

**OFFICIAL MINUTES
BOROUGH OF BERGENFIELD
MAYOR & COUNCIL REGULAR MEETING
JUNE 20, 2023**

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

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 two Municipal Bulletin Boards and is on file in the Office of the Borough Clerk. Notice of this meeting dated Friday, June 16, 2023 was published in the Record and sent to the Star Ledger, Twin Boro News, and Cablevision, placed on two Municipal Bulletin Boards and is on file in the Office of the Borough Clerk."

The Salute to the Flag was led by Councilperson Lodato.

AGENDA CHANGES

Council President Pascual motioned to add the following resolutions to the agenda:

Consent Agenda:

23-199 To Authorize Purchase and Approve Agreement Police Department 3x Upfits - GTBM
23-200/To Authorize Purchase and Approve Agreement Police Department New Equipment Builds for 2x Ford PIUs – GTBM
23-201/To Amend Membership to Appoint Jose Vasquez on the Veteran's Advisory Committee

Resolutions:

23-205/To Hire Part-Time Laborer – Eric Belfield
23-206/ To Hire Part-Time Laborer – Noah Rodriguez
23-207/To Hire Part-Time Laborer – Robert Jurgensen

Councilperson Rivera seconded the motion. All present voting in favor, none opposed.

APPROVAL OF MINUTES

Motion by Council President Pascual to approve minutes of the May 16, 2023 Regular Public Meeting and the May 16, 2023 Closed Session Meeting (not to be released). Councilperson Rivera 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.

No one came forward.

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

PRESENTATIONS

A. VFW: The Veterans of Foreign Wars of the United States Awards Presentation

Sergeant Major Warren Williams, Commander of VFW Post 6467 and Vice Commander Yvonne Aponte awarded first responders, volunteers, and teachers for their service to the community and Veterans. The awarded honorees included the following:

Firefighter Damont Brown: As an integral part of FMBA Local 65 of the Bergenfield Fire Department, a career firefighter for 10 years, holding a plethora of state certifications which include fire inspector, fire official, fire officer 1 & 2, fire investigator, incident safety officer.

Police Officer John Galarza: A Police Officer with the Bergenfield Police Department for the past 18 years. Officer Galarza is also a U.S. ARMY veteran, originally, he started his career in Law Enforcement with the Paterson Police Department. Officer Galarza has been a Patrol Officer with the Borough since 2005 and moved on to the Records Bureau in 2015. He has held multiple positions including Evidence Officer, TAC Officer, LESO Officer, Resiliency Officer (Cop2Cop), and I.T./Network Support for the entire Police Department.

Ahmos Silvera: Deputy Chief Ahmos Silvera has been an Emergency Medical Technician with the Bergenfield Volunteer Ambulance Corps for the past 9 years. Deputy Chief Silvera has distinguished himself as an EMT who is devoted to serving the Bergenfield community. Ahmos has a bachelor's degree in psychology from City College of New York and plans to attend medical school.

Deana Rothenberg: Mrs. Rothenberg has taught English as a Second Language at Bergenfield High School, working tirelessly to improve her students' verbal language skills. Mrs. Rothenberg has welcomed students that are new to Bergenfield and new to this country. Mrs. Rothenberg has supported her students by attending concerts and performances. To Mrs. Rothenberg "teaching is not what you do, it's who you are." We wish you well in your retirement.

Mayor Amatorio also presented each award honoree with a proclamation on behalf of the governing body. The proclamations were read into the record.

MEETING RECESS:

Councilperson Rivers motioned to have a five-minute recess at 8:26 p.m. Councilperson Lodato seconded the motion. All present voting in favor, none opposed. The meeting reopened at 8:29 p.m. Roll Call.

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

ABSENT: Council member Ora Kornbluth

Mayor Amatorio presented a Special Proclamation to the 2023 Memorial Day Grand Marshall, Mr. Peter Marshall for his years of service. Mayor Amatorio read the proclamation into the record and welcomed him home. Peter M. Matthews is Sergeant E-5 1st Cavalry Division (Airmobile) Company D-1st Battalion 12th Cavalry. This was a special recognition of the 50th Anniversary of the end of the Vietnam War, having a hero representing the true American Dream and his service to this country to have lead this year's parade. Sergeant Peter M. Matthews is a war hero, and post war ambassador who has changed many lives. The Borough of Bergenfield are proud of Sergeant Matthews and all of the Vietnam Veteran's on this special anniversary, thank them for their service and welcome them home.

