

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
OCTOBER 1, 2024**

PRESENT: Mayor Arvin Amatorio (arrived at 8:26 p.m.), Council President Hernando Rivera, and Council members Thomas A. Lodato, Buddy Deauna, Ora Kornbluth, and Marc Pascual

ABSENT: Councilmember Almonte

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

Councilperson Lodato called the meeting to order at 8:00 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 Lodato.

AGENDA CHANGES

Councilperson Kornbluth made a motion to add Ordinance 24-2633, an Ordinance of the Borough of Bergenfield, County of Bergen, to Amend Chapter 240 Entitled "Rent Control" for introduction, a personnel action letter from the Board of Fire Officers, a request from Sierra to reserve Memorial Park Pavilion for a birthday party on Sunday, October 6, 2024, and request from Ortiz to reserve Hickory Field on Saturdays and Sundays for a shoe drive BHA fundraiser to correspondence, and a Resolution #24-273 to hire part-time laborer Rafael Mateo. Council President Rivera seconded the motion. All present voting in favor, none opposed.

PRESENTATIONS

None.

CAPITAL IMPROVEMENTS/BOROUGH ENGINEER

A. Engineering & Inspection Status Report

Robert Klein of Remington & Vernick Engineers, Borough Engineer, stated the road program is ongoing. Phase I is complete and Phase II is ongoing. Mr. Klein stated they are finishing up concrete work on New York Avenue and will then move onto Orchard Street and Railroad Avenue. The same contractor will move onto the NJDOT funded roads, which are Bedford Avenue and Belford Avenue. Mr. Klein stated he was not aware of the issue on Sergeant Court. The cracked curb and other issues will be taken care of.

Borough Administrator Gallo inquired about the puddling and cracked curb on Sergeant Court. There have been a lot of calls from residents and our team needs to make sure to stay on top of it.

Council President Rivera inquired when will the last street to be done will be finished.

Mr. Klein stated the contractor has until around Thanksgiving and will ensure the contractor remains on schedule.

ORDINANCES

A. Adoption of Ordinances

Councilperson Lodato read into the record:

The following ordinances published herewith were first read by title on September 16, 2024 and posted on the bulletin board of the municipal center.

ORDINANCE 24-2631 – AN ORDINANCE AMENDING CHAPTER 284 OF THE CODE OF THE BOROUGH OF BERGENFIELD ENTITLED “OFFICIAL TOWERS”

ORDINANCE 24-2632 – AN ORDINANCE OF THE BOROUGH OF BERGENFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$50,000 TO FUND TAX MAP SERVICES FOR REVALUATION COMPLIANCE

Public Comments on Ordinances 24-2631 and 24-2632.

No one came forward.

Motion by Councilperson Pascual, seconded by Council President Rivera, to pass Ordinances 24-2631 and 24-2632 on second and final reading and are hereby adopted and notice of same shall be published according to law as amended.

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> | Council President Rivera: | <i>aye</i> |
| Councilperson Almonte: | <i>absent</i> | Councilperson Pascual: | <i>aye</i> |

B. Introduction of Ordinance

Motion by Council President Rivera that the following ordinance be introduced and passed on first reading and setting Tuesday, October 15, 2024 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. Councilperson Kornbluth seconded the motion.

Mayor Amatorio read the title of the ordinance into the record:

ORDINANCE 24-2633 – AN ORDINANCE OF THE BOROUGH OF BERGENFIELD, COUNTY OF BERGEN, TO AMEND CHAPTER 240 ENTITLED “RENT CONTROL”

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> | Council President Rivera: | <i>aye</i> |
| Councilperson Almonte: | <i>absent</i> | Councilperson Pascual: | <i>aye</i> |

UNFINISHED BUSINESS

A. Ordinances for Consideration

1. Ordinance to Prohibit On-Street Commercial Parking

No action taken.

2. Ordinance to Re-Establish Parking for Commercial and Industrial Buildings

No action taken.

NEW BUSINESS

None.

