

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
MINUTES
MARCH 17, 2015
6:30 PM**

Mayor Kelly called the meeting to order at 6:30PM

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, Hayes, Manna, Morrell, Riquelme, Zamechansky-present
Mayor Kelly-present

Motion to accept agenda as presented: Councilman Morrell
Second: Councilwoman Zamechansky
All in favor.

Motion to approve the February 17, 2015 Public Meeting minutes: Councilman Manna
Second: Councilman Riquelme
Roll call vote: Council members Correa, Hayes, Manna, Morrell, Riquelme,
Zamechansky-yes

ADMINISTRATOR PERKINS' REPORT

A meeting with FEMA will be held for the Borough of Dumont April 13th at 7:00PM
The Borough will be going out to bid for garbage collection and disposal.
The Borough will be receiving \$19,000 from insurance for the DPW Front End Loader.
The BCUA sent the Borough \$499.50 in connection fees.
PSE&G was at the Senior Building about their utilities.
PSE&G will be doing work on Veterans Plaza this week.

COUNCIL COMMITTEE REPORTS

- Councilwoman Correa

Recreation

At the last meeting it was reported that all referees who had submitted proper paperwork were paid.

They will be going with Community Pass-software to pay for registrations online.

They are looking into what projects should be considered for the park areas.

Board of Education

At the last meeting there was heated discussion pertaining to the student testing from third to tenth grade.

- Councilman Hayes

Joint Land Use Board

At the last meeting the Board approved the application for 65 W. Madison Avenue. There will be apartments built on the top of the building.

Councilman Manna asked whether the JLUB looked at whether the property would fall into any COAH requirements. Councilman Hayes responded that they are putting the COAH requirements into the resolution. Since we don't know what the third round is, he said they couldn't be too specific.

Rent Leveling Board

The meeting was cancelled.

Ethics Board

The meeting was cancelled.

Finance

At the next meeting we will hopefully be able to fill the residents in on where we are with the budget.

- Councilman Manna

Finance

After he and Councilman Hayes attended a Finance and Budget seminar, it is clear that we should be projecting at least another two years. We really should have a five year and ten year goal.

We also spoke of creating a dedicated fund for road repair and replacement.

We have to look at a plan to pay down the debt we currently have while acquiring more debt.

- Councilman Morrell

Shade Tree Commission

The Councilman attended the meeting yesterday. Arbor Day will be held April 25th. Sponsorship is available for \$20 and the names will be put on shirts. There will be a celebration of our train history on June 6th.

Buildings and Grounds

Chief Faulborn would like the electronic sign at 50 Washington Avenue removed so that the police cars can back up right to the holding cell. He also requested that the dumpsters be moved up so that the police cars can be parked further back.

Library

There are many leaks. The roof is in bad shape.

- Councilman Riquelme

DPW

In February, 14 sewer jobs were done, 41 catch basins were cleaned. The DPW has been checking sewers daily in order to avoid backups. They worked on some Board of Education vehicles and fire trucks. The department received several tons of asphalt and has been filling potholes weather permitting.

- Councilwoman Zamechansky

Seniors

February 13th was their Valentine's party. Today was their St. Patty's Day party. On March 25th the Councilwoman will be joining them for a trip to the city to see the Radio City Music Hall show, followed by dinner. Tickets are still available if anyone is interested.

Ambulance Corps

Council members Zamechansky, Correa and Riquelme attended the Board of Governors meeting, which is held quarterly. They approved their budget.

Fire Department

In February, there were 40 alarms and 921 man hours.

Congratulations to Chief Banta on the birth of his son yesterday.

Police Department

There were 1,667 telephone calls for service in February; 82 calls for medical reasons. Patrol issued 272 traffic summonses, investigated 42 motor vehicle crashes and responded to 32 burglar alarms. The Detective Bureau handled 36 criminal cases.

Thank you to Police, Ambulance and Fire for the way they handled the tragedy at Grant School.