B. Neglia Engineering Associates – Area in Need of Redevelopment Study

Lyndsay Knight, PP, AICP, Director of Planning at Neglia Associates, read a summary of her West Church Street Redevelopment Plan into the record. She stated that in December of 2022, the Mayor and Council approved resolution 22-385 to designate the area in need following the criteria of the state. In January of 2023, Neglia presented the findings of the study to the planning board. She explained that in order to conduct the study, she visited the sites and took pictures. She also compared many of the current sites to the proposed sites and noticed that many of the areas do not meet the zoning requirements. She stated that many of the sites are non-confirming existing conditions or non-confirming uses. She stated that following the requirements of the State of New Jersey, she was able to designate the entire block as an area in need of redevelopment. At that meeting, the Planning Board advised that the Mayor and Council designate the area as an area in need of redevelopment. As such, a plan was put in in place. She shared some background on the area and stated that the area encompasses 14 parcels, approximately 3.02 in acres, and is bound by W. Church St, Tyson Pl, N Front St, and N Demarest St. She stated that some may identify the area as the "Old Nissan Property." There is a mix of uses in the area between single family homes, retail with residential over, as well as several offices, and service parking. The state requires that the borough have 20% set-aside of residential units and multi-family units for affordable housing per the COAH requirements. As it today, the block is a mix of residential and business zone. She explained that zoning from the redevelopment plan will be overarching zoning for the area. As a result, the requirements in the plan will be the requirements for those lots. The principal permitted uses will include residential, multifamily, and mix use buildings with apartments located on any level. So, mixed use will include apartments above ground floor permitted uses. The ground floor permitted uses will include live work studios, neighborhood retail, office, business, professional and medical offices. Ms. Knight stated that the intention of the uses is to have amenities that will be used by people who live in the area. Specifically, the neighborhood retail is meant to be supportive for the people who live in the community and those living above those units. She stated that some of the permitted accessory uses include off-street parking, which is one space per resident in the building, and other uses that will be accessory to the principal use, such as amenity spaces, indoor storage facilities, mail rooms, offices for leasing, and marketing management of the building. There will also be a requirement for electrical vehicle charging stations as required by the State, as well as external utility infrastructure. She stated that the bulk requirements, which will be the maximum permitted yield, and will be 50 units per acre. The building coverage will be a maximum of 86%, and 95% for impervious. Ms. Knight stated that the proposed setback for W Church is a minimum frontage set-back of three feet, for N Demarest it'll be a minimum frontage set-back of fifteen feet, and the minimum for Tyson Place will be zero, which will be right up to the lot line, and minimum set-back frontage for N Front St will be three feet. The minimum side yard set-backs will be zero, which will allow for the buildings to be built in contiguous fashion. She further stated that the maximum height is 4 stories or 45 feet. There will be roof top structures that are not to exceed 12 feet, which will be for HVAC units that will be required to be shielded from the ground level. The vehicular parking ratios will be 1.56 spaces per residential unit, as well as retail parking will have a minimum of 3 spaces per 1000 square feet, so the retail uses will have their own parking requirement as well. She stated that the make ready spaces required by the State will be 15% for multifamily, for a 10% credit. The standard RSIS parking space which is 9X18 ft with 24-foot aisles, as well as 8x22 ft for parallel parking. No parking will be permitted within the setbacks. There will also be a bicycle parking requirement as well, for people that do not use their vehicles, as well as parking and loading access for deliveries. There will be design requirements to ensure that residential entries stand out from the rest of the building, and that the buildings are not monolithically designed, and that there are windows and openness. She further stated that the garage areas will need to be screened from the roadway. The plan will ensure there are no monolithic designs and there are break ups in the facades, so that with the closer setback, it doesn't feel like there is a massive building in front of the pedestrian. The plan also calls for the facades to be built with the highest quality materials and that is cohesive with the existing neighborhood. There will also need open space requirements for landscaping, rooftop terraces, and individual balconies. Street trees will also be required, as well as trees along the property lines.

