

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
PUBLIC MEETING MINUTES
SENIOR CENTER
MARCH 21, 2017
6:30 PM**

Mayor Kelly called the meeting to order at 6:30PM

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 place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was 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, Geist, Manna, Morrell, Riquelme-present

Councilman Di Paolo-absent

Mayor James Kelly-present

Motion to accept agenda as presented: Councilman Riquelme

Second: Councilman Manna

All in favor.

Approval of Minutes

Motion to approve the February 21, 2017 Public and Closed Session minutes:

Councilman Riquelme

Second: Councilman Manna

Roll call vote: Council members Geist, Manna, Morrell, Riquelme-yes

Councilwoman Correa-abstained

Motion to approve the March 7, 2017 Executive Session and Closed Session minutes:

Councilman Geist

Second: Councilman Riquelme

Roll call vote: Council members Correa, Geist, Manna, Morrell, Riquelme-yes

MAYOR'S REPORT

Mayor Kelly congratulated Eric D'Anna on attaining the rank of Eagle Scout.

Thank you to the DPW for a job well done during the last snowstorm.

ADMINISTRATOR HERR'S REPORT

Nixle is up and running. The Police Department has been encouraging sign ups. All you have to do is text "Nixle" and enter 888777 and put in your zip code and you will be entered into the system. It will be administered by the Police Department for emergencies.

Suez Water will be doing upgrades on their system at the end of April.

ISO has formally notified us that we have a rating of 9, which means a reduction of 5% in flood insurance premiums for those who have to pay that. He thanked the Engineer and the Building Department for their work on this.

Tonight we will be introducing the 2017 municipal budget. Numbers are subject to change. We are meeting the State guidelines for introducing the budget. He thanked the Department Heads and the Finance Committee for their input. The tentative date for the hearing is April 18th. The average assessed home in Dumont is \$307,000-municipal taxes would rise \$72.00 or \$6.00 per month. The library portion, which is state-mandated, would raise taxes \$5.00.

COUNCIL COMMITTEE REPORTS

- Councilwoman Correa

Board of Education

They introduced their budget. They are close to signing the teachers' contract. They athletic director received approval to move from the Big North Conference to the NJIC.

Fire Department

In February, there were 31 alarm calls, total man hours was 1,140.

- Councilman Geist

He stressed that tonight the budget is being introduced. Although this year's increase is lower than it has been in the past, he is not happy with any increase. He pledged to do a lot of work to lower it.

- Councilman Manna

He and Councilman Riquelme attended a budget seminar, which was very beneficial. He had the slides disseminated to the rest of the Council. He found out from the DPW Superintendent that inspection of the DPW wells has not been done in a couple of years and suggested the Council approve the paperwork necessary. He also asked the Building Department for a cost estimate for hiring additional inspectors for the Landmark project, if needed. He would like clarification on C of O procedure.

Ordinance Committee

They are working on a grease trap ordinance and meeting with the DPW Superintendent and Mr. Pampaloni (our wastewater consultant) for input. The committee is working on ordinances as well.

Finance

He encouraged everyone to go to the website and read the budget and bring any questions to the hearing.

- Councilman Morrell

Police Department

In February, there were 1,762 telephone calls for service; 74 calls for medical reasons, 10 for fire. 207 traffic summonses were issued-124 for parking, 83 for moving. They investigated 29 motor vehicle crashes, responded to 25 burglar alarms and traveled 11,220 miles.

Recreation

Everything is going well.

- Councilman Riquelme

DPW

In February, there were 14 sewer jobs. The Department has a list of catch basins that need to be repaired. They have been getting asphalt to repair the potholes in town. Street signs are being inspected and being made and installed as needed.

ATTORNEY'S REPORT

Mr. Paster said he drafted two resolutions of support for legislation pertaining to affordable housing.

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 member of the public or a Council member. Also, any item may be removed for further discussion or for 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

#17-86 Bills List *

#17-87 Bus Stop Location Change * The Essex Street stop will be moved to Poplar. Would there be too many bus stops?

#17-88 Andre M. Astudillo-Hire as Police Department Dispatcher -\$27,966.60*

#17-89 Natalia J. Tello-Hire as Police Department Dispatcher -\$34,662.88 annual*

#17-90 Support Bill A4666 – Urges a Freeze on All Affordable-Housing Litigation through the End of the Year *

#17-91 Support Bill A4667 – Establish a Bipartisan Affordable Housing Obligation Study Commission that would be Composed of Professionals and Elected Officials to Determine each Town's Affordable-housing Obligations *

#17-93 Approval of Elks Lodge #2593 Pull Tab Raffle effective March 16, 2017 through March 15, 2018: ID#109-6-33628: RL#471 * The Borough Attorney confirmed that even though Councilman Riquelme is a trustee, he is able to vote on this resolution.

Mr. Herr explained that one dispatcher is starting at a higher than the other because she has a lot more experience.

Motion to open to the public on Consent Agenda items: Councilman Morrell

Second: Councilman Riquelme

All in favor.

