

**BOROUGH OF DUMONT
BERGEN COUNTY, NEW JERSEY
REORGANIZATION MEETING MINUTES
JANUARY 3, 2018
6:45 PM**

Mayor Kelly called the meeting to order at 6:45PM

Invocation: Ken Florio, Dumont Fire Department Chaplain

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 public Reorganization meeting in a notice sent to *The Record* and *The Ridgewood News*, filed with the Borough of Dumont, and posted on the Dumont website and the official bulletin board.

Roll Call: Council members Correa, Manna, Riquelme-present

Councilman Di Paolo-absent

Mayor James Kelly-present

The Municipal Clerk read the General Election Municipal Results:

The Official Results of the Election, dated November 16, 2017 was received by the Municipal Clerk:

Andrew LaBruno-2,383

Carole Stewart-2,319

Jared Geist-1,952

Ralph Williams-1,880

Oath of Office was administered to Andrew LaBruno, Councilman, by the Honorable Steven Fulop, Mayor of Jersey City

Oath of Office was administered to Carole Stewart, Councilwoman, by the Honorable Senator Loretta Weinberg

A representative from the County Executive Administration and Board of Chosen Freeholders presented commendations to Councilman LaBruno and Councilwoman Stewart.

Randy Duffie from the Women Empowerment Democratic Organization of Bergen County, presented Councilwoman Stewart a certificate.

Roll Call: Council members Correa, LaBruno, Manna, Riquelme, Stewart-present

Councilman Di Paolo-absent

Mayor Kelly-present

Motion to accept agenda as presented: Councilman Manna

Second: Councilman Riquelme

All in favor.

Mayor Kelly asked if there is any objection to voting on Resolution #03, the appointment of Huntington Bailey, as Borough Attorney, first. There was no objection.

Motion to adopt Resolution #03: Councilman Manna
Second: Councilman Riquelme
Roll call vote: Council members Correa, LaBruno, Manna, Riquelme, Stewart-yes

Motion to pull #18-01 from the Consent Agenda: Appointment of the 2018 Fire Chiefs:
Councilman Manna
Second: Councilman LaBruno
All in favor.
Motion to adopt Resolution #01: Councilman Riquelme
Second: Councilman Manna
Roll call vote: Council members Correa, LaBruno, Manna, Riquelme, Stewart-yes

Mayor Kelly administered the oath of office to Deputy Chief Christian Baierwalter, Assistant Chief Matthew Ferrara and Fire Chief William Ross.

Mayor Kelly introduced Bill Bailey and Dave Lafferty, of the Huntington Bailey law firm.

The Mayor called for a brief recess.

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

- #18-04 Appointment of Carl Manna as Council President for 2018 *
- #18-05 Approval of Mayor and Council 2018 Meeting Dates *
- #18-06 Appointment of Council Committees for the year 2018 *
- #18-07 Appointment of Lerch, Vinci & Higgins as Borough Auditor for 2018 *
- #18-08 Appointment of Waters, McPherson, McNeill as Borough Bond Counsel for 2018 *
- #18-09 Appointment of Acacia Financial as Financial Advisor and Arbitrage Consultant for 2018*
- #18-10 Appointment of Remington, Vernick & Arango as Borough Engineers for the year 2018 *
- #18-11 Appointment of Breslin & Breslin as Prosecutor for the year 2018 *
- #18-12 Appointment of Louis DeAngelis, Esq. as Public Defender for the year 2018 *
- #18-13 Appointment of RSC as Borough Architect for the year 2018 *
- #18-14 Appointment of McNerney & Associates as Borough Tax Appraiser for 2018 *
- #18-15 Appointment of Boggia and Boggia as Borough Tax Appeal Attorneys for 2018 *
- #18-16 Appointment of McManimon Scotland; Eric Bernstein, Esq. and Decotiis, Fitzpatrick, Cole as Borough Special Counsel for 2018 *
- #18-18 Appointment of Suburban; Remington, Vernick, Arango; L2A; CME; Boswell McClave and Neglia as Special Projects Engineers for 2018 *
- #18-19 Appointment of CME as Affordable Housing Administrator for 2018 *

- #18-20 Appointment of Connolly & Hickey as Borough Historic Architects for 2018 *
- #18-21 Appointment of Dart Computer Services as Information Technology for 2018 *
- #18-22 Appointment of Brown & Brown as Borough Risk Manager-2018 *
- #18-23 Appointment of Donald Holdsworth, Esq. as Municipal Judge *
- #18-24 Appointment of Burgis Associates as COAH Affairs Planner for 2018 *
- #18-25 Appointment of Burgis Associates as Borough Planner for 2018 *
- #18-26 Opposition to New Beekeeper Regulations *
- #18-27 Establishment of Delinquent Tax Rate/Penalties *
- #18-28 Authorization of Investment of Idle Funds *
- #18-29 Designation of Official Depositories *
- #18-30 Adoption of 2018 Temporary Municipal Budget *
- #18-31 Approval of Payroll Account *
- #18-32 Approval of Membership in the NJ League of Municipalities*
- #18-33 Approval of Membership in the Bergen County League of Municipalities *
- #18-34 Fire Department Interborough Mutual Aid *
- #18-35 Fire Department Mutual Aid with Oradell, New Milford and River Edge *
- #18-36 Appointment of Thomas Richards as Joint Insurance Fund Commissioner and Jodie Delehanty as Alternate JIF Commissioner for the year 2018 *
- #18-37 Appointment of Thomas Richards as Affirmative Action, Public Agency Compliance Officer for the year 2018 *
- #18-38 Designation of the Borough's Official Newspapers *
- #18-39 Appointment of Andrew LaBruno as Class III member of the Joint Land Use Board *
- #18-40 Approval of Bergen County Law Enforcement Mutual Aid *
- #18-41 Approval of Volunteer Tuition Credit Program *
- #18-42 Appointment of Larry Bongard as Recycling Coordinator *
- #18-43 Reappointment of Carolyn Blakeman as Clean Communities Coordinator-\$3,000 annually *
- #18-44 Jeanine Siek-Hire as Administrative Assistant-\$42,000 annually *
- #18-45 Frank Berardo-Reappointment as the Borough's Qualified Purchasing Agent *
- #18-46 Approval of Block Party, Street Closing and Live Entertainment Applications *
- #18-47 Approval of Petty Cash Account *
- #18-48 Approval of Municipal Court Cash Account *
- #18-49 Participation in New Jersey State Cash Management Fund *

Councilwoman Correa requested that #18-02 be placed on Non-consent.

Councilman LaBruno requested that #18-17 be placed on Non-consent.

Motion to open to the public on the Consent Agenda: Councilman Riquelme

Second: Councilman Manna

All in favor.

1. John Sansone, Beacon Street, asked what Clean Communities entails and what we have received. Mr. Richards stated that the State gives money to the town to clean up the town, like buying garbage cans. He will find out more. Mr. Sansone will call him.

2. Steven Martinez, 523 Prospect Avenue, asked for an explanation of Resolution #46.

3. Mary Normoyle, asked about #26. The Mayor explained that a resident in town had asked for the Council's support in opposition to new restrictive rules.

4. Jared Geist, 53 Overlook Drive, pointed out that there was no public comment on Resolution #3.

5. Lili Binney, 32 Roxbury, asked what the new attorney's billable hours are and if Mr. Bailey will be the person at the meetings. Mr. Bailey replied \$150 per hour and he and Mr. Lafferty would be attending the meetings.

6. Bruce deLyon, 67 Beacon Street, asked the duration of the temporary budget. Mr. Richards responded it's three months.

Motion to close to the public: Councilman Manna

Second: Councilwoman Correa

All in favor.

Motion to adopt the consent agenda with the exception of #18-02 and #18-17:

Councilman Manna

Second: Councilman Riquelme

Roll call vote: Council members Correa, LaBruno, Manna, Riquelme, Stewart-yes

Non-consent Agenda

#18-02 Adoption of By-laws for the year 2018 Councilwoman Correa apologized to the Council and especially to Councilman Manna because she did not respond to an email asking for input on by-law changes. She did have an issue with the time limit for residents to speak but was tired of disagreeing with her fellow council members. She requested the proposed by-laws be amended from three minutes speaking time to five minutes. That is the only thing in the by-laws she is not comfortable with. Mayor Kelly responded that the public portion is a comment portion and the majority of the Council seems to feel that three minutes should be plenty of time. If there are in-depth questions the Council is usually not prepared to answer them at the meeting; residents are encouraged to contact a Council member or the Administrator who would be happy to get the information to them.

#18-17 Appointment of Chasan, Lamparello as Borough Labor Attorney for 2018

Councilman LaBruno feels that the Police Chief's contract should not have taken so long.

Councilwoman Stewart is also opposed to the appointment.

Councilwoman Correa stated that the new council people would not have been aware of what was occurring before they were on the Council.

Councilman Manna said that he had asked that the decision on the contract be put off until the next meeting so that the new Council members could be brought up to speed. The Mayor opened to the public on the Non-consent Agenda items.

1. Tom Kelly, Beacon Street, expressed concern that what led up to this three minute limit being placed on the agenda tonight was an OPMA violation. From Councilwoman Correa and Mayor Kelly's remarks, he is concerned about when that discussion took place and what form of communication was used. Mayor Kelly responded that Councilman Manna had polled the Council. Mr. Kelly said he is prepared to take the necessary steps to remedy that if it's not corrected by the Council. He feels there have been many times the Council places items on the agenda and a decision has already been made; the public has a limited time to persuade them to change their minds. He is prepared to file an OPRA and to file a complaint. The time limit should be reconsidered.

2. Lili Binney asked if lateness could be added to the by-laws and something prohibiting the attorney from commenting to the press and charging us. She asked whether the residents' five-minute comments has led to the meetings not being constructive for the last four years, to which the Mayor stated he didn't say that.

3. deLyon, Beacon Street, said he has first amendment rights, speaking of the "decorum at meetings" list. Are there any other changes in the by-laws? The Mayor replied that there is also a call-in limitation.

4. Michael Sullivan, 125 Andover Avenue, said we need a better microphone system. The residents of Dumont need to know answers.

5. Daniel Rowell, Randolph Avenue, said that the Mayor and Councilman Manna should resign.

6. Liz Marchese, 235 Larch Avenue, asked if the Council's answer to a complicated question would be included in the three minutes. The Mayor said it would but if it's complicated, it should be asked ahead of time. He can always extend the time if necessary. Ms. Marchese said that sometimes a question comes up during the meeting. Whenever she has asked a question, the Mayor gets back to her.

7. Maryanne Russini, Roosevelt Avenue, asked if there are two readings of the by-laws. The answer was no. She feels that three minutes is not enough time.

8. Adrian Green, Juniper Street, said she has emailed and written letters to all of the Council and never received an answer, except a couple of times. Five minutes is not a lot of time.

9. Bill Brophy, 65 Larch Avenue, questioned the section which prohibits the Council from participating by phone for no more than two consecutive meetings. What are the ramifications?

10. Jared Geist, 53 Overlook, addressed Resolution #17. It would be a mistake to blame the delay of the police chief contract on the labor counsel.

Motion to close to the public: Councilman Manna

Second: Councilman Riquelme

All in favor.

Motion to adopt Resolution #18-02: Councilman Manna

Second: Councilwoman Stewart

Roll call vote: Councilman Manna-yes

Council members Correa, LaBruno, Riquelme, Stewart-no

Motion failed.

Motion to adopt Resolution #18-17: Councilman Riquelme

Second: Councilman Manna

Roll call vote: Council members Correa, Manna, Riquelme-yes

Councilman LaBruno-no

Councilwoman Stewart-abstained

Motion carried.

Motion to open to the public: Councilman Manna

Second: Councilman Riquelme

All in favor.

1. Lynne Vietri, asked if permits have been issued for D'Angelo's because the doors are open. The Mayor said that would be checked. Ms. Vietri asked about 50 Washington Avenue. Does Garden Homes have to give notice once they start? The Mayor replied

that once the Quackenbush property is acquired the building can actually be designed. Once Garden Homes comes for permits the information will be shared.

2. Lili Binney, Roxbury Road, asked if meetings are moving to the Library. The Mayor said it is being considered. Ms. Binney asked the upside of moving. The Mayor responded there would be a better sound system, seating and parking are about the same as the Senior Center. The Seniors are impacted by the meetings here. Ms. Binney said that considering the seating and parking at the Library, she sees no upside for the residents by moving to the Library. Is there a possibility that Gregg Paster will be able to bill Dumont in 2018? Councilman Manna said that there could be, in relation to the overlay and Fair Share Housing suit. Ms. Binney thanked the Council for their vote on the by-laws. She asked the two new council people what they think will be the biggest obstacle facing Dumont. The Mayor suggested that she send an email to them. Councilman LaBruno said if she emails him, he'd be happy to answer her as he has in the past.

3. Bruce deLyon, Beacon Street, said that Mr. Richards was helpful in providing information he had requested with the assistance of the Borough Clerk. He had asked about the utility accounts and the Mayor is supposed to get back to him with the information.

4. Michael Sullivan questioned whether polling the Council is illegal. Mr. Bailey, the Borough Attorney, responded that public comment is comment under Robert's Rules and OPMA. It doesn't entitle people to debate or have a question and answer period. It is not illegal.

5. Steven Martinez, 523 Prospect, questioned the meetings moving to the Library.

6. Karen Valido, 24 Overlook Drive, is concerned that parking would be difficult at the library.

Councilwoman Correa asked if the new attorney couldn't get up to date with the overlay zone without paying Mr. Paster. Councilman Manna stated that in the transition, there may be billing in between for incomplete ordinances that need to be addressed for the overlay and the Fair Share Housing documents. The Councilwoman asked the attorney for an update on how long it will take and hopes it won't be longer than six months. Mr. Bailey stated he doesn't want to duplicate any of the prior work.

Councilwoman Stewart said that it was the participation of the residents tonight that changed her mind on the allotted time limit in the by-laws.

Motion to adjourn: Councilman Manna
Second: Councilman Riquelme
All in favor.

Meeting adjourned at 8:20PM

Minutes respectfully submitted by:

Susan Connelly, RMC
Municipal Clerk