ADMINISTRATOR'S REPORT

Borough Administrator Gallo stated Haunted Pond at Cooper's Pond will be on October 25th and 26th. The Trunk or Treat event on Washington Avenue is October 31st. Mr. Gallo stated the PAL field is coming together and they are now starting to install the lights. People are impressed with the work DPW has been doing there. The demolition of the building will begin at the end of the week. It's a slow process, but they are moving forward. Mr. Gallo pointed out the height of the dais has changed and currently going through the punch list items.

MAYOR & COUNCIL REPORT

Councilperson Deauna

stated at the Board of Health meeting on September 10th they discussed updates on the West Nile Virus and COVID-19. There will be a Flu Shot Clinic on October 8th, 2024 from 2-4pm. Kayla Williams reported two violations, as businesses were caught selling of tobacco to minors. The Board will conduct a blood drive soon.

Councilperson Lodato

stated on September 27th, 2024, the Planning Board met and approved a two-lot subdivision for the construction of two new single family houses. The proposal was compliant with borough ordinances. The Master Plan Reexamination Report was reviewed by the Board and recommendation to adopt it was made to the governing body. The Fire Department has several items not purchased yet as they are waiting for quotes from the vendors. The Bergenfield High School Class of 1974 celebrated their 50th year reunion on September 20th, 2024. He was part of that class. It was great to see everyone.

Councilperson Kornbluth

stated the recreation department is preparing for Halloween. There will be a costume parade on October 26th in the morning at Cooper's Pond. They will have the Haunted Walk open for those people that don't want to be scared. The Trunk or Treat will be October 31st on Washington Avenue. Hanukkah Menorah Lighting is scheduled for December 7th, 2024 with a rain date on December 8th, 2024. All summer sports have been completed. Fall sports are in full swing. The BVAC has gone on 1,590 calls year to date. The average response time is 3 minutes and 22 seconds.

OEM is helping to implement directives to ensure election day security by increasing awareness and preparation.

Council President Rivera

No Report.

Councilperson Pascual

No Report.

CORRESPONDENCE

a.) Naylis/Board of Fire Officers

RE: Personnel Action Letter dated September 28, 2024

b.) Sierra/Resident

RE: Request to Reserve Memorial Park Pavilion for Birthday Party/Sunday, October 6, 2024/12:00 p.m. to 4:00 p.m.

c.) Ortiz/BHS Project Graduation Class of 2025

RE: Request to Reserve Hickory Field/on Weekends from October to November/10:00 a.m. to 1:00 p.m. on Saturdays and 9:00 a.m. to 12:00 p.m. on Sundays for Shoe Drive

Motion by Councilperson Kornbluth, seconded by Councilperson Pascual, and all members present voting in favor, to accept Correspondence Items A through C. All present voting in favor, none opposed.

PUBLIC COMMENTS

Cristino Vilorio, resident, stated he had requested a traffic study be done for the home next to his and thanked the Mayor, Council, and police for getting it done. He expressed concern regarding the variance application for 16 Glenwood Drive North, and stated if it approved, it will create obstructions of about 210 feet. He has lived in the neighborhood for over 20 years and feels it will create unsafe conditions. He requested the liaison assigned to the Zoning Board share the information from the traffic study.

Mary Sullivan, resident, stated Mr. Vilorio didn't mention that the property is a curbed street lot, which is a bigger problem. She inquired when the PAL field will be ready to be used. Ms. Sullivan inquired if the revaluation will be done this year.

Mr. Gallo stated the PAL field is currently being used. It takes time to upgrade the fences, the clay, and other work that needs to be done. He didn't have an answer regarding the revaluation.

John Smith, resident, stated the Zoning Board of Adjustment meeting in October has been cancelled. Mr. Smith stated the members tried to explain to the residents that the Council has no control over the Zoning Board. He and the Chairman requested a traffic study planner to represent the Zoning Board, which the application would have to for. Mr. Smith stated it will show the residents that the Zoning Board members represent all.

Thomas "Tom" Morrell, resident and PAL Basketball coach, stated they are struggling to get access to the gyms at the schools and have a decent group of kids playing basketball.

Mr. Gallo inquired if he's been in contact with Ed Volmer.

Councilperson Kornbluth stated she will follow up with Ed Volmer.

