

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
PUBLIC MEETING MINUTES
SENIOR CENTER
FEBRUARY 19, 2019
6:30 PM**

Council President Manna called the meeting to order.

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 are posted at Borough Hall, was sent to *The Record* and *Ridgewood News*, posted on the Borough website and the official bulletin board.

Roll Call:

Council members Chae, Englese, LaBruno, Manna, Rossillo, Stewart-present
Mayor James Kelly-absent

President Manna announced that the Green Acres hearing will be held at the March 19th council meeting.

Motion to Accept Agenda as presented: Councilwoman Stewart

Second: Councilman Englese

All in favor.

Motion to remove Resolution #66 from the consent agenda: Councilwoman Stewart

Second: Councilman LaBruno

All in favor.

#19-66 Appointment of Kaufman Semeraro & Leibman as Borough Attorney for 2019

Motion to open to the public: Councilwoman Stewart

Second: Councilman LaBruno

All in favor.

Motion to close to the public: Councilwoman Stewart

Second: Councilwoman Rossillo

All in favor.

Motion to adopt Resolution #66: Councilwoman Stewart

Second: Councilman Englese

Roll call vote: Council members Chae, Englese, LaBruno, Manna, Rossillo, Stewart-yes
Marc Leibman, Borough Attorney, introduced himself.

ADMINISTRATOR RICHARDS' REPORT

The scaffolding is up at 50 Washington Avenue. Demolition is scheduled for Monday.

A pump at the pump station on Brook Street needs to be replaced.

We just learned that not only Recreation coaches have to be fingerprinted but DPW employees, also.

19 W. Quackenbush is now vacant.

There was an article in the paper about the building and the escalation in the costs. A resident commented that the borough should have renovated it. The building was condemned and the Council worked in the best interest of the borough and employees.

COUNCIL COMMITTEE REPORTS

- Councilman Engle

Board of Health

The Board of Health did not hold their meeting due to a lack of quorum. The next meeting is in April.

- Councilman LaBruno

New Development/COAH

On January 25 a complaint came in to the Building Department. Our code official, Dave Shellman, responded to Garden Homes to address the complaint. Both he and Boswell Engineering reported that an inserted filter needed to be added to the catch basin. Garden Homes immediately stopped work and complied with the orders. The Councilman called for a committee meeting February 13th. In addition, Boswell Engineering, building department officials, the JLUB chairman, Mayor Kelly and Garden Homes representatives took a tour of the property. Based on findings from Boswell inspectors and our building department the following was determined: Boswell Engineers stated that the infraction did not justify notification to the DEP. Surface water is being pumped out of the site. The area has been remediated, so there are no contaminants. There is a call in to Matrix to research this further to make sure that everything was remediated per DEP and EPA. Only executive summary reports are required but Boswell and Councilman LaBruno are asking for remedial action reports. Boswell and the building department will make sure the stormwater management and development of this project will be done right.

On February 28th the committee will be meeting with John Szabo, the Borough planner to take a proactive approach to our COAH requirements.

- Councilwoman Rossillo

No report

- Councilwoman Stewart

No report

- Councilman Manna

Police Department

For the year 2018, there were 24,549 phone calls for service; 1029 of those calls were for medical reasons, 114 calls for fire and 39 calls for commitments. Patrol: there were 2,463 traffic summonses, 5 DWI arrests, 297 burglar alarms responded to, 134,496 miles traveled in patrol activities. Detective Bureau: 102 firearm investigations conducted, 436 criminal cases handled; 129 domestic violence incidents investigated, with 15 mandated arrests, 119 arrest made with 33 being drug-related crimes. Training: 2,800 hours of training were conducted; all officers received Use of Force Training and Firearms Qualification training. The police reserve currently consists of 18 active members with 1,117 total volunteer hours performed.

President Manna reminded people that if they see something, say something.

ENGINEER'S REPORT

Mr. Norbut explained that they are currently working on the Washington and New Milford Avenue handicap project. The County will reimburse us for the improvements. President Manna said the fire hydrant has to be moved in order to make the curb cuts and asked Mr. Norbut to follow up on that.

They are also working on Columbia Avenue phase 1 and 2. These projects are funded by a 2017 and 2018 CDBG grant. He suggested combining the two into one bid.

Funding for DeLong Avenue improvements has been received. An application has been submitted to DOT for 2019 fiscal year for Grant Avenue.

