

**BOROUGH OF DUMONT
BERGEN COUNTY, NEW JERSEY
REORGANIZATION MEETING MINUTES
JANUARY 5, 2016
6:30 PM**

Mayor Kelly called the meeting to order at 6:33PM, Flag Salute
The invocation was given by Ken Florio, Dumont Fire Department Chaplain

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 public Reorganization meeting in a notice sent to *The Record* and *The Ridgewood News*, filed with the Borough of Dumont, and posted on the Dumont website and the official bulletin board.

General Election Municipal Results:

The Certified Results of the Election, dated November 10, 2015, was read by the Municipal Clerk:

James Kelly-1,595
Carl Manna-1,553
Louis Di Paolo-1,626
Rafael Riquelme-1,608
Christopher Snell-1,468
Ralph Williams-1,455

James Kelly was sworn in as Mayor on January 4, 2016

The Oath of Office was administered to Rafael Riquelme, Councilman, by Bergen County Freeholder Tom Sullivan

The Oath of Office was administered to Louis Di Paolo, Councilman, by Bergen County Freeholder Tom Sullivan

Roll Call: Council members Correa, Di Paolo, Hayes, Morrell, Riquelme, Zamechansky-present

Mayor Kelly: present

Freeholder Sullivan presented congratulatory certificates to Mayor Kelly and Council members Riquelme and Di Paolo on behalf of the Bergen County Board of Chosen Freeholders and the County Executive.

Motion to accept agenda as presented: Councilwoman Zamechansky

Second: Councilman Morrell

All in favor.

Motion to adopt Resolution #16-01-Appointment of the 2016 Fire Department Chiefs:

Councilwoman Zamechansky

Second: Councilman Morrell

Roll call vote: Council members Correa, Di Paolo, Hayes, Morrell, Riquelme, Zamechansky-yes
The Oath of Office was administered to Assistant Chief McGoldrick by Mayor Kelly.
The Oath of Office was administered to Deputy Chief Ross by Mayor Kelly.
Chief Molinaro was not present.
Mark Shrieks, the County Executive's Deputy Chief of Staff, congratulated Mayor Kelly, and Council members Di Paolo and Riquelme.
Mayor Kelly called for a five minute recess.

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

- #16-01 Appointment of 2016 Fire Department Chiefs *
- #16-02 Adoption of By-laws for the year 2016 *
- #16-03 Appointment of Gregg Paster, Esq. as Borough Attorney for the year 2016 *
Mayor Kelly moved this to non-consent.
- #16-04 Appointment of Barbara Correa as Council President for 2016 *
- #16-05 Approval of Mayor and Council 2016 Meeting Dates *
- #16-06 Appointment of Council Committees for the year 2016 *
- #16-07 Appointment of Lerch, Vinci & Higgins as Borough Auditor for 2016 *
- #16-08 Appointment of Waters, McPherson, McNeill as Borough Bond Counsel for 2016 * Mayor Kelly moved this to non-consent.
- #16-09 Appointment of Acacia Financial as Financial Advisor and Arbitrage Consultant for 2016*
- #16-10 Appointment of Remington, Vernick & Arango as Borough Engineers for the year 2016 * Mayor Kelly moved this to non-consent.
- #16-11 Reappointment of Larry Bongard as Recycling Coordinator for 2016 *
- #16-12 Reappointment of John Pampaloni, Jr as Wastewater Consultant for 2016 *
- #16-13 Appointment of RSC as Borough Architect for the year 2016 * Mayor Kelly moved this to non-consent.
- #16-14 Appointment of McNerney & Associates as Borough Tax Appraiser for 2016 *
Mayor Kelly moved this to non-consent.
- #16-15 Appointment of Diktas Gillen as Borough Tax Appeal Attorney for 2016 *
- #16-16 Appointment of Robert Mondello; Eric Bernstein; Waters, McPherson, McNeill; and Diktas Gillen as Borough Special Counsel for 2016 * The Mayor moved this to non-consent.
- #16-17 Appointment of Breslin & Breslin as Prosecutor for the year 2016 *
- #16-18 Appointment of Louis DeAngelis, Esq. as Public Defender for the year 2016 *
- #16-19 Appointment of Maser Consulting as Borough Planner for the year 2016 * The Mayor moved this to non-consent
- #16-20 Appointment of Maser Consulting as Borough COAH Planner for 2016 * The Mayor moved this to non-consent

- #16-21 Appointment of Remington, Vernick & Arango; T&M Associates, Alaimo, Boswell, CME and Maser as Special Projects Engineers for the year 2016 * The Mayor moved this to non-consent
- #16-22 Authorization of Execution of Agreement with Bergen County Municipal Joint Insurance Fund *
- #16-23 Approval of Bergen County Law Enforcement Mutual Aid *
- #16-24 Approval of Petty Cash Account *
- #16-25 Approval of Municipal Court Cash Account *
- #16-26 Participation in New Jersey State Cash Management Fund *
- #16-27 Establishment of Delinquent Tax Rate/Penalties *
- #16-28 Authorization of Investment of Idle Funds *
- #16-29 Designation of Official Depositories *
- #16-30 Adoption of 2016 Temporary Municipal Budget *
- #16-31 Approval of Payroll Account *
- #16-32 Approval of Membership in the NJ League of Municipalities*
- #16-33 Approval of Membership in the Bergen County League of Municipalities *
- #16-34 Fire Department Interborough Mutual Aid *
- #16-35 Fire Department Mutual Aid with Oradell, New Milford and River Edge *
- #16-36 Reappointment of John Perkins as Joint Insurance Fund Commissioner and Mary Winner as Alternate JIF Commissioner for the year 2016 *
- #16-37 Reappointment of John Perkins as Affirmative Action, Public Agency Compliance Officer for the year 2016 *
- #16-38 Designation of the Borough's Official Newspapers *
- #16-39 Regulation of Public Comment during Council Meetings * Councilwoman Correa requested that this resolution be moved to non-consent
- #16-40 Approval of Block Party, Street Closing and Live Entertainment Applications *
- #16-41 Approval of Volunteer Tuition Credit Program *
- #16-42 John P. Perkins-Approval of Execution of Termination of Employment Agreement *

#16-43 Authorization to Advertise for the Position of Borough Administrator *
 Councilwoman Correa commented that she and Council members Di Paolo, Riquelme and Zamechansky got Mr. Paster; Waters, McPherson, McNeill; RSC and Chasan, Leyner, Lamparello to lower their fees.

Councilman Hayes asked if we should re-advertise for the positions in which we received only one response. He also feels that Boggia & Boggia have done a good job in the past and should be reappointed. Councilwoman Zamechansky replied that many of the professionals have been working in Dumont for years and are very good. If firms can't submit the RFQ's on time, shame on them. She said that several appointments are new.

Motion to open to the public on consent agenda items: Councilman Riquelme

Second: Councilwoman Zamechansky

All in favor.

1. Chris Snell, Franklin Street, spoke of contributions made to the Democratic

candidates and District 39 by professionals, some of whom are up for appointment tonight. He asked that the appointment of the professionals be tabled tonight and researched more, some in particular.

2. DeLyon, 67 Beacon Street, asked why #16-30, Temporary Budget is on the agenda. He asked what #16-39 is about. Mayor Kelly explained that many towns have this in place already. At the last meeting a person spoke for forty-five minutes and people left. Most towns have a five minute limit. This resolution provides a ten minute limit, which allows everyone time to speak. Dr. DeLyon asked if the public would have an opportunity to participate in the hiring process of a new borough administrator. Mayor Kelly said he would bring this up to the Personnel Committee.

Motion to close to the public: Councilman Morrell

Second: Councilman Riquelme

All in favor.

Mayor Kelly stated that he would like to move the appointments mentioned by Mr. Snell to the non-consent agenda. He asked Mr. Snell to repeat them.

Motion to accept the Consent Agenda minus resolutions #3, #8, #10, #13, #14, #16, #19, #20, #21 and #39: Councilman Riquelme

Second: Councilman Morrell

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

Non-Consent Agenda

#16-03 Appointment of Gregg Paster, Esq. as Borough Attorney for the year 2016

Councilman Hayes said no reflection on Gregg for the job he does, but he is a Democratic councilman in Demarest and he would prefer someone who is apolitical.

Motion to approve: Councilwoman Zamechansky

Second: Councilwoman Correa

Roll call vote: Council members Correa, Di Paolo, Riquelme, Zamechansky-yes

Council members Hayes and Morrell-no Motion carried.

#16-08 Appointment of Waters, McPherson, McNeill as Borough Bond Counsel for 2016

Motion to approve: Councilwoman Zamechansky

Second: Councilman Riquelme

Roll call vote: Council members Correa, Di Paolo, Riquelme, Zamechansky-yes

Council members Hayes and Morrell-abstained. Motion carried.

#16-10 Appointment of Remington, Vernick & Arango as Borough Engineers for the year 2016

Motion to approve: Councilman Riquelme

Second: Councilman Di Paolo

Roll call vote: Council members Correa, Di Paolo, Morrell, Riquelme, Zamechansky-yes

Councilman Hayes abstained. Motion carried.

#16-13 Appointment of RSC as Borough Architect for the year 2016

Councilman Di Paolo pointed out that the other RFQ the borough received was from Arcari, which is the one who gave the \$12,000,000 quote for the four different proposals for the Borough Hall.

Motion to approve: Councilwoman Correa

Second: Councilman Di Paolo

Roll call vote: Council members Correa, Di Paolo, Riquelme, Zamechansky-yes

Council members Hayes and Morrell-no. Motion carried.

#16-14 Appointment of McNerney & Associates as Borough Tax Appraiser for 2016

Motion to approve: Councilman Riquelme

Second: Councilman Morrell

Roll Call vote: Council members Correa, Di Paolo, Hayes, Morrell, Riquelme,

Zamechansky-yes Motion carried.

#16-16 Appointment of Robert Mondello; Eric Bernstein; Waters, McPherson, McNeill;
and Diktas Gillen as Borough Special Counsel for 2016

Motion to approve: Councilwoman Correa

Second: Councilman Di Paolo

Roll call vote: Council members Correa, Di Paolo, Morrell, Riquelme, Zamechansky-yes

Councilman Hayes-no

#16-19 Appointment of Maser Consulting as Borough Planner for the year 2016

Motion to approve: Councilman Riquelme

Second: Councilman Di Paolo

Roll call vote: Council members Correa, Di Paolo, Riquelme, Zamechansky-yes

Councilman Hayes-abstained

Councilman Morrell-no. Motion carried.

#16-20 Appointment of Maser Consulting as Borough COAH Planner for 2016

Motion to approve: Councilman Hayes

Second: Councilman Riquelme

Councilwoman Correa commented that she is hesitant to change planners this far into COAH. Councilman Riquelme agreed.

Roll call vote: Council members Correa, Di Paolo, Hayes, Riquelme, Zamechansky yes.

Councilman Morrell-no. Motion carried.

#16-21 Appointment of Remington, Vernick & Arango; T&M Associates, Alaimo, Boswell, CME and Maser as Special Projects Engineers for the year 2016

Motion to approve: Councilwoman Zamechansky

Second: Councilwoman Correa

Roll call vote: Council members Correa, Di Paolo, Hayes, Riquelme, Zamechansky

yes.

Councilman Morrell: no Motion carried.

#16-39 Regulation of Public Comment during Council Meetings

Councilwoman Correa commented she doesn't believe there should be any time limit for residents to express their concerns.

Councilman Di Paolo stated that there are so many issues at this time there should be no limit.

Mr. Paster responded that the resolution states that the time limits can be relaxed upon motion and assent from a majority of the Governing Body seated at the time it feels that relaxing of the time limit is appropriate.

Councilwoman Zamechansky stated that it's great that people do research and are passionate about issues. When people get up and speak forty minutes on an issue and

another person speaks twenty minutes on the same issue, people leave. It's not fair to the residents.

Councilman Hayes agreed with the Councilwoman. Residents have issues besides those from the farm district and they end up leaving because they can't wait until late at night to speak.

Motion to open to the public: Councilman Riquelme

Second: Councilwoman Correa

All in favor.

1. Bill Brophy, 65 Margaret Court, asked about guidelines in Robert's Rules. Mr. Paster responded that Robert's Rules does call for procedure but it doesn't put specific time limits. Enough members of the Governing Body approached him to see how we can limit some of the filibustering going on. This resolution is legal. A lot of towns limit speakers to three minutes.