The signage requirements will be the same as the existing borough ordinances, as well as lighting. The streetscapes standards will be the same for any development plans that come across the borough, so that there is a cohesive design. The remainder of the plan will be consistent of the state requirements and the Bergen County Master Plan.

Mayor Amatorio stated he previously questioned the setback on Washington Avenue, and inquired if the setback at this location will be the same or smaller.

Ms. Knight stated that it is lower because there are only four stories with a max of 45 feet, so there is no setback requirement since it is a lower building. If this is something that you feel will enhance the design of the building, it can certainly be added.

Mayor Amatorio inquired what is the setback at the moment.

Ms. Knight stated that on Washington Avenue it is currently 10 feet, in this case, there is no setback. This also varies depending on the street frontage. She stated that on Church St, it is 3 feet on all floors off the property line.

Mayor Amatorio stated this should be pushed back more. He commented that since Church St is residential and commercial, perhaps there should be more commercial on the ground floor. He stated that for instance, along the Nissan property, there are other businesses that can be part of the mixed-use coverage.

Ms. Knight stated that as part of mixed use, they have live work studios within the neighborhood retail, along with what is existing there, as well as professional office and medical spaces, which is also similar to what is on Tyson Pl.

Mayor Amatorio stated that perhaps 40% of the ground floor should be dedicated to commercial, just as an idea. Ms. Knight stated that she will look into to see if x amount of space be reserved for commercial and residential, and see what standards exist.

Councilperson Lodato stated that he recalls amending the ordinance as far as height and stories, but does not remember amending it to 4 stories or 45 feet.

Ms. Knight stated that this requirement is separate from the ordinance, as a redevelopment plan will be brought in for areas designated as areas in need. This plan will be specific to block and lot that were designated as part of an overarching zoning plan, superseding the existing borough ordinance.

Councilperson Lodato inquired that to her knowledge, is there any reason the area cannot be designed at 3 stories and 35 feet.

Ms. Knight stated that based on her knowledge, these buildings need to have a decent amount of parking. As such, the first floor will automatically be a level of surface parking, which then only leave two to three floors as residential. The plan also calls for commercial and retail, which will increase the requirement for parking as well, and take away from the surface level parking. She stated that any developer that comes in will need at least two levels of parking, and with four levels, will then have two levels of residential.

Councilperson Lodato commented that the height will then change the nature of the neighborhood. He stated that developers will develop what is more profitable and there will be four story buildings everywhere. He stated that he supported this idea because he understands the need for redevelopment, but feels this is moving rather quickly. We need to consider what is being built because Hackensack is being overdeveloped. He stated that everywhere you look in Hackensack,

regardless of what was there, there is a residential building being built. He also inquired how much more can our roads handle.

Mayor Amatorio stated that he respects the opinion of Councilperson Lodato, but we are only speaking about the property on W Church St. He explained that the only areas that have been designated as areas in need of redevelopment are in the business district, not residential areas. He stated that none of the residential streets and areas are being designated, only the traditional and existing business districts. Mayor Amatorio stated that this will make the business district flexible as areas of redevelopment instead of residential. The presentation is only based on whether this area qualifies to be considered as an area in need. The engineers made a report that made this area a target for redevelopment. He commented that no applications have been made or approved, the borough is only considering the standards for development on what is acceptable. Mayor Amatorio stated that there is an ordinance that exceeds a building as high as 40 feet in the business district. He stated that the presentation is based on the engineer's suggestion of 45 feet. The governing body will make the final decision.

Borough Attorney Schettino clarified that it is the overlay zone that calls for 40 feet.

Ms. Knight also stated that many of the one family homes are in the business zone. These are existing based on nonconforming conditions. She explained that if something were to happen to the home, another single-family home cannot be built. She stated that by having residential apartments as part of the redevelopment plan, it is bringing it back to become a residential area to what is existing now.

Mayor Amatorio asked if the Council were to move forward and accept the study, does the Council have the flexibility to change the setback from 3 feet to 8 feet or make any further changes to the requirements.

Borough Attorney Schettino stated that if an area is designated as an area in need of redevelopment, the planning board makes the recommendation, but the governing body makes the final determination. He stated that an ordinance will then be adopted to set all the zoning requirements, which then becomes the criteria. He stated that someone can always ask for more, but the borough cannot provide less once the ordinance is adopted. Mr. Schettino explained that if the ordinance calls for 45 feet, the person can build up to 45 feet without a variance, but if they want to go above 45 feet, they would need to seek a variance. The applicant can also come in with an idea to build less than 45 feet, at 45 feet, the board has no authority to demand less, similar to a regular application. He further explained that if they are meeting all the requirements, they only need site plan approval.

