

**BOROUGH OF BERGENFIELD**  
**MAYOR & COUNCIL REGULAR MEETING**  
**8:00 P.M.**  
**JUNE 19, 2018**

PRESENT: Mayor Norman Schmelz and Council President Hernando Rivera (Arrived at 9:07 p.m.), Council members Thomas Lodato, Buddy Deauna, Arvin Amatorio, Ora Kornbluth, and Rafael Marte

ABSENT:

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

Mayor Schmelz called the meeting to order at 8:01 p.m. with the reading of 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. In case of an emergency, exits are to the rear and your left. Please turn off all cell phones.

The Salute to the Flag was led by Councilperson Marte.

Agenda Changes – additions or revisions

None.

Approval of Minutes

Motion by Councilperson Kornbluth, second by Councilperson Marte, to approve minutes of the May 15, 2018 Regular Meeting, May 15, 2018 Closed Session Meeting (not to be released), June 7, 2018 Work Session Meeting, and June 7, 2018 Closed Session Meeting (not to be released). All present voting in favor. None opposed.

Presentations

A. Proclamation - Crossing Guards

Mayor Schmelz read the proclamation into the record.

The crossing guards thanked everyone for the recognition and making June 19<sup>th</sup> Crossing Guard Appreciation Day.

Councilperson Lodato thanked everyone for their service to the community.

Councilperson Deauna thanked the crossing guards for serving the town and always being there even in the snow.

Councilperson Amatorio thanked the crossing guards for coming today and thanked them for being out there no matter what the weather is. Some are heroes to the children and parents.

Councilperson Kornbluth thanked the crossing guards for their service and keeping the

children and residents safe and putting themselves in harm's way at times.

Councilperson Marte thanked the crossing guards for keeping the community safe and helping with people going to church, kids going to school and during special events.

#### B. RSC Architects Pre-Design Phase

Mr. John Capazzi and Irena, from RSC Architects, stated they have started the renovation project for the town hall. They met with each department and went over their spatial needs. They developed a snapshot of the program. The police department will have up to 6,000 sq. ft. The total gross area is 29,854 sq. ft. 30,729 sq. ft. is needed based on the new program. More space is needed than what is currently being utilized. Mr. Capazzi stated they are looking to see how the departments can be organized and laid out better, have better public access, and meet the needs of each of the departments.

Councilperson Kornbluth stated the current space for the administration and the borough clerk space together is 1,000 sq. ft. Councilperson Kornbluth inquired about how many people would utilize the 14,000 sq. ft. space proposed for administration.

Mayor Schmelz stated Karen would be part of the administrator's space and Hilda and Sue would be part of the Borough Clerk.

Mr. Gallo stated the new area of space for administrator will have a room with two desks and cabinets for the council and a conference room for the Mayor and Council. Mr. Gallo stated the current 1,000 sq. ft. includes the hallway, his area, the little conference table, where Karen and Sue sit. The 573 sq. ft. includes his office, Karen's space, and the little conference table area. The 540 sq. ft. is the area where the kitchen with the files is, where Sue, Hilda and Marie sit, and the Mayor's office.

Councilperson Amatorio stated the 29,854 sq. ft. is without the use of the third floor. Councilperson Amatorio inquired about the proposed plan having only 30,720 sq. ft. that includes the third floor.

Councilperson Kornbluth inquired if fire prevention is currently at 3,500 sq. ft. There are four departments that have the exact same square footage.

Mr. Gallo stated there is a room to the side with files in the fire prevention area and the IT area in fire prevention is inclusive of the number. The police department has space in the basement where they store stuff, that's inclusive of the number even though it's not well used space.

Mr. Capazzi stated some of the existing square footages are rough because departments are together and things are not well defined. The building is not getting bigger with exception of adding sally port, the elevator, and the stair tower for egress. Mr. Capazzi explained the plan in detail. There will be circulation in the staircase between the police department and the two floors for security reasons.

Councilperson Amatorio inquired if the police department approved the proposal for their department.

