

**BOROUGH OF DUMONT  
BERGEN COUNTY, N.J.  
SPECIAL MEETING MINUTES  
DUMONT HIGH SCHOOL GYMNASIUM  
MARCH 8, 2016  
6:30 PM**

Much of the recording is inaudible due to the acoustics in the gym-much of the minutes are written from notes at the meeting.

Mayor Kelly called the meeting to order at 6:35PM and made a public announcement as to emergency exits.

Flag Salute, Moment of Silence

**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 change of location of this special meeting having been posted at Borough Hall, sent to *The Record* and the *Ridgewood News*, posted on the Borough website and filed with the Borough of Dumont.

**Roll Call:**

Council members Correa, Di Paolo, Hayes, Morrell, Riquelme, Zamechansky-present  
Mayor Kelly-present

Motion to accept agenda as presented: Councilman Riquelme

Second: Councilwoman Zamechansky

All in favor.

Motion to open to the public: Councilman Hayes

Second: Councilman Di Paolo

All in favor.

1. Kevin Hughes, 59 Andover, asked if the borough is giving borough hall to Landmark for free. Mayor Kelly responded that the proposal given to the Board of Education was the assessed value of the property less remediation and demolition costs. Mr. Hughes asked if taxes have been paid on the farm property? The Mayor said yes. Mr. Hughes asked if it was true that the developer has a certain budget for improvements to the sewer system and the town could be on the hook for the remainder. He asked if he could get assurance that any remediation needed for D'Angelo's Farms would be done before the ground is broken. Who is responsible for remediation? Can we be guaranteed that union labor will be used to build the units.

2. deLyon, 67 Beacon, read a two page statement-attached.

3. Brian Keating, 65 Wilkens, said the decision should be put in the hands of the residents. The development will change the landscape of the town.

4. Matthew Bailin, 12 Elizabeth, said his property is on Elizabeth Street, not Road as is written on the plans. His house is omitted on the plans but it is seven feet away from the development. He questioned the setbacks, landscaping and ownership of 50 Washington Avenue. He feels the traffic light should be paid for by Landmark.

5. John Sansone asked the meaning of "PILOT". Mr. Paster explained that it is Payment in Lieu of Taxes.

6. Steve ?, is concerned about the sewers. Mayor Kelly responded that the developer's engineers will be working with the borough engineer and the sewer authority.

7. Mr. Fusco asked if the Mayor and Council read the settlement. It's all for the developers, not Dumont.

8. Tom Kelly, Beacon, made a statement about the history of Landmark and D'Angelo Farms. He asked the Mayor and Council to do due diligence and not to vote on the resolution tonight. The worst case scenario would be 280 units and we would have to pay attorney fees and infrastructure costs. He said we have other options for 50 Washington Avenue. This resolution doesn't give immunity for the third round. He questioned the 30 year deed restriction on 50 Washington Avenue, no parking for residents and no police department. He said we need answers before they vote.

9. Lia Fusco, 45 Harwich, showed pictures of her children. She had sent an email and received no response. She is concerned with environmental problems. She doesn't think one exit is enough for all the units and feels there will be more than twenty children.

10. Sal Maurice, 25 Druid, spoke of the 2014 Master Plan. There has been no decision from the Supreme Court. Mayor Kelly explained that judges are assigned-the Special Master is assigned by the court. Mr. Maurice asked what percentage is concrete. He is concerned about flooding. Did Landmark do a downstream study? Were there any wildlife studies done? There are endangered species in town.

11. Lili Binney, Roxbury, asked how long the Mayor and Council have had the settlement agreement. The residents had only 24 hours to read it. No studies have been done. The agreement is one sided. How many times was the agreement changed?

12. Maryann Russini, Roosevelt, asked if Landmark will be paying taxes at 50 Washington Avenue. The Mayor responded that the Borough will own the land. Ms. Russini stated there is no parking allotted for employees and residents-where will they park? She asked if the Mayor and Council have stood at D'Angelo's and seen how close the buildings will be to the houses.

13. Lynne Vietri, Wilkens, said there is a well on the farm property. The Mayor responded that our architect is working with the Landmark architect. That will be part of the remediation. Ms. Vietri asked why they would want to add to the density.

14. Mr. Doramajian, 79 White Beeches, asked the Mayor and Council for their thoughts on the project. Councilwoman Correa said she would fight the fight. Councilman Di Paolo stated that it might be the popular thing to do but not the responsible thing to do. Councilman Hayes said that they are doing the best they can to save the town. The cost would be astronomical. Mayor Kelly stated that the development isn't what any of them want but the best thing for the town is to take something we have control over, which is the settlement (comments taken from TwinBoro News-the comments of the other council members was inaudible.)

15. Woman who owns 260 W. Madison, (inaudible).

16. John Sansone said to make sure the developer does everything he's supposed to do.

17. Matthew Bailin, 12 Elizabeth, commented that the grassroots group has learned a great deal.

18. Tom Kelly asked the Council not to take the deal tonight. He spoke of affordable housing.

19. Mr. Burizio? said that there are probably other options the Council hasn't investigated yet. What would happen if we don't settle tonight?

20. Mr. Fusco said he is very disappointed.

21. Maryanne Russini asked how many numbers we have so far for COAH-are we compliant?

22. Sal Maurice said that there are endangered species to be protected and a downstream study should be done and used for ammunition. The resolution should be tabled. Once it's gone it's gone

23. Mr. Vitello, 109 Seminole, (inaudible)

24. deLyon, Beacon, (inaudible)

25. Maryann, Andover, said there are many loopholes and is concerned about environmental issues. The resolution should be tabled.

26. Mike Sullivan, Andover, said they'll hire their own attorney.

27. Liz Marchese, Larch, suggested the question be put out on a referendum in November.

28. Bill Brophy, Margaret Ct., (inaudible)

29. Eric Abrahamsen, Prospect, said he works for the BCUA and asked about COAH. He asked if we had contacted Senator Cardinale or Assemblyman Auth. Mayor Kelly explained that as much as they want to help us, there is nothing they can do. Mr. Abrahamsen commented about studies not being done.

30. Mr. Hochnagel said that the Council was elected to represent all of them.

31. Ms. Leonard, 67 Essex, said that FARM'D has gotten a lot of information. She said the governing body was voted in-that's their job. They chose to do this. She asked about setbacks, etc. Mr. Paster responded that the Joint Land Use Board would handle details such as how much green space there would be, where the dumpsters go, how the property is configured, etc..

32. Virginia Tamburro said her house floods sometimes now. She is concerned what would happen once the development is built.

33. Liz Marchese asked if the Council had seen any completed studies. Is it possible to hold a special referendum? Have any studies been done on the farm property?

34. Resident said not to let greed and fear dictate what happens in town.

35. Billy Paige-inaudible

36. John Abbott asked who would be responsible once the building starts. Mayor Kelly responded that an LSRP, who reports to the DEP, would be. Mr. Abbott asked what will happen if they can't sell?

Motion to close to the public: Morrell

Second: Councilman Hayes

All in favor.

### **Non-consent Agenda**

#### *Resolution*

**#16-68** Authorization of Settlement of Litigation-Landmark Dumont, LLC v Borough of Dumont

Motion to adopt: Councilman Riquelme

Second: Councilman Hayes

Roll call vote: Council members Di Paolo, Hayes, Morrell, Riquelme, Zamechansky-yes  
Councilwoman Correa-no

Motion to adjourn: Councilman Morell  
Second: Councilman Riquelme  
All in favor.

Meeting adjourned at 10:05PM

Minutes respectfully submitted by:

Susan Connelly, RMC  
Municipal Clerk