

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
GOVERNING BODY MEETING MINUTES
DUMONT SENIOR CENTER
DECEMBER 5, 2017
6:30 PM**

Recorder was not working.

Mayor Kelly called the meeting to order at 6:35PM

Flag Salute, Moment of Silence

Sunshine Law: The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to *The Record* and the *Ridgewood News*, posted on the Borough website and filed with the Borough of Dumont.

Roll Call:

Council members: Correa (via phone), Di Paolo, Geist, Manna, Morrell (arrived at 7:20PM), Riquelme-present

Mayor James J. Kelly-present

Motion to accept agenda as presented: Councilman Manna

Second: Councilman Di Paolo

All in favor.

Neile Weissman was present to ask that the Mayor write a letter in support of widening the walking, biking path on the George Washington Bridge while the paths are being ripped out by the Port Authority. The Mayor and Council agreed.

Recorder started.

Mayor and Council Work Session:

- Expectations pertaining to the new Municipal Building: Mayor Kelly explained that the new building will be at 50 Washington Avenue. We are voting tonight to buy a piece of property-27 W. Quackenbush-that will assist in the demolition of Borough Hall as well as extra parking. This way, the building will not have to be built on stilts, which is costly.

- Construction Management-Cumming: Councilman Manna explained that we are hiring a project management firm to oversee the project from inception to its completion. He asked the Council to consider what design they envision. Cumming has a depth of support staff and their timeline for the project was shorter than the other firms. He would like to discuss geothermal heating and cooling to see whether this would be feasible. He and the Mayor referred to their tour of the Wanaque complex and the issues they advised them to avoid. The Mayor is going to look at the Weehawken project and invited the rest of the Council, as well. Councilman Manna stated the fees of the various construction management firms and their timelines.

Councilwoman Correa asked if we should foresee any problems with the Board of Education regarding 50 Washington Avenue. Mr. Paster said the only avenue left for the Board of Education is to appeal to the State Supreme Court. Time for that will expire soon. He will follow up.

Councilman Di Paolo asked if a list of other municipalities, which have newly build complexes, could be compiled. Councilman Geist said that Cumming worked in Warren and the cost was almost half of the prospective cost of ours so he would like to look into that town's project.

Mr. Richards feels that you need a construction manager overseeing the project every day.

Councilman Geist stated that Cumming seemed to have more experience with projects similar to ours.

Availability of Monies for Utilities-Mayor Kelly explained that he spoke to the landscaper and the electrical cost is no more than \$20 per month. Mr. Richards responded that the issue is PSE&G's cost.

Cyber Security-Councilman Manna attended a seminar at the League regarding cyber security and how files are being held ransom. The ransom is paid in bitcoin and cannot be traced. After checking, he learned that our IT person is very knowledgeable regarding these issues and there is an ongoing surveillance and attention paid to risk management.

Air Traffic Control Privatization-Mayor Kelly explained that there is a resolution on tonight's agenda opposing a bill that would privatize air traffic control, which would be more costly. Councilman Manna spoke of the congestion in our area and this would maximize the profits of the hubs of the airlines so he is opposed to the bill.

No-Knock Policy-Mayor Kelly explained that this would discourage companies from knocking on your door to sell something. However, religious or other non-profits would not be included. There was discussion as to whether to keep what we have and enforcing it and making the penalties stiffer or to ban it completely except for the exceptions. More research should be conducted.

Driveway Surface-Impervious and pervious surfaces were discussed. Run-off issues were considered as well as problems created by not having a stable surface. Wood chips and dirt is not acceptable. It was agreed that the environmentalist from Remington Vernick should be consulted.

Approval of Minutes

Motion to approve the November 9, 2017 meeting minutes: Councilman Manna

Second: Councilman Geist

Roll call vote: Council members Correa, Geist, Manna, Morrell-yes

Councilman Di Paolo-abstained

Review of Consent Agenda Items: All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

RESOLUTIONS

- #17-272** Authorization to Advertise for RFQ for Municipal Judge for 2018 *
- #17-273** Daniel Hargrave-Dismiss as Active Fire Department Member *
- #17-274** Carissa Martinez-Approval as Intern with the Dumont Police Department *
- #17-275** Approval of Selzer School PTO Calendar Raffle Application to be held March 1 through May 31, 2018; RL#494; ID#109-5-37089 *
- #17-276** Approval of Selzer School PTO Bingo to be held January 20, 2018; BL#495; ID #109-5-37089 *
- 17-277** Approval of Selzer School PTO On-premise Raffle Application to be held January 20, 2018; RL#495; ID #109-5-37089 *
- #17-278** William Kelleher-Hire as Buildings and Grounds Employee-\$41,600 annual salary * This is just a transfer, not a new hire.
- #17-279** Nicholas Medina-Hire as Full-time Dispatcher-\$27,997 annual salary *
- #17-280** Rebecca Vazquez-Hire as Joint Land Use Clerk-\$150 per meeting *
- #17-281** Board of Health Secretary-\$90 per meeting *
- #17-282** Authorization of Execution of DPW Contract-January 1, 2017-December 31, 2020 *
- #17-283** Opposition to Privatization of Air Traffic Control *
- #17-284** Cumming-Hire for Construction Management Services for New Municipal Complex-\$389,000 *

Motion to open to the public: Councilman Manna

Second: Councilman Morrell

All in favor.