ATTORNEY PASTER'S REPORT

The legal hot button issue is the Supreme Court decision regarding the lack of progress in adopting third round rules at the Council on Affordable Housing and where we go from here. The Supreme Court authorized court action sending everyone back to the courts to determine what affordable housing accommodations should be made. Towns like Dumont, which have availed themselves of participation in the COAH process, are in significantly better position than those who haven't. Mr. Paster has conferred with Mr. Buzak who represented the League of Municipalities and the Borough Planner. The Court gave a ninety day period from last Tuesday for participating towns to take legal action to apply for court certification of compliance.

MAYOR'S REPORT

Mayor Kelly congratulated Teresa and Tom O'Malley of Dumont who served as Grand Marshalls for the Bergen County St. Patrick's Day parade.

The Mayor attended the Interborough Mutual Aid meeting. Fire Chief Banta was also in attendance. The CSX issue was discussed. The president requested that all the towns along the rail lines to provide sewer maps. They also would like to identify people in need of assistance in case of an emergency. There are several emergency notification options.

A new gym by the name of Crossfit opened recently, on the corner of Quackensbush and Washington Avenue.

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

#15-77 Authorization to Advertise for Bids-Solid Waste Collection and Solid Waste Disposal; Collection and Carting of Recycling Materials *

#15-78 DHS Music Boosters On-premise 50/50 Raffle to be held March 26, 27, 28, 2015; ID# 109-5-36714; #420 *

- #15-79** Approval of Purchase of Pickup Truck for the DPW through State Contract-\$30,333 * Mr. Perkins stated that this is being paid for through Clean Communities and Recycling.
- #15-80** Authorization of Submission of Recycling Tonnage Report Application *
- #15-81** Approval of Elks Club Pull Tab Raffle March 2015-March 2016; ID#109-6-33628; RL#423 *
- #15-82** Approval of John Stormer-Fire Department Full Membership Status *
- #15-83** Approval of Joseph Tedford-Fire Department Probationary Status *
- #15-84** Anthony Spadaro-Accept Resignation from Dumont Fire Department *
- #15-85** Approval of On-premise Merchandise Raffle for Lincoln School PTO to be held June 5, 2015; ID#109-5-30683, RL#421 *
- #15-86** Approval of On-premise 50/50 Cash Raffle for Lincoln School PTO to be held June 5, 2015; ID#109-5-30683, RL#422 *
- #15-87** Approval of Dedication by Rider for Accumulated Absences *
- #15-88** Monica Chalarca-Accept Resignation as Technical Assistant from the Building Department *
- #15-89** Bills List *
- #15-90** Rosalia Bob-Accept Resignation as Joint Land Use Board Clerk *
- Councilwoman Correa asked if all obligations have been met. For example, have all The minutes been submitted to the Municipal Clerk? Ms. Connelly responded that there are still outstanding minutes; no resolutions have ever been submitted to her. Mr. Perkins added that Ms. Bob was paid for all her meetings-they were signed off on by the Joint Land Use Board.
- Councilwoman Correa asked the Mayor to reach out to the Board and make sure that all the minutes have been done; otherwise there should be some recourse for reimbursement.
- #15-91** Dumont & Locust Avenue Resurfacing-Authorization to Enter into Agreement with Bergen County Community Development *
- #15-92** Transfer of 2014 Budget Appropriation Reserves *
- #15-93** Approval of St. Mary's Amusement Raffle to be held June 3, 2015 through June 6, 2015; ID#109-1-171, RL#424 *
- #15-94** Approval of St. Mary's Off-premise 50/50 Raffle to be held June 3, 2015 through June 6, 2015; ID#109-1-171, RL#425 *
- #15-95** Approval of St. Mary's On-premise 50/50 Raffle to be held June 3, 2015 through June 6, 2015; ID#109-1-171, RL#426 *
- #15-96** Approval of Dumont High School Music Boosters On-premise Merchandise Raffle to be held April 18, 2015; ID #109-5-36714, RL#427 *
- #15-97** Approval of Dumont High School Music Boosters On-premise 50/50 Raffle to be held April 18, 2015; ID #109-5-36714, RL#428 *
- #15-98** DPW Monopole Lease-Authorization of Execution of Extension of Agreement *

Motion to open to the public on Consent Agenda items: Councilman Hayes

Second: Councilman Riquelme

All in favor.

