

**OFFICIAL MINUTES  
BOROUGH OF BERGENFIELD  
MAYOR & COUNCIL REGULAR MEETING  
DECEMBER 17, 2024  
8:00 P.M.**

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

**ABSENT:** Council member Ora Kornbluth

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

Mayor Amatorio called the meeting to order at 8:04 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 a Municipal Bulletin Board and is on file in the Office of the Borough Clerk."

The Salute to the Flag was led by Councilperson Lodato.

#### **AGENDA CHANGES**

Councilperson Pascual made a motion to add to Consent Agenda Resolution 24-323 to Approve Federal Aid Agreement between the Borough and NJDOT for Twin Boro Park Improvements Phase 2 Project, Resolution 24-324 to Approve Agreement – Design Assistance Program for Twin Boro Park Improvements Phase 2 Project – Greenman-Penderson Inc, GPI Inc., Resolution 24-326 to Approve Contract – Local 108 R.W.D.S.U., UFCW, and Resolution 24-327 to Authorize the Governing Body to Enter into Closed Executive Session. Councilperson Deauna seconded the motion. All present voting in favor, none opposed.

#### **APPROVAL OF MINUTES**

Motion by Councilperson Pascual to approve minutes of the October 15, 2024 Regular Public Meeting, October 15, 2024 Closed Session Meeting (not to be released), November 7, 2024 Work Session Meeting, December 3, 2024 Work Session Meeting, and December 3, 2024 Closed Session Meeting (not to be released). Councilperson Deauna 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.

John Smith, resident, inquired if Golon Park mentioned in Item G of the Consent Agenda is a historic park and if the work to be done is for shade. Mr. Smith stated that the problem is that borough trees were cut down and never replaced. The equipment was never hot when the trees were there. Mr. Smith stated the rear loader garbage trucks cost a lot of money. He would rather see automated garbage trucks purchased.

Borough Administrator Corey stated some of the rear loader garbage trucks are twenty plus years old. The department is trying to replace one as bulk and leaves still need to be done. There is cost effectiveness on the shelf life of these trucks.

Mary Sullivan, resident, requested clarification of Ordinance 24-2636.

Mr. Gallo stated that the State of New Jersey wanted the borough to charge \$500 for households. Some of the parameters were changed to comply with the state and allow the building department to do what needs to be done.

Diana Flagg, resident, inquired about what is going to be done with Golon Park.

Mr. Gallo stated there will be an awning over the park.

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

## PRESENTATIONS

Antonios Panagopoulos, T&M Associates, stated they are in the process of developing the conceptual and construction plans for Twin Boro Park. Mr. Panagopoulos explained Phase I was for the ball fields, Phase II authorized the design assistance for the walkways, and Phase III will be discussed this evening.

Borough Administrator Gallo stated they applied for a grant for Phase III last year and did not meet certain criteria. They are reapplying to the state now that they meet the required criteria. He explained part of the process is to conduct a public hearing.

Mr. Panagopoulos stated the cost of the construction is \$2.6 million. The grant maxes out at \$1 million. The design includes the pavilion, pickleball courts, and a large parking lot. The site will be ADA compliant.

Councilperson Deauna inquired when the construction will commence and the duration of the construction.

Mr. Panagopoulos stated it will probably be February/March 2025 when they hear back from the state. Capital then needs to be raised and then a final design will be completed. It will take about six to nine months for the construction work to be completed.

Mr. Gallo stated it will be at least a year. He stated a lot of the money was raised from grants for Phase I of the project, almost \$2.3 million and \$750,000 was paid for the pathways around the field. Monies for Phase II was received from federal grants. Mr. Gallo stated they are being responsible by trying to obtain as much grant money as possible.

Mr. Panagopoulos stated this year they have a better chance of getting grant money as much as you can, so taxpayers don't pay.

Mr. Gallo stated the entire area will be fenced in.

Mr. Panagopoulos stated this is not the final design and will change before the project is complete. The dog park is not going to be touched.

Mayor Amatorio stated this is just a proposition that will be submitted for the grant application. They can change the plan.

Mary Sullivan, resident, inquired if the DPW will be moved.

Mr. Gallo stated they will just utilize some of the space for storage of garbage trucks.

#### CORRESPONDENCE

- a.) Sahlberg/Republican Club     **RE:** Request to Reserve Cooper's Pond Clubhouse for Meetings/first Wednesday of every Month/7:00 p.m. to 9:00 p.m.

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

#### ORDINANCES

##### A. Adoption of Ordinance

Mayor Amatorio read into the record:

The following ordinances published herewith were first read by title only on December 3, 2024 and posted on the bulletin board of the municipal center.

**ORDINANCE 24-2636 - AN ORDINANCE OF THE BOROUGH OF BERGENFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY, TO AMEND CHAPTER 313 INSPECTIONS, LEAD-BASED PAINT**

Public Comments on Ordinances 24-2636.

No one came forward.

