

**BOROUGH OF DUMONT  
BERGEN COUNTY, N.J.  
PUBLIC MEETING MINUTES  
SEPTEMBER 14, 2021  
6:30 PM**

**Closed Session**

Mayor LaBruno called the meeting to order at 6:03 PM

**Roll Call:** Council members: Chae, Gorman (via telephone), Harvilla, Rossillo, Stewart – present, Englese – absent, Mayor Andrew LaBruno – present

Municipal Clerk Siek read the resolution to enter Closed Session to discuss:

\*Legal advice regarding Borough relationship with Library

\*Potential Litigation - CSX

Motion to enter into closed session: Councilwoman Stewart

Second: Councilman Chae

Roll Call Vote: Council members Chae, Gorman, Harvilla, Rossillo, Stewart - yes  
Englese – absent

Motion to adjourn closed session meeting: Councilwoman Stewart

Second: Councilman Chae

All in favor.

Adjournment at 6:28 PM

Mayor LaBruno 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 the *Ridgewood News*, posted on the Borough website and filed with the Borough of Dumont.

**Roll Call:**

Council members: Chae, Gorman (via telephone) Harvilla, Rossillo, Stewart – present  
Englese - absent

Mayor Andrew LaBruno – present

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

Motion to Accept the Agenda as presented: Councilman Chae

Second: Councilwoman Stewart

All in favor.

Mayor LaBruno asked members of the Dumont Police Department, Fire Department, Ambulance Corps and Department of Public Works to step up to honor them with a Proclamation for their efforts during Tropical Storm Ida and for all of the Borough's front-line workers doing an amazing job every single day here in the Borough of Dumont.

Mayor LaBruno read the Dumont Police Department, Fire Department, Ambulance Corps and Department of Public Works Appreciation Day Proclamation, thanked each department and presented them each with a Proclamation.

**General Order of Business**

**Resolution #21-213** – Authorization to Hire Dumont Police Officer Alexis Gonzalez

Motion to adopt: Councilwoman Stewart

Second: Councilwoman Rossillo

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

**Resolution #21-214** – Authorization to Hire Dumont Police Officer Dylan Van Riper

Motion to adopt: Councilwoman Stewart

Second: Councilman Chae

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

Mayor LaBruno performed the swearing-in of Dumont Police Officers Alexis Gonzalez and Dylan Van Riper.

There was a five-minute recess.

**ATTORNEY’S REPORT**

Mr. Leibman stated we are going to discuss potential litigation with CSX in closed session.

**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**

**#21-210** – Bills List \*

**#21-211** – Authorization of Emergency Appropriation for Tropical Storm Ida \*

**#21-212** – Accept Letter of Resignation from Police Officer Rashan Maddrey \*

**#21-215** – Approval of Block Party on Blanche Court \*

**#21-216** – Accept Probationary Firefighter Application for Mike Davis \*

**#21-217** – Accept Probationary Firefighter Application for Kacper Lebrowski \*

**#21-218** – Accept Probationary Firefighter Application for Aiden McKenna \*

**#21-219** – Accept AJ Spina’s Resignation from the Fire Department \*

**#21-220** – Accept Jack Sanenian’s Resignation from the Fire Department \*

**#21-221** – Approval of Recreation Commission By-Laws \*

**#21-222** – Authorization to Bid – Memorial Park Basketball Courts \*

**#21-223** – Appointment of Alternate Municipal Prosecutor \*

**#21-224** – Authorization of Emergency Contract with Gaeta Recycling for Tropical Storm Ida Clean-up \*

**#21-225** – Authorization to Approve Contract for Police Chief McKeary \*

**#21-226** – Accept Letter of Retirement from Police Chief McKeary \*

**#21-227** – Appointment of Acting Chief of Police Brian Joyce \*

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

Second: Councilman Stewart

All in favor.

1. Mary Normoyle, Randolph Avenue, asked about resolutions 216 and 218 on the consent agenda, as well as checks on the bills list. She also asked questions about the Recreation by-laws and the DPW agreement.
2. Lynn Vietri, Wilkens Drive, questioned multiple payments and what they were for on the bills list.
3. Bruce DeLyon, Beacon Street, stated the Proclamation was very nice of the Council to do for the men and women who provided a service for our community. He asked how the money will be raised for the emergency appropriation for the storm. He commented on the resignation of the police officer and the emergency contract for the storm clean-up. Furthermore, he had questions regarding the Police Chief's contract and his retirement.
4. Maryann Russini, Roosevelt Avenue, asked about a check for blinds for the municipal building and when the bid for the basketball courts is due and what the consists of. She asked if there was water damage in building from Tropical Storm Ida. She had numerous comments on the Recreation Commission By-laws and asked when the Commission voted on the by-laws.

Motion to close to the public:

All in favor.

Motion to adopt the Consent Agenda: Councilman Chae

Second: Councilwoman Stewart

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

## **ORDINANCES**

### ***2<sup>nd</sup> Reading***

**#1589** Municipal Stormwater Control Ordinance for the Borough of Dumont, New Jersey

Motion to waive formal reading: Councilman Chae

Second: Councilwoman Stewart

All in favor.