1. John Sansone, 119 Beacon Street, asked about Resolution #284 and the timeframe and the duties of Mr. Kelleher in Resolution #278

2. Tom Kelly, 70 Beacon Street, confirmed Mr. Kelleher's salary and his new position as a floater between Buildings and Grounds and DPW. He asked about the architect, the construction management firm and about the square footage needed.

3. Judy Parker, Susan Drive, Closter, asked if the affordable housing was going to increase by building a new Borough Hall and purchasing 27 W. Quackenbush. The attorney said no.

4. Lili Binney, 32 Roxbury Road, inquired about the Wanaque building construction. She asked how the Council will communicate about the new building. Councilman Manna said there will be a committee. Ms. Binney spoke of the timeline, payment and square footage. She asked about the stipend for the JLUB clerk and how often the Board of Health meetings are held and what they do. Ms. Binney asked about the DPW contract timeline. The Mayor explained that some of the issues were language and health benefits.

Motion to close to the public: Councilman Manna

Second: Councilman Morrell

All in favor.

Motion to approve the Consent Agenda items: Councilman Manna

Second: Councilman Di Paolo

Roll call vote: Council members Correa, Di Paolo, Geist, Manna, Morrell, Riquelme-yes

ORDINANCES

Second Reading

#1528 Authorization of the Purchase of Real Property known as Lot 6 in Block 1215 on the Tax Map of the Borough of Dumont, more commonly known as 27 West Quackenbush Avenue

Motion to waive formal reading: Councilman Manna

Second: Councilman Morrell

All in favor.

There was no discussion from the Council

Motion to open to the public: Councilman Morrell

Second: Councilman Manna

All in favor.

1. Tom Kelly, 70 Beacon Street, asked if there are currently any structures, sewers or tanks on the property. He asked the dimensions of the property and if there is an agreement attached to this purchase. The Mayor explained that we are giving him 22 spaces of the Brook Street parking lot to park his vehicles; we are fencing the area, providing a port 'o john and running electric there. Mr. Paster stated there will be a mutual indemnity and hold harmless agreement. Mr. Kelly does not feel that using the parking lot is a good idea.

2. John Sansone, 119 Beacon Street, asked about the fence. It'll be an eyesore. Were the shop owners notified?

3. Lili Binney, 32 Roxbury, asked who negotiated for this purchase and what was it assessed at? The Mayor said he did and it was assessed at \$340,000.

4. Daniel Rowel, Randolph Avenue, said he is transportation and 22 spaces for trucks costs \$300-\$500 per month.

5. Mary Ann Russini, 141 Roosevelt Avenue, asked if they really need a port 'o john and electric.

6. William Bergin, 666 Washington Avenue, feels the property owner should pay rent for the spaces.

7. Lynne Vietri, 41, Wilkens Drive, asked who would plow the lot.

8. Mary Normoyle, Randolph Avenue, asked how much time was spent on this and if the Land Use Board was involved. The response was that much time was spent and the Board was not involved since it is Borough property.

Motion to close to the public: Councilman Morrell

Second: Councilman Manna

All in favor.

Councilman Di Paolo stated that he feels the Council agrees that this is not a perfect agreement and many of the concerns brought up tonight were brought up in closed session and there was an attempt to remedy some of them but weren't able to. Mayor Kelly explained that this started a long time ago. We reached out to two other property owners as well because we would have like to have purchased two properties so we'd have more space. However, one would not sell and the other person wanted about \$200,000 more than what was negotiated with this property owner, Mr. Asplint. Mr.

Asplint said he could sell his property for a lot more but needs parking for his trucks to stay in business. It is important to have a property there to continue with the Borough Hall building.

Motion to adopt Ordinance #1528 on second reading: Councilman Manna

Second: Councilman Morrell

Roll call vote: Council members Correa, Di Paolo, Manna, Morrell-yes

Councilman Geist-abstained

#1529 Ordinance Amending Chapter 455-19 of the Borough Code-Fences and Fence Walls

Motion to waive formal reading: Councilman Manna

Second: Councilman Morrell

All in favor.

There was no discussion from the Council

Councilman Manna explained that this ordinance addresses corner properties and visual clearance.

Motion to open to the public: Councilman Manna

Second: Councilman Morrell

All in favor.

Motion to close to the public: Councilman Manna

Second: Councilman Morrell

All in favor.

Motion to adopt on second reading: Councilman Morrell

Second: Councilman Manna

Roll call vote: Council members Correa, Di Paolo, Geist, Manna, Morrell-yes

#1530 Ordinance Replacing Chapter 182-2 of the Borough Code-Construction Fees

Motion to waive formal reading: Councilman Manna

Second: Councilman Di Paolo

There was no discussion from the Council

Motion to open to the public: Councilman Manna

Second: Councilman Morrell

All in favor.