1. Liz Marchese, 235 Larch Avenue, asked if there is a cap on the number of absence days. What is the amount in reserve?
2. Charlotte Tobias, 176 W. Madison Avenue, asked about budget appropriations.

Motion to close to the public: Councilwoman Correa

Second: Councilman Manna

All in favor.

Motion to adopt Consent Agenda: Councilman Morrell

Second: Councilman Manna

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

ORDINANCES

Second Reading

#1484 Amendment of Chapter 36 Fire Department of the Dumont Code

Motion to waive formal reading: Councilman Manna

Second: Councilman Riquelme

All in favor.

Motion to open to the public: Councilman Manna

Second: Councilwoman Correa

All in favor.

Motion to close to the public: Councilman Morrell

Second: Councilwoman Zamechansky

All in favor.

Motion to adopt on second reading: Councilman Manna

Second: Councilman Riquelme

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

First Reading

#1483 Amendment of Chapter 209, Article V Traffic Control Officers, Fees of the Dumont Code (Revised)

Motion to waive formal reading: Councilman Manna

Second: Councilwoman Zamechansky

All in favor.

Motion to pass on first reading: Councilman Morrell

Second: Councilman Manna

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

#1485 Amendment of Chapter 75, Section 6 of the Dumont Borough Code-Police Hiring

Motion to waive formal reading: Councilwoman Zamechansky

Second: Councilman Morrell

All in favor.

There was a question regarding “augmenting” (as the ordinance states) as opposed to “replacing”. Mr. Paster explained that if the purpose is to replace it in its entirety, then that can addressed in the preamble. If the purpose is to supplement it and leave what isn’t in conflict with the new ordinance, it can be left as worded.

At the request of the Governing Body, a revision was made: fees would be paid by the applicant, not the Borough.

Motion to pass on first reading contingent upon revision noted above: Councilman Manna

Second: Councilwoman Correa

Roll call vote: council members Correa, Hayes, Manna, Morrell, Riquelme, Zamechansky-yes

Motion to open to the public on general comments or questions: Councilman Morrell

Second: Councilman Manna

All in favor.

1. Lili Binney, 32 Roxbury, asked if the Joint Land Use Board granted the variance for the multi-use building with the six apartments above it. Couldn't they have made the approval contingent upon one or two of apartments being assigned as affordable housing? COAH-will it go by a town by town basis if the issues are not resolved by the State? Mr. Paster agreed. FARM'D would like certain information provided prior to decisions being made.

2. Lynne Vietri, 41 Wilkens Drive, circulated a questionnaire which she feels would be helpful in consideration of a borough hall at 50 Washington Avenue as opposed to one at 546 Washington Avenue. She asked about a joint venture. Is 50 Washington Avenue the property of the Board of Education or the Borough? Mr. Paster responded that the Borough owns that property except for the clause which states that before the Borough can sell to any third party the Board of Education has the right of first refusal to reacquire the property for use under Title 18A of the New Jersey Statutes for use as a school, board office or school gym. A study for redevelopment of 50 Washington Avenue by the Joint Land Use Board has been commissioned. They should be voting on this at their next meeting.

3. Cathy Doherty, 110 Roxbury, asked about COAH and wanted to confirm that the Borough has ninety days. Mr. Paster stated that we have ninety days to decide how the Borough wishes to proceed (or not) with regard to its COAH compliance. We have the opportunity after the ninety days to file a declaratory judgement action seeking court sanctioning and certification of our Affordable Housing plan. Has anyone been in contact with the developer? Mr. Paster responded that there have been very preliminary discussions. Ms. Doherty asked if there is any intention to come to a deal with the potential buyer of D'Angelo's before the declaratory judgement. Mr. Paster responded if it could be resolved before that was necessary, it would be great. We probably would file anyway to cover the town in future cases. Ms. Doherty said that we need to fight against density.

