

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
SEPTEMBER 19, 2023**

PRESENT: Mayor Arvin Amatorio, Council President Marc Pascual and Council members Thomas Lodato, Buddy Deauna, Domingo Almonte, Ora Kornbluth, and Hernando Rivera

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 8:05 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. Notice of this meeting dated Friday, September 15, 2023 was 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 Doming Almonte.

AGENDA CHANGES

None.

APPROVAL OF MINUTES

Motion by Council President Pascual to approve minutes of the August 8, 2023 Regular Public Meeting and August 8, 2023 Closed Session Meeting (not to be released), September 5, 2023 Work Session Meeting and September 8, 2023 Closed Session Meeting (not to be released). Councilman 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, inquired if the committee and department reports are considered to be part of the agenda. He noticed code enforcement used 23 gallons of gasoline and are out working again. He inquired if the new building on Main St. and Washington Ave. is on the agenda.

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

PRESENTATIONS

None.

CORRESPONDENCE

None.

ORDINANCES

A. Ordinances for Adoption

Mayor Amatorio read into the record:

The following ordinance published herewith was first read by title only on August 8, 2023 and posted on the bulletin board of the municipal center.

ORDINANCE 23-2612 – AN ORDINANCE AMENDING CHAPTER 268 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “STORMWATER MANAGEMENT” (RE-INTRODUCED 8/8/23)

Councilperson Kornbluth stated that the Planning Board made recommendations based on state requirements. She stated that she would like to incorporate their recommendations into the ordinance.

Borough Attorney Schettino stated that a Councilperson should make a motion to re-introduce the ordinance as amended and re-advertise the revised version.

Borough Administrator Gallo inquired if the ordinance should include penalties.

Borough Attorney Schettino advised that he would need to review the ordinance. He explained that an ordinance as such may not need violations, because if the applicant isn't compliant, then the permits should not be issued. If the permits are issued and the person fails to comply, then the permits should be rescinded.

Motion by Councilperson Kornbluth that Ordinance 23-2612 be amended to include the Planning Board recommendations, be re-introduced and passed on first reading and setting October 3, 2023 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Bergenfield Public Library as the place for a hearing on said ordinance. Second by Councilperson Almonte.

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

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

Public comments on Ordinance 23-2612.

No one came forward and no public comments were heard as the ordinance was amended and re-introduced.

Mayor Amatorio read into the record:

The following ordinance published herewith was first read by title only on September 5, 2023 and posted on the bulletin board of the municipal center.

ORDINANCE NO. 23-2619 - AN ORDINANCE AMENDING THE CHAPTER 299 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “VEHICLES AND TRAFFIC”

Public comments on Ordinance 23-2619.

No one came forward.

Motion by Councilperson Deauna, seconded by Council President Pascual, to pass Ordinance 23-2619 on second and final reading and is 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>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

A. CONSENT AGENDA

CONSENT RESOLUTION 23-297. 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. **23-298**/To Approve Bill List
- b. **23-299**/To Approve Raffle Applications RA 1405 and RA 1406
- c. **23-300**/To Approve Grant Agreement – Community Development Block Grant Funds for Contract Number NV-BFIELD-01-23 for East Church Street Road Improvements – County of Bergen
- d. **23-301**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #22-00002
- e. **23-302**/To Approve Tax Refund – 25 W Central Avenue
- f. **23-303**/To Approve Tax Refund – 63 S. Washington Avenue
- g. **23-304**/To Amend 2024 Borough Holiday Schedule
- h. **23-305**/To Approve Contract – Acquisition of a UniMac Washer for the Fire Department – Ahgua Tech LLC
- i. **23-306**/To Approve Change Order No. 1 FINAL – Municipal Aid 2022 West Broad Street Roadway Improvements – American Asphalt
- j. **23-307**/To Approve Pay Certificate and Accept Two (2) Year Maintenance Bond – Municipal Aid 2022 West Broad Street Roadway Improvements – American Asphalt

Motion by Councilperson Kornbluth to approve the Consent Resolution. Councilperson Almonte 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>
Councilperson Deauna:	<i>aye</i>	Councilperson Rivera:	<i>aye</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

B. Resolutions

23-308/To Appoint Social Services Coordinator – Pam Lesnak

Motion by Council President Pascual seconded by Councilperson Deauna that Resolution #23-308 be approved.

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

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

23-309/To Approve Amended Agreement – Local 108 R.W.D.S.U.,

Motion by Council President Pascual seconded by Councilperson Lodato that Resolution #23-309 be approved.

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

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

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

Committee/Department Reports

Motion offered by Council President Pascual that the Committee/Department Reports be spread upon the minutes in full and filed. Councilperson Deauna seconded the motion. All present, voting 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.