Mr. Morrell stated the prices for the recreation program from 3rd to 8th grade have not changed from last year. The program has made changes this year by getting jerseys for the kids and the referees

need to be paid for the games. The soccer program in 2016 was \$75 and now it is \$160. He explained that due to the lack of volunteers, they took over the program and hired a third party for training twice a week for eight weeks for the first and second graders. David Vega from Hoops Vision does the training at a discounted rate of \$12.50 an hour. The program is exploring sponsorships and reaching out to local businesses.

Mr. Gallo inquired who is doing the training. He stated it's important to remain transparent and asked if Mr. Morrell has reached out to Ed Volmer. Mr. Gallo stated he received several complaints about pricing. He remembers Ed did research and found the prices from other towns to be higher. There needs to be further discussion on how they can strengthen the program. The governing body doesn't want to see a substandard program and would have liked to hear from Mr. Morrell six months ago when the program was taken over. Mr. Gallo requested he reach out to Ed Volmer to set up a meeting.

George Mendoza, resident and PAL Basketball coach, stated they are unable to get coaches for the fall. Residents are looking for gyms to rent.

Mr. Gallo stated the borough and the Board of Education are separate, but can work together. He stated he will call Dr. Tully to see what can be done, but doesn't know if there are any NJISSA rules regarding the high school.

Mayor Amatorio suggested providing the proposed schedule, so the borough can look into what facilities are available.

Motion by Councilperson Pascual, second by Councilperson Kornbluth to close Public Comments. All present voting in favor, none opposed.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

CONSENT RESOLUTION 24-265. 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. **24-266**/To Approve Bill List
- b. ~~**24-267**/To Amend Veteran's Advisory Committee Membership~~
- c. **24-268**/To Authorize Tax Refund of Redemption Monies to Outside Lien Holder for TTL #23-00002
- d. **24-269**/To Authorize Tax Refund – 49 Clinton Park Drive
- e. **24-270**/To Authorize Request for Qualifications (RFQs) for 2025 Professional Services
- f. **24-271**/To Approve Agreement Extension – Document Management Records Retention and Disposal – Foveonics Imaging Technologies, Inc.

Motion by Councilperson Pascual, seconded by Councilperson Kornbluth, to table Resolution 24-267.

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> | Council President Rivera: | <i>aye</i> |
| Councilperson Almonte: | <i>absent</i> | Councilperson Pascual: | <i>aye</i> |

Motion by Councilperson Pascual, seconded by Councilperson Kornbluth, to approve the Consent Resolution 24-265 as amended.

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> | Council President Rivera: | <i>aye</i> |
| Councilperson Almonte: | <i>absent</i> | Councilperson Pascual: | <i>aye</i> |

B. Resolutions

24-272/To Hire Crossing Guards for the 2024 – 2025 School Year

Motion by Councilperson Pascual, seconded by Council President Rivera, that Resolution #24-272 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> | Council President Rivera: | <i>aye</i> |
| Councilperson Almonte: | <i>absent</i> | Councilperson Pascual: | <i>aye</i> |

24-273/To Hire Part-Time Laborer – Rafael Mateo

Motion by Councilperson Pascual, seconded by Councilperson Kornbluth, that Resolution #24-273 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> | Council President Rivera: | <i>aye</i> |
| Councilperson Almonte: | <i>absent</i> | Councilperson Pascual: | <i>aye</i> |

COUNCIL COMMENTS

Council President Rivera thanked Mr. Vilorio for making the council aware of the issue before the Zoning Board and that it's up to the Zoning Board to make the final decision.

The governing body thanked all for coming and to have a good night.

CLOSED SESSION

RESOLUTION **24-274/**Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Contract Negotiations

1. Local 108 R.W.D.S.U., UFCW Agreement
2. Bergenfield Employees Association Agreement

B. Attorney-Client Privilege

1. Massey v. Bergenfield Litigation Updates
2. Tortora, Miller, Rispoli v. Bergenfield Litigation Updates

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 8:40 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, motion by Councilperson Kornbluth, seconded by Councilperson Pascual, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:02 p.m.

Marie Quiñones-Wilson
Borough Clerk