4. Robert MacDonald, Lucille Avenue, complained that a three minute limit should be adhered to. The prior three speakers spoke for twenty-eight minutes

5. Courtney MacDonald, 75 Lucille Avenue, spoke of the loss of the young student a couple of weeks ago.

6. Charlotte Tobias, is a member of the Board of Health. She expressed disappointment that the new borough hall is not handicap accessible. The meeting was changed to the Senior Center but there was a conflict so it was cancelled and has not been rescheduled. The County Social Services representative was also scheduled at the new borough hall. She knows that employees go downstairs if anyone needs help. A handicap parking space is needed. She suggested a sign so that handicapped people know to call for someone to come to help them.

Mr. Perkins said that he spoke to Lt. Tamburro, the traffic officer, to see if handicapped parking could be set up during our work hours. As you walk in to the building there is a sitting room where staff has assisted people who cannot go up stairs. The DPW plans on building a concrete ramp were made but it is not advisable to pour concrete in the winter. It will be done soon.

7. Robert MacDonald, Lucille Avenue, reported that Highwood has 21 potholes. He read a letter, which he had read at the Board of Education meeting, commending the Superintendent for his actions during the recent tragic loss of the young student in town.

8. Liz Marchese, Larch Avenue, asked the height of recently Joint Land Use Board approved building. What is the current debt and how does it translate to the average taxpayer? There is a pothole on Larch and Summit. Where would one get a resolution from the Joint Land Use Board since there is no longer a secretary? Aren't there constraints as to improvements to the Library? Will you have projected numbers for the new borough hall next meeting? Mr. Paster responded that the plan is to get as much information as possible before a decision is made and once the figures are available they will be made public.

Mr. Perkins stated that a guesstimate to stay at 50 Washington Avenue would be 10-12 million dollars.

9. Peter Fusco, 42 Harwich Road, stated that he is very concerned with what is going on at D'Angelo's Farm and Borough Hall. There should be no time limit for speakers on these important issues. He feels they should put a building up with a little park.

10. Bill Brophy, 33 Cresskill Avenue, asked how precise we have to be in declaring the usage of the property if we move forward with eminent domain. Mr. Paster responded that it has to be a legitimate public purpose. Mr. Brophy said he hopes grants are being explored. We have bonds, notes and grants going back to 2003.

11. Virginia Tamburro, 596 Washington Avenue, said that she read on Facebook that Borough Hall wasn't condemned. Mr. Perkins responded that we were instructed by Bergen County Department of Health to vacate the building. Ms. Tamburro asked about the smaller D'Angelo parcel. She is concerned about the sewer lines. The Library is in poor condition and she doesn't understand why we keep repairing it.

12. Cathy Doherty, 110 Roxbury Road, asked if we have refinanced our debt. The response was yes. Why do we feel the need to dialog with the contractor if we have the ability to use eminent domain to obtain the property?

Motion to close to the public: Councilman Morrell

Second: Councilman Manna

All in favor.

The Municipal Clerk read the resolution to enter Closed Session to discuss Personnel-Police and Litigation-Landmark vs. Dumont

Motion: Councilman Manna

Second: Councilman Morrell

Roll call vote: council members Correa, Hayes, Manna, Morrell, Riquelme, Zamechansky-yes

Following closed session: motion to go back into public: Councilman Manna

Second: Councilwoman Zamechansky
All in favor.

Motion to adjourn: Councilman Manna
Second: Councilman Riquelme
All in favor.
Meeting adjourned at 10:55PM

Minutes respectfully submitted by:

Susan Connelly, RMC
Municipal Clerk