There was no discussion from the Council.

Motion to open to the public: Councilman Chae

Second: Councilwoman Stewart

All in favor.

Mary Normoyle, Randolph Avenue, asked for an explanation of the ordinance and commented that there was a check on the bills list relating to stormwater.

Motion to close to the public: Councilman Chae

Second: Councilwoman Stewart

All in favor.

The Borough Attorney responded that the State is requiring every municipality to adopt new stormwater regulations. It comes down from the Federal government and it's to protect water quality. It's a boiler plate form being adopted with a few adjustments specifically related to the Borough.

Motion to adopt on 2<sup>nd</sup> reading: Councilman Chae

Second: Councilwoman Stewart

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

**#1591** Ordinance of the Borough of Dumont, County of Bergen, State of New Jersey, Amending Chapter 75 of the Borough Code – Police Department

Motion to waive formal reading: Councilman Chae

Second: Councilwoman Stewart

All in favor.

There was no discussion from the Council.

Motion to open to the public: Councilman Chae

Second: Councilwoman Stewart

All in favor.

Motion to close to the public: Councilman Chae

Second: Councilwoman Stewart

All in favor.

Motion to adopt on 2<sup>nd</sup> reading: Councilman Chae

Second: Councilwoman Stewart

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

### ***1<sup>st</sup> Reading***

**#1590** Ordinance Established Pursuant to N.J.S.A. 40A:11-5(1)(u) and in Compliance with N.J.S.A. 40:48 – 2.49 and N.J.S.A. 56:13-16(i) for Municipal Towing and Storage Ordinance

Motion to waive formal reading: Councilman Chae

Second: Councilwoman Stewart

All in favor.

Mr. Liebman commented this ordinance is back for first reading again as he was contacted by one of the tow operators who had some suggested changes. They went through the ordinance and there are a couple changes. The original geographical limit for tow operator's storage yards was 15 miles, and it was suggested that is not convenient for residents. This was reduced to 7 miles. The original form did not have a fee for extraordinary tows, so we added a fee structure list for approximately 50 types of extraordinary tows. We also added that a storage facility must be able to take payment at their yard for a tow.

Motion to pass on 1<sup>st</sup> reading: Councilman Chae

Second: Councilwoman Stewart

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

**#1592** Ordinance Amending Chapter 63-1 of the Borough Code - Pension to Widows and Children of Deceased Volunteer Firefighters and Ambulance Corps Members

Motion to waive formal reading: Councilman Chae

Second: Councilwoman Stewart

All in favor.

Mayor LaBruno explained that we are adding our volunteer Ambulance Corps members to this ordinance to ensure their loved ones receive their pension in the event the ultimate sacrifice is made.

Councilman Chae agrees with the Mayor.

Motion to pass on 1<sup>st</sup> reading: Councilman Chae

Second: Councilwoman Stewart

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

### **Public Comment - General Comments**

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

Second: Councilwoman Stewart

All in favor.

1. Judy Parker, Susan Drive, Closter, NJ, stated she owns the parcel of land next door at 62 Washington Avenue and she received calls from the Building Department to clean up the property between her and the Borough property. She stated the Borough used to maintain this, but she did have her landscaper clean up the land. She also commented that the grade of the parking lot is higher than her property. She had a copy of her survey.
2. Bruce DeLyon, Beacon Street, asked about the status of the 2020 audit and why the time of closed session was changed. He inquired about the bond sales in April of 2020 and would like to know what the interest payments are, as well as a similar accounting summary for all bonds. Mr. DeLyon asked what the overall cost of the municipal project was and if the Borough Administrator is taking the CPM course in October.
3. Mary Normoyle, Randolph Avenue, asked various questions regarding about the Department of Public Works. She commented on the need for bike racks on Grant Avenue and how there is always a mess in the Dunkin Donuts parking lot. She asked about live streaming. Ms. Normoyle asked what the change in the stormwater ordinance was.
4. Cary Stopsky, E. Quackenbush, commented on the water that came down the brook during the storm and it flooded his street and property. He stated the DPW does clean out the grass and asked if there are any other solutions to help with the flooding such as a rock wall.

Mr. Leibman stated he had to leave the meeting but his associate Rafael Corban would be present for the remainder of the meeting. He further stated he would have to look into the bills for his firm that were in question on the bills list.

5. Lynn Vietri, Wilkens Drive, inquired about the resolution for the water damage and the Recreation Commission By-laws.
6. Maryann Russini, Roosevelt Avenue, asked about the Department of Corrections sign-off on the new Police Department and the sink hole on W. Quackenbush. She thanked Chief McKeary and congratulated Brian Joyce.

Motion to close to the public: Councilman Chae

Second: Councilwoman Stewart

All in favor.

Mayor LaBruno stated that Councilman Gorman is on teleconference and that Recreation did the By-laws with our Attorney, independent clubs are Dumont soccer and little league and have players from outside of Dumont and Little League pays a portion to use the hut.