Councilperson Rivera inquired that if 35 feet are approved today, but the borough wants to go up to 50 feet, does it change all the ordinance?

Mr. Schettino stated that no, it only changes the requirement for the area designated as an area in need of redevelopment. He clarified that the only areas that will be affected by the ordinance are the properties that are within the areas designated as areas in need of redevelopment.

Councilperson Rivera inquired what about the properties that are around?

Mr. Schettino stated that no, only the properties within that redevelopment area.

Councilperson Rivera stated what if John Smith has a home in that area, and wants to building up to 50 feet, can he do that?

Mr. Schettino stated yes, he can.

Mayor Amatorio inquired where we are in the process and whether other plans have been approved.

Ms. Knight stated that other studies have been done, have been designated as areas in need of redevelopment, the studies have been performed, and their plans are being drafted. This is the first one that would be approved, inclusive of 14 parcels on W Church St.

Mr. Schettino stated that the council has the authority to approve part of the plan. The council can approve all 14 or fewer properties.

Mayor Amatorio stated that this is a good area, but he is more concerned with the setback because he feels that three feet is too small, the borough should ask for more. Also, he is concerned with the 45 feet and discussion should be held on whether it should be lower or higher.

Mr. Schettino stated that these are all the decisions that need to be made before introducing the ordinance, and then the amendments can be made to the plan.

Councilperson Lodato inquired that if the height requirement is lowered, and the number of residential units are less, wouldn't the parking requirements be less as well?

Ms. Knight stated that it would be less, but parking is required for the commercial and retail spaces as well. Residential require parking on the surface level, but the commercial and retail businesses will take some of that space.

Borough Administrator Gallo stated that when the economic development committee met, which consists of Councilmembers and the Mayor, this area on Church, this area was not recommended for commercial. This area was going to be residential use only. His understanding was that the other areas would call for commercial spaces. Mr. Gallo stated that part of the challenge, you do not want to inundate the area with commercial spaces and then have vacant stores.

Ms. Knight stated no frontages on Church St can be added to the plan.

Mayor Amatorio stated that for purposes to support economic development, perhaps there are no limitations. This can be decided when the ordinance is discussed. Mayor Amatorio stated that a motion is required to designate the area as an area in need of redevelopment.

Councilperson Lodato inquired if the vote is to adopt the plan.

Mr. Schettino clarified that the vote is to designate the area, and then the ordinance will need to be introduced to adopt the requirements to establish the plan.

Councilperson Lodato stated that his concern is that an applicant goes in front of the board using this plan and stating the governing body had endorsed it.

Mr. Schettino stated that until a new ordinance is adopted, they would have to abide by the current ordinance. He stated that developers will wait until the ordinance is drafted and introduced. Everyone will need to be abide with the current ordinance.

Councilperson Rivera motioned to designate the area of West Church Street as an area in need of redevelopment. Council President Pascual seconded the motion.

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

CORRESPONDENCE

- a). Rodriguez/Resident **RE:** Request for a Road Closure/Stillman Avenue between Dick and Blackwell/Saturday, July 22, 2023/1:00 p.m. to 8:00 p.m.

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

ORDINANCES

A. Tabled Ordinance

The following ordinance published herewith was first read by title only on March 21, 2023 and posted on the bulletin board of the municipal center.

ORDINANCE 23-2612 – AN ORDINANCE AMENDING CHAPTER 268 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “STORMWATER MANAGEMENT” (TABLED 5-2-23)

No action taken.

B. Ordinance for Adoption

Mayor Amatorio read into the record:

The following ordinance published herewith were first read by title only on April 18, 2023 and posted on the bulletin board of the municipal center.

ORDINANCE 23-2617 - AN ORDINANCE AMENDING CHAPTER 186 OF THE CODE OF THE BOROUGH OF BERGENFIELD, ENTITLED “LAND DEVELOPMENT”

Public Comments on Ordinance 23-2617.

No one came forward.