Motion by Councilperson Lodato, second by Councilperson Deauna, to pass Ordinance 24-2636 on second and final reading and are 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>absent</i>
Councilperson Deauna:	<i>aye</i>	Council President Rivera:	<i>aye</i>
Councilperson Almonte:	<i>aye</i>	Councilperson Pascual:	<i>aye</i>

#### A. CONSENT AGENDA

**CONSENT RESOLUTION 24-308.** 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. **24-309**/To Approve Bill List
- b. **24-310**/To Schedule the 2025 Reorganization Meeting
- c. **24-311**/To Approve Transfer of Appropriations
- d. **24-312**/To Approve Insertion of a Special Item of Revenue in the 2024 Budget for FY2025 Pedestrian Safety Grant – Chapter 159
- e. **24-313**/To Approve Insertion of a Special Item of Revenue in the 2024 Budget for the Drive Sober or get Pulled Over Year End Holiday Crackdown Grant – Chapter 159

- f. **24-314**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #22-00001
- g. **24-315**/To Approve Grantee Authorizing Resolution – 2024 Municipal Park Improvement Program – Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund for Improvements to Wayne Golon Park – Contract No. 2400275
- h. **24-316**/To Approve Shared Services Agreement – Court Administrator Services – Borough of River Edge
- i. **24-317**/To Approve Proposal and Award Contract – Preventative Maintenance Program – Schindler Elevator Corporation
- j. **24-318**/To Approve Contract and Authorize Purchase of a New Labrie Garbage Truck – Sanitation Equipment Corp.
- k. **24-319**/To Approve Contract Agreement – Website Redesign – OMNI Blvd LLC
- l. **24-320**/To Approve Change Order No. 2 Final – 2023 Road Improvement Program – Remington & Vernick Engineers

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

#### B. Resolutions

**24-321**/To Approve Contract – Bergenfield Public Works Supervisors of Personnel

Motion by Councilperson Pascual, seconded by Councilperson Deauna that Resolution #24-321 be approved.

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

**24-322**/To Approve Contract – The Bergenfield Employees’ Association

Motion by Council President Rivera, seconded by Councilperson Deauna that Resolution #24-322 be approved.

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

**24-323**/ To Approve Federal Aid Agreement between the Borough and NJDOT for Twin Boro Park Improvements Phase 2 Project

Motion by Council President Rivera, seconded by Councilperson Pascual that Resolution #24-323 be approved.

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

**24-324/To Approve Agreement – Design Assistance Program for Twin Boro Park Improvements Phase 2 Project – Greenman-Penderson Inc, GPI Inc.**

Motion by Council President Rivera, seconded by Councilperson Almonte that Resolution #24-324 be approved.

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

#### UNFINISHED BUSINESS

A. Ordinance to Prohibit On-Street Commercial Parking

No action taken.

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

No action taken.

#### NEW BUSINESS

**A. Grant Application Public Hearing for the New Jersey Department of Environmental Protection, Green Acres Program, Urban Parks Initiative for Improvements at Twin Boro**

1. Presentation on the application.

Presentation completed under the Presentations portion of the meeting.

2. Public Comments on the application.

No one came forward.

3. Adoption of Enabling Resolutions.

**24-325/To Approve the Green Acres Program Urban Parks Initiative Grant Application for Twin Boro Park Improvement Project**

Motion by Council President Rivera, seconded by Councilperson Almonte that Resolution #24-325 be approved.

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>	Council President Rivera:	<i>aye</i>

Councilperson Almonte:                    *aye*                    Councilperson Pascual:                    *aye*

**24-326/To Approve Contract – Local 108 R.W.D.S.U., UFCW**

Motion by Council President Rivera, seconded by Councilperson Pascual that Resolution #24-326 be approved.

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

**Committee/Department Reports**

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

Yehuda Borg, resident, stated that at the protest march in town on November 7<sup>th</sup>, 2024, there were people yelling hateful slogans during a private event at a residence on Spring Avenue. The protestors were in violation of the town's ordinances. The neighbors mobilized and placed themselves between the protestors and the residents. Mr. Borg stated the area outside a private home is not the appropriate location for a protest. Officials have a right to impose reasonable restrictions of first amendment activities. Mr. Borg stated he was disappointed with the response from the governing body. He thanked the police department for their presence that evening.

Dr. Rebecca Rosenthal, resident, stated she understands first amendment rights, but the protestors were outside agitators. Unfortunately, the town did not stand up for her and the residents and allowed the protestors to come to Bergenfield. Dr. Rosenthal stated they had reached out to the town before it happened and asked for it to be stopped. It was not freedom of speech, but intimidation. There were things that could have been done to stop the protest. They didn't have a permit and they violated the noise ordinance. She inquired why tickets were not given out and why they couldn't have the protest at the high school.

Council President Rivera stated the police department was thanked for their presence. The police department was directed to be there by the governing body.

Leslie Lepre, resident, stated E. Johnson Avenue has turned into a drag strip and is very dangerous. A speed hump is needed there. Several children live on the street as dog walkers. People park their cars on both sides of the street and suggested that parking only be permitted on one side of the street. It is dangerous, especially since there's a mosque at the end of the street. She stated that another dangerous intersection is N. Washington Avenue and W. Church Street. Traffic backs up on Washington Avenue and Main Street because of the timing of the traffic signal. As such, drivers cannot turn left onto E. Johnson Avenue. There should be a sign not to block the box. She inquired which councilperson is responsible for traffic safety.