Fred Sahlberg, resident, stated that two ambulances are being serviced and parked on the same side of the tracks that the Ambulance Corps building is located. He asked how do you serve the other side of the tracks. Mr. Sahlberg also asked about the procedure of how and which flags are flown at Borough Hall and why is the flag at half-staff.

Diana Flagg, resident, stated her confusion on changing Lincoln's Birthday as a holiday to July 5th and if it was going to be a permanent change. She inquired if the additional changes for the Juneteenth holiday is in the updated contract and how will this affect next year's contract.

Mary Sullivan, resident, stated she saw a vaccine clinic that was being sponsored by the Borough Hall at Conlon Hall. She asked which vaccines will be offered and if it is being published. She also asked how the Ambulances can be parked tandem. She stated that if one ambulance does not start, it can create an issue for the one parked behind it.

Barry Doll, resident, stated that litigation matters are listed under closed session, but there is no specific information like the number of cases. He also stated that 200 apartments on Washington Avenue is overdevelopment, and this is not that type of town. People came here for a suburban atmosphere moving away from cities. The Council is helping the developers, not the town. Two hundred apartments will bring more people and that will change this town. He asked about how this will affect the existing infrastructure.

John Smith, resident, stated that Schedule B needs to be updated with changes made. Mr. Smith stated under provisions, item B should be the Zoning Board not the Borough Engineer. He stated under item E, the seepage pit should be inspected every year, inquired who will do this yearly inspection, and how is this paid for once the escrow has been used. He stated in item F, all sump pumps and roof draining must go to the seepage pit, but who will enforce this and who is responsible for inspections and enforcement of the changes. The Planning Board approved the plan, but where are their recommendations. It's not in the Planning Board minutes. He inquired why there is a patrol car parked by the Synagogue. Mr. Smith stated there are vehicles parked on both sides of Prospect Avenue.

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

Borough Administrator Gallo stated there is a total of five ambulances. They are parked closer to where the operators and the members who drive them are. It is a closer run, with BVAC still covering, but you have additional coverage. The tandem parking will be looked into. Mr. Gallo stated the police car parked was in response to a request for coverage for the Jewish holiday. BVAC's response times have been quicker now that the two ambulances are parked closer to where the operators live. Mr. Gallo explained there have been no complaints about the response times for the ambulances. He stated that as part of the collective bargaining with the various unions excluding the police department, if all the unions agree by a certain date to make a change, they are allowed to by council approval. We do not know what will happen next year, but if a change is to take place, it will follow the same process. There are no additional days added by this change. Mr. Gallo stated Juneteenth is a federal holiday, offices are closed either Friday or Monday. He deferred to the borough attorney regarding litigations. There are a couple of personnel litigations that he needs to update the council on the status. They are all in different processes of litigation, but are covered by JIF. The stormwater management questions will be looked into once the ordinance is revised with the changes recommended. Mr. Gallo stated in reference to the flags, the borough follows the state and federal requests. There is a schedule for changing flags because it requires the bucket truck. This will be fixed with the new building, because it won't require the additional resources. He stated better process is needed on how the flags are scheduled and he welcomes any insight.

COUNCIL COMMENTS

Councilperson Lodato stated he is opposed to the building being four stories, not development. His position has not changed.

Councilperson Deauna thanked all for coming and to have a good night.

Councilperson Kornbluth thanked all for coming and to have a good night.

Councilperson Rivera inquired how many stories is the building across from Roy W. Brown Middle School and inquired how long has it been there. He thanked all for coming and to have a good night.

Council President Pascual wished all a good night.

Mayor Amatorio wished all a good night.

CLOSED SESSION

RESOLUTION **23-310**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 1. Update on Litigation Matters

B. Contracts/Agreements
1. Borough Administrator Contract

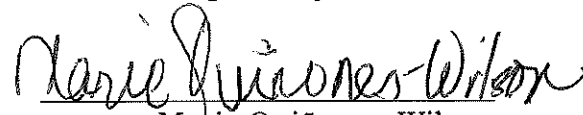
Minutes will be taken of the meeting and released to the public at the time that the matter is resolved. After Closed Executive Session, the Mayor and Council will reconvene in the Executive Chambers to adjourn this public meeting.

On a motion by Council President Pascual, second by Councilperson Rivera, and all present voting in favor, the meeting was adjourned to Closed Session at 8:53 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Kornbluth, second by Council President Pascual, and unanimously carried, the meeting was adjourned at 9:14 p.m.

Respectfully submitted,

A handwritten signature in black ink, reading "Marie Quiñones-Wilson". The signature is written in a cursive style with a large initial "M".

Marie Quiñones-Wilson
Borough Clerk