Motion by Councilperson Rivera, second by Council President Pascual, to pass Ordinance 23-2617 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>	Councilperson Rivera:	<i>aye</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

A. CONSENT AGENDA

CONSENT RESOLUTION 23-183. All matters listed below are considered by the Governing Body to be routine in nature. There will be no separate discussion of these items. If any discussion is desired by the Governing Body, that item will be removed from the Consent Agenda and considered separately.

- a. **23-184**/To Approve Bill List
- b. **23-185**/To Approve Liquor License Renewals for the 2023-2024 Term
- c. **23-186**/To Approve Trust Fund Cancellation – Elm Street Relief Fund

- d. **23-187**/To Request Approval for the Insertion of a Special Item of Revenue in 2023 Budget – NJDOT Set-Aside Program for Twin Boro Park Improvements Phase 2 Project
- e. **23-188**/To Approve Veteran’s Tax Exemption – 7 Irving Place
- f. **23-189**/To Approve the Cancellation of Uncollectible Taxes
- g. **23-190**/To Authorize Grant Application – Lead Grant Assistance Program “LGAP” – Division of Local Government Services
- h. **23-191**/To Authorize Inclusion in the Bergen County Community Development Program for Fiscal Years 2024, 2025, and 2026
- i. **23-192**/To Authorize the Execution of an Agreement with the County of Bergen to Supersede the Cooperative Agreement dated July 1, 2021, And Amendments Thereto Establishing the Bergen County Community Development Program
- j. **23-193**/To Authorize the Appointment of Municipal Representatives to the Bergen County Community Development Regional Committee
- k. **23-194**/To Support the Bergen County Fire Mutual Aid Plan in the Borough of Bergenfield, County of Bergen, State of New Jersey
- l. **23-195**/To Authorize Bid - 2023 Sidewalk Improvement Project Phase II
- m. **23-196**/To Authorize Submission of New Jersey Department of Transportation Municipal Aid 2023 Grant Application and Approve Contract - Resurfacing Belford Avenue, Delford Avenue, and North 1st Street
- n. **23-197**/To Award Bid and Approve Contract – New Municipal Complex Furniture – Executive Liquidation
- o. **23-198**/To Approve Agreement - Scott Air-Paks – New Jersey Fire Equipment Co.
- p. **23-199**/To Authorize Purchase and Approve Agreement- Police Department 3x Upfits – GTBM
- q. **23-200**/To Authorize Purchase and Approve Agreement - Police Department New Equipment Builds for 2x Ford PIUs – GTBM
- r. **23-201**/To Amend Membership to Appoint Jose Vasquez on the Veteran’s Advisory Committee

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

B. Resolutions

23-202/To Re-Appoint Tax Assessor and Approve Agreement – John Bang

Motion by Councilperson Rivera, seconded by Council President Pascual, that Resolution #23-202 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>	Councilperson Rivera:	<i>aye</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

23-203/To Hire Part-Time Laborer – Marcus Oliver

Motion by Council President Pascual, seconded by Councilperson Deauna, that Resolution #23-203 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>	Councilperson Rivera:	<i>aye</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

23-204/To Hire Summer Help Laborer – Michael Koc

Motion by Council President Pascual, seconded by Councilperson Rivera, that Resolution #23-204 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>	Councilperson Rivera:	<i>aye</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

23-205/To Hire Part-Time Laborer – Eric Belfield

Motion by Councilperson Deauna, seconded by Councilperson Rivera, that Resolution #23-205 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>	Councilperson Rivera:	<i>aye</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

23-206/To Hire Part-Time Laborer – Noah Rodriguez

Motion by Council President Pascual, seconded by Councilperson Rivera, that Resolution #23-206 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>	Councilperson Rivera:	<i>aye</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

23-207/To Hire Part-Time Laborer – Robert Jurgensen

Motion by Councilperson Deauna, seconded by Councilperson Rivera, that Resolution #23-207 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>	Councilperson Rivera:	<i>aye</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

UNFINISHED BUSINESS

None.

NEW BUSINESS

A. Public Hearing on the Submission of a 2023 Bergen County Trust Fund Grant Application

- ❖ 2023 Bergen County Trust Fund Municipal Program for Park Development
 - 1. Public Comments on the Grant Application

Barry Doll resident, stated he is curious that the Basketball Courts were recently done, why is it being done over again? Could you create a dome over the basketball court? He stated the courts are being used all the time.

Mayor Amatorio stated that building a dome over the courts is very expensive.

Sergeant Major Warren Williams, resident, stated that the same is true for the tennis courts. He stated that the tennis courts are also used, but were recently updated.

Borough Administrator Gallo stated that the courts have to be refinished before they break down. The maintenance work can become very expensive due to the wear and tear. He explained that the courts need to be filled, resealed, and resurfaced to maintain and extend their lifespan. The tennis courts have not been resurfaced in at least seven years.

2. **Resolution 23-208**/To Authorize Submission of a Bergen County Open Space, Recreation, Floor Plain Protection, Farmland & Historic Preservation Trust Fund (Bergen County Trust Fund) Grant Application

Motion by Councilperson Rivera, seconded by Council President Pascual, that Resolution #23-208 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>	Councilperson Rivera:	<i>aye</i>
Councilperson Almonte:	<i>aye</i>	Council President Pascual:	<i>aye</i>

Committee/Department Reports

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

John Smith resident, stated that the proposed Church Street overlay is overdevelopment. There should be redevelopment on Washington. He stated that in the proposal, there is no mention of Bergenfield's master plan. He commented that other developers are suing municipalities because they are losing money. Mr. Smith expressed concern that overdevelopment is going to stress the roads and sewers. He stated that the governing body needs to reference the master plan and Schedule B to look at the requirements for commercial properties such as height and setback. He stated that the set-back of 3 feet will cause accidents, and it is not in line with the master plan. Mr.

Smith stated that Washington Avenue is an eyesore and the borough should think about renovating it completely, before you redeveloping anywhere else. Mr. Smith stated that Leonia is being sued because development is not consistent with what is currently in that area for redevelopment. He told everyone to look at Hackensack and redevelopment its only getting worse, look at the storm water management and water runoff.

Sergeant Major Warren Williams, resident, thanked the Mayor and Council for the presentations and for honoring Peter Matthews as a Vietnam War hero. He stated that he is following up on a request for a grant, which he referenced two meetings ago. He inquired if the information was forwarded to the consultants. He also requested a letter of support on bills to send to state representatives. He stated that veterans need to go through a full process for a renewal of their handicapped parking pass. He inquired if there is a plan in place for the parking signs to be cleaned and fixed. He further stated that he received an update from the Veteran's Service office and learned that the VA has pushed more than 65 VA claims this year. He was proud to share that Post 6467 may be made a satellite hub for Veteran's claims from the County. Mr. Williams stated the VA needs help sharing the information with the public.

Borough Administrator Gallo stated that he will follow-up on this. In terms of the Veteran's signs, there are costs associated with repairing the signs, so it is taking longer to complete. He stated that the Borough has been working on the Vietnam Memorial Wall and knows that many volunteers will be needed. He stated that this is a bigger undertaking than anyone thought, but the DPW and the Board of Education has been working together and planning this since Memorial Day. The request for volunteers will be included in the newsletter that will be coming out in the next coming weeks.

Fred Sahlberg, resident, stated that he agrees with John Smith that overdevelopment is going to kill this town. He stated that he marched in the Memorial Day Parade and noticed that an Ambulance was parked on Prospect Avenue. He asked the reason for having two ambulances parked there, and understands the need for a quick response. However, the borough needs to consider the railroad tracks, and inquire why two ambulances need to be over there as opposed to the other side of the tracks.

Steven Martinez, Dumont Resident, stated there are businesses on Washington Avenue that are currently vacant such as the gym, Payless Shoe Store and the Nissan Dealership. He inquired if anyone knows what is going there?

Mayor Amatorio stated those are private properties, we do not have any business filed with the Borough at this time.

Barry Doll, resident, thanked the Mayor and Council for their support of the Rededication of the Cemetery on Saturday, it was a successful event that was combined with the Juneteenth Holiday. He wrote a letter thanking the DPW for all the hard work completing the walk way. He presented a check for \$500 to complete the fencing for the cemetery. He stated that he appealed the decision of the zoning board, in which they passed a resolution to build a two-family home on a lot that is 5,000 square feet. He went to superior court, which resulted in the zoning board attorney responding, that the case will be held until August 2024, but he will need to pay the court costs. He stated that it is a shame and it is malicious.

Mayor Amatorio stated a resident was complaining that people were using the cemetery as a U-turn site, maybe fencing would fix that problem.

Mary Sullivan, resident, stated that in concern with the overlay zone, the zoning board will ignore all ordinances. The zoning board is running the development in this town, not the Mayor and Council. She commented that this town is going to look like Hackensack, Teaneck, Newark, and Jersey City. She further stated that the other reason for coming today is personal to her, because her brother recently passed away due to unregulated lithium-ion battery explosion. She recently

shopped at Lidl, and noticed that they sell lithium-ion batteries. She asked that the Mayor and Council pass an ordinance to stop places in Bergenfield like Lidl, from selling non-certified batteries to keep people from buying them. This could preserve one life, one firefighter, one person it would help.

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

Borough Administrator Gallo advised the public to keep in mind that the area that was presented tonight was the old Nissan property on Church Street, which has been vacant for a while. He stated that if someone wanted develop it to build single family homes, they would have. He commented that the areas the governing body is looking into are the Nissan property, and the bank on Main Street, which are both eyesores. He stated that Church Street is a beautiful street and having this development in a location that is an eyesore will make it look even better. Mr. Gallo stated that the values in of the homes and the demand for homes in Bergenfield is rising, and that is a testament to the work of the Mayor and Council. He stated that upgrades have been made with the property by Ridgetop on Hickory, and there have been no issues. The purpose for the study of areas in need of redevelopment is for the community, and the Governing body will do their best continue making improvements. The borough is looking to develop Washington Avenue, but as you can see, the process takes time. Mr. Gallo stated that he will look into the lithium batteries to see if the borough can potentially look at creating the ordinance.

Mayor Amatorio the areas for redevelopment are only commercial property areas, the residential portions on Church will stay residential. The dilapidated properties on Washington are the reason for redevelopment, which allows the borough to control the parameters of what will be built. These vacancies are there because the properties are in need of repair.

COUNCIL COMMENTS

Councilperson Lodato stated that he is not opposed to development, but is against letting the developers dictate the development because they are motivated by profit. He stated that the roads handle more than they can now, Washington Ave is tough street to negotiate mid-day.

Councilperson Rivera stated that the old Nissan Dealership is a ghost place, and if we can have something better, a better neighborhood, more income for the town, then why not. He stated that it needs to be done carefully and wisely for the benefit of the borough. Ms. Sullivan I am sorry for your loss, God Bless.

Council President Pascual shared his sincerely condolences to Mary on your loss. In regards to redevelopment, he agrees with Councilman Lodato, who is the most cautious person on this council. He stated that both Nissan Dealerships are in areas in need of redevelopment. We have to change the look of Bergenfield. He stated that it started with Foster Village, which looks great and is busy, which helps the Borough. He stated that there is a need to balance it out between the residents and the property owners. This is the first step, we presented this to the public for you to see what we are working with. Enjoy the rest of the week.

Mayor Amatorio thanked the VFW for honoring our first responders and teachers, it is great to see this as a community. He also thanked the public for voicing their concerns, expressed that they are heard, and stated that the governing body is balancing their concerns as well as the need for progress in Bergenfield and improvements to the tax base. He stated that if the borough doesn't look for other revenues like these redevelopments, then the costs are passed down to the taxpayers. He also commented that the only developments that have been done are the Ridgetop and Bella apartments. There are many vacant lots and businesses that need to be redeveloped. Mayor expressed his sincere condolences to Mary for her loss. He wished all a good night.

CLOSED SESSION

RESOLUTION **23-209**/Authorizing the Governing Body to Enter into Closed Executive Session to discuss:

- A. Attorney-Client Privilege
 - 1. Police Department Personnel Matters
 - 2. Construction Projects
 - 3. Economic Development – Contract Proposal

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

On a motion by Council President Pascual, seconded by Councilperson Rivera, and all present voting in favor, the meeting was adjourned to the Closed Session in the Executive Chambers at 10:02 p.m.

ADJOURNMENT

There being no further business to come before the Mayor and Council, on a motion by Councilperson Rivera, second by Council President Rivera, and unanimously carried, the meeting was adjourned at 11:19 p.m.

Marie Quiñones-Wilson
Borough Clerk