Mr. Capazzi stated the police department had reviewed and approved it. There will be changes in the plans as this is just conceptual and there will be modifications. Mr. Capazzi

explained the breakdown of the second and third floor in detail. There are no additions to the building, just taking advantage of the space that's currently there.

Mr. Gallo stated the administration of the police department is on the main floor and all of the operations will be downstairs. There will be interaction and they will be able to go up and down within the building. The IT will be centrally located. Part of the health department will be expanded to provide adequate examination space and privacy when children are examined. The fire department currently has an office the size of a closet on the third floor. They need more space to have a computer, desk, storage space to file, and space for equipment. They asked for two rooms.

Councilperson Kornbluth stated she doesn't see the fire department on the existing proposed areas. Also, are some of the numbers being doubled. Are they three separate departments that are becoming one. She stated her numbers are different than what was being presented on the screen.

Mr. Gallo stated the fire prevention is adjoining with the building department. The schematic design is the design.

Mr. Capazzi stated the fire prevention was combined with the fire department in the 700 sq. ft. under existing. Fire prevention went down to 490 sq. ft. Mr. Capazzi stated he will get the council a copy of what was being presented on the screen.

Mayor Schmelz stated he likes it and likes where everything is located.

Mr. Gallo stated this is the schematic design phase. The next steps to move this forward are to initiate conversation and discussion about whether or not to proceed with the schematic design and the design development. He would like John to discuss briefly so the governing body has an understanding of what it entails and how to proceed with the timelines pending their approval.

Mr. Capazzi stated in the next phase, the mechanical, electrical, and plumbing engineers come back in and start the process for the final construction and renovation. They will resurvey everything and come up with a schematic plan. They will look at the exterior façade. It makes it more concrete and then will proceed to design development after approval from the governing body. The design development brings us closer to a set of documents that can be bid for construction.

Mr. Gallo inquired when would be the time get together with PSE&G and the grant writers for getting grants for greening building. Mr. Gallo stated environmental tests are done every year. The DEP reports come back satisfactorily. If we continue to proceed as scheduled, we will be moving out of the building and into the new space by the end of October as long as we keep moving forward. The next two phases are the schematic design and the design development phase.

Mr. Capazzi stated that will happen in the next phase. There will be another budget at the end of the schematic phase based on the schematic design and will stay within your budget. The construction should take about a year, 13-14 months.

Mr. Schettino stated once you approve the contract, he can move forward with everything. The first contract for the pre-design phase was approved. The other resolution to approve the contract to do all of the rest of the work was tabled from the last meeting. Once that

contract is approved, he's authorized to move forward and do all the work necessary to bring this project to a conclusion.

Mr. Gallo stated once the bond ordinance is adopted, the contract can be approved.

### C. Departmental Hires

#### **18-205/To Hire Part-Time Temporary Laborers**

Motion by Councilperson Kornbluth, second by Councilperson Amatorio that Resolution 18-205 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>nay</i> |
| Councilperson Amatorio: | <i>aye</i> | Councilperson Marte:      | <i>aye</i> |

### Verbal Communications I

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

Mr. Aziz, resident, stated the contractor had done patchwork on the street. They made a pitch by my door causing water to accumulate when it rains. They pile up the snow right up in front of our door.

Mr. Gallo stated they are aware of it and it's a punch list item from last year's contract. DPW has been working with the engineers to get the contractor back to fix the problem. We're on top of it and will try to get it done in the next couple of weeks.

John Smith, resident, inquired if the presentation was the architect's or the borough administrator as the administrator did most of the talking. Mr. Smith stated in the March 6<sup>th</sup>, 2018 minutes, there's a section the Mayor said the crosswalks on Washington Avenue were to include the VFW crosswalk. It was approved. Mr. Smith inquired who changed it and authorized for the crosswalk not to be put in. Mr. Smith inquired who reviewed the plans when Remington submitted them for the crosswalks. Part of the job is to review the plans.

Mr. Gallo stated you rely on the professionals. We pay as part of our contract, inspection services, which the engineering company is required to do the inspection.

Mr. Smith stated Mr. Gallo had told him it's not happening. Mr. Smith stated Mr. Gallo had said it would not happen because of the driveway and the sewer. The crosswalk was never in the plans.

Mr. Gallo stated the county, engineers, and the contractor was brought out there to ensure the southern side of Washington Avenue was addressed and it was addressed.

Councilperson Kornbluth stated the council can't approve crosswalks. The police department and the county can approve them.

Mr. Smith stated this past weekend, his neighbors had visitors and had permission to park overnight. The cars were still there Monday morning in front of his house. The garbage can wasn't picked up because the car was parked there overnight. Families need to widen their driveways. The code officials are not doing their jobs when there are 10 cars parked on the grass. The tables on Church Street are still not 4 feet apart and are within 10 feet of a garbage dumpster. The bakery on 10 Washington Avenue has tables only 1 foot from sidewalk. Mr. Smith inquired if they got a permit.

Mary Sullivan, resident. See Attached.

Diana Flagg, resident, stated the crossing guards were invited to be honored but their names were not mentioned. There was a crossing guard who was severely hurt. Ms. Flagg stated she is against overnight parking. Bergenfield is a rather safe community with no cars parked on the street overnight. She only got a chance to look at few first pages from the OPRA Request and had expected to see hundreds of calls requesting parking on street but didn't see as many.

Ray Gorman, resident, stated some people come forward from time to time about the overnight parking issue. The police at the time, for security reasons did not want overnight parking. At 2:00-3:00am, it is so easy to see down the streets because the streets are clear. It should be kept the way it is.

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

#### Correspondence

- |   |   |
|---|---|
| A. Lodato/Bergenfield High School           | <b>RE:</b> Bergenfield High School Cheer Request to Hold Coin Toss/Saturday, August 25, 2018                        |
| B. Aguavivas/Democratic Municipal Committee | <b>RE:</b> Request to reserve Cooper's Pond/Thursday, June 28, 2018/7:00 p.m. to 10:00 p.m.                         |
| C. Rev. Lee/Church of the Good Shepherd     | <b>RE:</b> Request to reserve Memorial Park Pavilion for Church Picnic/Sunday, June 24, 2018/9:00 a.m. to 5:00 p.m. |

Motion offered by Councilperson Marte, second by Councilperson Deauna, to approve Correspondence Item A to C. All present voting in favor, none opposed.

#### OFFICIAL BUSINESS TO BE ACTED UPON:

##### A. CONSENT AGENDA

**CONSENT RESOLUTION 18-206.** 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. **18-207/Pay Bills**
- b. **18-208/To Authorize Refund of Redemption Monies to Outside Lien Holder For TTL # 17-00006**

- c. **18-209**/To Approve Insertion of a Special Item of Revenue in the 2018 Budget - FY2018 Clean Communities Grant
- d. **18-210**/To Approve Proposal – Inspection Services and Contract Administration - Bergen County ADA Cooperative Curb Ramp Construction Program – Remington & Vernick Engineers
- e. **18-211**/To Approve Liquor License Renewals 2018-2019
- f. **18-212**/To Authorize Refund of Redemption Monies to Outside Lien Holder for TTL #16-00003

Motion by Councilperson Marte, second by Councilperson Deauna that Resolution 18-206 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 Amatorio: | <i>aye</i> | Councilperson Marte:      | <i>aye</i> |

Unfinished Business

A. Tabled Resolutions

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

No action taken.

- 1. **18-175**/To Approve Contract – Architectural and Engineering Services – RSC Architects  
(**Tabled 5-15-18**)

Hold Until Bond Ordinance is approved.

B. Adoption of Ordinances

The following ordinances were published herewith were first read by title only on June 7, 2018 and posted on the bulletin board of the municipal center.

18-2526 - CAPITAL ORDINANCE OF THE BOROUGH OF BERGENFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE ACQUISITION OF PAGERS AND RADIOS FOR THE VOLUNTEER AMBULANCE CORPS IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$10,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE BOROUGH’S GENERAL CAPITAL FUND – FUND BALANCE

18-2527 - BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE MUNICIPAL BUILDING RENOVATION PROJECT IN, BY AND FOR THE BOROUGH OF BERGENFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$12,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

18- 2528 – AN ORDINANCE AMENDING “ESTABLISHMENT OF RULES AND REGULATIONS FOR A DOG PARK” OF THE BOROUGH OF BERGENFIELD

Public Comments on Ordinances 18-2526, 18-2527, and 18-2528.