Mr. Norbut, Mr. Richards, Councilwoman Stewart and Mr. Como met last week regarding Gina's Field Green Acres application. The grant people are the lead on this with help from Remington Vernick. The softball field improvements will require the playground equipment be moved. The First Street drainage project will be finished during warm weather.

Approval of Minutes

Motion to approve the January 15, 2019 Public Meeting minutes: Councilwoman Stewart
Second: Councilman LaBruno

Roll call vote: Council members Chae, Englese, LaBruno, Manna, Rossillo, Stewart-yes
Motion to approve the February 5, 2019 Executive Session and Closed Session minutes:
Councilwoman Stewart

Second: Councilwoman Rossillo

Roll call vote: Council members Chae, Englese, LaBruno, Manna, Rossillo, Stewart-yes

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

#19-67 Appointment of John Shahdanian as Borough Labor Attorney for 2019 *

#19-68 Appointment of Special Counsel-Eric Bernstein & Associates; Meyerson, Fox, Mancinelli & Conte; McManimon, Scotland, Baumann; Florio Kenny, Raval; Grace Marmero & Associates *

#19-69 Bills List *

#19-73 Termination of Employment of Probationary Dispatcher *

#19-74 Approval of DHS Music Boosters On-premise Cash Raffle to be held March 21st, 22nd, 23rd, and April 30, 2019; RL#530, ID#109-5-36714 *

#19-76 Cumming-Approval of Additional Preconstruction Services-\$60,000 *

#19-77 Dedication by Rider-Social Services *

#19-78 Andre Astudillo-Notice of Resignation as Dispatcher*

#19-79 Bill Bowen-Notice of Retirement *

#19-80 Approval of Hiring of Gregory Khan Buildings & Grounds Maintenance Employee-\$35,000 annual salary *

#19-81 Appointment of Jeff DeVito to the Recreation Commission to fill Ms. Russini's Vacancy *

#19-82 Appointment of Mike Prullelo to the Recreation Commission to fill Mr. Papetti's Vacancy *

#19-83 Establish a Per Diem Dispatcher Position -\$25 per hour *

#19-84 Christopher Hargrave-Approval of Hiring as Full-time Dispatcher-\$38,267.00 *
Councilwoman Stewart requested Resolution #75 be moved to non-consent.
Councilman Englese requested that Resolutions #70, 71 and 72 be moved to non-consent.

Motion to open to the public on Consent Agenda Items: Councilwoman Stewart
Second: Councilman Englese

All in favor.

1. John Sansone, 119 Beacon Street, questioned the additional expense on Resolution #76. President Manna explained that it was due to the extra time to remediate the extra asbestos and the closing on the properties.

2. Maryann Russini, Roosevelt Avenue, asked about several items on the bills list. She asked how many employees work on buildings and grounds. Mr. Richards explained that Mr. Bowen retired, Mr. Ramos took his place and the new employee will take Mr. Ramos' place

3. Bruce deLyon, 67 Beacon Street, asked why the professionals' billable hours aren't on the resolutions. Mr. Leibman said it wouldn't be available until after the resolution is approved. Dr. deLyon questioned the additional cost for Cumming.

4. Tom Kelly, 70 Beacon Street, said he was told Cumming would not bill extra if there were delays.

Motion to close to the public: Councilwoman Stewart

Second: Councilman Englese

All in favor.

Motion to adopt the resolutions on the Consent Agenda: Councilwoman Stewart

Second: Councilman Chae

Roll call vote: Council members Chae, Englese, LaBruno, Manna, Rossillo, Stewart-yes

Non-Consent Agenda

#19-70 Resolution Opposing Construction of the North Bergen Power Plant

Motion to open to the public: Councilwoman Stewart

Second: Councilman LaBruno

All in favor.

Motion to close to the public: Councilwoman Stewart

Second: Councilman LaBruno

All in favor.

Motion to adopt: Councilman LaBruno

Second: Councilwoman Stewart

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

Council members Englese and Rossillo-no

#19-71 Chief Conner-Memorandum of Agreement Clarifying Agreement Terms

Motion to open to the public: Councilwoman Stewart

Second: Councilman LaBruno

All in favor.

Motion to close: Councilwoman Stewart

Second: Councilwoman Rossillo

All in favor.

