

**BOROUGH OF DUMONT  
BERGEN COUNTY, NEW JERSEY  
PUBLIC MEETING MINUTES  
DUMONT MUNICIPAL COMPLEX  
JUNE 13, 2023**

Meeting to Authorize Closed Session at 6:03 PM

The Municipal Clerk read the resolution for the Closed Session Meeting to discuss:

- Attorney-Client Privilege – Swim Club Lease
- Potential Litigation – Municipal Complex Construction
- Pending Litigation – Building Department
- Pending Litigation – CSX Litigation

Council President Russell called the meeting to order at 7:06 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.

**Roll Call:**

Council members: Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – Present  
Mayor Andrew LaBruno – Present via telephone

Also in attendance: Municipal Clerk/Interim Borough Administrator Jeanine Siek,  
Borough Attorney Jared Geist

Motion to accept the agenda as presented: Councilwoman Stewart

Second: Councilman Morrell; All in favor.

**Approval of Minutes:**

Motion to approve the April 18, 2023 Executive Meeting Minutes: Councilman Morrell

Second: Councilwoman Stewart

Roll call vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

Motion to approve the May 2, 2023 Public Meeting Minutes: Councilwoman Stewart

Second: Councilman Morrell

Roll call vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

Motion to approve the May 2, 2023 Closed Session Meeting Minutes: Councilman Kelly

Second: Councilwoman Aponte

Roll call vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

Motion to approve the May 16, 2023 Executive Meeting Minutes: Councilman Morrell

Second: Councilwoman Stewart

Roll call vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

## **COUNCIL COMMITTEE REPORTS**

### Councilwoman Aponte

- *Recreation*

Recreation has hired 71 counselors and 28 counselors in training for this summer's camp and total enrollment is 630 children. Summer Basketball registration is available for grades 3-8. Registration ends on 6/21.

### Councilman Harvilla

The Councilman thanked all who made this year's Memorial Day parade and remembrance a success.

- *Library*

The last meeting was on 5/24. The scouts of Troop 64 did a clean up of the library grounds on 5/20. The library is exploring additional programs coordinated with the CAIDC. The library is looking at including a monthly cultural cooking demonstration and a walking book club. Library programs include ESL tutoring and a number of adult, youth and children's programs. The summer reading program, All Together Now, launched on 5/17. In coordination with the summer reading program theme, the library is coordinating community outreach events with other borough departments and committees. Events include, Coffee with a Cop on 6/15; Dumont Shade Tree presentation on 6/26; teen lounge events on 6/13, 7/11, 8/1 and 8/8. The library will be having a book club for adults with intellectual disabilities, which is the first program of its kind in the entire BCCLS system. The library's spring and summer concert series kicked off. Concerts are on 6/21, 7/12, 7/19 and 8/16. On 6/27 there will be a young person's pizza and painting event. The next meeting of the Dumont Library Board of Trustees is on 6/28.

- *Cultural Affairs*

The last meeting was on 6/1. The Councilman highlighted the success of the 6/9 Pride March, Color Toss and Flag Raising. The next meeting will be on 7/6.

- *Board of Education*

The last meeting was on 6/7. Current elementary school enrollment is 1,799, and the high school has 770 students, including 8 half-day students, for a total of 2,569 in-district students. June's meeting included the district's service recognition program with 10 employees reaching the 25-year milestone. The Councilman congratulated this year's retirees. The Governor's Educator of the Year award went to Selzer School's Patricia Daly, Honiss School's Brittney Gibb and Selzer School's Donna Pleus. The Councilman reported on the Dumont schools' upcoming events. High school graduation will be on 6/20. Congratulations to the graduating seniors and 8<sup>th</sup> graders. The next meeting of the BOE will be on 7/20.

- *By-Laws Committee*

The committee met on 5/22. The committee reviewed the current by-laws, previous by-laws, the Borough Code and policies from other municipalities. A follow-up meeting will be forthcoming.

### Councilman Kelly

- *Finance*

The Councilman held off on any report pending the budget introduction and hearing.

### Councilman Morrell

- *Police*

Councilman Morrell reported 1,966 calls for service; 100 medical calls, 32 fire calls and 5 commitments. There were 160 traffic summonses issued: 31 for parking and 129 for moving violations; 28 motor vehicle accident investigations; 21 burglar alarms responded to; 9 warrants were served; 4 car seats installed/checked; 4 cases regarding animal cruelty; 7,791 miles traveled for patrol activities; 16 total arrests by detectives; 17 domestic violence, 6 expungements, 25 firearm and 37 criminal cases investigated. The NJ Special Olympics Torch Run was held. The police department is working with recreation to plan presentations for summer camp. The 2<sup>nd</sup> grade Adopt a Cop, 5<sup>th</sup> and 8<sup>th</sup> grade LEADs Program are being planned and Coffee with a Cop will be held on 6/15 at the library.

### Councilman Stewart

- *Court Report*

Report was given for the months of April and May. Court sessions are headed to be largely in-person. In April, there were 12 subpoenas issued to testify and in May, there were 11. In April, there were 3 expedited expungements ordered and in May, there were 2. No arrest warrants were issued in April. There were 14 in May. There were 4 bench warrants in April and 8 in May. Trials, hearings and motions – 2 in April and 6 in May. Private citizen complaints accepted and issued – zero in April and 4 accepted and 3 issued in May. In-person defendants scheduled for court – 26 in April and 30 in May. Virtual defendants scheduled for court – 39 in April and 69 in May. Number of traffic charges adjudicated in court – 65 in April and 67 in May. Number of criminal charges adjudicated in court – 2 in April and 4 in May. Bail collected – 2 in April and 4 in May.

- *COAH*

Councilman Stewart and Councilman Russell attended a meeting last week regarding preparation for the next stage of affordable housing issues.

### Councilman Russell

- *Shade Tree Commission*

The next meeting is on 6/19. On 6/26 there will be an informational presentation at the library.

- *Ordinance Committee*

Another committee meeting will be set up in the next week or two.

- *DPW*

The Councilman thanked the DPW for working so well with the Shade Tree Commission on work around the Borough.

### **ATTORNEY'S REPORT**

Mr. Geist reported he had been present at the Affordable Housing/COAH meeting, the police committee meeting, the DPW Committee meeting, the By-Laws Committee meeting, and the Ordinance Committee meeting. There will have to be another closed session meeting before the next meeting to continue discussions that were not finished this evening. Attorney Geist thanked Interim BA Siek and the Police Chief for all their work on the Gordon Ramsey filming project. The Borough is exploring different options with the Swim Club and when negotiations are over, information will be given.

Council President Russell invited Borough Auditor Gary Vinci to present the 2023 Municipal Budget Presentation

Mr. Vinci gave an overview and slide presentation of the 2023 proposed Municipal Budget to the Mayor, Council and the public.

Councilman Stewart excused herself from the meeting at 8:05 p.m.

Councilman Kelly stated that going into the budgeting process, the finance committee was faced with significant increases in a couple of areas, particularly debt service. The committee met with all of the borough departments and most of the committees. There were no cuts to any department budgets but not all the requests were able to be satisfied. The goal of the committee was to keep the tax increase as small as possible. Significant cuts were made in the areas of celebrations and some other non-essential items.

**Public Hearing on 2023 Municipal Budget Introduced May 2, 2023**

Motion to open to the public for comments on the 2023 Municipal Budget Only: Councilman Morrell; Second: Councilman Kelly. All in favor.

1. Bruce DeLyon, commented that in the future he would like to see copies of the budget presentation. He also made comment on 2023 debt service; 2023 anticipated surplus and over budgeting; police payroll and the American Rescue Plan; and finally, the capital improvement program.
2. Frederick Herbst, had a question about the reduction in projected revenue for taxes.
3. Michael Sullivan, confirmed the presentation will be on the borough website.
4. Joan Struebel, questioned the increase for garbage disposal and recycling.

Motion to close to the public: Councilman Morrell; Second: Councilwoman Aponte; All in favor.

Councilman Harvilla commented on why there was not a plan regarding which roads were going to be completed this year. He explained that by going to bid early last year, the borough was able to get extremely competitive bids. We did not do the same for this year.

Councilman Kelly stated the finance department did have the 6-year plan in mind and did discuss all the items listed. Some items were included in this year's capital ordinance, which is on the agenda for this meeting. There are no fire truck purchases this year. There is the purchase of a DPW truck that will replace a 1987 vehicle. The Council is trying to catch up on the borough's 6-year plan but is also keeping an eye on rising debt. By not using bonding ordinances to make capital improvements, the Borough would be facing service cuts and personnel cuts. To maintain services, the Borough has carefully chosen projects that are absolute necessities. The 6-year plan should be available on the borough website and Councilman Kelly apologized that the projection screen was not large enough for the residents to see.

Mr. Vinci explained the removal of the self-examination of the budget was done because the borough does not have a CFO. Mr. Vinci stated that only this morning the state gave the authorization for the Council to adopt the budget. As a result, Resolution 23-171 should be

pulled. It was left on the agenda because Mr. Vinci was unsure what the end result with the state was going to be.

### **General Order of Business**

**#23-171b** – Self-Examination of 2023 Municipal Budget

Motion to REMOVE Resolution #23-171b – Self-Examination of 2023 Municipal Budget:  
Councilman Morrell; Second: Councilman Harvilla

**Roll call vote:** Council members Aponte, Harvilla, Kelly, Morrell, Russell – yes;  
Stewart – absent

Resolution **#23-171b** – Self-Examination of 2023 Municipal Budget was pulled from the agenda.

**#23-172** – Adoption of the 2023 Municipal Budget

Motion to pass Resolution #23-172 - Adoption of the 2023 Municipal Budget: Councilman  
Morrell; Second: Councilwoman Aponte

**Roll call vote:** Council members Aponte, Harvilla, Kelly, Morrell, Russell – yes;  
Stewart - absent

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 Council member or member of the public. Any item may be removed for further discussion or 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**

**#23-173** – Bills List \*

**#23-174** – Authorization to Certify Availability of Funds \*

**#23-175** – Designate Signatories and Accounts for the Borough \*

**#23-176** – Inclusion in Bergen County Community Development Program \*

**#23-177** – Execution of Renewal of Bergen County Community Development Program  
Cooperative Agreement \*

**#23-178** – Appointment of CDBG Regional Committee Representatives \*

**#23-179** – Approval of Step Increase for Police Dispatcher Nicole DeJoie \*

**#23-180** – Approval to Submit Grant Application and Execute Contract for NJDOT  
Prospect Avenue Phase III Improvements Project \*

**#23-181** – Approval of Resignation from Dispatcher Ramos \*

**#23-182** – Liquor License Application Renewals \*

**#23-183** – Approval of Dumont Elks Lodge 2593 Conflict Liquor License – *Pulled from  
Consent Agenda*

**#23-184** – Approval of Twin Boro Columbian Club, Inc. of St. John’s Council 1345 Conflict  
Liquor License – *Pulled from Consent Agenda*

**#23-185** – Approval of Coin Machine Permit Renewals \*

**#23-186** – Approval of Knights of Columbus Casino Night Raffle License Application – *Pulled  
from Consent Agenda*

**#23-187** – Award of Contract to D&L Paving Contractors for 2023 Riverside Cooperative Road  
Resurfacing Program \*

**#23-188** – Authorization of LOSAP Contributions \*

- #23-189 – Promote William Paige to Full-time Technical Assistant - Building Department \*
- #23-190 – Accept Resignation from Part-time Social Services Assistant \*
- #23-191 – Authorize Advertisement for Part-time Social Services Assistant \*
- #23-192 – Authorization of 100% Veteran Tax Exemption – Block 402, Lot 17 \*
- #23-193 – Authorization of 100% Veteran Tax Exemption – Block 110, Lot 12 \*
- #23-194 – Approval to Refund Overpayment of Taxes - Block 312, Lot 2 \*
- #23-195 – Approval to Refund Overpayment of Taxes - Block 709, Lot 4 \*
- #23-196 – Approval to Refund Overpayment of Taxes - Block 312, Lot 2 \*
- #23-197 – Refund Cash Security Bond \*
- #23-198 – Refund Escrow Money \*
- #23-199 – Approval of Limousine Permits \*
- #23-200 – Accept Resignation from Dispatcher Ackerman-Jacobs \*
- #23-201 – Accept Resignation from Dumont Police Officer Huber \*

Councilman Morrell requested to **Pull Resolution #23-183** – Approval of Dumont Elks Lodge 2593 Conflict Liquor License, **Resolution #23-184** – Approval of Twin Boro Columbian Club, Inc. of St. John’s Council 1345 Conflict Liquor License, and **Resolution #23-186** – Approval of Knights of Columbus Casino Night Raffle License Application from the Consent Agenda for discussion.

**Public Comment - Consent Agenda Only**

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

Second: Councilwoman Aponte; All in favor.

1. Maryanne Russini, had questions regarding certain charges on the bills list, including payroll, payments for the Dixon ADA improvement project and repairs at Twin Boro. Ms. Russini also had questions about the part-time social services assistant position and OPRA counsel charges.

Motion to close to the public: Councilman Morrell

Second: Councilwoman Aponte; All in favor.

Motion to adopt the Consent Agenda: Councilman Morrell

Second: Councilman Kelly

Roll call vote: Council members: Aponte, Harvilla, Kelly, Morrell, Russell – yes;

Stewart – absent

Attorney Geist stated resolutions 23-183, 23-184 and 23-186 were pulled because members of the council are part of the applying groups and would have to abstain from voting.

**Motion to Adopt Resolution #23-183** – Approval of Dumont Elks Lodge 2593 Conflict Liquor License: Councilwoman Aponte; Second: Councilman Harvilla

Roll call vote: Council members: Aponte, Harvilla, Kelly, Morrell, Russell – yes;

Stewart – absent

Motion to open to the public: Councilman Morrell

Second: Councilman Kelly; All in favor.

No one from the public wished to heard

Motion to close to the public: Councilman Morrell  
Second: Councilwoman Aponte; All in favor.

**Motion to Adopt Resolution #23-184** – Approval of Twin Boro Columbian Club, Inc. of St. John’s Council 1345 Conflict Liquor License: Councilman Kelly; Second: Councilman Russell  
Roll call vote: Council members: Aponte, Harvilla, Kelly, Russell – yes; Morrell – abstain;  
Stewart – absent

**Motion to Adopt Resolution #23-186** – Approval of Knights of Columbus Casino Night Raffle License Application: Councilman Kelly; Second: Councilman Russell  
Roll call vote: Council members: Aponte, Harvilla, Kelly, Russell – yes; Morrell – abstain;  
Stewart – absent

## **ORDINANCES**

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

**#1621** Bond Ordinance to Authorize the Making of Various Capital Public Improvements, In, By and For the Borough of Dumont to Appropriate the Sum of \$2,654,000 to Pay the Cost Thereof, to Make a Down Payment, to Authorize the Issuance of Bonds to Finance Such Appropriation and to Provide for the Issuance of Bond Anticipation of the Issuance of Such Bonds

Motion to **WAIVE** Formal Reading: Councilman Morrell  
Second: Councilman Kelly; All in favor.

Councilman Kelly stated, with regard to the 6-year capital improvement plan, many of the items were chosen from this list and others were part of grant applications for road and park improvements and community block development grant improvements. Councilman Kelly stated the items that were chosen include a new garbage truck at a cost of \$275,000 with a down payment of \$13,750 with bonds and notes authorized \$261,250; various improvements at Memorial Park under Phase II that are part of a matching grant of \$235,000 with a down payment of \$11,750 with bond and notes authorized of \$223,250; acquisition of new communication and signal systems equipment at a cost \$190,000 with a down payment of \$9500 with bonds and notes authorized of \$180,500; the road improvement program of Aladdin Ave, Dance Blvd, DPW lot, 2<sup>nd</sup> St., Maple St., Sherwood, Berkeley and Golfview totaling \$1,537,000 with a down payment of \$76,850 with bonds and notes authorized \$1,460,150; road department and other public buildings – replacement of garage doors, replacement of flooring at Senior Center, estimated cost \$80,000 with a down payment of \$4,000 and bonds and notes authorized of \$76,000. Total aggregate \$2,654,000 with a down payment appropriated of \$132,700 with bonds and notes authorized of \$2,521,300. Councilman Kelly added an explanation of the acquisition of new or additional replacement equipment and machinery for use by the fire department.

Motion to open to the public: Councilman Morrell

Second: Councilman Kelly; All in favor.

1. Maryann Russini, questioned the Senior Center flooring project and the use of the Senior Center.

2. Bruce DeLyon, spoke about the anticipation of the grant money and what would happen if the anticipated amount was not received. Councilman Kelly spoke about the uncertainty of the Open Space grant and that he would not be in favor of going forward with the project unless the full amount of the grant reimbursement was awarded. Interim BA Siek indicated that based on conversations with an individual at Open Space, getting full reimbursement will not be an issue, despite the change in scope of work.

3. Lynn Vietri, questioned why the Mayor left the meeting and summer hours. Ms. Siek clarified that public comment is only pertaining to the ordinance at this time.

4. Michael Sullivan, asked for clarification regarding water rescue equipment for the fire department.

Motion to close to the public: Councilman Morrell

Second: Councilman Kelly; All in favor.

Motion to **ADOPT** on 2<sup>nd</sup> reading: Councilman Morrell

Second: Councilman Kelly

**Roll Call Vote:** Council members Aponte, Harvilla, Kelly, Morrell, Russell – Yes;  
Stewart - absent

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

Motion to open to the public for General Comments: Councilman Morrell

Second: Councilwoman Aponte; All in favor.

1. Frederick Herbst, spoke about the 2-hour parking rule on West Shore Ave. and how unfair it is for local businesses, particularly the auto body shops who need to store the cars they are fixing, to adhere to the rule.

2. Lynn Vietri, spoke about OPRA attorney charges and the swim club lease. Attorney Geist stated the last lease on record for the swim club was a 2007 lease that expired in 2012. Ms. Vietri also spoke about the contract with Attorney Leibman for the JLUB. Finally, Ms. Vietri spoke about the spotted lantern fly grant opportunity.

3. Bruce DeLyon, commented about the Mayor calling into the meeting and suggested a vote of no confidence.

4. Maryanne Russini, spoke about the Mayor's attendance record. Councilwoman Aponte stated at the meeting of the By-Laws committee, absenteeism was discussed and it will be something they will be addressing. Councilman Harvilla stated he would like to defer to Attorney Geist regarding commenting on legal matters. Attorney Geist stated comments about an elected official can be made with greater leeway than ones about a borough employee and reiterated the issue is being discussed in the By-Laws Committee. Chairman of the Bylaws Committee, George Harvilla, stated the Borough Code and the By-Laws are not mutually supportive and that is being discussed. Ms. Russini inquired as to who is performing the responsibilities of the CFO. She also asked about the status of hiring a new borough administrator. Attorney Geist stated there were 9 applicants.

Motion to close to the public: Councilman Morrell

Second: Councilman Kelly; All in favor.




Councilman Morrell, Council President Russell and Councilman Harvilla thanked the Finance Committee for all their hard work.

Motion to Adjourn: Councilman Morrell  
Second: Councilman Kelly  
All in favor.

The meeting ended at 9:34 p.m.

Respectfully submitted,



Jeanine E. Siek, RMC  
Municipal Clerk

