

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
PUBLIC MEETING MINUTES
AUGUST 11, 2020
6:30 PM**

Administrator Tully hosted the meeting from Borough Hall. He announced that the meeting is being held electronically as per the Governor's Executive Orders 107 and 108.

Council President Stewart called the meeting to order.

Flag Salute and Moment of Silence for first responders and all those suffering the pain of social injustice.

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 time, date and location of this public meeting of the Governing Body by means of communication equipment, N.J.S.A. 10:4-8(b) on the Borough website, Borough Hall and Facebook.

Roll Call:

Council members: Chae, Englese, Gorman, Manna, Stewart-present

Councilwoman Rossillo-absent

Mayor LaBruno-absent

Motion to accept the agenda as presented: Councilman Englese

Second: Councilman Chae

All in favor.

Work Session-Discussion of Draft Bamboo Ordinance

Mr. Leibman explained that there have been requests from residents to the Governing Body to do something to control the spread of bamboo. It is exceptionally invasive. The draft ordinance has been crafted by the Borough Planner with input from Mr. Leibman. This issue is not unusual in Bergen County. Mr. Leibman stated that this ordinance would change the definition in the Borough Code, which is Chapter 139, in order to include bamboo.

Councilman Manna feels that this draft is too broad.

Councilman Chae asked what the timeline would be for the homeowner to remove it.

President Stewart stated that the Senior Center has been closed and transformed into a food bank. In recognition of the work she has done, Donna Faulborn has been named to the Bergen County Task Force. We are currently feeding 220+ people.

Councilman Manna explained that the pitch on DeLong Avenue is being adjusted due to water issues.

Councilman Gorman would like to recognize our new Recreation Chairman, Mike Prullelo and Director Tony Como, along with the other Commissioners. Since Mr. Prullelo has been elected the new Chairman, there has been significant progress made such as updating the bylaws for Recreation, surveying the parks and improving the flow of the meetings. There is no meeting scheduled for August.

Borough Engineer Norbut stated that we received an extension on a grant from 2018 for Memorial Park basketball courts. Administrator Tully added that we also received an extension for a Green Acres grant for Gina's Field.

Approval of Minutes

Motion to approve the July 14, 2020 Public Meeting and Closed Session: Councilman Englese

Second: Councilman Chae

Roll call vote: Council members Chae, Englese, Gorman, Manna, 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

#20-132 Payment for Accrued Time to Estate of Sergeant James Flaherty (revised total) \$4,286.92 *

#20-156 Bills List *

#20-157 Authorization of Sale of a 1993 Spartan Fire Pumper to the East Orange Fire Department-\$14,000 *

#20-158 Brookside Towing-Add to the Police Towing List *

#20-159 Authorization of Execution of Agreement-Garden Homes to Pay for Affirmative Marketing and Re-rental Funding *

#20-160 Approval of Furniture Proposal for the Municipal Complex *

#20-161 Authorization of Shared Services with Northwest Bergen County Utilities Authority *

#20-162 Authorization to Advertise for Bids for Solid Waste and Recycling *

#20-163 Appointment of Acting Chief McKeary as OEM Coordinator *

Referring to Resolution #160, the furniture is included in the bond. Mr. Cascio added that proposals were vetted. The Cloud data base saved the Borough approximately \$150,000.

Councilman Manna questioned Resolution #158. Mr. Leibman explained that our current ordinance has a limit of seven towing operators. There were nine applications submitted. Brookside was not one of the first seven so they called an attorney. He thinks that there is a reasonable chance that our ordinance could be invalidated if litigation ensued. It seemed a waste to take the chance. He is currently revising the current ordinance.

Mr. Leibman stated that the White Beeches tax appeal lawsuit has been successfully defended by Mr. Betesh. White Beeches has moved to dismiss the case against Dumont.

Councilman Chae requested that #164 be removed from the Consent Agenda since he is a member of the Elks.

Motion to open to the public: Councilman Englese

Second: Councilman Chae

All in favor.

1. Lynne Vietri, Wilkens Drive, asked about a charge on the bills list for \$647,000-high density storage and a fee paid to the past JLUB attorney for OLE.
2. Bruce deLyon, Beacon Street, asked for an explanation of #158. He commented on the fee paid to Mr. Leibman for thirteen weeks' time and asked when his next bill would be paid. He asked about the construction litigator, furniture and filing. He maintained that the building cost \$24,000,000 instead of the original \$12,000,000.
3. Tom Kelly, Beacon Street, asked if the furniture and file systems were part of the original \$19,000,000 bond or the recent \$3,500,000 bond. What is the breakdown of the recent bond?