1. Lili Binney, 32 Roxbury, asked for clarification on the bus stop move.
2. Rachel Bunin, 9 Poplar, said that the bus stops are too close.
3. Lynn Vietri, 41 Wilkens Drive, asked if the recreation account is on the bills list.

What are the account balances for each sport? She feels the referees should be paid quicker.

4. Gerry Toner, 15 Sycamore, responded to Ms. Vietri, stating that he has met with the director and gone over the revenue and expenses. They are close to having the balances. They will sit down with all the presidents of the programs.

5. Bruce deLyon, 67 Beacon Street, said that Board of Eds. have a different process which is quicker. He suggested they explain the problem to the auditor and what is needed to rectify it.

Motion to close to the public: Councilman Morrell

Second: Councilman Riquelme

All in favor.

Motion to adopt the consent agenda: Councilman Riquelme

Second: Councilman Manna

Roll call vote: Council members Correa, Geist, Manna, Morrell, Riquelme-yes

General Order of Business

#17-92 Introduction of the 2017 Municipal Budget

Mayor Kelly stated that since this is the introduction of the budget, there will be no comment from the public.

Motion to adopt: Councilman Manna

Second: Councilman Morrell

Councilwoman Correa said she just received the budget on Friday. She and Councilman Manna spent six hours going over it. She will vote yes. Councilman Geist echoed what Councilwoman Correa said and will vote yes.

Councilman Manna explained that within the budget there is a six-year capital improvement plan. It's important we understand our needs in the future. Mr. Herr did a good job putting it together.

Roll call vote: Council members Correa, Geist, Manna, Morrell, Riquelme-yes

Motion to open to the public for general comments: Councilman Morrell

Second: Councilman Riquelme

All in favor.

1. Rachel Bunin, 9 Poplar Street, said that Arbor Day will be April 29th. She encouraged the public to come out. Councilman Riquelme has submitted a photo for the art contest and she asked that others do as well. The seminar March 6th had the Hackensack Riverkeeper was well attended. Shade Tree representatives from other towns attended and the word was that the Dumont Shade Tree Commission is the envy of all the Shade Trees in Bergen County. Kudos to Ray Slaman. She wants to make sure the Governing Body is looking at the information the Joint Land Use Board receives and will address any concerns.

2. deLyon, 67 Beacon Street, asked the status of Mr. Herr's contract. He questioned the preparation of the budget and the expense. The Mayor stated it is done internally and it is reviewed by the auditor. Councilman Manna explained the process and that the auditor makes sure the town is compliant in all aspects-the final gatekeeper. Mr. Paster said that every town in the state does it this way. On the Fair Share Housing website-the July, 2015 number was listed as 251. At the last meeting, Councilman Geist said he called Dr. Kinsey's office about the 422 number and was eventually told the borough attorney had to call. He asked Mr. Paster how the number was determined and asked if there was a guarantee. Mr. Paster responded that there was a report from Dr. Kinsey's office to the Fair Share Housing Center last May after the appellate decision on gap period. It is a very complex formula. It is planning and engineering specific. He said there is no guarantee; the way to get a ruling you take existing credits, proposed credits, mechanisms for accruing additional credits to come up with a net number. The net

number based on negotiations last fall is 83 from the beginning number of 422. Dr. deLyon said there was a resolution adopted in November. Where is the attachment? Why was it adopted if the Council disagreed with the planner? Mr. Paster replied that the Council didn't disagree with the planner. The attachment is still a work in progress. We now have a new planner who will determine what direction to go in. deLyon questioned why we would approve something if we are still negotiating. Mr. Paster said that was essentially an agreement in principle. Towns that did not avail themselves of the opportunity last year, some have missed out. The resolution reads "subject to further ratification and action by the Council. You can always opt to go back to court and let a judge decide. deLyon asked the status of the Police Chief's contract. The proposal came from the Chief but it should be coming from the employer.

3. Lili Binney, 32 Roxbury Road, questioned the timing of the 422 number. She asked the process for application the Joint Land Use Board. She asked about C of O's. Mr. Paster said that it would be a question for the building department. She asked if the budget is on the website to which the Municipal Clerk responded that it is. Ms. Binney asked the addresses of the two properties we had appraisals done on. Mr. Paster responded 11 and 19 W. Quackenbush. The Mayor and the administrator will go over the numbers for the borough hall project with RSC. Ms. Binney questioned Mr. Paster's remark that it was an agreement in principle. Mr. Paster said it isn't done. You can always go back to court. The resolution last November was a good faith showing that FSH asked for.

4. Tom Gorman, 46 Wilcox Street, asked if we will have drawings on the new borough hall. Mayor Kelly replied that the architect will give us the cost based on square footage and needs. The cost for designing the building will be astronomical. They came in and spoke to the department heads. Mr. Gorman spoke of a 120-year-old building in Lodi that's going to be renovated. Have we had anyone go into our building. The Mayor said the presentation will be based on a new building. Mr. Gorman asked who approves snow removal. Grant Avenue was not plowed well. Why are we hiring attorneys to defend two police chiefs? Mr. Paster explained that it was not necessary because the MEL denied coverage but JIF will defend them. Mr. Gorman said if the Council had laptops, a lot on paper could be saved. He asked if Mr. Paster has heard about the one acre at D'Angelo's being bought by Habitat for Humanity. Mr. Paster said just from a Facebook page someone sent him. Mr. Gorman said there are too many bus stops. He suggested the traffic bureau look into it.

