks. All the roads should be done this year weather permitting.

ORDINANCES

A. Introduction of Ordinances

Motion by Councilperson Marte that the following ordinance be introduced and passed on first reading and setting October 18, 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 ordinance. Council President Deauna seconded the motion.

ORDINANCE 22-2605 – AN ORDINANCE TO AMEND CHAPTER 232 ENTITLED “PROPERTY MAINTENANCE” OF THE BOROUGH CODE OF THE BOROUGH OF BERGENFIELD, STATE OF NEW JERSEY

ORDINANCE 22-2606 – AN ORDINANCE TO ESTABLISH A NEW CHAPTER IN THE CODE OF THE BOROUGH OF BERGENFIELD, CHAPTER 312, ENTITLED, “RESTRICTED AREAS IN BUILDINGS WHERE MUNICIPAL OPERATIONS ARE CONDUCTED LIMITED TO AUTHORIZED EMPLOYEES ONLY TO PROTECT AND SAFEGUARD PUBLIC RECORDS CONTAINING PERSONALLY IDENTIFIABLE INFORMATION”

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

Councilperson Lodato:	aye	Councilperson Kornbluth:	aye
Council President Deauna:	aye	Councilperson Rivera:	aye
Councilperson Marte:	aye	Councilperson Pascual:	aye

UNFINISHED BUSINESS

A. Residential Parking Ordinance Requirements

Councilperson Lodato stated they are limited. There is nothing that can be done for three-to-four-bedroom homes.

B. Lighting Ordinance Requirements

Councilperson Kornbluth stated the committee met in regards to the lighting.

Councilperson Marte stated the Mayor and Council voted to select councilmembers Kornbluth, Pascual, and Marte to study and modify the current ordinance for better safety satisfactory to the business owners. It was decided the ordinance will be kept with the following changes. Councilperson Marte stated there will be no blinking lights. There will be no lights on corners where there are traffic lights, and lights need to be dimmed or turned off when the business is closed. If there is a business deemed to have hazardous lights that may be dangerous or cause distraction to vehicular traffic, the town can enforce it or work with the owner to have safe lighting. There will be no changes in the ordinance regarding holiday lights.

Councilperson Pascual stated the committee agreed to have no blinking lights, like a strobe light, as it would be a distraction and confuse drivers especially at an intersection that simulates emergency lights.

Councilperson Marte stated there are some lights in corners, within 20 feet of a traffic light. Those businesses will have to dim their lights.

Councilperson Kornbluth stated there are Dunkin Donuts in other towns that have bright, open signs. She stated they don't want to cause harm to the businesses in town, but at the same time they want to ensure everyone's safety.

Mayor Amatorio suggested the committee submit their proposed recommendations. The ordinance needs to be applied to the entire borough. Mayor Amatorio stated there would be a time frame, i.e. Thanksgiving to New Year's, where holiday lights would be excluded.

Councilperson Kornbluth inquired why there should be only white LED lights. She stated holiday lights would not be included. Councilperson Kornbluth inquired if the lights are a distraction to vehicular traffic, would the police be able to say they have an issue with the lights of a particular business. They need to look at other town ordinances.

Borough Administrator Gallo stated it is less intrusive.

Councilperson Marte stated neon lights were prohibited in the current ordinance. It was decided neon lights would not be a distraction. They did not find any lights that were distracting.

Councilperson Pascual stated there was one business using a colored light that was a distraction.

Councilperson Lodato stated they need to define the range of the lighting.

Councilperson Kornbluth inquired if a business owner can put more than one sign in their window.

Mayor Amatorio suggested looking at ordinances from other towns, incorporate what they have, and send it to Mr. Schettino's office for review and to draft an ordinance. The ordinance should include the percentage of lights in the windows, the allowable colors, illumination, and no blinking should be included.

ADMINISTRATOR'S REPORT

Borough Administrator Gallo stated the Division of Local of Government Services issued the best practices survey, which is due by November 10, 2022. The CFO will provide the status. This is tied to the state aid the borough receives. Mr. Gallo stated the building is moving along. There was a bit of a challenge the past two weeks due to the weather. They started clearing dirt and the land at Vivyen Field. The cement from the pool will be removed in the next week or two. Mr. Gallo stated Washington Avenue will be closed for the Halloween Trunk or Treat on Monday, October 31, 2022 from 4:30pm-6:30pm. There will be a Haunted House walk at Coopers Pond Friday, October 28th, 2022 and Saturday, October 29th, 2022. There will also be a movie on Saturday, October 23rd, 2022. It's going to be a good couple of days for the kids in Bergenfield. The Veterans Day ceremony will be held on November 11, 2022 at 11:00am. The committee will meet with the borough in the next week or so to go over the details of what is needed for the ceremony.

MAYOR & COUNCIL REPORT

Councilperson Lodato

stated the Planning Board met and adopted the resolution for the vacant property Lidl will be leasing to. The fire department has two events planned, the annual santa run and

the holiday lights parade. He missed the last Library Board meeting. The fire department is having their Beefsteak on October 29th, 2022 at Conlon Hall.

Councilperson Marte

stated on September 29th, 2022 the Zoning Board held a special meeting for the Dunkin Donuts Drive-Thru that was approved. There were concerns from residents that live on Magnolia Street. A thorough, detailed report was provided explaining traffic would not be an issue on Magnolia Street or Washington Avenue. The application was approved unanimously by the board. The county had already given approval for the application.

