

**BOROUGH OF DUMONT  
BERGEN COUNTY, N.J.  
PUBLIC MEETING MINUTES  
MAY 25, 2021  
6:30 PM**

Borough Administrator Tully opened the meeting of the Dumont Mayor & Council and announced that we continue to conduct our meetings by electronic means. He is hosting this meeting from Dumont Borough Hall located at 50 Washington Avenue.

Flag Salute – Councilman Englese

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 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). Notice was sent to the Record and the Ridgewood News, posted on the Borough website, Borough Hall and Facebook.

**Roll Call:**

Council members: Chae, Englese, Gorman, Harvilla, Rossillo, Stewart-present

Mayor Andrew LaBruno-present

Also present: Borough Administrator Chris Tully, Borough Clerk Jeanine Siek, Borough Attorney Marc Leibman, Borough Auditor Gary Vinci, CFO Issa Abbasi

The Borough Administrator announced that the State has not yet reviewed the 2021 Budget, so there will be a delay in the adoption of the budget. This is occurring in numerous municipalities. Therefore, Resolutions #21-153 – Amend the 2021 Budget and #21-154 – 2021 Budget Adoption will be pulled from tonight’s agenda. We anticipate the amendment and adoption for our June meeting. However, the presentation will move forward as advertised tonight.

Mayor LaBruno explained on Resolution #161, “West” will be removed. The Borough Clerk will change the final resolution so it reads “Authorization to Advertise for Bids for Quackenbush and Lafayette Road Improvements” so it matches the grant documents.

Motion to Accept the Agenda as presented with above mentioned changes: Councilman Englese

Second: Councilman Chae

All in favor.

**Approval of Minutes**

Motion to approve the April 27, 2021 Public Meeting minutes: Councilman Englese

Second: Councilman Chae

Roll call vote: Council members Chae, Gorman, Harvilla, Rossillo, Stewart - yes

Englese – abstain

Motion to approve the May 11, 2021 Executive Meeting: Councilman Englese

Second: Councilman Chae

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

## **Work Session**

Mayor LaBruno noted the Borough Attorney sent a memo to the Governing Body about marijuana dispensaries within the Borough. The revenue for the municipality is only one to two percent. The Mayor and retired Police Chief Mike Conner evaluated the town to see if there was a suitable area for a dispensary outside of a school, daycare, church or government zone. There was only one location throughout the entire downtown area.

Councilman Chae commented that the only acceptable site was on the border of New Milford. It used to be a mechanic shop, and it is being converted into a home.

Councilman Harvilla after reading the legislation, is of the opinion to err on the side of caution and adopt an ordinance prohibiting the establishment of cannabis business within the Borough. It will allow them to carefully review and assess the long-term prospects.

Councilman Englese agrees with Councilman Harvilla. He does not think it's the right time or place for the Borough to have something like this. We have no spots for it and it will cause traffic. We have a lot of schools and parks, and there is no financial benefit.

Councilman Chae said while it would nice to get some tax revenue added to our bottom line, he agrees we're not ready to go down the road of sustaining it as a business practice.

Councilman Gorman feels we should prohibit it at this time and see how things play out so we can make more of an informed decision later.

Councilwoman Rossillo agrees this is not something that should be brought into the town at the current time. In the future she would decide in the best interest of everyone involved.

Councilwoman Stewart also agreed there is no area in town that would accommodate this, but in the end she would approve the sale of marijuana in the community.

Mayor LaBruno said he feels no one is against the legalization of marijuana, and that is why they did a practice run with Chief Conner a couple years ago to see if the downtown area would be suitable. At this time, he feels the Borough should move forward with an ordinance banning the sale.

The Borough Administrator said that based on recent executive orders from the Governor and state guidelines, and in coordination with our Risk Manager, we've made the decision to open Borough Hall without an appointment to the public starting June 7<sup>th</sup>. We are working on a dedication for June 4<sup>th</sup>.

## **Budget Presentation**

The CFO congratulated the Mayor and Council on a successful note sale today at a record low interest rate of .155 percent. They are guided by the financial advisors, borough auditor and bond counsel. He also thanked the Finance Committee, Borough Administrator and Auditor for all of their hard work on the budget. He stated that the entire 2021 presentation of the municipal budget is available on the Borough website. The CFO then presented the 2021 Municipal Budget.

The Borough Auditor commented that State Aid has remained frozen for eleven years and this puts a burden on the other revenue sources. This is the first year the PILOT revenue is anticipated, and it is about \$365,000.00. The Borough is required to fund the library based on a state formula.

## **Public Comment**

Motion to open to the public for Comments on the 2021 Budget Presentation Only: Councilman Englese

Second: Councilman Chae

All in favor.

1. Tom Kelly, Beacon Street, questioned the garbage increase and whether it includes tipping fees and recycling. He also commented on the PILOT information, and asked what the tax payment is on that property.
2. Suzanne Riordan, Harrison Street, asked what is being fixed at the library under the grant. She will call in during public comments for consent agenda items.
3. Mary Normoyle, Randolph Street, commented on the difference in the amount of property taxes, and asked about the PILOT payments received through 2020.
4. Lynn Vietri, Wilkens Drive, questioned why a household is always assessed at \$307,000.00. She thought the PILOT amount was more and thinks the tax increase is high and would like to know why.
5. Lily Binney, Shellens Bend, State College, PA, said the \$224 increase looks like what Acacia predicted the increase would be at March 2019 meeting.

The CFO responded that the average home value is standard practice. Regarding the highest tax increase, he stated if it were not for the three mandatory increases (pension, debt and garbage contract) the Borough would have had a flat or even a decrease in the taxes this year. The garbage contract does include tipping fees and is a one-year contract with the option of renewal. The Borough Administrator, himself and members of the Council are exploring other options for the garbage contract.

The Borough Auditor commented on the calculation of the PILOT payment. A credit has to be provided to the developer since they are paying for the land taxes and 5% of the PILOT billings are sent to the County by state law.

The Borough Attorney added that we are in the first full year of the PILOT program, and there are multiple calculations done to determine how much money we will get. All of the PILOT information is available on the Borough website for the public to review.

Motion to close to the public: Councilman Englese

Second: Councilman Chae

All in favor.

## **General Order of Business**

#21-153 – Amend the 2021 Budget (PULLED)

#21-154 – 2021 Budget Adoption (PULLED)

**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**

**#21-155** – Approval of T&M Associates Proposal for Reconstruction of Basketball Courts at Memorial Park \*

**#21-156** – Approval of RVE Proposal for Rehabilitation of Grant Avenue, Phase 1 and 2 \*

**#21-157** – Approval of RVE Proposal for Gina’s Field Improvements \*

**#21-158** – Approval of Participation in Bergen County Natural Gas Co-op \*

**#21-159** – Approval of RVE Proposal for Memorial Park Phase 1 Improvements \*

**#21-160** – Bills List \*

**#21-161** – Authorization to Advertise for Bids for Quackenbush and Lafayette Road Improvements \*

**#21-162** – Authorization of Grant Application for the Dixon Homestead Library Improvement Project \*

**#21-163** – Authorization of Estimated Tax Bills \*

Councilman Harvilla stated that the grant for the Dixon Homestead Library is for refurbishment and upgrading of their ADA compliance, specifically the bathroom facilities, water fountains and access ramp. The grant will come later this year and fall under the 2022 budget. He clarified that the cost is due to the fact that the facilities are significantly out of compliance, and we are drafting this resolution now because library grants come up infrequently. The project is being managed in a way that it will not compromise any historic portions of the library. Council President Stewart added that the Borough’s cost will be around \$98,000.00 or less.

Mayor LaBruno commented that the Library gets a lot of use and is a historical site. He thanked Councilman Harvilla as the Liaison for pushing forward with this project. The Mayor added that we are finally getting to some of our road paving projects, including Quackenbush Avenue from Depew down to West Shore, Lafayette Road and Grant Avenue, Phase 1 and 2, as well as moving forward with our park projects.

Motion to open to the public for Comments on the Consent Agenda Only: Councilman Englese

Second: Councilman Chae

All in favor.

1. John Sansone, Beacon Street, questioned if resolutions 155 through 159 are included in the 2021 budget, and also asked about the tree removal and Mobile Lease charges on the bills list.
2. Suzanne Riordan, Harrison Street, thanked the Council for answering her question about the library and asked about vacant buildings in the downtown area. She also asked if the Borough pays to wash police uniforms.
3. Lynn Vietri, Wilkens Drive, asked about engineering fees for the projects and how they are structured. She inquired about committee reports. Ms. Vietri commented about the offsite rental service charge on the bills list, and said she appreciated Councilwoman Stewart’s answer regarding DPW.
4. Mary Normoyle, Randolph Avenue, asked if the check for the Special Labor Counsel on the bills list was for police and DPW contracts. She discussed the Memorial Park plans and grant application. Ms. Normoyle is concerned about the amphitheater and tree removal. She commented on the draft minutes included with the application.

5. Lily Binney, Shellers Bend, State College, PA, asked if the Dixon Homestead ADA project is a capital improvement and if it's one of the first grants we're able to get. Is it a matching 50% grant? She also questioned the anticipated cost of the library project.
6. Maryann Russini, Roosevelt Avenue, questioned the Rec trust and 2017-2021 bond interest payments on the bills list. She commented on the open space application and the necessity of an amphitheater. She also asked about the draft minutes in the application and tree removal. Ms. Russini asked if Rec voted on this.

Mayor LaBruno discussed the establishment of the Economic Development Committee a year and a half ago. They conducted a town-wide survey on how to improve our downtown area. Unfortunately, COVID hit and businesses are barely surviving, so it's been difficult to bring new business in. However, the EDC along with Council Liaison Chae are still trying their best.

Councilman Chae commented that successful businesses in town shut down due to COVID. The EDC is trying to attract business owners. He also sits on the Joint Land Use Board and there is a new spa coming into town. The one bank property in question is owned by a local family who is considering moving their business there.