2. Judy Parker, 55 Susan Drive, Closter, encouraged the passing of the resolution. Closter allows five minutes. When one person speaks for forty minutes and others are waiting to speak, it isn't fair.

3. Jerry Drummond, 60 Blauvelt Avenue, stated that the Freeholders allow three minutes. He agrees with Gregg-you should be able to say what you want to say in ten minutes. If not, you can always write it out and give to each of the council members.

4. Maryanne Russini, 141 Roosevelt, doesn't like the resolution. Maybe the people who abuse the time can be curbed. Maybe we should put a clock for people to see. Also, the council should put their phones away.

5. Sabino Rodano, 111 Cresskill Avenue, asked if there is a provision in the resolution for the people of the town to ask for a suspension of the rule. Mr. Paster replied there isn't. A speaker can always ask for extra time.

6. Rachel Bunin, 9 Poplar, stated that they need a venue to provide information and so far the Council meeting is the only one they have found. If another venue could be provided, it would be great.

7. Tom Kelly, 70 Beacon Street, is opposed to the limitations, especially if it is in response to one long-winded speaker. Council meetings are the only place they feel they can get answers. Mr. Paster said that putting limitations at a specific meeting would be arbitrary. By setting a policy that can be relaxed, the public is on notice that the limit can be relaxed.

Motion to close to the public: Councilman Riquelme

Second: Councilman Hayes

All in favor.

Mayor Kelly stated that it is less about the Governing Body's time being taken up and more about the residents' time. The Council stays for closed session many times until late at night. The Council has email and phones people can use to access them. Also, if they could send questions ahead of time it would make things go faster. He said he is in favor of this resolution.

Councilman Di Paolo stated that this resolution could use more comment and public discussion.

Motion to approve: Councilman Morrell

Second: Councilman Hayes

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

Council members Correa, Di Paolo, Riquelme-no
Mayor Kelly-yes. Motion carried.

#16-44 Appointment of Chasan, Leyner, Lamparello as Borough Labor Attorney
Councilman Hayes stated it is time for a change-someone with more experience.

Councilwoman Correa stated that she has only dealt with this firm in the past six weeks. Every email and question has been answered in a timely manner. Contracts should not include “past practice”.

Councilman Di Paolo said that the Mayor sent an email with his rationale for putting this resolution on the non-consent agenda. He feels the Mayor made a good case to look into it further. He feels that if there are concerns they should be discussed ahead of time. He would like to make a motion to table this resolution so that it can be discussed.

Motion to table: Councilman Di Paolo

Second: Councilman Hayes

Roll call vote: Council members Di Paolo, Hayes, Morrell-yes

Council members Correa, Riquelme, Zamechansky-no

Mayor Kelly-yes Motion to table carried.

Motion to open to the public: Councilman Riquelme

Second: Councilman Hayes

All in favor.

1. De Lyon, Beacon Street, stated that Councilman Hayes’ comments are ridiculous. “You say you are bipartisan but you have a plant in the audience”. We need to have a bipartisan position in this town. He complimented the council members who got a reduction in professional fees. He would like to know the details of the contracts, etc.

2. Chris Snell, 84 Franklin, said they follow all the ELEC processes, contrary to Councilman Di Paolo’s comment that the Republicans had not filed when he looked for the information by the deadline. Mr. Snell would like the record corrected.

3. Maryanne Russini, Roosevelt, asked if there could be a mailbox so that residents can submit questions ahead of time. The Mayor said a mailbox could be set up.

4. Tom Kelly, 70 Beacon Street, agrees with retaining Maser but information should be verified. The Mayor said they are planning on meeting with Maser next week to go over information and where we stand with Landmark.

5. Tim Hickey, 165 Randolph, asked for everyone to work together for the betterment of Dumont. Special thanks to Councilwoman Zamechansky for the work she does with Celebrations.

Motion to close: Councilman Morrell

Second: Councilwoman Zamechansky

All in favor.

Mr. Paster said that as of yesterday, our next day in court on the declaratory judgment and builder’s remedy action is January 28th. It’s a case management conference.

Mr. Perkins announced that the shredding date is January 23rd at the DPW from 9-12.

Motion to adjourn: Councilman Morrell

Second: Councilman Hayes

All in favor.

Meeting adjourned at 8:30PM

Minutes respectfully submitted by

Susan Connelly, RMC
Municipal Clerk