5. Andrew LaBruno, 108 E. Linden Avenue, said that the Dumont Community Group 501C3 raises money for movies in the park, 5K, etc. He thanked Recreation for approving the use of Memorial Park for the viewing of the movies. Volunteers and donations would be appreciated. Could someone see if the 5K banners are in the old borough hall?

6. John Sansone, 119 Beacon Street, asked about rehab for the old Borough Hall.

7. Tom Kelly, 70 Beacon Street, spoke of the FSH numbers and admission of errors. He said that on the website it mentions 70 demolitions in 2007, which was many more than any other year. This figure goes into calculating your alleged prospective number. It should be checked. He spoke of the numbers. They should be corrected. You cannot lose a builder's remedy if you do not have an unmet obligation. He feels that borough hall should be renovated.

8. Maryann Russini, 141 Roosevelt Avenue, Recreation Commissioner spoke of possible ways to pay referees quicker. Mr. Herr will talk to Mr. Como tomorrow.

9. Karen Valido, Overlook, asked if utilities are still on at borough hall.

10. Chris Sheridan, 9 Wilcox Street, asked if there is a way to check the demolitions numbers, especially since there are not corresponding C of O's. He thinks borough hall should be renovated. He doesn't understand why the expert testified that 18 units is sufficient. Mr. Paster explained that there were two separate lawsuits that were consolidated for court purposes. The first one was the builder's remedy. That's when the expert testified to that figure relative to the farm. The 18 was fair and reasonable if the units were to be built at 50 Washington Avenue because that's all the parking it could sustain. When that was not an option, the 22 number was actually 15% of the 124 market units. Mr. Sheridan didn't understand why there would be one witness for Landmark and Fair Share Housing with different numbers. Mr. Paster said it was simply a mathematical calculation.

11. Lynn Vietri, 41 Wilkens, asked the process for paying umpires. She wanted to make sure historic items would be salvaged in borough hall. If the one acre is sold, what would happen. Mr. Paster said it goes with the land. Ms. Vietri had a concern about the clubhouse and pool at D'Angelo's being used for events because of the many cars that would be parking on neighboring streets. Mr. Paster said that renting out the clubhouse is not part of the settlement plan. Ms. Vietri should eliminate the Wilkens bus stop.

12. Karen Valido asked if the numbers are wrong, is it possible to do anything about Landmark?

13. Liz Marchese, 235 Larch Avenue, said there are problems with Nixle-she didn't receive any notices from Dumont during the storm. Were extra inspectors figured in when the settlement was done? Mayor Kelly said that after speaking to our Building Inspector, he doesn't feel we will need additional inspectors. They are part-time. Ms. Marchese asked if the taxes for D'Angelo's are up to date? Mr. Paster responded that the six acres are; the one acre is subject to the farmland rollback. He believes that there are only three years not up to date on the one acre. He said the one acre is assessed at \$800,000. Their assessment is \$500,000. Ms. Marchese requested Mr. Herr provide the itemized amount spent on professionals relating to 50 Washington Avenue. He said he'll try to get the information to her in 60 days. It is very time-consuming. Every vendor must be identified, then broken out to what is related to 50 Washington Avenue.

Motion to close to the public: Councilman Morrell

Second: Councilman Manna

All in favor.

Councilwoman Correa asked if someone buys the one acre, would they be responsible for the farmland rollback tax. Mr. Paster said the tax would have to be paid. She took exception to Mr. Herr saying the information Ms. Marchese requested is time consuming. He should provide it as soon as possible.

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

Negotiations-Police Chief

Possible Litigation-Police

Negotiations-DPW

Acquisition, Purchase, Lease of Real Property with Public Funds

Motion: Councilman Manna

Second: Councilman Riquelme

Roll call vote: Council members Correa, Geist, Manna, Morrell, Riquelme-yes

Following Closed Session, motion to go back into public: Councilman Morrell

Second: Councilman Riquelme

All in favor.

It was agreed to authorize Bond Counsel to proceed with a Bond Ordinance for consideration at the next Council meeting

Councilman Riquelme requested that the Administrator obtain a fee for borough hall renovation.

The following resolutions will be memorialized at the next Council meeting:

Resolution #17-94 Authorization to have Borough Professionals Prepare Applications to Appear before the Local Finance Board for the Waiver of a Down Payment-

Motion: Councilman Morrell

Second: Councilman Manna

Roll call vote: Council members Correa, Geist, Manna, Morrell, Riquelme-yes

Resolution #17-95 Authorization of Conversion of the Borough of Dumont's Bond Anticipation Notes to Permanent Bonds-

Motion: Councilman Morrell

Second: Councilman Manna

Roll call vote: Council members Correa, Geist, Manna, Morrell, Riquelme-yes

Motion to adjourn: Councilman Morrell

Second: Councilman Riquelme

All in favor.

Meeting adjourned at 10:45 PM

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk