

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR AND COUNCIL WORK SESSION
MAY 1, 2018**

PRESENT: Mayor Norman Schmelz and Council President Arvin Amatorio, Council members Thomas A. Lodato, Ora Kornbluth, Hernando Rivera (Arrived at 8:05 PM), and Rafael Marte

ABSENT: Councilmember Buddy Deauna

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

Mayor Schmelz called the meeting to order at 7:12 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 by the Friday, April 27, 2018 Sunshine Notice has been sent to the Record, Star Ledger, Twin Boro News and Cablevision and posted on two municipal bulletin boards."

The Salute to the Flag was led by Council President Arvin Amatorio.

PRESENTATIONS

A. Renovation of Borough Hall – Presentation to be provided by Borough Auditor and Borough Architect

Mr. John Capazzi, RSC Architects, stated he will recap the report he had given. They had come in and looked at the existing building and items in poor shape, including deteriorated parking lots, poor site lighting, and poor landscaping. There are exterior issues with the stucco, deteriorating chimney, the portico, poor windows and water infiltration coming in. There is damage to the plaster finishes, uneven floors, and structural reinforcement that needs to be done. The fire escape is not up to code and missing an egress staircase. There are ADA accessibility issues in the restrooms, the courtroom and the elevator is not compliant. There are building system issues with the steam pipe failing on a regular basis. The electrical wires and paneling are outdated. The lighting is inefficient and is very old. The galvanized plumbing piping is old, inefficient and needs to be updated. Energy efficient fixtures would be better to operate throughout the building. There currently isn't a sprinkler system and the fire alarm system needs to be updated. There is operational space deficiencies. The police department, the administrative business offices, and the building department are undersized and without the proper break out areas for them. The courtroom is lacking support spaces. There is no intake sally port for the police department. The construction cost will be \$10.4 million, including a construction and design contingency. Mr. Capazzi stated the next steps would be to hire the professionals. During the predesign phase, RSC Architects will prepare the swing space so the building can be vacated, verify the existing conditions survey, and continue with the program interview with each department to find out their space needs. They will get the approval of the council and come up with the size for each office required and the police department to meet their needs. They will update the hazardous materials survey. They will confer the space layout, establish what the building's systems will be, and start the conceptual design. They will then prepare the bid documents. During the bidding phase, the project will go out for bid with contractors coming in and picking up the bid, answer their questions, assist in acceptance of the bids, and the recommendation. Demolition will be first thing to occur with the envelope of the building sealed up before inside renovations begin. The interior construction will be done making

sure the basement is waterproof and do the site improvements. The timeline for the project is the design phase will occur between now and the end of the summer. Bidding would occur in the early fall and secure temporary space over the summer with staff and the police department relocating in September. Construction would begin in fall of 2018 with occupancy in March of 2020.

Councilperson Kornbluth inquired if the cost analysis was looked at with just renovating the heating and air conditioning system, and electrical system. There are heating systems now that go through the ceiling and have air conditioning that are existing now. Councilperson Kornbluth inquired how much would it cost just to renovate the major components.

Mr. Capazzi stated the problem with the heating and electrical system is that walls need to be broken to get to those services. The engineers did look at it and recommended the useful life of them are gone and the hot water steam would have to be replaced. Mr. Capazzi stated the exterior envelope needs to be done, which is going to cost \$900,000 and the building system's upgrades is going to cost \$3,000,000. That's \$4,000,000. The space conditions aren't addressed and \$1,000,000 would be spent on interior renovations. There are still code compliant issues and hazardous materials.

Council President Amatorio inquired if there would be any cost savings if renovations were done by piecemeal, at least cut the cost in half.

Mr. Capazzi stated the Borough wouldn't be able to cut the cost in half.

Mayor Schmelz inquired if there would be any asbestos in the walls.

Mr. Capazzi stated there would be and the staff would have to be taken out the building and would cost more to work around them. There would be an additional cost if you do renovations by piecemeal and do not move the people out since the work would be done after hours. The temporary protection would increase the cost.

Borough Administrator Corey Gallo stated the cost of the lease is known and instead of moving the furniture out of the building, we would take what's required to the new space. Mr. Gallo stated module furniture in the new space we rent for 32-33 desks and that's the fixed cost. It would reduce the moving cost. Records are being purged and digitized. There isn't going to be a lot of paperwork going with us. The state approves and then records are destroyed. It's a 30,000 square foot building that's not being utilized. The basement and the third floor isn't being utilized to its capacity. Organizations are having challenges to meet in locations and there can be other meeting rooms that can be built in the building to hold meetings maximizing the usage of the building. The police department will move to trailers and the Chief has already looked into what would happen if there is someone that needs to be jailed. They will do the same thing as Dumont is doing.

Captain Rabboh stated the police department puts someone on the bench and then in the cell so that they're not face to face with the officers.

Mr. Paul Lerch, Borough Auditor, stated nothing has changed since his last presentation to the governing body last month. The total estimated cost is going to be \$12 million. There is existing debt prior to the building. The bonds outstanding are \$2 million, \$85,000 in loans and outstanding bond anticipation notes are \$9.3 million. The debt is authorized but not issued of \$1.4 million. Mr. Lerch stated they had looked at bonding \$11.7 million for the existing project, the existing items already purchased through bond anticipation notes. The new proposed municipal building is \$12 million. The \$12 million would be reduced by \$3 million to get to \$9 million. The \$3 million will come from the use of surplus. The Borough has surplus in excess of 15-20% referred to as a triple A rated balance. The Borough currently has a surplus of \$9 million. The proposal would be to issue bonds dated February 2019 and would cover the existing debt in notes for a ten year period. Mr. Lerch stated they would then look at selling the remaining bonds, on the municipal building, in

February 2021 for \$9 million over 15 years. The Borough has been paying off the existing debt service level of approximately \$2.6-2.7 million on an annual basis in 2015, 2016, 2017, and 2018 was a bit higher. The existing total debt service along with the new proposed one will not increase the debt service. It is slightly less and drops off each year. There will be no impact to the average homeowner. The annual debt service in the budget will continue to decrease even with existing bond sale and the proposed municipal building renovation. Mr. Lerch stated can continue doing improvements. In 2029, there will be a natural drop and will have ability to do next permanent funding. It is a \$9 million project and will spend \$12 million by the time you are done with paying the interest. There isn't going to be any increase in the debt service on an annual basis to an average homeowner based on this project. The surplus has been increasing because of the economics and the assessed values. Mr. Lerch stated the Borough has been very aggressive in paying the debt service. The methodology will change from being so aggressive and go into a permanent funding situation.

PUBLIC COMMENTS

Mayor Schmelz opens the meeting and invites the public for comments on the renovation of Borough Hall project and asks if anyone present wishes to be heard. Please be advised there will be a limit of five (5) minutes per speaker.

Mr. John Smith, resident, stated he couldn't hear what work the Borough engineer had done. He inquired if the new Borough engineer has reviewed the plan. There wasn't anything in the paperwork handed out about cost overrun. There isn't anything in the plans about electrical wiring and PA system. There aren't any drawings. There has been a huge overrun on everything the council has voted on to go ahead with projects. It's going to cost the Borough more than \$12 million to do the renovations.

Mr. Capazzi stated the Borough engineer, Remington & Vernick had done an electrical evaluation. There won't be cost overrun. There's design contingency and a construction contingency. There won't be overrun if the Borough doesn't change their requirements. There isn't anything new designed yet.

Mr. Gallo stated the new Borough engineer has not reviewed the plan. They did the mechanical part because they were the engineer on record. The recommendation was the mechanical systems are old. This is a review. The next step would be a commitment by mayor and council to go forward and get a design.

Mr. Lerch stated there won't be an additional cost. The \$12 million is going to cost the average taxpayer about \$107 a year in total for 15 years.

Mr. Barry Doll, resident, stated the report has \$14 million for the proposed renovations, not \$12 million, that's a big difference. There's still a cost even if \$3 million is being taken from the surplus. Mr. Doll stated operations are going on every day and there's some issues with the building. Certain things should be done rather than renovate the entire building. Does everything need to be gutted? It is a little premature even with the interest rates going up. Mr. Doll inquired the Borough should continue adding to the debt. He would like to see a 5 year plan that's lays out what we are spending money, where money needs to be spent, and look at the big picture. There are other things in town that needs to be done that are important.

Mr. Gallo stated the heating, electrical, HVAC, IT, and wiring are not proper in conjunction with the exterior. It is going to be huge challenge to have people stay in the building and work through all of the repairs. There are contaminants in the building that people shouldn't be exposed to that could cause legal action. Mr. Gallo stated he was given the authority by Councilman Steinel and Tully to look into renovating the building in June of 2015. Mr. Gallo stated in 2016 they wanted to see if they would be able to merge with the Borough of Dumont. A heating pipe was blown two weeks ago

that cost \$25,000. There is \$25,000 or more spent just on asbestos and air quality. There are a lot of areas, small rooms, with space that isn't efficient. The operating systems are old. It will cost \$100,000-150,000 to design what needs to be done and the specifications. It's up to the mayor and council to make a decision to proceed with the project. Mr. Gallo stated it will be \$3 million for moving and the contingency costs.

Council President Amatorio inquired what was spend on repairing costs in the past five years.

Mr. Gallo stated \$679,000 was spent for repairs since March of 2015.

Councilperson Kornbluth stated \$261,000 was spent on the roof that was replaced. Repairs of the roof won't be needed in the next five years.

Ms. Diana Flagg, resident, inquired how the council can vote on whether to demolish or renovate without seeing a drawing or design of what the new building will look like. Ms. Flagg inquired what is considered adequate office space for administration and what is wrong with elevator. There used to be a woman who came to the meetings had no problem using the elevator. Ms. Flagg inquired about what can be cut out of the plans. Ms. Flagg stated the mechanical system should be done and use have heating units in each room. Ms. Flagg inquired how it's known the roof is ok. Ms. Flagg inquired who would be on the third floor. Ms. Flagg inquired who will be moving into Rite Aid September when the building is shut down.

Mr. Capazzi stated the elevator does not meet today's code. If renovations aren't done, the elevator won't be touched. Mr. Capazzis stated the cost estimate is based on square foot numbers and what was found in the existing building. The biggest problem is the mechanical and electrical systems. The building is not getting any better. The space will be reconfigured.

Mayor Schmelz stated it is difficult to look at plans because people will want to start adding things increasing the cost of the project.

Mr. Gallo stated everyone will be moving to Rite Aid except for the police department. The police department will be in the parking lot in trailers. Mr. Gallo stated he doesn't want to be here and be told one day that by someone the building needs to be evacuated because it failed. He wants to be proactive, not reactive. They have bonded this operation. It has cost Dumont millions. It was \$2,700 a month for what they pay for trailers. We probably pay the same amount. We have an obligation to take care of our house and property. It isn't going to get better five years from now if nothing is done. The cost analysis will be cheaper to leave the furniture and only take what is required. The furniture is included in the price.

Mr. John Smith, resident, stated the reason for renovating is the heating and electrical. He inquired how many plumbers were hired in three years. It cost the Borough \$679,000 over three years for heating and electrical costs because there were different plumbers and companies used. Mr. Smith stated Mr. Gallo should get the plans and look at the actual cost. It didn't cost as much to get the plans for the community center.

Mr. Gallo stated there were initially two plumbers and in 2016 there was a bid for plumbing services. There was one HVAC company. In 2018, it was done again. ICC is the new company. The same thing was done on the electrical side. There were four companies in total.

Councilperson Kornbluth stated it will cost an additional \$100,000 to get the plans. Councilperson Kornbluth stated she has nothing against the RSC Architects, but they never did an RFQ for the architects. There was only a bid out to do an existing conditions report. She would have liked to go out and see what other architects would charge for the project.

Mr. Capazzi stated there are multiple phases. The first phase is to gather information in design phase. In the schematic design phase, you can decide not to move forward with the project.

Mr. Barry Doll, resident, stated in the material handed out there is letter from Whitman recommending a complete hazardous materials investigation be performed prior to any renovations.

Mr. Capazzi stated that would be the next phase. It is part of the design package.

Mr. Doll stated he is not satisfied with the cost estimate. Mr. Doll inquired if the extra \$100 in taxes for the renovation is in addition to other increases in the budget. Mr. Doll inquired if Mr. Gallo is satisfied with the document.

Mayor Schmelz stated the \$14 million cost is for the building and you still have to move somewhere. There's a lot of added expenses. This has been going on for three years. There were some council members that felt it would be better the building be knocked down and start all over. But, it's an extra \$5 million.

Mr. Lerch stated the \$107,000 is what it costs for the life of the bond issue and the \$9 million over the 15 year issue. It would cost the average homeowner \$107 a year over the life of the bond. There will be no budgetary impact.

Mr. Gallo stated the tax increase was \$100 in 2015, down to \$67, \$45, and to \$0 this year. We purchased fire trucks, equipment to complete the whole sanitation operation, garbage recycling, paved roads, improving the fields and courts, and the infrastructure. Mr. Gallo stated operationally the Borough is maximizing everything that can be done and being efficient. You have to keep going forward. Mr. Gallo stated there currently is a lease on the table, being a fair and advantageous lease. The report has been issued and everything has been disclosed.

Ms. Mary Sullivan, resident, inquired if anyone looked into relocating to one of the vacant properties, like Rite Aid or Sears, and moving the operations there. The building could be sold to a developer and build apartments.

Mayor Schmelz stated the borough administrator did that.

Mr. Gallo stated the Sears building is not for sale and you can't buy Rite Aid.

Ms. Diana Flagg, resident, inquired where the court and council meetings will be held.

Mr. Gallo stated he has spoken with two towns and is in negotiation. 90 day notification has to be provided to Dumont Municipal Court. Space will be found for every organization. He has the commitment from the Board of Education and the library to move forward with whatever needs to be done.

There being no one else who wishes to be heard, Mayor Schmelz closes public comment.

COUNCIL COMMENTS

Councilperson Lodato stated he was opposed to knocking the building down. The building department wasn't moved to the third because of the work required to make the space accessible. The total interior renovation at one time is the best solution and the building can't stay the way it is.

Council President Amatorio agreed with Councilperson Lodato. The best option is to renovate the building at once saving \$5 million if the building was knocked down. He felt that piecemeal renovations would cost more and may put the Borough at risk.

Councilperson Kornbluth stated she has no problem with repairing certain items, but still not convinced that everything we are completing in the \$12 million is necessary. The real question is what a necessity is and what luxury is. It's been said that it will be a disservice to resident if we need to move out, but the reality is that we are moving and the Police Department is going into trailers. We are speculating that years from now the building might need to be fixed and there might be a health problem. There are all things we are speculation because we never had a real assessment of the cost of the things that really need to be fixed. The rooms are beautiful, may need a little paint job, but have a lot of character. There are a lot of rooms that do not need total renovation. Ms. Kornbluth stated that what is being done to taxpayers putting \$12 million dollars in addition to the bond that was recently done is not the right way to go. All of the options have not been looked at and should be.

Councilperson Rivera expected more people would be at the presentation since the renovation of the building is important. The building has been here for 100 years and something needs to be done to preserve the building for the next 100 years for another generation to use. The building holds a lot of history for the Bergenfield community and is in 95% agreement with the building renovation proposal.

Councilperson Marte sympathizes with what everyone has said. A responsible assessment has been done with having many options. Something has to be done and the problem can't be passed onto someone else when it becomes worse. It is the right time to renovate the building.

Mayor Schmelz thanked the borough administrator and the professionals for the great job they did. His ideal was to have a combined new building with Dumont. Councilman Lodato pushed us to keep the history of this building. He mentioned that as all winter the secretaries have to keep heaters under their desk and when the heat comes on, everyone has to open the windows. There are also air quality concerns that need to be addressed, which was what happened to Dumont. He thanked the council for being transparent for everyone coming out with their concerns.

On a motion by Councilperson Marte, second by Councilperson Rivera, the meeting was recessed for five minutes. The meeting reopened at 8:50 p.m.

CAPITAL IMPROVEMENTS/BOROUGH ENGINEER

A. Engineering & Inspection Status Report

Borough Engineer, Robert Keady, presented the following:

2018 County ADA Curb Ramp Program

The designs for North and South Prospect Avenue, East and West Main Street, and River Edge Road have been accepted by the County at this point. The designs for New Bridge Road have been submitted to the County, and we are expecting their approval shortly.

Riverside Cooperative Program

The low bidder was D&L Paving Contractors, which was previously awarded by Northvale. This is currently on your agenda for award to pave the Borough streets. T&M Associates have scheduled a pre-construction meeting for this upcoming Monday at 10 a.m. with the Contractors, Borough staff, and myself.

2018 Road Improvement Program

We are currently developing a proposal for this program, to work on streets that have previously been funded by various grants or pending at this time. The roads are W. Central Avenue Phase 1 and 2, Hughes Road and Madison Avenue, and Irving Place, Demott Avenue, and Annex Place.

PSE&G Paving Project

We are currently coordinating the streets to be paved and schedule with PSE&G. As of now, they are working on their gas main on Prospect Avenue, and will then continue on to Seminary Street. At which time, we would expect paving on these streets within the next month.

Cooper's Pond

We are currently designing the trash rack, which is scheduled to be completed this week.

Stormwater Management

Last week, the Stormwater Pollution Prevention Plan has been completed and posted to the website. The Annual Stormwater Certification has been completed and submitted as well.

UNFINISHED BUSINESS

A. Tabled Resolutions

1. **18-123**/To Approve Contract – Municipal Court Administrator
(Tabled 4-3-18)

No action taken.

B. Review of Zoning Designations

The governing body were in agreement to hold discussion at the next meeting.

C. Review of Reexamination Report of the Master Plan

The governing body were in agreement to hold discussion at the next meeting.

NEW BUSINESS

A. Lost Time Accident Frequency Report for the Bergen County Municipal Joint Insurance Fund

Borough Administrator Gallo stated that the Borough continues to work on the safety program and has a monthly meeting with staff to review all the information that is required. He noted that there were only one or two accidents, small incidents, in the past month, and the number continues to decrease. He noted that the Borough continues to follow the measures that it needs to. The lower number is also attributed to automated garbage, since eliminating the other trucks has saved many backs.

ADMINISTRATOR'S REPORT

There is a lot of construction taking place in town in the coming months. Within the next two weeks, the ADA ramps on Washington Avenue will begin. The Borough is starting to move forward with that project, and work with PSE&G. Once the county is here, we will continue rolling with all other streets. There has been a lot of coordination taking place between PSE&G, SUEZ, on the gas and electric side to ensure that their infrastructure is set and improved prior to paving. I met with the Veteran's Committee to go over the details for the Memorial Day Parade, and another meeting will take place next week. The route will remain the same, on Washington Avenue. The Fire Department will have their ceremony at 10:00 a.m., the Memorial Day ceremony will take place at 11:30 a.m., and then 12:00 p.m. flags will be raised, and parade will begin at 2:00 p.m. This week, I will be out of the office for a couple of days meeting with vendors for the integration and digitizing of Borough records, which is what we are working towards. The vendors will complete the record keeping for the Borough, which has not been completed since 2012. We have been working with Borough Clerk and Department heads to coordinate this. At the upcoming meeting, we will look to award one of the companies. Also, I have been reviewing the ordinances locally, and we need to look into regulating the massage locations and health clubs. We are starting to look at ordinances relating to those regulations, because there is one in town, and another is looking for a permit. Lodi has reviewed this process to make more rigid. Lastly, the governing body needs to consider where

the dog park will be located. There have been several phone calls and concerns from the Barrier Free committee about the location of the dog park. We need to put together a plan, because it is scheduled to go to Memorial Park, we have a footprint on where it will go, now we have to make a decision on how to proceed. I recognize on the points referenced by the Barrier Free committee, but I think that this is further enough away. Nevertheless, further discussion should be held on the location.

MAYOR & COUNCIL REPORT

Councilperson Lodato

This Saturday, May 5th is the dinner to celebrate the library's anniversary, look forward to being there. Stigma Free Committee is meeting this Thursday, at 7:00 p.m. I believe the members would like to make a presentation in front of the council at large to update us on their goals and progress. The Planning Board cancelled their meeting in April, due to the fact that no applications had been received. Fire Department is status quo. There has been discussion on updating the ordinance to make membership available to outside residents and creating an Administrative Officer's position.

Council President Amatorio

Last night, the Board of Education approved their budget, \$49,157,916.00 for the 2018 to 2019 school year. Also, the Zoning Board of Adjustment applications were sent to the Site Plan for their review and consideration. The Veteran's Committee met, as Corey mentioned. The parade will begin at 2:00 p.m.

Councilperson Kornbluth

The Youth Academy is scheduled for July 16th through July 20th, and the graduation will be on July 20th. The Police Department submitted requests to the LESO program to obtain equipment for the DPW. The traffic bureau is preparing for Memorial Day Parade, and they are working on the "U Text, U Drive, U Pay," and Pedestrian Safety Programs, where they have police officers out there looking out for these signs. The BVAC year to date has responded to 723 calls, 9% increase from last year. The BVAC has 1 CPR save, and this month's training was Bloodborne Pathogens and Hazardous Communications. OEM submitted FEMA paperwork for the March 7th storm. FEMA is unsure whether they will be reimbursing towns for the forms, but at least the paperwork was completed. I attended the CDBG meeting two weeks ago, which was the reorganization meeting. As of today, the funds are still not released. As soon as the funding amounts are released, we will meet again to go over funding with towns. The flag department flag football first season is starting, little league had opening day ceremonies, and our Recreation Director is working with Mike Merlo on the summer camp details. The fishing derby is on June 9th, Family Fun Day is June 10th, and the Recreation Director is looking into movies at the park to have available at Memorial Park.

Councilperson Rivera

The Barrier Free Committee has held meetings on activities for children with special needs, and also held a car show fundraiser.

Councilperson Marte

No report.

Mayor Schmelz

Many events have taken place since the last meeting. There was a clean-up at Cooper's Pond, which Councilperson Marte attended with his son. Little League opening day took place, and the Knights of Columbus was out raising for their causes. I had a breakfast at Glenpoint for Teachers, and a senior's party at St. Anthony's. BSID meeting took place, and is moving forward on all their projects. The Lightbridge Academy had a grand opening, and the Fire Department had a pancake breakfast. There was a train rally by Acme, which was very well attended. There was a Holocaust memorial at Teaneck High School, and students at Bergen Community held a legislative lunch where we got to sample some of their food. We also had an Arbor Day celebration, and a poster contest for Earth Day. We need a new date for the tree planting ceremony. The first Wine Class was held at Cooper's Pond and was well attended. Fred Clark did the class, and then gave a tour of the museum. I completed the Zonta's Annual Rave Walk, which started in Bergenfield and ended in Westwood. Prior to moving forward, do we need a resolution to move forward on the building?

Borough Attorney Schettino stated a vote is needed to authorize a contract with the Architects to proceed to the schematic phase of the project.

Councilperson Kornbluth stated that she would rather go to bid for the services. She further stated that she believes it is irresponsible for the Borough to proceed on a project that is quarter million dollars without going out to bid.

Mayor Schmelz stated that at some point we went out for proposals.

Councilperson Kornbluth clarified that we went out to bid for existing conditions report, not for architectural plans. The RFQ was never to draw plans or design a new building, it was for an existing conditions report.

Council President Amatorio stated that we completed an RFQ to select an Architect, for the design of the building.

Councilperson Lodato stated that the first step of the project is the Existing Conditions Report.

Councilperson Kornbluth inquired why it would hurt to bid out the service.

Borough Administrator Gallo stated that it would delay the process. If he is given the order, it will take him several weeks to complete the design that needs to take place. At that point, need to decide on whether to move forward. Also, there is a lease on the table, which is not going to be available for long. If the process is prolonged, we will lose the space.

Councilperson Kornbluth stated that the project is happening, whether she agrees or not. It's irresponsible to proceed without seeing what other architects will offer.

Borough Attorney Schettino stated that the Borough will need a motion to complete an RFQ or motion to authorize RSC to prepare a schematic. He mentioned that the rate is very competitive. He explained that in another municipality in Bergen County, who retained another architect after submitting an RFQ, the rate was 6.5% of the total cost of the project. The contract has to be tweaked a little. For example, RSC has a lump sum price, which is supposed to be the equivalent of 6.5%. Mr. Schettino made the suggestion to limit RSC to the lessor amount. Mr. Schettino further stated that the proposal needs to be tweaked, but the rate of 6.5% is competitive based on a municipality that received proposals from seven to eight proposals. He commented that is not to say the proposal could not be received for less. Based on recent experience, an architect requested 6.5% of the construction cost of the project.

Councilperson Kornbluth stated that there have been no bids or RFQ for architectural plans for this building.

Borough Administrator Gallo stated that he believes that the RFQ was for architectural plans.

Mr. Schettino stated that the motion would be to authorize RSC to complete a schematic drawing or schematic work, or renovation of the municipal building. By approving this, you would still need to come back and approve the contract. He stated that even though you make the motion tonight, you still have the opportunity to review a contract, since there is no contract to review today.

Mr. Gallo stated the contract should be prepared for the next meeting.

Mr. Schettino stated that RSC Architects sent him a proposal, which he will put into a contract.

Motion by Council President Amatorio, second by Councilperson Rivera, to authorize RSC Architects to proceed to the next step and complete the schematic phase of the project.

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

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

Borough Attorney Schettino stated that further action may need to take place when the governing body returns to open after the closed session meeting. He explained that the governing body will have the opportunity to review a CSX agreement during the closed session meeting. If the governing body wishes to proceed, then the agreement may be approved in open session.

Borough Administrator Gallo stated that there is also a personnel matter that will be reviewed in Closed Session, and may lead to further action.

Mr. Schettino explained that this is for the public's information, the governing body may act upon two matters; one pertaining to CSX and the other pertaining to personnel. The public is welcome to wait until the governing body returns from closed session to listen to the matters acted upon.

PUBLIC COMMENT

Ms. Diana Flagg, resident, inquired if two more garbage trucks are being purchased. She inquires if they will get new pails. Ms. Flagg stated she is thrilled John Volmer will be hired full time. She inquired why it was the last item on the agenda. Ms. inquired about the appointment of a keyboarding clerk 2.

Mr. Gallo stated yes. It's for the recycling and part of the bond ordinance. The residents will get new pails. Mr. Gallo stated it is a promotion.

Mr. Barry Doll, resident, inquired if the Barrier Free could be added to the agenda to do a presentation at the next meeting. He complimented the council for approving the painting of the mill. There was an article in the New York Times. The wine seminar is a good idea but is concerned of the serving of the alcohol. It is written in the borough code there shouldn't be any alcohol at the playground or park. The environmental committee never memorialized to approve the wine seminars. Mr. Doll stated the chairman and he was against it. He objects to adding the environmental committee on the hold harmless and to have any part of the wine classes.

Mr. Gallo stated the article was generated by the BSID. Mr. Gallo stated the chairman had written that he in favor of the classes. Mr. Gallo stated it is being reviewed by the Deputy Attorney General of Alcoholic Beverage Commission.

Mayor Schmelz thanked Barry and the volunteers for doing a fantastic job. Mr. Doll is a runner up in the Roxbury Award.

Mr. John Smith, resident, stated the borough ordinance states alcoholic beverages are not allowed in the parks because there are kids in the parks. The governing body can rescind the ordinance. The Veterans Committee held their meeting April 22nd and were unhappy about the dog run at Memorial Field. The audio tape of the Site Plan committee meeting is shameful since you need headphones to listen to it. The equipment is outdated and the batteries went dead during the meeting. The same questions I had raised were in the site plan minutes and it should have gone to site plan committee in the first place instead of the Zoning Board. The zoning ordinances are hurting the businesses and need to be redone. There are picnic tables out on Washington Avenue and Church Street in the borough right of way.

Mayor Schmelz stated it's the building department that sets the precedent if something is sent to the Site Plan Committee.

Ms. Mary Sullivan, resident, stated she was pleased to see the article on what a nice place Bergenfield is to live in. The link to the article should be posted on the Bergenfield website.

OFFICIAL BUSINESS TO BE ACTED UPON:

A. CONSENT AGENDA

CONSENT RESOLUTION 18-147. 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. **18-148**/To Pay Bills
- b. **18-149**/To Approve Tax Refund – 7 Mahurter Court
- c. **18-150**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #14-00003
- d. **18-151**/To Approve Proposal - Inspection Services & Oversight Services for PSE&G Paving – T&M Associates
- e. **18-152**/To Authorize Capital Purchase – Two (2) Labrie Model Automizer Right Hand (31) Cubic Yard Sideload Refuse Truck Body with New Autocar Model ACX64 Chassis through National Cooperative NJPA – Sanitation Equipment Corp.
- f. **18-153**/To Award Contract – 2018 Road Resurfacing Program through the Riverside Cooperative Pricing Agreement – D & L Paving Contractors, Inc.

Motion by Council President Amatorio, second by Councilperson Marte, to approve the Consent Resolution.

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

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

B. Resolutions

18-154/To Promote Full-Time Laborer – John Volmer

Motion by Councilperson Lodato, second by Councilperson Kornbluth, that Resolution #18-154 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>absent</i>	Councilperson Rivera:	<i>aye</i>
Council President Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

18-155/To Approve Provisional Appointment – Keyboarding Clerk 2 – Dixey Rainey

Motion by Councilperson Kornbluth, second by Councilperson Rivera, that Resolution #18-155 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>absent</i>	Councilperson Rivera:	<i>aye</i>
Council President Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

Mayor Schmelz stated that Councilman Deauna is absent from the meeting because he suffered an unfortunate loss in his family. My condolences to him and his family with his mother passing away.

Council President Amatorio stated that before moving on to Council Comments, he would like to motion to add an item to the agenda. He noted that there will be changes to the composition of the Council, as he would like to step down as Council President, and nominate Hernando Rivera.

Motion by Councilperson Amatorio, second by Councilperson Lodato, that Councilperson Hernando Rivera be named Council President.

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

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

Mayor Schmelz expressed his congratulations to Council President Rivera.

Council President Rivera stated that he thanks the governing for trusting him, and he will do his best in the job.

COUNCIL COMMENTS

Councilperson Amatorio congratulated Council President Rivera and expressed his condolences to the Deauna family.

Councilperson Kornbluth expressed her condolences to Councilperson Deauna and his family, and congratulated Council President Rivera.

Council President Rivera stated that Councilperson Amatorio did a great job in the position, and he hopes that Councilperson Amatorio will assist and guide him in the position. Thank you all for attending, God bless, and have a great night.

Councilperson Marte expressed his deepest condolences to the Deauna family, and congratulated Council President Rivera.

Mayor Schmelz thanked Councilperson Amatorio for his service as Council President. He stated that Councilperson Amatorio did a great job and was always available when anyone needed him. Mayor Schmelz also congratulated Council President Hernando Rivera. Mayor Schmelz stated that if he is available to the Borough Administrator and the rest of the council, he will do a fantastic job. Thank you all for attending and all your comments on the renovation.

CLOSED SESSION

RESOLUTION 18-158/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 - 1. Health Department Personnel Matter
 - 2. Infrastructure 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 Councilperson Kornbluth, second by Councilperson Rivera and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 9:52 p.m.

On a motion by Councilperson Kornbluth, second by Council President Rivera, the meeting reopened at 10:19 p.m.

18-156/To Approve Separation Agreement and General Release – REHS/Sanitary Inspector

Motion by Councilperson Kornbluth, second by Councilperson Amatorio, that Resolution #18-156 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>absent</i>	Councilperson Rivera:	<i>aye</i>
Council President Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

18-157/To Approve Amendment to the Agreement – CSX Transportation, Inc.

Motion by Councilperson Marte, second by Councilperson Lodato, that Resolution #18-157 be approved 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>absent</i>	Councilperson Rivera:	<i>aye</i>
Council President Amatorio:	<i>aye</i>	Councilperson Marte:	<i>aye</i>

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Council President Rivera, second by Councilperson Kornbluth, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:21 p.m.

Respectfully submitted,

Marie Quinones
Borough Clerk