

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
PUBLIC MEETING MINUTES
NOVEMBER 21, 2022
6:30 PM**

Council President Rossillo called the meeting to order at 6:35 PM.

Flag Salute, Moment of Silence

Sunshine Law: In compliance with the Open Public Meetings Act of the State of New Jersey, Notification of this Meeting has been sent to our Official Newspapers, posted on the Borough website and Notice posted at Borough Hall and filed with the Borough of Dumont.

Oath of Office was administered to Tom Kelly, Councilman, by the Honorable Robert Auth, Assemblyman

Roll Call:

Council members: Gorman, Harvilla, Kelly, Rossillo, Russell, Stewart - Present
Mayor Andrew LaBruno - Absent

Also in attendance: Borough Administrator Chris Tully, Borough Clerk Jeanine Siek, CFO Issa Abbasi, Borough Engineer John Dunlea

Motion to accept the agenda as presented: Councilman Harvilla
Second: Councilman Gorman
All in favor.

Accreditation Program Director Harry Delgado of the NJ State Association of Chiefs of Police presented the Certificate of Accreditation to Chief Brian Joyce, Captain Kyle Lezette and Lieutenant Charles Hogan of the Dumont Police Department.

Approval of Minutes

Motion to approve the October 25, 2022 Public Meeting minutes: Councilwoman Stewart;
Second: Councilwoman Gorman;
Roll call vote: Council members: Gorman, Harvilla, Rossillo, Stewart – yes;
Kelly, Russell – abstain

COUNCIL COMMITTEE REPORTS

Councilman Gorman

• *Police*

The Councilman stated it has been a pleasure working with Chief Joyce and the Police Department. They did an amazing job with the grueling, long-term accreditation process.

Councilman Harvilla

The Councilman congratulated Chief Joyce, the former Chiefs and the entire Police Department for doing an outstanding job. He wished everyone a Happy Thanksgiving and welcomed aboard Councilman Tom Kelly. The Councilman said it was a pleasure serving with Councilwoman Denise Wrightington.

ATTORNEY'S REPORT

Mr. Leibman reported that CSX has not filed a responsive pleading to the lawsuit filed against them yet. His associate, Rafael Corbolan did a lot of work on this, and also filed the complaint with the Service Transportation Board a few days ago and have not received a response back.

ADMINISTRATOR'S REPORT

Mr. Tully congratulated the Police Department on all their great work and receiving the accreditation. He thanked Councilwoman Wrightington, and welcomed Councilman Kelly. The budget prep is beginning for next year and planning for Winter Fest.

CFO REPORT

Mr. Abbasi reported on various resolutions on tonight's agenda, including resolution #276 which is a budget transfer where the Borough is permitted to transfer funds from November 1st through March 31st between its accounts as per N.J.S.A. 40A:4-58. Resolution #278 is a Chapter 159 resolution that adds funds to the budget for a grant received for Recreational Opportunities for Individuals with Disabilities and Resolution #279 is the annual Salary Resolution for all borough employees not covered by a bargaining unit and these increases were included in the 2022 adopted budget.

The Municipal Clerk read the 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

- #22-261 – Bills List *
- #22-262 – Authorization to Advertise for RFQ for Professionals *
- #22-263 – Promote Judiann Rainey to Part-time Deputy Municipal Court Administrator *
- #22-264 – Authorization to Execute Library Grant Agreement & Contracts *
- #22-265 – Approval of Lincoln School PTO On-Premise Merchandise Raffle *
- #22-266 – Approval of DHS Project Graduation Off-Premise 50/50 Cash Raffle *
- #22-267 – Approval of DHS Project Graduation Off-Premise Merchandise Raffle *
- #22-268 – Approval of DHS Athletic Booster Association Off-Premise Merchandise Raffle *
- #22-269 – Approval of DHS Athletic Booster Association Off-Premise 50/50 Cash Raffle *
- #22-270 – Approval to Change November Mayor & Council Meeting Date *
- #22-271 – Authorization of 100% Veteran Tax Deduction – Block 813, Lot 10 *
- #22-272 – Approval to Refund Escrow Account Money *
- #22-273 – Endorsement of CDBG Project for Vantage Health System Preparation, Prevention & Response to COVID 19 #4 *
- #22-274 – Approval to Hire Nicole DeJoie #345 as a Police Department Dispatcher *
- #22-275 – Approval to Hire Gina Dolson #346 as a Police Department Dispatcher *
- #22-276 – Authorization of 2022 Budget Transfers *
- #22-277 – Approval of DHS Athletic Booster Association Off-Premise Armchair Raffle *
- #22-278 – Amend 2022 Municipal Budget – Chapter 159 ROID Grant *
- #22-279 – Approval of 2022 Salary Resolution *

5. Tracy McAuliffe, Wolcott Road, asked about the veteran tax deduction resolution.
6. Maryanne Russini, Roosevelt Avenue, questioned the RFQ resolution and when they are due, and why the meeting date was changed?

Motion to close to the public: Councilman Harvilla

Second: Councilman Gorman; All in favor.

Motion to adopt the Consent Agenda: Councilwoman Stewart

Second: Councilman Gorman; Roll call vote: Council members: Gorman, Harvilla, Kelly, Rossillo, Russell, Stewart – yes

ORDINANCES

2nd Reading

#1613 Ordinance Amending Chapter 455-30 of the Dumont Borough Code – Lead-Based Paint Inspection Fees

Motion to **WAIVE** Formal Reading: Councilwoman Stewart

Second: Councilman Gorman

All in favor.

No discussion by the Council.

Motion to open to the public: Councilman Gorman

Second: Councilwoman Stewart

All in favor.

1. Tony Morfesis, John Street, Englewood Cliffs, NJ, owns homes in Dumont and he would like to know if he needs to do the inspections immediately and how it works. The Borough Attorney replied that it is set forth in the ordinance. Whenever there is tenant turnover or within two years, it has to be inspected. There is a Borough fee, as well as a State fee collected by the Borough.
2. Judy Parker, Susan Drive, Closter, NJ, asked what the fees are.

Motion to close to the public: Councilwoman Stewart

Second: Councilman Gorman

All in favor.

Motion to **ADOPT** on 2nd reading: Councilwoman Stewart

Second: Councilman Gorman

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

Kelly – abstain

1st Reading

#1599 Ordinance Amending Chapter 21-5 of the Borough Code – Parking Prohibited Between 2:00 a.m. and 6:00 a.m.(revised)

Motion to **WAIVE** Formal Reading: Councilwoman Stewart

Second: Councilman Gorman; All in favor.

Councilman Harvilla has concerns about suspending the parking prohibition. For the last two years, suspending overnight parking was done to remediate emergency situations as a resolute of the Covid-19 pandemic. People were working from home, college students were living at home, and there was not adequate driveway space. From a public safety standpoint, he is concerned with repealing overnight parking during the winter because there are challenges with snowfall. There are also challenges with leaf collection if cars are parked overnight.

All in favor.

Mr. Leibman explained the Recreation Department requested an update to this ordinance due to outside organizations requesting usage of Borough fields. Some of the parks are funded by Green Acres and state laws require Green Acres to approve the ordinance. They asked for some changes and have approved it in this form. There are state laws that require certain signage. The Borough is allowed to charge out of town groups twice as much as in town groups.

Councilman Kelly asked for clarification on the changes that were made between the first readings. Mr. Leibman explained it had to do with the fees.

Motion to **PASS** on 1st Reading: Councilwoman Stewart

Second: Councilman Russell

Roll Call Vote: Council members Gorman, Harvilla, Kelly, Rossillo, Russell, Stewart – yes

#1611 Ordinance Amending Chapter 344 of the Borough Code – Shade Trees (revised)

Motion to **WAIVE** Formal Reading: Councilman Gorman

Second: Councilwoman Stewart

All in favor.

Councilman Kelly asked what changes were made since the previous version and if this conflicts with any other Shade Tree ordinances establishing roles and duties. Mr. Leibman answered that trees planted in the right of way have to be approved by the Borough Arborist, and this is the only Shade Tree ordinance.

Councilman Harvilla stated that Article 10, Chapter 344-28 was the process of appeal. This stated that residents would appeal to the Mayor and Council. This was omitted so appeals would not come to the Mayor and Council.

Councilman Russell stated that the Shade Tree has a lot of things they do not like about this ordinance and he feels it needs to be discussed with them as well.

Motion to **TABLE** Ordinance #1611: Councilman Kelly

Second: Councilman Russell

Roll Call Vote: Council members Gorman, Harvilla, Kelly, Rossillo, Russell, Stewart – yes

#1614 Ordinance Repealing Provisions of Chapter 69 of the Borough Code - Personnel Policies

Motion to **WAIVE** Formal Reading: Councilwoman Stewart

Second: Councilman Russell

All in favor.

Mr. Tully stated this came at the recommendation of Labor Counsel. This brings up to date sections of the personnel ordinance that were not in coordination with the personnel policies and procedures.

Motion to **PASS** on 1st Reading: Councilwoman Stewart

Second: Councilman Harvilla

Roll Call Vote: Council members Gorman, Harvilla, Kelly, Rossillo, Russell, Stewart – yes

#1615 Ordinance Creating Chapter 257 of the Borough Code – Memorial Bench & Trees

Motion to **WAIVE** Formal Reading: Councilwoman Stewart

Second: Councilman Gorman

All in favor.

#1617 An Ordinance to Amend, Revise and Supplement Ordinance No. 1587 and Its Progenies as to the Establishment of Certain Ranges and Related Items for Certain Officers and Employees – Salary Ranges 2022, 2023, 2024

Motion to **WAIVE** Formal Reading: Councilwoman Stewart

Second: Councilman Gorman

All in favor.

Mr. Tully explained this codifies one of the promotions that was passed this evening, as well as a part-time hourly Custodian position. This was approved by Labor Counsel.

Motion to **PASS** on 1st Reading: Councilman Harvilla

Second: Councilman Gorman

Roll Call Vote: Council members Gorman, Harvilla, Kelly, Rossillo, Russell, Stewart – yes

Public Comment - General Comments

Motion to open to the public for General Comments: Councilwoman Stewart

Second: Councilman Russell

All in favor.

1. Bruce DeLyon, Beacon Street, asked if payments made to Chase Bank were for interest on bonds. He commented on ponding along Summit and the tabled salary increase resolutions.
2. Regina Gooth, Druid Avenue, commented on the pedestrian bridge being out of commission, and asked if there are any updates.
3. Sally Tayeb, Walsh Drive, DSTC member, thanked them for tabling the Shade Tree ordinance and commented on the definition of the Borough tree. She also commented on the ordinance regarding memorial trees and benches. Ms. Tayeb said she is in support of the social media ordinance for all groups, but it is too restrictive.
4. Tanya Zimmerman, Elm Street, DSTC member, commented on Ordinance #1615 regarding memorial benches in the arboretum and memorial trees within the Borough. She is thankful that Ordinance #1611 was tabled.
5. Tara Barker, Blanche Court, asked when ordinances are posted and when DSTC seats will be filled? She discussed the roles and responsibilities in the Shade Tree ordinance.
6. Lynn Vietri, Wilkens Drive, commented on the salary ordinance and various positions listed.
7. Mary Normoyle, Randolph Avenue, asked about the Accounts Payable position and the Building Department lawsuit. She questioned who and what is covered for the League of Municipalities convention. Was a Certified Arborist hired?
8. Maryann Russini, Roosevelt Avenue, asked about the list of bonds and interest rates and the attendance software. She also asked about the grant for the Memorial splash pad and what is being repealed on Ordinance #1614. She stated her issue with the Shade Tree ordinance is a resident cannot cut down a town tree that effects their sidewalk, but is responsible to pay to fix the sidewalk. Ms. Russini commented on the social media policy and the Borough website.
9. John Sansone, Beacon Street, thanked Councilman Gorman and Councilwoman Rossillo for their service. He asked how many meetings a government official has to attend, and discussed ponding on the corner of Beacon Street.

Motion to close to the public: Councilman Gorman

Second: Councilwoman Stewart; All in favor.

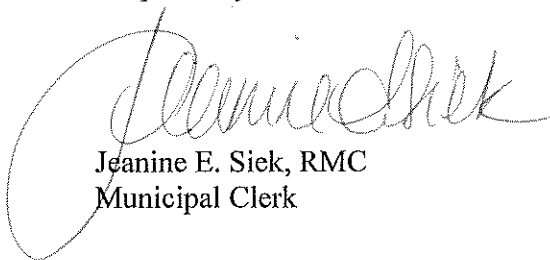
upgrading things around the town this year and making it look really nice. A lot of time was put into decisions on the best equipment at the parks to make it nice for the children of the town.

The Borough Administrator replied there was a significant OPRA request from March through July that our Special Counsel worked on which is the reason for the invoice in question. The DPW Foremen contract is essentially the same with the exception of the two percent standard increase. Tesser and Cohen was hired because there was a conflict with the other Construction Attorney. The development study is paid through the escrow account. The Borough had approved \$50,000 in the latest bond for Druid Bridge which was the recommended amount from the Engineer. It looks like it is going to cost more, so the Borough will need to address that. There is no update on Memorial Park Phase III which includes the splash pad. Mr. Tully will have the Engineer look into Summit Avenue. The ordinances are posted the day before the meeting. The Accounts Payable is a new position. The salary ordinance captures certain roles and does not mean the Borough is hiring those roles. The veteran tax deduction is taken off their tax payment is for an individual based on the percentage of their disability. Regarding the league convention, the badges and the room is covered. The Payroll Clerk will be in charge of the attendance. As for Ordinance #1614, this conflicted with our personnel policies and procedures.

The CFO answered questions regarding the section twenty expenses for the bucket loader claw charged to the bond ordinance. The charge to Chase Bank is the debt service payment that is budgeted for. Any questions can be emailed to the CFO. All bond ordinances can be seen on the Annual Debt Statement or with interest rates in the audit. Also, the Best Practices checklist score is tied to the five percent of the Borough's State aid. The minimum score needed is a 24, and the Borough scored 31.5.

Motion to Adjourn: Councilwoman Stewart
Second: Councilman Gorman
All in favor.

Respectfully submitted,



Jeanine E. Siek, RMC
Municipal Clerk