John Smith, resident, inquired if someone could explain what section 20 costs are and what the \$2 million going to be spent on. No one gave an answer, but the council is going to approve this. Councilperson Kornbluth raised some good questions. All these years, the council didn't have a separate room and there weren't any problems. They could use the Mayor's office. The renovations to the building is going to cost more than \$12 million. The architect's numbers were wrong that was handed out. You don't know what the \$2 million is for. Mr. Smith inquired why \$12 million is being bonded if the money is supposed to be taken out of surplus and we need to pay interest. A municipal complex should be built over the swimming pool.

Diana Flagg, resident, inquired why \$12 million is being bonded if \$3 million is being taken from surplus. The only one answering questions is Councilperson Kornbluth. The architect will go over costs. We want you to watch our dollars. Ms. Flagg inquired how many of the council have told their neighbors they are voting on a \$12 million project. The council needs to get the right numbers. Ms. Flagg stated each ordinance should be done separately.

Councilperson Kornbluth requested the ordinances be separated.

Motion by Councilperson Kornbluth, second by Councilperson Amatorio to pass Ordinance 18-2526 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> | Council President Rivera: | <i>aye</i> |
| Councilperson Amatorio: | <i>aye</i> | Councilperson Marte:      | <i>aye</i> |

Motion by Councilperson Amatorio, second by Councilperson Deauna to pass Ordinance 18-2527 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>nay</i> |
| Councilperson Deauna:   | <i>aye</i> | Council President Rivera: | <i>aye</i> |
| Councilperson Amatorio: | <i>aye</i> | Councilperson Marte:      | <i>aye</i> |

Motion by Council President Rivera, second by Councilperson Deauna to pass Ordinance 18-2528 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> | Council President Rivera: | <i>aye</i> |
| Councilperson Amatorio: | <i>aye</i> | Councilperson Marte:      | <i>aye</i> |

1. 18-175/To Approve Contract – Architectural and Engineering Services – RSC Architects (Tabled 5-15-18)

Councilperson Kornbluth has concerns about hiring RSC Architects without getting any other bids. There are problems with the schematics and are approving a plan without looking at the numbers. At this point, the plans are incomplete. He gave us the wrong numbers and needs to be corrected prior to approving it. Councilperson Kornbluth inquired how you can estimate the cost when the square footage is wrong.

Councilperson Amatorio stated the resolution should keep it on the table. There was an extensive presentation, not just with the architect, but also with the finance department before approving the bond ordinance.

Mr. Gallo stated the footprint of the building isn't changing. It's not going to matter whether it's 5,000 square feet or 3,000 square feet in a pre-design drawing. He's providing you conceptually where everything can fit. Each department met with him and went over their specific needs. The infrastructure of the building is the issue. You move forward with the conceptual design of how the building is laid out. We gave him a budget and he is not to exceed it. The renovation should cost \$10 million and the next \$2 million is payment for the architect.

Borough Attorney Schettino stated the governing body needs to decide whether to untable resolution and take action. If you push it back, it will be delayed for another month until the next meeting on July 17<sup>th</sup>, 2018. You can still untable it and tell him you want the corrected numbers. If the numbers are going to change your mind about the architect, then you shouldn't vote on the contract.

Mayor Schmelz stated it was decided to go forward with the architect.

Councilperson Kornbluth stated they are voting on to move onto the next phase, but how can you approve this phase and move onto next phase when this phase is not correct.

Councilperson Lodato stated the numbers on the board are different from the numbers provided. This was not provided in advance.

Councilperson Amatorio stated that they are approving the contract for the architect to proceed with the plan and we have the ability to make any changes or adjustments necessary along the way. If it remains untabled, it will push us back and will cost us more.