Councilperson Kornbluth

stated fall sports are in full swing. There will be a movie night at Conlon Hall Sunday, October 23rd, 2022 at 6:00pm. The Haunted Walk at Coopers Pond is Friday, October 28th and Saturday, October 29th from 7:00pm-10:00pm. The costume parade is on Saturday, October 29th, 2022 at 10:00am. The rain date is October 30th, 2022 at 1:00pm. The Trunk or Treat is planned on Washington Avenue on Monday, October 31, 2022 from 4:30pm-6:30pm. OEM does not have anything new to report. BVAC has gone on 1,778 calls year to date. It's a 21% increase for the same time period last year. They had a CPR save last night. The response time was 2.5 minutes. The patient is now conscious and talking.

Councilperson Pascual

stated the secretary for the rent leveling board handed in her resignation letter. She will remain on the board until the end of December. Council President Deauna and I have been handing out food to the residents at the senior center the past two Wednesdays. It's through a grant the borough has received called Feed the Front Lines.

Mayor Amatorio

stated the Feed the Front Lines program will last until the end of the year. There were big celebrations the last two weeks. They attended the North Jersey Bengali Association last Saturday that supports humanitarian causes. There will be a band festival at the Bergenfield High School this upcoming Saturday at 1:00pm. They are planning the volunteer dinner, tentative date is Thursday, December 8th, 2022. The veterans committee met to discuss the parking for the Purple Heart recipients. They are working on Bergenfield getting certified as the veterans' friendly town.

One of the requirements is to provide at least five parking spots marked reserved for purple heart recipients. Hopefully, they will be able to do it in the next few months. He received calls and emails from residents about Central Avenue and the no left hand turn.

Borough Administrator Gallo stated he needs to speak with the traffic department. They need time to build data before rescinding the ordinance.

CORRESPONDENCE

None.

PUBLIC COMMENTS

Barry Doll, resident, thanked the veterans committee for recognizing Colonel Thompson for his honor and sacrifice he made. Mr. Doll stated the pot factory cannot be approved until the commission meets. He suggested Mr. Deauna write a letter to the Board of Health telling them he was mistaken when he said it was approved. A statement should also be put on the borough website that the factory has not been approved. Mr. Doll stated the question on the ballot, from two years ago, was should marijuana be for sale. If the commission approves the license for Eleven Eleven, the question should go back to the voters whether or not they want marijuana cultivation and manufacturing in town. He inquired if they are aware of any conflicts or relatives being involved with this business.

John Smith, resident, stated the ordinance states you have to be a certain distance from an intersection. Mr. Smith stated the current ordinance should be looked at as the issue is with its interpretation. As Councilperson Marte had mentioned, the county approved the plan for the Dunkin Donuts drive-thru, but did not approve the application. The master plan and the zoning ordinances passed do not reflect each other. Mr. Smith stated when new ordinances are adopted, the changes are not reflected in the master plan.

Kathy Sahlberg, resident, inquired if they will be increasing residential parking.

Councilperson Kornbluth stated the council was inquiring about the parking requirements for new residential homes being built.

Borough Administrator Gallo stated the status is the status. The borough will see what happens on October 20, 2022 if it gets passed. There is a whole process if it gets approved. Mr. Gallo stated Council President Deauna had recanted his statement at the last council meeting.

Councilperson Pascual stated the borough attorney will look into the items discussed regarding the lighting ordinance. The band festival is this coming Sunday at 1:00pm.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

CONSENT RESOLUTION 22-334. 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. **22-335/To Pay Bills**

- b. **22-336**/To Authorize Membership to the Somerset County Cooperative Pricing System #2-SOCCP and Approve the Cooperative Pricing System Agreement
- c. **22-337**/To Approve Purchase – Two (2) 2023 Chevy Tahoe Vehicles - Hertrich Fleet Services, Inc.
- d. **22-338**/To Approve Purchase – 3M Scott Cylinders – Firefighter One LLC
- e. **22-339**/To Approve Pay Certificate No. 1 – 2022 Road Improvement Program – AJM Contractors
- f. **22-340**/To Approve Pay Certificate No. 1 – Hickory Avenue Improvements Project
- g. **22-341**/To Approve Pay Certificate No. 1 – Marcotte Lane Roadway Improvements
- h. **22-342**/To Authorize Tax Refund – 52 Anderson Avenue
- i. **22-343**/To Approve the Submission of a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Twin Boro Park Improvement Project – Phase II
- j. **22-344**/To Approve the Lease and Memorandum of Lease – Lease of Borough Owned Real Property for the Design, Construction, Management and Maintenance of a 180-foot Monopole Cell Tower and Related Facilities at 230 N. Washington Avenue – Wireless Edge Towers II, LLC

Motion by Councilperson Marte, second by Council President Deauna, to approve the Consent Resolution as amended.

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

Councilperson Lodato:	aye	Councilperson Kornbluth:	aye
Council President Deauna:	aye	Councilperson Rivera:	aye
Councilperson Marte:	aye	Councilperson Pascual:	aye

COUNCIL COMMENTS

The Mayor and Council thanked everyone for coming and wished everyone a good night.

CLOSED SESSION

RESOLUTION 22-345/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 - 1. Professional Service Agreements
 - 2. Updates on 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 Council President Deauna, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:11 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Councilperson Rivera and unanimously carried, the meeting was adjourned at 9:42 p.m.

Marie Quinones
Borough Clerk