Mayor LaBruno addressed the amphitheater being included in the Memorial Park application to try to maximize the grant money. The funding comes from the Borough and has nothing to do with the Recreation Commission. Once the Borough is informed of the amount, they will discuss the projects with Recreation. The Mayor has been in contact with the President of the Shade Tree Commission.

Councilwoman Stewart commented that the Borough never anticipated the needs that we would have in terms of food insecurity. We will be continuing the lease with Judy Parker since we need that space.

The CFO responded about the Recreation check to the Borough. The recreation trust is supposed to remit a reimbursement to the Borough for a portion of the cost of crossing guards for summer camps. The auditors had determined this had not been done for quite some time, so they came up with a figure of \$50,000.00.

Councilman Harvilla commented that the current Library grant application falls under capital improvements, in this case it is a one-to-one match, but it does vary from grant to grant. Grants covering ADA upgrades come along very rarely. The amount of work that went into determining the parameters for the current project was monumental.

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, Harvilla, Rossillo, Stewart-yes

Motion to open to the public for general comments: Councilman Englese

Second: Councilman Chae

All in favor.

1. Mary Normoyle, Randolph Avenue, commented about the PILOT settlement and if there is a separate line for the auditor. She asked the CFO if he attended the teleconference about how COVID money is to be used, and if the Memorial plans will be on the website. She asked if there will be in person Council meetings again when the Borough Hall opens on June 7<sup>th</sup>.
2. John Sansone, Beacon Street, discussed improvements at Memorial Park over the past ten years and how the Rec Commission votes on conceptual plans.
3. Lynne Vietri, Wilkens Drive, appreciates the conversation on the marijuana stores and agrees they don't belong in town. Will professional liability insurance cover errors and omissions from engineers and architects? Will the Borough return to in person meetings after June 7<sup>th</sup>? She asked about an application before the Joint Land Use Board and if it will have affordable housing. She questioned renting space for the food bank.
4. Lilly Binney, Shellers Bend, State College, PA, would like an estimated range for the project cost and asked if parks will be maintained properly. She commented on the \$50,000.00 for the crossing guards, and asked about the results of the survey. Ms. Binney remarked about the categories of debt increases.
5. Jennifer Winant, Magnolia Avenue, commented on how many people are in need and expressed concerned about spending and the future.
6. Jennifer Grom, Hickory Street, stated she is very happy about Recreation camp, as well as rec sports, and thanked the volunteers for coming together for the kids. She also commented on how great the programs are at the Dixon Homestead Library and about the hiring of the new police officers and diversifying our police force. She commends the Mayor, Council, Police Chief and everyone behind this effort.
7. Maryann Russini, Roosevelt Avenue, she commented on the payment from Rec for the crossing guards, and appreciates everything the library and its staff does.
8. Joe Cascio, Lehrer Cumming, discussed the resolution for services and payment, and contact with construction legal. He commented on the punch list, final payment as well as final completion.

Motion to close to the public: Councilman Englese

Second: Councilman Chae

All in favor.

Mayor LaBruno stated that Recreation voted on concept plans. The Borough seeks grant funding and once we gain funding, we finalize the plan. The funding comes from the Borough.

Councilman Chae referenced 387 New Milford Avenue which is an application in front of the Joint Land Use Board, and stated that there is no requirement for affordable housing with that project.

The Borough Attorney stated that we are not going to negotiate with our professionals, or discuss litigation or potential litigation in a public meeting. It doesn't matter what members of public identify in the public record. Decisions will be made at a public meeting, deliberations on confidential matters will not happen at public meetings; conversations are ongoing with counsel, and confidential deliberations will be done privately. When advice is finalized and considered, then it will be discussed in public and voted upon. Everyone heard Mr. Cascio say what he had to say, and I am not going to respond to him. This is not the appropriate place for conversations like that. There's Special Counsel engaged with respect to this construction project.

The CFO commented that although he was early to the American Recovery Plan call, he was unable to get on due to the influx of callers. Nothing new was released regarding the spending guidance for the ARP funds from the federal government. Due to the fact that we have a population of less than 50,000, we will receive funding from the State of New Jersey. We are still awaiting guidance from the Division of Local Government Services on how to use the ARP funds.

The Borough Administrator discussed the Memorial Park project Phase 1 covers our outdated playground equipment and Phase 2 will be a more general improvement to Memorial Park. Since we have been awarded the money through the Bergen County Open Space, we have moved forward with the engineers to provide a design and survey for Phase 1. He also commented that contracts with the DPW and Police Chief are not finalized, and that it's necessary to utilize the nearby Judpar property to store our foodbank resources once we reopen our senior center.

Mayor LaBruno stated that our playground equipment at Memorial Park is long overdue for a revamp. We don't want to see anyone get hurt or injured because of outdated equipment.

Motion to adjourn: Councilman Englese

Second: Councilman Chae

All in favor.

The meeting adjourned at 8:24 PM.

Minutes respectfully submitted by:

Jeanine E. Siek, RMC  
Municipal Clerk