Motion to close to the public: Councilman Englese

Second: Councilman Chae

All in favor.

Motion to adopt the Consent Agenda: Councilman Englese

Second: Councilman Chae

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

Non-consent Agenda

#20-164 Approval of Dumont Elks #2593 Pull Tab Raffle Application 7/29/20 through 7/28/21; ID#109-6-33628; RL#559

Motion to adopt Resolution #164: Councilman Englese

Second: Councilman Chae

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

Council members Chae and Gorman-abstained

Motion to open to the public for General Comment: Councilman Englese

Second: Councilman Chae

All in favor.

1. Lynne Vietri, Wilkens Drive, asked the reason for the big change order last month. Are the \$1,800 thermoscan thermometers in our possession yet? The meetings should be back in public or via Zoom. Can these meetings be live broadcasted? Is Sue Connelly keeping recordings of these meetings? Ms. Connelly is recording the meetings.

2. Bruce deLyon, Beacon Street, asked that the Council take a vote that the questions at these meetings will be answered at the next meeting. What expenditures other than the crossing guards have you cut back on? Have any payrolls been cut due to staggering schedules and remote work lessening workloads? He remarked that the Mayor has missed many meetings-look at your bylaws. He should come to the meetings and do the job he was elected to do or resign. The town is in serious debt. The Council meetings should be back in public.

3. Tom Kelly, Beacon Street, remarked on the cost of soil removal on the change order and asked how that wasn't factored into the cost of the project from the beginning. Was the soil contaminated? If so, was it remediated? If so, what was the charge for that? He agrees meetings should be live or via Zoom.

Administrator Tully stated the Borough is currently monitoring guidance from the State. The Board of Education is currently planning on opening September 2, 2020. At that time the crossing guards will no longer be furloughed. Procedures and outlines for all departments returning full-time tomorrow has been dispensed to our workforce.

Employees were tested for COVID last week and all came back negative. We'll have further announcements about opening Borough Hall by appointment only. We go through reopening with an abundance of caution, safety and health of our workforce and residents. This includes temperature checks and plexiglass being installed. The thermal scanners are in the Borough. The plexiglass and thermal scanner should qualify for the County Cares reimbursement. He has informed our workforce about expectations for all. All decisions made have been coordinated with members of our Governing Body, our labor counsel, our risk manager and the Bergen County Department of Health. There are a number of projects including Memorial Field basketball courts and Gina's Field, which we hope to have completed by Spring of 2021. Thank you to our first responders and our DPW during last week's terrible storm. We had at least 80 downed trees. Our Fire Department took about 65 calls. Our census ad is on Facebook: currently there have been 7,071 reaches. That, along with our signs and billboard, we are doing everything we can to have residents reply to the census. He thanked Sue Connelly for running point and taking the lead on this. Our ordinance committee is looking at a number of ordinances, including our sign ordinance, which has been presented to our Joint Land Use Board and the Economic Development Committee. We hope to have updates to our sign ordinance as well as our zoning ordinance in the near future.

Mr. Tully asked Mr. Leibman about the Grant & Washington project, to which Mr. Leibman responded is on hold for now.

Mr. Cascio stated that the high-density file storage number is based mainly on what the departments need in their spaces-specifically evidence rooms, the Finance Department and Police archives. He commented on the seismic change order. It's because our building is in the risk category of four-that was the main reason for the change order changing from a category B to C. That affected the electrical work and the mechanical work. The density of the soil was a lot heavier than anticipated and we could only haul a certain amount at a time. The excavation was a lot deeper than expected. There was historic fill at the property, which was tested by the LSRP. An underground storage tank was discovered, registered and sent to the LSRP. It was removed. The soil was tested and approved at the facility it was hauled to.

Motion to close to the public: Councilman Englese

Second: Councilman Chae

All in favor.

The Municipal Clerk read the resolution to enter Closed Session:

Litigation-Asplint

Litigation-Cavadias

Motion: Councilman Englese

Second: Councilman Chae

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

Following closed session, there was a motion by Councilman Englese to close the meeting, seconded by Councilman Chae, all were in favor.

The meeting was adjourned at 7:47PM

Minutes respectfully submitted by:

Susan Connelly, RMC
Municipal Clerk