Mr. Schettino stated if the council is concerned with the square footage, you should get it send by email if the council approves it because if you have the design changed it will cost you more money. The council can instruct Corey to tell the architect not to proceed with the work until the revised plan is approved.

Councilperson Kornbluth inquired why if this is pushed back another month, the whole project would be pushed back. The building still needs to be moved. Things are being pushed forward because of a timeline and \$7,000-\$8,000 a month for rent.

Mr. Schettino stated it would be closer to \$18,000-19,000. The contract won't be signed for a couple of days even if it is approved. The Mayor doesn't have to sign it for a few days.

Mr. Gallo stated all the paperwork will be corrected before we move forward.



Motion by Councilperson Amatorio, second by Councilperson Deauna to remove from table Resolution 18-175.

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

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

Motion by Councilperson Amatorio, second by Councilperson Marte to approve Resolution 18-175.

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

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

C. Review of Reexamination Report of the Master Plan

Mayor Schmelz stated there are a lot of recommendations that are clerical and can be taken care of easily. Mayor Schmelz inquired if there are any other recommendations for zoning. He stated Tenaflly got rid of all the zoning ordinances for parking spaces for everyone for any business.

Councilperson Lodato stated the borough attorney should draft an ordinance.

Mr. Schettino stated he can draft an ordinance with all the changes and the governing body can then review it. He will follow what is recommended in the reexamination report of the master plan.

Councilperson Amatorio inquired about parking spaces for churches.

Mr. Schettino stated they need to get a variance. The Planner should comment on that type of parking change.

D. Overnight Parking – Suspend for Summer 2018

Councilperson Amatorio stated there was already a big discussion. It should be discussed further with the police department.

Councilperson Lodato stated the fire department is concerned with this as well.

Council President Rivera stated just for the record, he did some homework researching overnight parking in neighboring towns. New Milford has suspended overnight parking from May 15<sup>th</sup> to September 15<sup>th</sup>, Dumont from April 15<sup>th</sup> through October 15<sup>th</sup>, Cresskill is April 15<sup>th</sup> through October 15<sup>th</sup>, Teaneck is limited to certain streets and commercial vehicles.

Councilperson Amatorio stated he believes Englewood has suspended overnight parking all year long.

Councilperson Marte stated aside from looking into other towns, the council needs to get more feedback from the residents as the majority of people don't want suspending overnight parking in the summer.

Council President Rivera stated the people requesting it do not come here to the meeting.

New Business

None

Committee/Department Reports

Motion offered by Council President Rivera that the Committee/Department Reports be spread upon the minutes in full and filed. Second by Councilperson Lodato. All in favor, none opposed.

Verbal Communications II

Mayor Schmelz opens the meeting to Verbal Communications II and invites the public to comment on any subject, limited to five (minutes) per speaker.

John Smith, resident, stated two years ago he had complained about Spring Street being all blacktop. They are supposed to be using concrete. Water is shooting up the road and running into the sewer in front of 87 and 78. No one goes to check the work public service is doing and the sidewalks are cracking because of the trucks. There are supervisors in DPW that are in charge of the roads and the code officials should be taking care of this. Van Valkenburg Street is also being done in blacktop. The curbing in front of the VFW post on Washington Avenue is busted due to the snow plows. There's a big hole and there was a kid going to school that fell in it and twisted his ankle. The council needs to inform the borough administrator to get the code enforcers after the businesses that are breaking the ordinances. Everything is being turned away because of the SID. We are supposed to treat religious institutions on equal basis. If you do away with the parking restrictions for businesses, the churches are going to claim same thing. Mr. Smith why only a certain section of Washington Avenue is being considered to be one way. The SID has not done anything for the businesses. It's on the SID facebook for Tommy O'Reilly's car show. Mr. Smith inquired how many people know what Sam Matthew's is doing. He's giving all the Bergenfield graduates a free meal which the SID is not advertising.

Ray Gorman, resident, inquired if the engineers are inspecting the ADA ramps to make sure they are flush with the road. Mr. Gorman inquired if the cost for the borough renovations is \$12 million and \$3 million is being taken out of surplus, why isn't only \$9 million being bonded. Most people don't know this, with a expenditure at this magnitude, is happening. There are too many things are being jammed in the regular and work session meeting. It should have been done at a special meeting. You don't make mistakes when you're talking about millions.

Mr. Gallo stated the bond counsel made decision to make sure to exceed the number so if we don't want to touch the surplus, there is enough money so we don't have to re-bond.

Diana Flagg, resident, inquired what is being done with the signage on Washington Avenue. She had submitted an OPRA request for information about a home but response she received that she had not requested a document but was asking questions and there was no

information. Ms. Flagg stated it was going to be brought to the tax assessor's attention months ago and what the resolution is for Mr. Amaral's property on Clinton Avenue. Ms. Flagg inquired if anyone could tell her why \$12 million is being bonded and the numbers are incorrect. Mr. Flagg stated the Council President is always late and should be here at the start of the meeting. Ms. Flagg stated they do not want overnight parking.

Mr. Gallo stated she could ask the tax assessor.

Mayor Schmelz stated all the numbers were placed on the website.

Mary Sullivan, resident, stated she knows many people are against overnight parking. We are consistently amongst within the top ten safest towns in New Jersey and the overnight parking plays into that to keep our streets safe. Ms. Sullivan stated the Mayor and the administrator would look into the Air B&B situation a year ago and hasn't heard anything. There is still advertising for it. Ms. Sullivan inquired what the code officials are doing about it. Ms. Sullivan stated she's been keeping a spread sheet of illegal rooms being rented and has been turning them into code enforcement. The police department stated it is not their job to enforce illegally parked cars on the lawn. It's code enforcement's job.

Mr. Gallo stated summons are being issued and measures are being taken. Calls are made to set up appointments to inspect the apartments. There's currently one person who works in code enforcement and will hire more people if needed. He's out writing summonses. The police department can issue summonses on all ordinances.

Kevin Clancy, resident, stated about 22 years ago a proposal was made for a trial for suspending overnight parking. There was a mob that threatened to kill him and it was tabled. The only thing would be doing it away with a call to the police department. A resident's request for overnight parking has never been denied by the police department.

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

#### Council Comments

Mayor Schmelz stated the presentation made by the borough auditor is on the website.

The governing body thanked everyone for coming to the meeting and wished everyone a good night.

#### Closed Session

**RESOLUTION 18-213**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

A. Attorney-Client Privilege

1. Contractor's Performance Bond Update (*Borough Administrator*)

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 Marte, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 10:12 p.m.

#### Adjournment

There being no further business to come before the Mayor and Council, on a motion by Councilperson Lodato, second by Council President Rivera, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 10:22 p.m.

Respectfully submitted,

Marie Quinones  
Borough Clerk

Reasons to not allow overnight parking on streets.

Who loses?

1. Many streets are too narrow for emergency vehicles to drive down with cars parked opposite each other. Residents know this and mostly stagger the street parking when used or stay in their driveways. UPS and FedEx trucks have been stuck in my street blowing their horns for someone to move their car so trucks can pass (usually due to a visitor parking in the street opposite a resident's car)
2. On streets with no sidewalks, pedestrians would be forced to walk down the middle of the road - in the dark - if cars are parked overnight. This is unsafe.
3. Cars left parked on street overnight are more likely to be damaged or vandalized. Just watch the nightly NEWS programs to verify (smashed windows; slashed tires; theft; etc.).
4. Home invaders could leave getaway cars parked on street while committing burglaries without anyone noticing. Now, the police and the residents can easily spot a suspicious vehicle parked between 2AM-6AM.
5. Our own police department is against unregulated overnight parking.

6. The frequency of attacks (and killings) of Police officers in the USA is growing at an alarming rate. While always in danger, the risk would be amplified after dark when officers would approach unknown vehicles, since the control they now possess with call-in registration of overnight street-parked vehicles, would be eliminated. The safety of our police officers should not be compromised for the convenience of a few residents who have failed to make arrangements to deal with a seasonal need for additional parking.
7. A growing number of Orthodox Shuls are being approved by the Zoning Board, on the basis that members walk to services (which they now do). If allowed to park overnight, members will be free to leave their cars on the streets by the Shul before sundown on the Sabbath, to enable them to drive home after sundown the next day. Not only would this prevent residents from parking in front of their own homes (or having space for evening guests), but would create an additional hazard as dozens (perhaps even hundreds) of Shul members return to their cars on Sat. night (after dark) impeding the normal flow of traffic in the area. This would become even more of an issue during inclement weather (which would probably motivate more members to park on street rather than walk home)

8. Should the Shul be holding a non-walking event such as a Bar/Bat Mitzvah on a Sunday and out-of-town guests arrive Fri. evening before sundown and park on streets by the Shul while staying with local family members, those cars could well be left sitting in street until after the Sun. event has concluded. This would make it easier for local members to not have to supply off-street parking accommodations for their event guests, and make for a shorter walk to cars for those guests once event is over. But all other local residents would again be denied parking in front of their own homes for the entire weekend.
9. No doubt the ever increasing number of landscapers around town will welcome the chance to save on private parking lot charges for parking their trucks and equipment carts overnight, and just leave them sitting in the street instead, thereby denying residents parking space in front of their own homes; blocking street access to emergency vehicles; and eroding the esthetic value of the neighborhoods.
10. Illegal room rentals are already rampant in the town with little action to remedy being taken. Once the requirement to provide overnight parking is removed, expect a drastic increase in the number of illegal rentals. This puts the residents at further risk of unknown and perhaps dangerous people

entering the neighborhood and allows for further violation of rental rules/fees.

11. Rentals through Airbnb (and other like sites) are on the rise and are expected to increase further as homeowners look to supplement the \$10K cap on SALT deductions (as reported in Record Real Estate article). Many listings already stipulate that off-street parking is included or that on-street overnight parking can be granted by calling the police. Removal of that requirement would enable these illegal rentals to explode with the additional possibility of homeowners parking their own cars on the street, to allow for even more off-street parking for renters (thereby enabling them to charge higher prices).
12. No guarantee the vehicle owners will park in front of their own homes, thereby denying other homeowners use of parking places where they live for visitors or themselves.
13. Illegal room/apartment rentals (subdivisions) create dangerous conditions for first responders who may become trapped by “walls that should not be there” or lack of exits from converted basements/attics. And since no CO is being issued, rental units may be more prone to fire or other dangers, which will further increase danger to our first responders.



14. Bergenfield has excellent bus transportation to NYC. We already have a problem with daytime commuter parking by out-of-town residents (as evidenced by the growing number of No/Limited Parking signs put in place over the past two years). Allowing overnight parking will expand the problem further, to the detriment of tax-paying local residents.
15. What's to stop out-of-towners, wishing to spend a weekend in NYC (and avoid expensive parking), from coming to our town and parking on the street Fri-Sun so they can take advantage of our excellent bus schedule for a cheap ride in/out of NYC while denying residents use of space on their own streets?
16. Allowing overnight parking may lead to homeowners parking on street and using driveways for storing boats, RVs, or other items. This will further erode the aesthetic appeal of our neighborhoods for residents or to potential new buyers and erode property values. Such oversized non-vehicles will also obstruct street vision for adjacent homeowners trying to back out of their driveways, and could lead to accidents with unseen vehicles traveling down the street, or injury to pedestrians or bike riders that were not visible

## Who benefits?

1. Lazy homeowners who decide to just leave cars in street rather than pull them into driveway
2. The few homeowners who have children home from college for the summer and have not modified their property (driveway) to accommodate additional vehicles for the few years they will need the extra parking space
3. Homeowners who have not gone through the time/expense to modify their property to accommodate additional vehicles, as so many other residents have done.
4. Homeowners with sufficient parking if they would clean out their garages and use them for the intended purpose, not storage facilities
5. Airbnb hosts who do not comply with town registration/fee requirements and can now illegally rent out rooms without concern over parking.
6. Residents who do not comply with town ordinances against room rentals and pay no fees like legal homeowners do.