Councilman Gorman thanked the Recreation Commission and the Attorney for their work on the by-laws. He commented that they do not want to exclude anyone and anything can be sent to the Recreation Director. He asked that if anyone had any questions to please email him.

The Mayor further stated that the Recreation Commission holds their own meetings and its best to go to those meetings to ask these questions. The Governing Body is just approving them as a formality. The Commission worked on it and passed it. These are by-laws created by them, and this is how they want their commission to run.

Council President Stewart commended those who worked on the by-laws, including Councilman Gorman, the attorney, Acting Chief Joyce, Sgt. Lezzette and Jeff DeVito, as it was 800 pages of cut and pasted, xeroxed information. They did a wonderful job, and included an appeal process that was critically important in getting these done. The Commission votes on the by-laws with regards to things such as use of the hut.

The Borough Administrator asked Ms. Normoyle to confirm the bills she had questions on via email. The DPW collective bargaining agreement was discussed at the last meeting, but it was very general as far as pay increase, overtime clarification and some sick time, workers comp and retirement. Rock the Block was Borough sponsored by the Celebrations Committee. Mr. Tully answered billing questions regarding East-West Electric and the Construction Attorney, Peckar Abramson. The CFO will answer questions regarding how the emergency appropriations work, but we went through our auditor and our QPA. We had a lot of residents in need after the storm and luckily, we moved quickly to solidify the services of Gaeta to pick up the debris and garbage.

Mayor LaBruno thanked the Borough Administrator and DPW Superintendent for everything they handled during the night of the storm. They worked non-stop, 24/7, and they were on the phone the next morning and got everything done swiftly.

CFO Ibbasi quoted the NJ Local Public Contract Law defining an emergency as “any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefore, notwithstanding that the contract price will exceed the bid threshold when an emergency effecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services.” This situation was definitely an emergency, and we did more than we had to under the purchasing law in contacting several vendors. The amount is an estimate at this time. The agenda is worked on the week prior to the meeting, and Gaeta was only able to provide us two days of collection figures. So, the amount is subject to change. The source of the funds will be raised in the succeeding years budget as per the emergency provision in the budget law. This resolution was prepared in coordination with the Borough Auditor, Administrator, DPW Superintendent, Borough Attorney and QPA.

DPW Superintendent, Anthony Schiraldi stated that Gaeta is where our current garbage company dumps the garbage from the Borough. Gaeta is coming in during off-hours, and was only able to send one truck in due to man-power issues. The Borough supplied maps and a stand-by employee to assist them since they do not normally pick up garbage in our town. The DPW has also been using their own trucks to pick up garbage due to large amount of garbage from the storm. As of today, they are pretty much caught up with the garbage collection from the storm. There are some residents who haven't had a chance to clean out yet. DPW will continue to collect, but they are in good shape. Gaeta is going to allow the DPW to dump garbage at their site in Paterson. Mr. Schiraldi answered a resident's questions: there are two standby employees every weekend in case of any emergencies; Mechanics are not on standby every weekend, they are only called in if they are needed; Regarding longevity, there were maybe five employees that had it and it was taken out of the contract many years ago.

Mr. Tully stated that the Gaeta agreement is specific to the emergency and should be covered by FEMA and the application process is under way.

Mr. Abbasi stated the audit is statutorily due on September 30<sup>th</sup>.

Mr. Tully stated that the Budget Blinds was two separate payments because it came in two deliveries.

Steve Marsich, Engineer from T&M, discussed the project for the Veterans Memorial Park Basketball Courts. The project is to resolve the cracking of the asphalt paving and to improve the drainage on the courts. They'll be reconstructing the area and expanding the size of the courts. Right now, the drainage is accomplished with a central drain in the middle. The courts will be spread out and it will include a trench drain along the sidelines. The bid will be advertised this week and the bid due date is September 28<sup>th</sup>, and the pre-bid conference is September 22<sup>nd</sup> with contractors.

Council President Stewart stated that the courts are expanding towards the pavilion and the paver stones are there from the Centennial. We've been ensured that those stones will be included and replaced so that we will not be losing any of the commemorative stones.

Mr. Marsich stated the pavers will be removed to access an existing drainage pipe below them. The pavers will be replaced with a new concrete border around them and make sure all the commemorative pavers are the ones to be placed back.

Mr. Tully commented that the Recreation By-laws were approved on August 12, 2021. He stated that he and the Borough Attorney will follow up with Judy Parker. Closed session will begin at 6 p.m. as requested by the Governing Body going forward. As for the CPM certification course, it is one day a week and this is a very busy Borough. They will have the course online beginning in 2022, but they do not have the specifics available yet. He will follow up with Mr. Stopsky regarding the brook.

Motion to adjourn: Councilman Englese  
Second: Councilman Chae  
All in favor.

The meeting adjourned at 8:02 PM.

Minutes respectfully submitted by:

Jeanine E. Siek, RMC  
Municipal Clerk