Motion to close to the public: Councilman Di Paolo

Second: Councilman Morrell

Roll call vote: Council members Correa, Di Paolo, Geist, Manna, Morrell-yes

#1531 Authorization of Lease of Lot 12, Block 825

The Mayor explained that we will use this storefront to store our records. We have been using File Bank, which charges \$40,000 a year.

Motion to waive formal reading: Councilman Manna

Second: Councilman Morrell

All in favor.

There was no discussion from the Council

Motion to open to the public: Councilman Manna

Second: Councilman Morrell

All in favor.

1. Tom Kelly, 70 Beacon Street, asked what portion of the property will be leased. He was told it used to be a barber shop.

2. Michael Sullivan, Andover Avenue, asked if it will be alarmed. The response was yes.

3. William Bergin asked the savings by using this store.

4. Karen Valido, 24 Overlook, asked for clarification of the increase. The response was that it will be a \$100 increase a month.

Motion to close to the public: Councilman Morrell

Second: Councilman Manna

All in favor.

Motion to adopt on second reading: Councilman Morrell

Second: Councilman Geist

Roll call vote: Council members Correa, Di Paolo, Geist, Manna, Morrell-yes

First Reading

#1532 Ordinance Amending Zoning: Driveways and other Paved Areas-Chapter 455-20 of the Borough Code

Motion to waive formal reading: Councilman Morrell

Second: Councilman Manna

All in favor.

Councilman Manna explained that if a double car garage is in existence, it would put it over the 20' maximum to 36' so the wording was changed and the formula was removed.

Motion to pass on first reading: Councilman Manna

Second: Councilman Morrell

Roll call vote: Council members Correa, Di Paolo, Geist, Manna, Morrell-yes

Mayor Kelly opened to the public for general comments and questions

1. Karen Valido, Overlook Drive, asked if there is an ordinance regarding where a driveway should be placed. She has noticed that some houses have more than one driveway and circular driveways. Maybe some had gotten variances. She thanked Councilman Geist for his service.

2. John Sansone, 119 Beacon Street, asked if the Recreation supplies have been removed from 50 Washington Avenue. He asked what the Shade Tree Commission tree issue was. The Mayor said he thinks it was a lack of communication between them and the Recreation Commission.

3. Gerry Aponte, 88 Hickory Street, said Rec was willing to work with Ray Slaman. Recreation was against the Bedford Park location for the tree nursery.

4. Mary Normoyle, 106 Randolph Avenue, needs an additional driveway. She doesn't have room to expand her current driveway. Other houses have more than one driveway. Councilman Manna said that if she wants another driveway, she would have to apply to the Joint Land Use Board for a variance.

5. William Bergin, Washington Avenue, has nine cars; four cars are on wood chips. He had submitted a request for all summons issued for driveways. He noticed a lot of properties with pervious surfaces, which did not receive summonses. It's very expensive to pave and twenty feet is still not wide enough for nine cars. He feels the Police Chief has something against him.

6. Daniel Rowel, Randolph Avenue, asked if anyone has looked into environmental

impact of having the landscaping trucks on the Brook Street parking lot. He asked the affordable housing number. Mr. Paster said the actual unmet need is 104.

7. Lynne Vietri, Wilkens Drive, complained about the sound system. She thinks parking on the street all year would be helpful. She asked about RFQ's for professionals and if they are available to the public. They are available. Why didn't the construction begin at D'Angelo's yet? Mr. Paster said that remediation would have to be done first. Ms. Vietri asked about the No-knock policy and how would a resident know if they are registered. She suggested they have to carry a permit.

8. Lili Binney, 32 Roxbury, feels that eminent domaining the property would have save the Borough a lot of money. Mr. Paster said you can find yourself in a protracted legal battle. Ms. Binney spoke about the Board of Education lawsuit and that it sounds like it's done. Are the emails OPRA'ble? What is the amount Landmark has in escrow? Mayor Kelly said they would not be issued permits until everything is satisfied. Councilman Geist said that he submitted an RFQ and because there is a prohibition of Council members submitting within a year, he submitted one but will do it for free. Ms. Binney is trying to figure out communication between the Shade Tree Commission and Recreation Commission. Councilman Di Paolo said that the Shade Tree had a packet with maps with what the park would look like as well as other nurseries.

9. Tom Kelly, 70 Beacon Street, spoke about affordable housing and asked when the final compliance hearing is scheduled to address the overlay, setbacks, etc. Mr. Paster said the Joint Land Use Board has to have a hearing on the Housing Element and Fair Share Plan. Once that is adopted, the Council will have to adopt five ordinances. Mr. Kelly requested events be publicized. He is concerned with historic sites and flood zones. He is concerned how the police department trailers will be kept operational. A teen center was not included in the design. He wants to make sure all details are looked into. He would like to go back into the old Borough Hall again to retrieve some items and would like to see some historic pieces incorporated into the design. He asked about CO2 in police cars. The Mayor said that the vehicles have been fixed.

Motion to close to the public: Councilman Manna

Second: Councilman Morrell

All in favor.

Motion to adjourn: Councilman Manna

Second: Councilman Morrell

All in favor.

Meeting adjourned at 9:40PM

Minutes respectfully submitted by:

Susan Connelly, RMC
Municipal Clerk