

**BOROUGH OF DUMONT
BERGEN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
DUMONT MUNICIPAL COMPLEX
OCTOBER 17, 2023**

Meeting to Authorize Closed Session at 6:00 PM

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

- Attorney-Client Privilege - Legal Advice Regarding Public Real Estate – 2nd Street
- Pending Litigation - Building Department Lawsuit

Mayor Andrew LaBruno called the meeting to order at 7:07 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

Also in attendance: Borough Administrator Michael Kazimir, Municipal Clerk Jeanine Siek, Borough Attorney Jared Geist, Borough Engineer Peter Ten Kate

Motion to accept the agenda as presented: Councilwoman Stewart
Second: Councilman Morrell; All in favor.

Motion to approve the September 5, 2023 Public Meeting minutes: Councilwoman Stewart;
Second: Councilman Kelly
Roll call vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart– yes

Motion to approve the September 5, 2023 Closed Session Meeting Minutes: Councilwoman Stewart
Second: Councilwoman Aponte
Roll call vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

Motion to approve the September 19, 2023 Closed Session Meeting Minutes: Councilman Morrell; Second: Councilman Kelly
Roll call vote: Council members Aponte, Kelly, Morrell, Russell, Stewart – yes; Harvilla - abstain

ENGINEER'S REPORT:

Borough Engineer Peter Ten Kate of Boswell Engineering reported the 2023 Riverside Coop Road Paving Program is underway. Streets include Aladdin, Dance, 2nd Street, Maple Street and the DPW lot. Boswell is also working on the design for the Memorial Park Improvements. Mr. Ten Kate referred to an item on the consent agenda recommending the award of CDBG Dulles

Drive to the low bidder in the amount of \$127,006, which is below the grant amount. On November 9, 2023, the Borough will be receiving bids for the 2023 Road Resurfacing Project, which will include Berkley Place from Barbara Rd. to Golf View; Golf View Dr. from Berkley Place to Bedford Rd; and Sherwood Rd. from Prospect Ave. to Hickory St. This work will begin in the spring.

ADMINISTRATOR'S REPORT:

Borough Administrator Kazimir welcomed Boy Scout Troop 64 to the meeting. Overnight parking regulations went into effect on October 15th. BA Kazimir reminded residents to obtain a permit before cutting down a tree. The splash pad has been repaired. The repairs will be tested and the system will be then closed out for the season.

COUNCIL COMMITTEE REPORTS

Councilwoman Aponte

- *Recreation*

Councilwoman Aponte reported sign-ups are active for hockey. The football season is going well. Basketball sign-ups will be in November. Councilwoman Aponte read a letter that will be going out to all recreation programs, club programs, girl and boy scouts regarding the Halloween Celebration and Trunk or Treat.

- *Fire & Ambulance* - No report.

Councilman Harvilla.

- *Library*

The last meeting of the Library Board of Trustees was held September 27th. The library reopened for Saturday hours on September 9th. Construction on upstairs bathroom is complete. Construction on the downstairs bathrooms is being wrapped up. Highlighted library events include Tai Chi at Memorial Park, Writers Circle book clubs, knit, crochet and youth programs. New registrations are up 121%, juvenile program attendance is up 60%, ESL attendance is up 45%, adult library program registration is up 43% and juvenile circulation totals are up 12.6%. In an effort to maintain the library's success, the trustees of the library leadership are finalizing a plan to broaden library outreach, and the library is establishing a number of focus groups. Currently, the library is looking for adult males to participate in a focus group.

- *Board of Education*

The last BOE meeting was on September 21st. Administrative reports were given at the meeting. Current enrollment at Dumont public schools is as follows: elementary schools 1,174; high school 776; total in district students 2,550 plus 87 out of district students, for a total of 2,637 students. The next meeting of the BOE will be on October 19th.

- *CAIDC*

Councilman Harvilla reported that the last meeting CAIDC was on October 5th. Discussion began regarding 2024 events. The next meeting will be on November 2nd.

Councilman Kelly

- *Finance*

There was a finance meeting on October 2nd. The committee met with CFO Rutch and discussed budget statuses for the different departments and the audit and recommendations from the audit. Preparation for the 2024 budget will begin in November and December.

Councilman Kelly added, unrelated to his committee reports, that there will be a Veteran's Day ceremony on November 11th at 10am. The program will be moved to Veterans Memorial Park, a change from previous years' location. Councilman Kelly encouraged attendance at the event.

Councilman Morrell

- *Police*

Councilman Morrell reported for the month of October: 1,771 calls for service; 87 medical calls, 27 fire calls and 5 commitments. There were 115 traffic summonses issued, 30 for parking and 85 for moving violations; 26 motor vehicle accident investigations; 9 burglar alarms responded to; 4 warrants served; 6,187 miles traveled for patrol activities; 6 lights and 2 decorative non-functioning lights were identified by PSE&G for repair. Three car seats were installed; 3 cases of animal cruelty. There were 15 total arrests by detectives; 6 domestic violence and 11 expungements; 22 firearm investigations and 48 criminal cases were investigated. For community policing activity, a LEAD officer was assigned to 5th grade classes.

Councilman Russell

- *DPW*

The committee is working on setting up a meeting regarding the DPW contract, which is up at the end of the year.

- *Shade Tree Commission*

There will be a Clean-up at the Arboretum on November 4th at 9am. Attendance is encouraged. The next meeting will be on November 13th.

Councilwoman Stewart

- *Senior Citizens*

Hispanic Latin Dance Night was held on the same night as the Mayor's luncheon.

- *Court*

A very successful Court Administrator's day-long seminar was held at Borough Hall.

- *Social Services*

The County continues to provide support regarding food insecurity. Affordable housing continues to be a concern and the borough continues to stay on top of the situation.

MAYOR'S REPORT

Mayor LaBruno reported that the Mayor's Luncheon took place in October. He thanked Donna Faulborn and all the volunteers for their help. The Mayor also indicated that he spoke to the Police Chief Joyce regarding the rezoning in Haworth. The Chief will be speaking to the Chief of Police in Haworth regarding status.

CFO REPORT

Mr. Rutch first spoke about the 2022 audit. There were 12 findings by the auditor, and a corrective action plan is in place. Mr. Rutch stated that over half of the findings have already been corrected with a deadline of 12/31 to have all issues resolved. Regarding the 2023 salary resolution, there will be 2% raises for all employees eligible. Finally, the Borough did very well on the Best Practices Survey. The Borough scored a 35, which means that Dumont will get 100% of its state aide for next year.

ATTORNEY'S REPORT

Mr. Geist reported there was a productive closed session but most issues, due to ongoing litigation, cannot be reported on at this meeting. As reported earlier, there will be an Ordinance

Committee meeting that will be scheduled shortly. Finally, there have been Affordable Housing meetings that Attorney Geist has been sitting in on.

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

#23-277 – Bills List *

#23-278 – Approval of On-Premise 50/50 Raffle Application for St. Mary's Church *

#23-279 – Approval of On-Premise Calendar Raffle Application for Selzer School PTO *

#23-280 – Cancellation of Solicitation of Bids & Bid Opening for Leaf Transportation and Recycling *

#23-281 – Authorize Redemption & Disbursement of Tax Sale Certificate No. 20-00002 *

#23-282 – Authorize Redemption & Disbursement of Tax Sale Certificate No. 20-00003 *

#23-283 – Approval of Special Service Charges for Open Public Records Act (OPRA) Requests*

#23-284 – 2022 Audit Corrective Action Plan *

#23-285 – Approval of Borough Hall Internships *

#23-286 – 2023-2024 Live Entertainment Permit – Grants Street Café *

#23-287 – Refund of Trust Developer Money *

#23-288 – Approval of Pleasant Street Block Party *

#23-289 – Approval of Road Closure Request for Knights of Columbus Trunk or Treat *

#23-290 – Award of Bid for 2022 CDBG Dulles Drive Improvements *

#23-291 – Authorization of Provisional Appointment of Acting Municipal Court Administrator for Haworth *

#23-292 – Authorization of Temporary Shared Service Agreement with the County of Bergen for Tree Removals in Right of Way *

#23-293 – Establishment of 2023 Salary Resolution *

#23-294 – Amendment to Tree Inventory Project Grant Agreement with NJDEP *

Council Comment – Consent Agenda Only

Regarding #23-285, Councilman Harvilla stated he sent some corrective language to CFO Rutch regarding the lack of a credit card policy. He noted this issue was addressed in 2022 via Resolution #22-231. Additionally, regarding #23-285, Councilman Harvilla thanked BA Kazimir and Attorney Geist for addressing the lack of a non-disclosure agreement language as part of the internships.

Councilwoman Stewart thanked the ABED Committee for all the work they did regarding decorating the town for the fall.

Regarding #23-291, Councilman Kelly asked if there is a financial arrangement between the two towns. Municipal Clerk Siek answered there was no financial arrangement. It is a position that is required to be in place for emergencies only and no payment is required.

Public Comment - Consent Agenda Only

Motion to open to the public for Comments on Consent Agenda Only: Councilman Morrell
Second: Councilwoman Stewart; All in favor.

1. Bruce DeLyon, commented on the audit report.
2. Maryanne Russini, spoke about and had questions regarding #23-280; the terms of the OPRA special charges in #23-283; the internship positions referred to in #23-285; Dumont's noise ordinance in relation to #23-286; raises in #23-293; the terms of #23-291; and questions regarding specific charges in the Bills List.

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

Motion to adopt the Consent Agenda: Councilwoman Stewart
Second: Councilman Kelly

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

Public Comment - General Comments

Motion to open to the public for General Comments: Councilman Morrell
Second: Councilwoman Aponte; All in favor.

1. Ralph Kernizan, spoke about the Haworth plan to build 35 units on Massachusetts Avenue at the corner of Grant Street and its impact on residents on Garfield Street in Dumont, specifically the traffic issues.
2. Adam Seidner, spoke about the Haworth plan to build 35 units on Massachusetts Avenue at the corner of Grant Street and its impact on residents on Garfield Street in Dumont, specifically the environmental issues.
3. Thomas Pavone, spoke about the Haworth plan to build 35 units on Massachusetts Avenue at the corner of Grant Street and its impact on residents on Garfield Street in Dumont, specifically paving on Massachusetts Avenue.
4. Nicole Daly, spoke about the Haworth plan to build 35 units on Massachusetts Avenue at the corner of Grant Street and its impact on residents on Garfield Street in Dumont, specifically the traffic directed down Garfield Street.

Mayor LaBruno stated that he and the Council are listening to all the comments, the Borough Attorney is present, and there will be a larger conversation with the Borough Engineer to determine the impact will be on the Borough streets. Additionally, the Police Chief will need to be involved in the discussion. Attorney Geist echoed the comments of the Mayor and will determine the legal options of the Borough.

5. Anthony Sinacore, spoke about the Haworth plan to build 35 units on Massachusetts Avenue at the corner of Grant Street. He spoke about making streets off of Delong dead ends.
6. Wes Tilli, spoke about the Haworth plan to build 35 units on Massachusetts Avenue at the corner of Grant Street. He spoke about possible street barricades.
7. Geraldo Moises, spoke about the Haworth plan to build 35 units on Massachusetts Avenue at the corner of Grant Street. His concern is about safety from traffic.
8. Chris Frye, spoke about the Haworth plan to build 35 units on Massachusetts Avenue at the corner of Grant Street. Her main concerns are wetlands, safety and traffic.
9. Noreen Best, chair of the ABED Committee, thanked the DPW with their help with the decoration of downtown.

10. Bruce DeLyon, spoke about the Haworth project; the upcoming election and the possibility of a Meet the Candidates event; and the audit.
11. Maryanne Russini, spoke about the splash pad and total cost; Cabbage Night and communication with the schools to prevent damage to the park; follow up on a request for an organization chart; the hours of the Borough Administrator. Ms. Russini also thanked the DPW with the town's fall decoration.

Councilman Kelly spoke about his attendance at a 2019 meeting regarding Haworth's settlement in their fair share housing lawsuit. There was also a fairness hearing regarding the settlement in 2020. As the settlement passed in the fairness hearing, Councilman Kelly stated there is very little chance the project could be stopped. However, a case could be made for some of the particulars and details that are of concern to Dumont. Councilman Kelly believes that Haworth will work quickly on this project. He also thanked the residents for coming to the meeting and voicing their concerns.

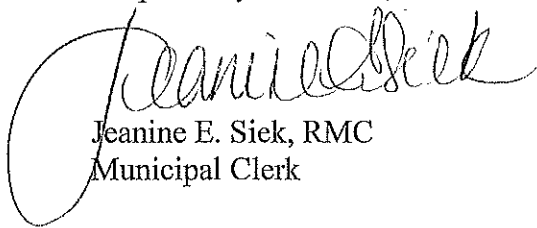
Councilman Morrell spoke about various donations of sporting equipment that were made to the town.

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

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

The meeting ended at 8:38 p.m.

Respectfully submitted,



Jeanine E. Siek, RMC
Municipal Clerk