Motion to adopt: Councilwoman Stewart

Second: Councilman LaBruno

Roll call vote: Council members Chae, LaBruno, Manna, Rossillo, Stewart-yes

Councilman Englese-abstain

#19-72 Lazime Delihassani-Authorization of Settlement Agreement

Motion to open to the public: Councilwoman Stewart

Second: Councilman Chae

All in favor.

1. Maryann Russini, Roosevelt Avenue, asked who is paying this. President Manna replied that it is the insurance.

Motion to close to the public: Councilwoman Stewart

Second: Councilman LaBruno

Motion to adopt:

#19-75 Approval of Hiring Glenda Hickey as Full-time Borough Court Administrator-\$65,000

Motion to open to the public: Councilman LaBruno

Second: Councilman Englese

All in favor.

1. Bruce deLyon, Beacon Street, asked the salary of the previous Court Administrator. He asked if her supervisor, the judge, had input. Mr. Richards explained there were two sets of interviews. The interview panel consisted of the Dumont Judge, Bergen County court administrator, the Paramus court administrator and Mr. Richards. It was a unanimous decision. The judge spoke highly of Ms. Hickey. Dr. deLyon asked about merging with another town and whether there were any other employees in that department. President Manna said we would like to take other towns in once we are in the new building. There is currently a certified deputy court administrator in that office, who also interviewed for the position.

Motion to close to the public: Councilman Englese

Second: Councilman Chae

Motion to adopt: Councilman Englese

Second: Councilman Chae

Roll call vote: Council members Chae, Englese, LaBruno, Manna, Rossillo-yes

Councilman Stewart-abstain

ORDINANCES

Second Reading

#1557 An Ordinance Amending Chapter 216 of the Dumont Borough Code to Enact the Uniform Fire Safety Act and Provide for Enforcement thereof

Motion to waive formal reading: Councilman LaBruno

Second: Councilman Chae

All in favor.

Motion to open to the public: Councilman LaBruno

Second: Councilwoman Stewart

All in favor.

Motion to close: Councilwoman Stewart

Second: Councilwoman Rossillo

All in favor.

Motion to adopt on second reading: Councilman LaBruno

Second: Councilman Chae

Roll call vote: Council members Chae, Englese, LaBruno, Manna, Rossillo, Stewart-yes

#1558 Bond Ordinance Amending and Supplementing Bond Ordinance No. 1519 Finally Adopted on May 30, 2017, as Amended by Bond Ordinance No. 1550 finally Adopted on October 16, 2018, and as Supplemented by Bond Ordinance No. 1556 Finally Adopted on February 5, 2019 to revise the description of the projects referred to therein, to Appropriate an additional \$4,920,000 therefor and Authorize the Issuance of an Additional \$4,685,500 Bonds or Notes of the Borough to Finance the cost thereof

Motion to waive formal reading: Councilwoman Stewart

Second: Councilman Englese

All in favor.

There was no discussion from the Council.

Motion to open to the public: Councilwoman Stewart

Second: Councilwoman Rossillo

All in favor.

1. deLyon, Beacon Street, asked the total amount of bonding for all the ordinances and will the \$165 tax go up? Did it go out to bid yet? What is the down payment for this and where is it coming from? Councilman LaBruno responded that the amount is \$20,400,00, the additional money is for contingency. The \$165 is not set in stone. Mr. Richards said the down payment is 5%. It comes from Reserves.

2. Maryann Russini, Roosevelt Avenue, asked why we don't wait to find out about the properties before borrowing money. Councilman LaBruno replied that you can't go out to bid if you don't have the finances. Mr. Richards stated that the taking down of the three properties are included in the bid. Ms. Russini asked about the fee for \$24,000. Mr. Richards said it was an investigation by an LSRP.

3. John Sansone, Beacon Street, asked how the bidders can bid on remediation if they don't know the results. Mr. Richards replied we should have the results this week.

4. Tom Kelly, Beacon Street, made a plea to the Council to see what can be done to save the taxpayers money.

Motion to close: Councilwoman Stewart

Second: Councilman LaBruno

All in favor.

Motion to adopt: Councilwoman Stewart

Second: Councilman LaBruno

Roll call vote: Council members Chae, Englese, LaBruno, Manna, Rossillo, Stewart-yes

#1559 An Ordinance Authorizing the Purchase of Real Property by the Borough of Dumont at 23 W. Quackenbush Avenue, Dumont, New Jersey

Motion to waive formal reading: Councilwoman Stewart

Second: Councilwoman Rossillo

All in favor.

Motion to open to the public: Councilwoman Rossillo

Second: Councilman LaBruno

All in favor.

1. deLyon, Beacon Street, asked when the homeowner will be out of the house. Mr. Richards replied by the end of the month.

2. Tom Kelly, Beacon Street, said that we will be losing revenue by buying this property and another tax impact to the residents.

3. Michael Sullivan, Andover Avenue, commented that it seems like everything is rubber stamped. People are not getting information.

Motion to close: Councilman Englese

Second: Councilman Chae

All in favor.

Motion to adopt: Councilwoman Stewart

Second: Councilman Chae

Roll call vote: Council members Chae, Englese, LaBruno, Manna, Rossillo, Stewart-yes

Motion to open to the public for general comments: Councilwoman Stewart

Second: Councilman Englese

All in favor.

1. Bruce deLyon, Beacon Street, is still waiting to hear what the tax impact Bond Ordinance #1549 will be. Mr. Richards will get it to him as soon as he gets a firm number. Dr. deLyon complained that the Borough Hall was neglected for ten years. He asked if the \$5,000 insurance waiver is pensionable. He asked why robocall was used instead of Nixle. Mr. Richards explained that Nixle does not cover landlines. Dr. deLyon questioned bills for Donna Faulborn for \$3,100 and \$900 for travel reimbursement to Rome. Are there future trips requiring reimbursement? In his experience, the people going on the trip would have the price of their ticket increased to cover those costs. File Bank final payment is listed on the bills list. Mr. Richards explained that the Borough had been paying \$44,000 per year. He and Ms. Connelly looked for ways to save money and found that by renting storage space, it would cut the cost in half. Dr. deLyon questioned the Open Space Grant. President Manna stated that we haven't declared for 2019.

2. Mary Normoyle, 106 Randolph, asked if the Asplint lease was rewritten yet. She asked who handled the transaction to which Mr. Richards replied that it was Mr. Lafferty. She asked when Mr. Paster last worked on something for Dumont. Councilman LaBruno stressed that he worked on the COAH lawsuit. He was not appointed last year or this year. Ms. Normoyle asked when the lawsuit was finished.

3. John Sansone, Beacon Street, asked the amount in the Recreation trust fund. He asked that they admit that they dropped the ball on the Green Acres issue. Councilman LaBruno stated that the former attorney did not do his due diligence. We have changed attorneys this year.

4. Michael Sullivan, 125 Andover, read Dr. deLyon's statement that he had OPRA'd the info on the block and lot and said it was on the Green Acres website. Councilman LaBruno replied to Mr. Sullivan's question about the extra asbestos and spending more money, stating that the Borough did not pay for the remediation. It was included in the agreement. Mr. Sullivan asked about legal expenses.

5. Tom Kelly, 70 Beacon, stated that borough hall was not condemned. There were inspections from the County Health Department and it was the risk management company suggested moving out. Will the Asplint lease on Green Acres impact future applications? He asked the status of the borough hall demolition. Councilman LaBruno replied that it should start Monday. At the end of the demolition we would have to decide whether to remain with Garden Homes for the scaffolding. Mr. Kelly asked whether oil tanks were removed from the borough hall and the three properties. According to the resolution, environmental impacts were found. How much will remediation cost for the three properties. Mr. Richards said we are waiting for the report.

6. Robert, 183 Berkeley Place, said the railroad crossings are atrocious. The Department of Transportation will be repairing New Milford and Columbia crossings and they looked at the Madison Avenue crossing at the time. PSE&G have been digging and patching. His area has a lot of potholes. He feels his area is being neglected.

7. Maryann Russini, Roosevelt Avenue, asked why she would have come to the Council to tell them the Asplint area was Green Acres. How many lawsuits do we still have open? President Manna responded that there are two as far as he knows. Ms. Russini said that according to the by-laws, the Recreation Commission answers to the state.

8. Gerry Aponte, 88 Hickory, asked if there could be a meeting to discuss Gina's Field. The Recreation Commission is looking to work with the Council.

9. Brendan Keating, Wilkens Drive, said hopefully money will be spent wisely on fields. Some of our fields are embarrassing.

Motion to close to the public: Councilman Chae

Second: Councilwoman Stewart

All in favor.

Motion to adjourn: Councilman Chae

Second: Councilman LaBruno

All in favor.

Meeting adjourned at 8:30PM

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk

