

**BOROUGH OF DUMONT
BERGEN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
DUMONT MUNICIPAL COMPLEX
NOVEMBER 20, 2023**

Meeting to Authorize Closed Session at 6:00 PM

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

- Pending Litigation – CSX Lawsuit
- Potential Litigation – Palisades Emanuel Church
- Potential Litigation – M.P.M.R. LLC
- Pending Litigation – Building Department Lawsuit
- Attorney-Client Privilege – Legal Advice – Borough of Haworth Development along Massachusetts Ave.
- Attorney-Client Privilege – Legal Advice – Police Lieutenant Promotion Appeal
- Contract Negotiations – Borough Website

Council President John Russell III called the meeting to order at 7:26 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 - Absent

Also in attendance: Borough Administrator Michael Kazimir, Municipal Clerk Jeanine Siek and Borough Attorney Jared Geist

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

General Order of Business

Motion to Adopt Resolution #23-295 – Authorization to Hire Police Officer Malcolm Waite:
Councilman Morrell
Second: Councilwoman Stewart
Roll call vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart– yes

Motion to Adopt Resolution #23-296 – Approval of Promotions with the Dumont Police Department: Councilwoman Stewart
Second: Councilman Morrell
Roll call vote: Council members Aponte, Harvilla, Morrell, Russell, Stewart – yes
Councilman Kelly – abstain

Chief Brian Joyce thanked the Mayor and Council for addressing the concerns and needs of the Police Department. Chief Joyce then gave a biography for each officer that was sworn in.

OATH OF OFFICE administered to Dumont Police Officer Malcolm Waite
by Council President John Russell

OATH OF OFFICE administered for Dumont Police Department Sergeant Shane Donegan &
Lieutenant Patrick McDermott by Council President John Russell

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

COUNCIL COMMITTEE REPORTS

Councilwoman Aponte

- *Recreation*

Councilwoman Aponte reported that Recreation had a Trunk or Treat event on October 30th. It was a very successful event. Flag and Tackle Football seasons have come to an end. Both programs had successful seasons. There will be an end of the year dinner on 12/2 at the Old Tappan Manor.

- *Fire & Ambulance* - No report.

Councilman Harvilla

He thanked all that made the Veteran's Day ceremony a great success.

- *Library*

The last meeting of the Library Board of Trustees was held on November 15th. A new session of Storytime will begin on Wednesday, November 1st for ages 2 to 5 and on Thursday mornings for children under 2 years-old. Color me Calm meets on Wednesday mornings. New registrations are up 83%; ESL attendance is up 68%; E-Book utilization is up 29%, adult library program registration is up 25%; adult library attendance is up 7%; and juvenile circulation totals are up 10%. The next meeting will be on December 13, 2023.

- *Board of Education*

The last BOE meeting was on November 16th. Current enrollment at Dumont public schools is as follows: elementary schools 1,774; 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 December 14th.

Councilman Kelly

- *Finance*

There was a Finance Committee meeting on November 13th. Budget status for 2023 was discussed. There is about 3 million dollars left for the last 6 weeks of the year. There was a meeting with the CFO and the auditors on November 15th. There will be a budgetary freeze at the end of November. An item that went slightly over budget this year was Affordable Housing in the amount of \$4,900. Next year's budget will be challenging facing an approximately 7% raise in health benefit costs. Additionally, a town-wide reassessment will have to be funded.

Councilman Kelly spoke about the Veteran's Day Ceremony. He also thanked everyone who helped make the event a success.

Councilman Morrell

- *Police*

Councilman Morrell reported for the month of October. There were 1,742 calls for service; 100 medical calls, 20 fire calls and 3 commitments. There were 544 traffic summonses issued, 23 for parking and 450 for overnight and 71 for moving violations; 22 motor vehicle accident investigations; 10 burglar alarms responded to; 2 warrants served; 12,276 miles traveled for patrol activities; 6 dark house slips were issued; 6 cases of animal cruelty. There were 8 total arrests by detectives; 14 domestic violence and 11 expungements; 32 firearm investigations and 39 criminal cases were investigated. For community policing activity, a LEAD officer was assigned to 5th grade classes and have begun instruction. Adopt a Cop officers were assigned and have begun visiting their classrooms. Officers have been provided out Breast Care Awareness pins and bracelets to wear during the month for Breast Care Awareness Month. The police participated in the Borough's Trunk or Treat event and handed out glow bracelets. Overnight parking restriction has been suspended for the Thanksgiving holiday and will go back into effect the Monday after the holiday weekend.

Councilwoman Stewart

- *Social Services*

The food pantry is collecting food for Thanksgiving. Councilman Stewart thanked the ABED Committee for the Veterans banners. Special recognition to Noreen Best and Maryanne Russini.

- *Seniors*

Councilman Stewart attended the Christmas Spectacular with the Seniors.

Councilman Russell

- *DPW*

The next committee meeting will be on Wednesday, November 29th to work on the DPW contract. Leaf collection is going well and the DPW is currently on their 7th round of collection. The end of collection will be posted. All equipment not being used for leaf collection is being prepared for snow removal.

- *Shade Tree Commission*

This past Saturday, 5 trees were planted for residents who made requests. Councilman Russell thanked the DPW and Dennis Banoff for their help. Friends of Shade Tree will be having their annual wreath making event on Monday, December 4th. The next Shade Tree meeting will be on December 18th. The Council President wished everyone a Happy Thanksgiving.

ADMINISTRATOR'S REPORT:

Borough Administrator Kazimir reported on the success of the Halloween event. Between 700 and 800 people attended. He thanked the volunteers, Police Department, Recreation Committee, DPW and staff. Donations were made by Dunkin Donuts, Human Bean and Shop Rite of New Milford. Mr. Kazimir informed the public about the League of Municipalities conference in Atlantic City that was attended by elected officials and staff members the previous week. He stated the Borough has received notice that the Borough of Haworth is moving to rezone the lots located on Massachusetts. There will be a Haworth hearing on the matter on November 28th. Residents that are concerned are encouraged to attend and the Borough will be sending a representative to the hearing. The NJDEP has approved the Borough's stormwater grant and as

soon as we receive a notice of fund availability, projects will be addressed. Lastly, the Borough has submitted the annual estimate for the diesel and gasoline cooperative purchasing program.

CFO REPORT

Mr. Rutch spoke about implementing the budget freeze on November 30th. Regarding the budgeting process, Mr. Rutch would like to have budget meetings with the Finance Committee and the department heads in December and January. The goal is to have the budget submitted to the state in the beginning of February. Mr. Rutch gave a detailed update on addressing the findings contained in the audit. All issues will be resolved before the end of the year. Mr. Rutch finally spoke regarding best practices. Dumont scored a 35 with no state aid being withheld. A detailed explanation was given regarding the contents in the survey. In 2023, Dumont received \$1.459 million dollars in state aid. No information is known about state aid in 2024. CFO Rutch will not be at the December meeting, as he will be sitting for the NJ State Purchasing Exam.

ATTORNEY'S REPORT

Mr. Geist thanked Councilman Harvilla for his work with the Bylaws Committee. The written report of the Bylaws Committee was in the Council's packets today. Regarding the Haworth issue, Attorney Geist is working on protecting the Borough's interests.

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

- #23-297 – Liquor License Transfer to QB's Bar and Grill, LLC *
- #23-298 – Bills List *
- #23-299 – Approval of Calendar Raffle for Camp Acorn *
- #23-300 – Approval of On-Premise Merchandise Raffle for Grant School PTO *
- #23-301 – Hire Richard Addon & LeighAnn Mena as Crossing Guards *
- #23-302 – Approval of 2023-2024 Live Entertainment Permit – La Taberna *
- #23-303 – Approval of 2023-2024 Live Entertainment Permit – DaMimmo *
- #23-304 – Authorization to Advertise for RFQ for Professionals *
- #23-305 – Award of Contract for 2023 Borough Road Resurfacing Program *
- #23-306 – Authorization of Disposal of Surplus Property by Auction - GovDeals *
- #23-307 – Approval of Towing Company List *
- #23-308 – Amendment to 2023 Salary Resolution *
- #23-309 – Endorse Submission of Dumont CDBG Roadway Improvement Project Grant Application *
- #23-310 – Award of Quote for Snow Removal of Vacant & Bank-owned Properties *
- #23-311 – Renewal of ADS Payroll Company Contract *
- #23-312 – Award of Contract for DPW Garage Doors – Phase I *

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. Avinash Melkote, wanted clarification regarding #23-310.
Motion to close to the public: Councilman Morrell
Second: Councilwoman Aponte; All in favor.

Motion to adopt the Consent Agenda: Councilman Kelly
Second: Councilman Morrell
Roll call vote: Council members: Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

ORDINANCES

1st Reading

#1628 - Ordinance Amending Chapter 374 of the Dumont Borough Code – Stormwater Control
Ordinance

Motion to waive formal reading: Councilwoman Stewart
Second: Councilman Morrell; All in favor.

Councilman Harvilla gave a brief summary of the ordinance.

Motion to pass on 1st reading: Councilman Morrell

Second: Councilman Kelly

Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

#1629 – Ordinance Establishing Chapter 339-12 of the Dumont Borough Code – Privately
Owned Salt Storage

Councilman Harvilla gave a brief summary of the ordinance.

Motion to waive formal reading: Councilman Kelly
Second: Councilman Morrell; All in favor.

Motion to pass on 1st reading: Councilman Morrell

Second: Councilwoman Aponte

Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

#1630 – Ordinance Amending Chapter 283-4 of the Dumont Borough Code – Recreation; Use of
Vehicles

Attorney Geist gave a brief summary of the ordinance, which prohibits overnight parking at the
parks.

Motion to waive formal reading: Councilman Kelly

Second: Councilwoman Aponte; All in favor.

Motion to pass on 1st reading: Councilwoman Stewart

Second: Councilman Morrell

Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

Public Comment - General Comments

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

Second: Councilman Kelly; All in favor.

1. Ralph Kernizan, inquired about making Garfield and other streets along Massachusetts Ave. a dead end. Councilman Harvilla stated that the council will be looking at every opportunity to mitigate the impact of the Haworth rezoning on the Borough. Councilwoman Stewart and Councilman Kelly also stated that the Borough will be investigating options.

2. Avinash Melkote, followed up on initiating a quiet zone study in Dumont with Councilman Kelly. Councilman Kelly stated that perhaps a work session could be scheduled for this issue.
3. Diego Aguilar, also spoke about the need for a quiet zone. Councilman Russell stated that to make a difference, neighboring towns would have to join in. Councilman Kelly added that there is a safety issue that has to be considered and also a financial concern with the safety features that would have to be added if there was a quiet zone. Councilman Harvilla also added that the high school directly abutting the train tracks would pose a big safety concern when considering a quiet zone.
4. Bruce DeLyon, spoke about the audit. He commended CFO Rutch on his audit report. He also complained about solicitors for solar panels and the noise from the train horns.
5. Maryanne Russini, followed up on the Borough Administrator regarding the cost of the splash pad and the organization chart. Ms. Russini also spoke about Christmas decorations for the downtown area and the Hometown Hero banners.

Motion to close to the public: Councilman Morrell

Second: Councilwoman Stewart; All in favor.

Motion to go back into Closed Session: Councilman Morrell

Second: Councilwoman Stewart; All in favor.

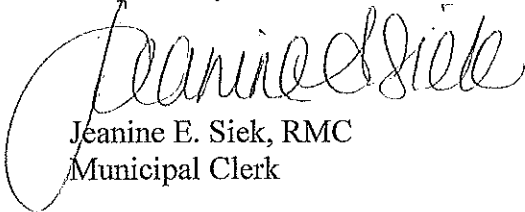
Motion to Adjourn: Councilwoman Stewart

Second: Councilwoman Aponte

All in favor.

The meeting ended at 10:45 p.m.

Respectfully submitted,



Jeanine E. Siek, RMC
Municipal Clerk