

**BOROUGH OF DUMONT
BERGEN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
DUMONT MUNICIPAL COMPLEX
JANUARY 23, 2024**

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
- Attorney Client Privilege - Legal Advice - Dumont Recreation
- Potential Litigation - Municipal Complex
- Personnel Matter - Dumont Police Department

Mayor Russell called the meeting to order at 7:23 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, Kelly, Kourelakos, LaBarbera, Stewart – Present

Morrell - Absent

Mayor John W. Russell III - Present

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 Kelly; All in favor.

Mayor Russell invited Borough Special Projects Engineer John Dunlea from Neglia Engineering to give a presentation regarding the NJDEP Green Acres Program.

NJDEP GREEN ACRES PROGRAM PRESENTATION

– Charlie O’Connor Park Improvements

Special Projects Engineer, John Dunlea discussed the NJDEP Green Acres grant application, specifically as it relates to the Charlie O’Connor Park improvements. The application is for the construction of a playground which meets the intent of Jake’s Law, a law that is geared toward providing playgrounds and recreational opportunities for users of all abilities and includes ADA accessibility, shaded and quiet areas. The proposed location, Charlie O’Connor Park, is a good location for the project. It is located near the intersection of Lafayette Avenue and New Milford Avenue. The area lends itself to the intent of Jake’s Law as it is a naturally quiet area and Lafayette Avenue, that fronts the park, is not a heavily travelled roadway. Additionally, the location of the park is not near any water bodies, not in a flood hazard area and would not require any NJDEP related permits. Mr. Dunlea presented renderings of the site layout and playground equipment. The layout that was designed would consist of a

playground area and quiet area. The playground area would contain a 2 to 5-year-old play structure, a 5 to 12-year-old play structure and a swing set. All equipment would be ADA accessible and would include shaded elements. The playground area would be enclosed by fencing and benches that would enable clear site lines to the structures. The separate quiet area would have a gazebo and a paver patio. As part of the quiet area project, an already-existing asphalt area that is now a half basketball court would need to be removed and is included in the cost estimate. The project would also include construction of ADA parking spaces off of Lafayette Ave., as well as an asphalt walkway to provide access to all portions of the site. Finally, landscaping of the site would be part of the project. Some tree removal would be required but replacing of those trees elsewhere throughout the site would be recommended so there would be no net loss of trees. The estimated project total is \$701,030.00. The project can be scaled back depending on the amount of funding the project receives.

Councilman Kourelakos noted the landscaping on the renderings does not appear to match what is described in the proposal. Mr. Dunlea stated all landscaping is included in the proposal. Councilman Kourelakos pointed out the lack of specificity in the proposal pertaining to ADA compliant elements. Additional ADA elements, according to Mr. Dunlea, such as signage, can be included but it may affect the cost of the project. Regarding Mr. Kourelakos' concern about how quiet the quiet zone would be, Mr. Dunlea stated the gazebo will be located about 30 feet away from the playground. Mr. Kourelakos finally referred to Exhibit D and Parcel 24 to the east of the playground, and inquired if there is a right of way or easement through the area. Mr. Dunlea would have to look into the matter.

Councilman Kelly indicated that the funding of the project would be 75% from Green Acres and 25% from the Borough, with a minimum project cost of \$500,000. Councilwoman Stewart noted that it is rare for there to be a project with such a high percentage of government funding. The deadline for submission is February 7, 2024. Mr. Dunlea stated the cost of the playground equipment and the safety surface will take up the bulk of the cost of the project. Borough Administrator Kazimir stated once application is submitted, it will take 2 to 4 months to find out if the Borough receives an award of funding. After that, there is a time frame to prepare all the paperwork and enter into an agreement with the State. At that point, if there is no funding available from the Borough, there is a potential for the project not to proceed. This is the first year that this opportunity is being given to municipalities. In prior years, projects were required to be over \$1 million and opportunities were only on a county level. Mr. Kazimir believes this will be a very popular and sought-after grant. Once approved, the project period is 2 years. The Borough will have to pay for the entire project and get reimbursed from the state. The Borough's share, based on the present proposal, would be \$175,000. There may be an opportunity to stack a 50% Bergen County Open Space grant, and the Borough's share would go down to \$87,000. Mr. Dunlea stated it would be possible to scale the project back to be \$500,000. With that scenario, he would scale back the proposed equipment. Specifically, a smaller swing set and less elaborate 5 to 12-year-old structure. Potentially, the gazebo could also be eliminated and the patio could be scaled back. Councilman Kelly's concern is paying for the project up front and the time frame for reimbursement. He is hesitant to commit to this project in this budget year but sees the argument to go forward with the application and see what would be available knowing the Borough still has the ability to halt the project based on lack of funding.

Councilwoman Stewart is concerned about the impact on the budget but believes this is an opportunity that the Borough should not pass on and is in favor of proceeding with the application at this point.

Councilman Kourelakos is also concerned about the amount of money the Borough would have to put out up front. He questions, based on that concern, why an application would be submitted for something that the Borough would not be able to move on from a financial perspective.

Motion to open to the public for Comments on NJDEP Green Acres Application Presentation only: Councilwoman Stewart

Second: Councilman Kelly

All in favor.

1. Maryanne Russini, asked how much we have spent to have the engineer write the proposal. Mr. Dunlea would have to check but typically about \$5,000 is spent on a proposal. Generally, engineering fees are about 20% of the project cost. Ms. Russini asked how the project was brought to the Borough. Mr. Kazimir stated it was brought by our grant writer at the end of 2023. She also asked for more information on the other 2 potential sites that were being considered and information on the two trees that would have to be removed, the proximity of the quiet zone to neighboring residents and the cost of trash cans in the proposal. Mr. Kazimir stated the pool of Green Acre funds available for all communities is almost \$100 million. Ms. Russini believes that if we were to proceed with this project, we should do it right instead of cutting corners.
2. John Sansone, agrees with Councilwoman Stewart and is in favor of this opportunity. He believes if the Borough does not have the money to fund it, don't do the project but if the Borough proceeds, don't scale back the project.
3. Bill Linder, questioned grant money that was hidden away and later found. Councilman Kelly stated the found money is if a project was bonded for a certain amount and the final price came in under the bonded amount. CFO Rutch stated there is extra bond money and they will be meeting with bond counsel to see what can be cancelled and what money can be put towards projects going forward.

Motion to close to the public: Councilman Kourelakos

Second: Councilwoman Stewart

All in favor

MAYOR'S REPORT

Mayor Russell reported that he met with Kara Frega with Heron Wellbeing and Jared Keys of Keys to Fitness regarding a potential Mayor's Wellness Campaign. There will be a wellness event this Saturday from 2pm to 4pm at 85 W. Madison Ave. The Mayor is looking into setting up a borough newsletter. Mayor Russell also thanked the DPW for a job well done with the snow from the last 2 storms.

COUNCIL COMMITTEE REPORTS

Councilwoman Aponte

- *Recreation*

On January 3rd, one new recreation commissioner was sworn in and one alternate was moved to a permanent seat. Girls rec basketball started on January 6th. Travel basketball started in December. Boys rec travel and rec basketball are in progress as well as wrestling. There will be upcoming sign ups in March for football and football cheerleading.

- *Fire*

Total man hour and run report for 2023: 5 structural fires, 22 other fires, 16 calls for mutual aid, 31 vehicle accidents, 1 vehicle fire, 186 fire alarms, 30 carbon monoxide incidents, 42 natural gas emergencies, 2 reports of smoke, 7 odors of burning, 2 appliance malfunctions, 1 gas alarm, 4 brush or rubbish fires, 12 utility pole power line issues, 3 hazardous materials incidents, 1 technical rescue, 8 reports for utilities or water, 1 report of good intent, and 3 elevator emergencies. Total calls for service – 377. Total man hours – 4,950.68.

Councilman Kelly

- *Finance*

Councilman Kelly stated that Councilman Kourelakos will be joining the Finance Committee and Councilwoman Aponte will be leaving the committee. There is a meeting scheduled for January 24th at 10am. Meetings are expected to happen weekly, if not more often for the rest of January into February.

Councilman Kourelakos

No report.

Councilman LaBarbera

No report.

Councilman Morrell (arrived in person at 8:05pm)

- *Police*

Councilman Morrell reported for the month of December. There were 1,577 calls for service; 89 medical calls, 27 fire calls and 4 commitments. There were 129 traffic summonses issued, 13 for parking and 87 for overnight and 29 for moving violations; 24 motor vehicle accident investigations; 17 burglar alarms responded to; 2 warrants served; 7,275 miles traveled for patrol activities; 6 street lights; 1 case of animal cruelty. There were 5 total arrests by detectives; 2 for shoplifting; 1 simple assault; 1 DWI; 1 service of warrant from East Orange; 17 domestic violence incidents; 9 expungements; 26 firearm investigations and 39 criminal cases investigated. Councilman Morrell reminded residents not to leave car keys inside cars with the car open.

Councilwoman Stewart

- *CAIDC*

The CAIDC had its first event this year, which was A Day of Action for MLK Day. Supplies were collected for Dumont first responders. A lot of volunteers showed up for the event and it was very successful.

ADMINISTRATOR'S REPORT

Borough Administrator Kazimir thanked Neglia Engineering for their presentation as well as Bruno and Associates for their help with the Green Acres Application. Regarding upcoming expenses for repairs to Borough Hall, the Borough contracted with Omega Environmental to identify spots where they see water intrusion, leaking and potential mold.

CFO REPORT

CFO Rutch reported that the 2023 budget was officially rolled over the previous day and the 2024 budget is currently on. Budget meetings will kick off tomorrow morning. Debt service for 2023-24 will have an increase of about \$131,000. Bonds from 2016-2022 are coming due between the months of May, July and November. Health benefits will have a 7% increase from last year. Last year there was an increase of about 22%. The annual PERS bill had an increase of \$42,308. The PFRS bill will have a reduction of \$196,932. The JIF bill will be increasing by about \$125,000. The only other fixed appropriation that will be going into this year's budget is the BCUA bill which will be received in mid-February.

ATTORNEY'S REPORT

Mr. Geist reported that there are items on the closed session agenda that he is not at liberty to speak about. He did report that he has already sat in on a few commission and committee meetings and he is presently working on the contracts for the new professionals.

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

- #24-45 – Approval of 2024 Council Committees and Liaisons *
- #24-46 – Refund Trust Developer Escrow Account Funds *
- #24-47 – Refund Building Department Inspection Fees *
- #24-48 – Endorsement of ARC of Bergen & Passaic Counties Inc. CDBG Generator Project *
- #24-49 – Apply to NJDEP Green Acres Grant Program (*pulled from Consent Agenda*)
- #24-50 – Appointment of Simmrin Chakravarty to CAIDC Committee *
- #24-51 – Approval of Berkley Place Color Run Event *
- #24-52 – Appoint Council Liaisons to CAIDC Committee *
- #24-53 – Approval of Knights of Columbus Bingo License Application *
- #24-54 – Appointment of Janet Boyhen to CAIDC Committee *
- #24-55 – Approval to Participate in 2024 Riverside Cooperative Paving Program *
- #24-56 – Authorization to Advertise for Additional RFQ's for 2024 Professionals *

Council Comments – Consent Agenda Only

Councilman Kourelakos requested to have Resolution #24-29 removed for a separate vote.

Regarding Resolution #24-54, Councilman Kelly asked if there is a minimum amount to participate in the Riverside Coop. Councilwoman Stewart replied that there is no minimum.

Public Comment - Consent Agenda Only

Motion to open to the public for Comments on Consent Agenda Only: Councilman Kelly
Second: Councilman Kourelakos; All in favor.

1. Maryanne Russini, had questions about #24-56 and which professionals the Borough needed additional RFQ's for.
2. Mary Normoyle, questioned which departments went over budget.

Motion to close to the public for Comments on Consent Agenda Only: Councilwoman Stewart;
Second: Councilman Kelly; All in favor

Motion to adopt the Consent Agenda: Councilman Morrell

Second: Councilman LaBarbera

Roll call vote: Council members: Aponte, Kelly, Kourelakos, LaBarbera, Morrell, Stewart – yes

Motion to adopt Resolution #24-49 Apply to NJDEP Green Acres Grant Program: Councilman
Kelly; Second: Councilwoman Stewart

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

Kourelakos, LaBarbera, Morrell – no

Tie breaker: Mayor Russell - yes

Motion for the promotion of Lauren Morgan from Dumont Police Patrolman to Sergeant:
Councilwoman Stewart

Second: Councilwoman Aponte

Roll call vote: Council members: Aponte, Kourelakos, LaBarbera, Morrell, Stewart – yes

Kelly - abstain

Public Comment - General Comments

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

Second: Councilwoman Aponte; All in favor.

1. Noreen Best, the Arts, Beautification and Economic Development is looking to have a Mayor's roundtable with some local businesses. Maryanne Russini was elected chair of the committee as well as John Sansone.
2. Maryanne Russini, also regarding the ABEDC, stated she is looking forward to working with Councilman LaBarbera and thanked Councilwoman Stewart for her guidance in the previous year. She asked if the Borough plans on keeping the Committee as incorporating all the elements of arts, beautification and economic development. The Committee also has recommendations of people to fill vacancies. The Committee would also like to request to increase committee membership from 7 people to at least 9 people. Regarding the Hometown Heroes Program, banners have already been maxed-out at 40. There is a waiting list for additional banners. There was a discussion about the poles for the banners and the need for money for the brackets.
3. Mary Normoyle, spoke about a Facebook group which is against overdevelopment and changing the laws in NJ and whether the Borough received a letter from the group.
4. Adam Seidner, spoke regarding the Haworth development and whether the town has received any conceptional plans. Mr. Kazimir replied that nothing has been received. Councilman Kourelakos will check the Haworth website to see if there are any developments and/or updates. Mr. Seidner suggested revisiting the issue of dead ending Garfield Ave.
5. John Sansone, also spoke about the Haworth development. He also spoke about the Dumont Swim Club. He wanted to know the status of a lease. Attorney Geist hopes there will be one for the next swim season.

Motion to close to the public: Councilman Morrell

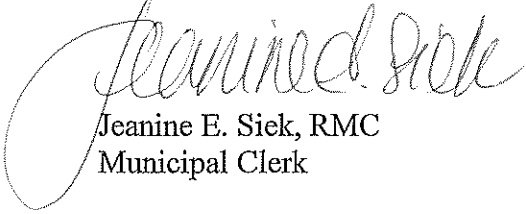
Second: Councilwoman Stewart; All in favor.

Mayor Russell announced that the swearing in of Sergeant Lauren Morgan will be at the Mayor and Council meeting on February 13th.

Motion to Adjourn: Councilman Morrell
Second: Councilman LaBarbera; All in favor.

The meeting ended at 9:18 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jeanine E. Siek". The signature is written in black ink and is positioned above the typed name and title.

Jeanine E. Siek, RMC
Municipal Clerk