Borough Attorney Schettino stated the police department makes all recommendations regarding traffic safety.

Mayor Amatorio stated the light at the 7 Eleven is a county road. They will speak with the police department to conduct a study and coordinate with the county. They will look into the parking and the speed hump.

Council President Rivera stated all the residents on E. Johnson Avenue need to agree to have parking on only one side of the street.

Mr. Gallo stated the police department along with DPW evaluate every year if there is a need for speed humps. They go according to the recommendations made by the police department's traffic bureau on how to proceed.

Mr. Schettino stated the council took the protest very seriously. He stated that it has never taken place in Bergenfield. The town received guidance from the county prosecutor's office as they have dealt with this kind of situation in other communities. Mr. Schettino stated the number one concern is violence. He explained that to minimize the potential for violence, you had to let the assembly take place, and that was why the police department was out in force and the county and surrounding towns had their members on alert. There was a scheduled council meeting that night. The council members were at the meeting, but the borough administrator was at the protest from beginning to end. Mr. Schettino stated the reason it was handled the way was to ensure safety and that n more publicity be given to the situation. Mr. Schettino explained there are Supreme Court cases that gives the town authority to set certain parameters. The ordinance will be amended. The council, the borough administrator, and the police department took the event very seriously and will be amending the existing ordinance with intent to put the legal parameters in place to minimize the potential of that happening again.

Mayor Amatorio stated the police officers were present. There was a collaborative effort, not just by law enforcement, but by surrounding communities and their guidance was taken and followed based on their experience. They understand and sympathize with their feelings, but at the same time they have to consider the repercussions. The borough will be taking additional steps to improve the situation if it occurs.

Mr. Gallo stated there isn't an ordinance pertaining to protests.

Mr. Schettino stated it is only for solicitation. He stated they can't stop people from assembling as long as they do not disrupt other people from passing or public safety. It is seen all over the country. People don't need to get permits. You can protest on a public street as long as it is not in front of one specific house. Mr. Schettino stated they have to make sure the town ordinance complies with the United States Supreme Court and New Jersey Supreme Court decisions. There are cases that provide guidance. He explained when you get sued, you have to pay the other side's legal fees, which can cost thousands of dollars. It could have been a lot worse and it wasn't.

Mayor Amatorio stated he has spoken to a lot of people about this. He stated while they support the community, there needs to be balance. There was no real violence.

Mr. Gallo stated they took the guidance from the county prosecutor's office. The police department had extensive meetings and put together an operation's plan in place to protect and ensure the safety of the public. They are still patrolling and year to date there have been no incidents of any repercussions because of that. It was a very uncomfortable situation being there. However, you have to be objective and look at it in regards to safety. They had the guidance from the County Prosecutor's office. All the correct measures were taken to the best of their ability. The governing body was aware what was going on as he reported back to them. They will have a solid ordinance in place.

John Smith, resident, stated the lady who previously spoke had inquired why the protest couldn't have been held at the high school. She was worried about her children, but what about the children at the high school. Mr. Smith stated he lives on the street and didn't have a problem going home. There was no noise. Everyone has the right to protest and you can't stop it. He doesn't care as long as they stay off his property. Mr. Smith stated instead of complaining, there should be solutions instead. He was offended by her suggesting to have the protest at the high school.

Mr. Schettino stated there needs to be some measurable criteria to determine how loud the noise is. There being no one else who wishes to be heard, Mayor Amatorio closed Verbal Communications II.

#### COUNCIL COMMENTS

Councilperson Lodato thanked all for coming and wished all a good night.

Councilperson Deauna stated it was a very spirited and educational meeting tonight. He is looking forward to a better and prosperous new year. He is proud of and mentioned some of the accomplishments made in Bergenfield in 2024. He wished all a Merry Christmas and a Happy New Year.

Councilperson Almonte thanked all for coming and wished all a good night.

Council President Rivera stated the governing body was there in support of the community. He wished all a Happy Hanukah, Happy Kwanzaa, Merry Christmas, and Feliz Navidad.

Councilperson Pascual wished everyone a happy, safe holiday and a prosperous New Year.

Mayor Amatorio wished all a Happy Hanukah, Happy Kwanzaa, Merry Christmas, and Feliz Navidad. He expressed seeing all with more vigor and success in town in 2025.

#### CLOSED SESSION

RESOLUTION **24-327**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

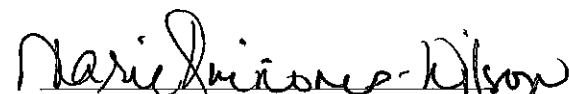
- A. Attorney-Client Privilege/Contract Negotiations/Personnel
  - 1. Building Department Personnel Matters
  - 2. Health Department Personnel Matters

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 Rivera, second by Councilperson Pascual, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:10 p.m.

#### ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Pascual, second by Councilperson Deauna, and unanimously carried, the meeting was adjourned at 9:40 p.m.

  
Marie Quiñones-Wilson  
Borough Clerk