

BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING MINUTES
JANUARY 17, 2023
8:00 P.M.

PRESENT: Council President Marc Pascual, Council members Thomas Lodato, Rafael Marte, Buddy Deauna, and Hernando Rivera

ABSENT: Mayor Arvin Amatorio and Councilmember Ora Kornbluth

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

Council President Pascual called the meeting to order at 8:02 p.m. with the reading of the Open Public Meetings Act Statement, "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. Meeting dates for the year are confirmed at the Annual Meeting. The Annual Notice is sent to the Record, Star Ledger, Twin Boro News, and Cablevision, placed on two Municipal Bulletin Boards and is on file in the Office of the Borough Clerk."

The Salute to the Flag was led by Councilperson Marte.

AGENDA CHANGES

Councilperson Marte requested to add appointments to the Recreation Committee on the agenda. He motioned that Ricardo Mendoza and Jose Quiñones be appointed to the Recreation Committee.

Council President Pascual requested to also add Resolution #23-045/To Approve Agreement – Neglia Engineering and Resolution #23-046/To Approve Renewed Agreement – Administrative Agent – Community Grants, Planning, and Housing LLC to the Consent Agenda.

Councilperson Deauna motioned to make the appointments. Councilperson Marte seconded the motion. All present voting in favor, none opposed.

APPROVAL OF MINUTES

Motion by Councilperson Rivera to approve minutes of the 2023 Reorganization Meeting. Councilperson Marte seconded the motion. All present voting in favor, none opposed.

VERBAL COMMUNICATIONS I

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

Barry Doll, resident, inquired if other applicants put in for the Borough Auditor position. He also questioned the retirement of the Police Officer, given the issues with his work on the force.

Borough Administrator Gallo stated that he is unsure if any other professionals put in a qualification statement for the Borough Auditor position. He stated that it is the Mayor's appointment with approval of the Council, and Paul Lerch has done a great job in Bergenfield. The Borough has been complying and continues to improve its bond rating. Mr. Gallo further stated that in order to retire, employees have to be in good standing. A public hearing was held and the matter was resolved for the employee to retire.

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

PRESENTATIONS

No presentations made.

CORRESPONDENCE

- | | |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| a.) Eaches/Bergenfield Garden Club | RE: Request to Reserve Coopers Pond for Meetings and Events in Calendar Year 2023 |
| b.) Slossar/Bergenfield Elks Lodge #1477 | RE: Request to Reserve Conlon Hall to Celebrate its 100 th Anniversary/Saturday, November 18, 2023 |

Motion by Councilperson Marte to accept Correspondence. Councilperson Rivera seconded the motion. All present voting in favor, none opposed.

ORDINANCES

No ordinances for consideration.

A. CONSENT AGENDA

CONSENT RESOLUTION 23-026. 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. **23-027/**To Approve Bill List
- b. **23-028/**To Approve Raffle Application – RA 1387
- c. **23-029/**To Approve Agreement – Borough Attorney – John L. Schettino, Esq.
- d. **23-030/**To Approve Agreement – Borough Engineer – Remington & Vernick Engineers
- e. **23-031/**To Approve Agreement – Special Projects Engineer – T&M Associates (*Borough*)
- f. **23-032/**To Approve Agreement – Bond Counsel – Rogut McCarthy LLC (*Borough*)
- g. **23-033/**To Approve Agreement – Labor Counsel – John L. Shahdanian II Esq., Trenk Isable Siddiqi & Shahdanian P.C.
- h. **23-034/**To Approve Agreement – Tax Appeal Counsel – Boggia, Boggia, Betesh & Voytus, LLC
- i. **23-035/**To Approve Agreement – Borough Auditor – Paul J. Lerch, CPA, RMA, PSA, - Lerch, Vinci & Bliss LLP
- j. **23-036/**To Approve Agreement – Risk Manager - GJEM: Otterstedt Insurance Agency
- k. **23-037/**To Approve Agreement – Grant Consultant – Millennium Strategies
- l. **23-038/**To Approve Agreement – Borough Appraiser - Associated Appraisal Group
- m. **23-039/**To Approve Agreement – Borough Prosecutor – Marc A. Calello, Esq.
- n. **23-040/**To Approve Agreement – Alternate Prosecutor – Linda H. Schwager
- o. **23-041/**To Approve Agreement – Public Defender – Robert C. Metzdorf, Esq.
- p. **23-042/**To Approve Agreement – Alternate Public Defender – Steven Sciancalepore, Esq.
- q. **23-043/**To Authorize Bid – 2023 Sidewalk Improvement Project
- r. **23-044/**To Approve Retirement – John Brown
- s. **23-045/**To Approve Agreement – Neglia Engineering
- t. **23-046/**To Approve Renewed Agreement – Administrative Agent – Community Grants, Planning, and Housing LLC

Motion by Councilperson Lodato to approve the Consent Resolution as amended. Councilperson 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>absent</i>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Councilperson Marte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

B. Resolutions

23-047/To Promote to Keyboard Clerk II – Claudia Ramirez

Motion by Councilperson Deauna to Approve Resolution #23-047. 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>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Councilperson Marte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

23-048/To Approve Agreement – Bergenfield Police Department Civilian Employees Association

Motion by Councilperson Marte to Approve Resolution #23-048. Councilperson Deauna seconded the motion.

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

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

UNFINISHED BUSINESS

None.

NEW BUSINESS

A. Recommendation and Nominations for Boards and Committees

Council President Pascual recommends and nominates the following to serve on the Recreation Committee for a one-year term, term expiring December 31, 2023.

Ricardo Mendoza
Jose Quiñones

Councilperson Lodato motioned that the nominations be confirmed. Councilperson Deauna seconded the motion.

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

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

COMMITTEE/DEPARTMENT REPORTS

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

VERBAL COMMUNICATIONS II

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

John Perez, resident, thanked the Borough Administrator for his attention to the matter. He stated that the corner of Smith and Clinton is a dangerous intersection. He advised that parking should be prohibited from 100 feet to the corner. He inquired the status of the Borough fixing the curbs and whether parking will be permitted on both sides of the street.

Borough Administrator Gallo stated that he knows the street needs to be repaved. When its scheduled, it'll have all the infrastructure work done and the road may be widened. The Borough is working on putting the curbs in.

Barry Doll, resident, stated that he understands the CRC approved Eleven Eleven's application. He inquired what are the next steps.

John Smith, resident, stated that the Sunshine Adult Day Care Center parks their vans all along the front of the facility and in the bus stop, which impacts the traffic flow. He commented that the buses are unable to pull into the curb and have to pick-up and drop-off passengers in the middle of the road. The drivers are also unable to turn on the intersection. In the past, former Police Chief Madalone addressed the matter and it was temporarily resolved. He stated that recently, borough employees and code enforcement officials drove past the vans and never addressed it. Mr. Smith stated this is an on-going issue with traffic on Washington Avenue and someone needs to look into it and the drivers need to be ticketed.

Mary Sullivan, resident, stated she too has had a problem with the Sunshine Adult Day Care Center vans being parked at the bus stop. She commented that the traffic goes around the bus, which is a problem.

Sergeant Major Williams, resident, stated that wood in the railroad crossing on Main is going bad. He stated that if this is not fixed, it can lead to a bad accident. He also stated that since the Pizza Hut on S. Washington has no parking, people are double parked all the time, day and night.

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

Borough Administrator Gallo stated that with regards to the railroad crossing, he and the Police Department have notified CSX. He will ask the Police Department to follow up as it a hazardous situation and it needs to be fixed. He further stated that he will speak to Police Chief Rabboh about Sunshine Adult Day Care Center and the stores on the avenue. Mr. Gallo stated that with regards to the license and its approval, the Borough hasn't been notified. He commented that the State has not provided the borough any formal notification with regards to the approval. If it was approved, there are state regulations the business will have to meet. Then, the business owner will need to submit applications to the boards because the interior and exterior of the facility have to be retrofitted, and they have to meet all the standards. The application will probably have to go to the Planning Board, Site Plan, and possibly even Zoning. He commented that they may have received approval from the State, but this is all a process.

COUNCIL COMMENTS

The Councilmembers thanked everyone for coming to the meeting and wished all a good night.

CLOSED SESSION

RESOLUTION **23-049**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 - 1. Police Department Personnel Matters
 - 2. Fire Department 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 Council President Pascual, second by Councilperson Rivera, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 8:28 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Council President Pascual, second by Councilperson Lodato, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:45 p.m.

Marie Quiñones-Wilson
Borough Clerk