

**BOROUGH OF DUMONT  
BERGEN COUNTY, N.J.  
SPECIAL MEETING MINUTES  
BOROUGH HALL  
AUGUST 11, 2016  
6:30 PM**

Mayor Kelly called the meeting to order 6:42PM  
Flag Salute, Moment of Silence

**Sunshine Law:** This special meeting was called pursuant to the provisions of the Open Public Meetings Law. Notices of this special meeting of the Governing Body were sent to *The Record* and *The Ridgewood News*, posted on the Borough website and was filed with the Borough of Dumont.

**Roll Call:**

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

Motion to accept the agenda as presented: Councilman Morrell  
Second: Councilman Hayes  
All in favor.

Motion to open to the public: Councilman Morrell  
Second: Councilman Di Paolo  
All in favor.

1. Lili Binney, 32 Roxbury Rd., said that at the motion hearing Mr. DelVecchio threatened action if Landmark doesn't get what they want. Mr. Paster said that DelVecchio was suggesting they would move to enforce the settlement agreement if the Borough doesn't take the action it had promised to take in furtherance of the agreement. He may seek additional density to offset the costs. The settlement agreement calls for PILOT taxation in exchange for infrastructure improvements which include remediation of the Borough Hall property, sewer improvements, widening of Washington Avenue and withdrawal of tax appeals on the property. Ms. Binney asked Mr. Paster for yes or no answers to the following: if the Council were to vote on an ordinance to rezone the farm, would Dumont be in violation of the settlement? Mr. Paster responded no. Ms. Binney said that if the Council were able to rezone the property prior to the September 1<sup>st</sup> deadline, would Dumont be in compliance with the settlement? Mr. Paster responded yes. Ms. Binney stated that the Joint Land Use Board was allowed to base their decision on the area in need of redevelopment on criteria a through h. Would the Council legally be held to the same parameters for their vote? Mr. Paster responded yes.

2. Matthew Bailin, 12 Elizabeth Street, said that there were no off-site sewer upgrades specified in the agreement. Now there's talk about \$300,000 worth of sewer upgrades off-site. Mr. Paster explained that the County Planning Board required the widening of Washington Avenue. The Northwest Bergen Utilities Authority videotaped the sewer system from the farm

property to the Lafayette pump station. Between the Borough engineers and Landmark's engineers what was needed to accommodate the new development was agreed upon. If it's rezoned as opposed to area in need of redevelopment the Borough would have to pay for it. Mr. Bailin spoke of numbers of students and special needs students expected following the development. He doesn't feel the property should be designated as an area in need of redevelopment and the developer should pay taxes.

3. Tom Gorman, Wilcox Street, asked about the cost of sewer work, whether anything has been submitted to the County yet and the name of the County planner. Isn't the developer usually responsible for the cost of widening a county road? Has the BCUA been informed about the sewer work? Mr. Paster responded that from the park to Hickory will be about \$100,000 and the new pipe about \$200,000. He believes that the County Planning Board received an informal site plan, which prompted the Washington Avenue decision. Mr. Paster said not necessarily, which is the problem with a Builder's Remedy Suit.

4. Lynne Vietri, Wilkens Drive, asked if there is an actual site plan. Mr. Paster responded he doesn't know of one. Ms. Vietri asked if #2 in the agreement is triggered, would Landmark still do the remediation. Mr. Paster said that they would as long as the area in need of redevelopment is approved.

5. Mary Liggio, 19 Shelby and 206 Madison, said she doesn't want apartments-single family homes or townhouses would be alright.

Motion to close to the public: Councilman Morrell

Second: Councilwoman Correa

All in favor.

The Municipal Clerk read the resolution to enter closed session to discuss: Litigation-Landmark

Motion: Councilman Hayes

Second: Councilman Di Paolo

Roll call vote: Council members Correa, Di Paolo, Hayes, Morrell-yes

Motion to go back into public: Councilman Hayes

Second: Councilman Morrell

All in favor.

Motion to adjourn: Councilman Morrell

Second: Councilman Hayes

All in favor.

Meeting adjourned at 8:50PM

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk

