

**BOROUGH OF DUMONT  
BERGEN COUNTY, N.J.  
GOVERNING BODY MEETING MINUTES  
SENIOR CENTER  
JANUARY 17, 2018  
6:30 PM**

Mayor Kelly called the meeting to order.

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 public meeting. Notice was sent to *The Record* and *The Ridgewood News*, filed with the Borough of Dumont, and posted on the Borough website and the official bulletin board.

**Roll Call:**

Council members Correa, Di Paolo, LaBruno, Manna, Riquelme, Stewart-present  
Mayor James Kelly-present

Motion to accept agenda as presented: Councilman Riquelme

Second: Councilman Manna

All in favor

**Work Session:**

The Mayor stated that Council members Correa and Manna met with the architect and construction management firm to discuss the new Borough Hall. Councilman Manna reported on the expectations of the Council for the new complex, Police Headquarters and Court. He suggested that a council member should sit in on the meetings with department heads when discussing what they need. If remediation is needed at the Quackenbush property, it has to be factored into the purchase of that property. The engineers will determine if remediation is needed at 50 Washington Avenue.

Councilwoman Correa said that administration /communication and the roles and responsibilities were discussed. Councilwoman Correa and Administrator Richards would be the borough contacts. The design would be prepared by Jeff Schlect from RSC. Land acquisition would be handled by Mayor Kelly. There will be periodic meetings. Until we have an actual design, we can't project the square footage. RSC will meet with the department heads to determine needs. A food bank and social services department in the new borough hall were discussed.

Councilman Riquelme would like the building to be well-designed and resident-friendly. If the departments are close to each other, they can share copiers, etc.

Councilman LaBruno would like to see a Recreation area like there was in the other building.

The Council discussed the 2018 by-laws. Councilwoman Stewart said that Ms. Connelly had been asked to contact other towns to see what time limits they had. We are the only ones offering the public three chances to speak. Many were either three or five minutes. At a League of Municipalities seminar the Councilwoman attended, this was addressed since it has become an issue for many towns. Also, meetings will adjourn by

11PM. There was discussion as to whether the public should have an opportunity to speak about the consent agenda before they are presented or after. It was agreed that the public portion would be after the consent agenda is presented, there would be a five-minute limit for speakers and 11PM adjournment. An opportunity to open to the public following presentation of the non-consent agenda will also be added.

Next, there was discussion pertaining to smoke shops/marijuana sales shops in Dumont. The Mayor received copies of ordinances from Garfield and Upper Saddle River. These look like they address where these shops can be, rather than banning them. Councilman LaBruno requested that this be put on the agenda after receiving an email from Chief Conner and wants to be proactive. There was discussion about safety, employment opportunities and revenue.

### **Approval of Minutes**

Motion to approve the January 3, 2018 Sine Die meeting: Councilman Manna

Second: Councilman Riquelme

Roll call vote: Council members Correa, LaBruno, Manna, Riquelme, Stewart-yes  
Councilman Di Paolo-abstained

**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**

**#18-50** Kevin Reissner-Accept Application to the Dumont Fire Auxiliary \*

**#18-51** Bills List \*

**#18-52** Approval of DHS Music Boosters Off-premise Raffle Application to be held May 7, 2018; ID#109-5-36714; RL#497 \*

**#18-53** Equal Employment Opportunity Certification \* Mr. Bailey explained that this essentially prevents discrimination through utilization of drug tests or criminal convictions that someone might have. It has to be applied equally, not directed toward one ethnicity and not another. It is required for all municipalities. Councilman Manna stated that passing this resolution is required for the DCA to accept our budget.

**#18-54** DPW Health Benefits Memorandum of Agreement-Authorization of Execution \*

**#18-55** Jeanine Siek-Hire as Rent Leveling Board Secretary \*

**#18-56** David Shellman-Hire as Interim Full-time Property Maintenance Official-\$38,000 annually \*

**#18-57** Environmental Renewal, LLC-Approve as Yard Waste Dump Site \*

Councilwoman Correa requested that Resolution #02 be placed on non-consent

Motion to open to the public on the consent agenda: Councilman Manna

Second: Councilwoman Stewart

All in favor.

1. Bruce deLyon, 67 Beacon Street, asked for explanation of Resolution #54. The Mayor explained that it is a revision of the DPW contribution of health benefits.

Motion to close to the public: Councilman Manna

Second: Councilman Riquelme

All in favor.

Motion to adopt the Consent Agenda: Councilman Riquelme

Second: Councilman LaBruno

Roll call vote: Council members Correa, Di Paolo, LaBruno, Manna, Riquelme, Stewart-yes

**Non-consent Agenda**

**#18-02 Adoption of 2018 Revised By-laws**

Motion to open to the public: Councilman Manna

Second: Councilman LaBruno

All in favor.

1. Lili Binney, 32 Roxbury, stated that “previously tabled” was incorrect. It was voted down. She asked where the meetings will be held in 2018. The Council has been asked to go and take a look at the Library auditorium and give their thoughts. Ms. Binney is disappointed in the by-laws not addressing lateness, use of cell phones during meetings and guideline addressing the attorney speaking to the press, which costs the town money.

2. Lynne Vietri, 41 Wilkens, confirmed that the comment section would also be five minutes.

3. Tom Kelly, 70 Beacon Street, reiterated his concerns regarding the violation of the Open Public Meetings Act; that decisions are being made prior to the meetings. He is prepared to file a complaint. He is concerned this pattern will continue. He spoke of the process of amendments to the by-laws. Councilman Manna explained that this is why work sessions are necessary and will be conducted in the future.

4. Bruce deLyon, 67 Beacon Street, asked when the committee to amend by-laws was formed. The Mayor responded there is a Resolution Committee.

5. Lynne Vietri, 41 Wilkens, asked if the old by-laws are currently in effect. The answer was yes.

Motion to close to the public: Councilman Manna

Second: Councilman Riquelme

All in favor.

Motion to adopt Resolution #02: Councilman Manna

Second: Councilman LaBruno

Roll call vote: Council members Di Paolo, LaBruno, Manna, Riquelme, Stewart-yes  
Councilwoman Correa-no

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

Second: Councilman Riquelme

All in favor.

1. Lynne Vietri, 41 Wilkens Drive, asked if Garden Homes is demolishing 50 Washington and will there be a small kitchen for the kids like there used to be at the teen center? Will there be plans after Phase I? Is the land acquisition still the one property? The Mayor responded that a kitchen will be considered. There will not be plans following Phase I and the land acquisition is still the one property. Ms. Vietri asked why presidents of the leagues were asked to attend a Recreation meeting scheduled for Saturday at 5PM. The Mayor thinks it was regarding the budget. Ms. Vietri asked if random drug testing

is currently being conducted; whether it includes alcohol and drugs and the consequences if something is found. Mr. Richards said they are then encouraged to go to rehab. He will check, though. Ms. Vietri said that people need time to talk.

Councilwoman Correa feels that meeting with the presidents about their budgets will cause problems.

2. Lili Binney, Roxbury Road, asked if Mr. Richards could vet the RFQ's in the future. Are there Open Space Fund applications available? Mr. Richards replied that he could if he was directed to do so. He will be going to the County this week about Open Space. Ms. Binney asked if there has been any discussion regarding year-round on the street parking. Councilman LaBruno said he will be looking into it. Now that the Board of Education lawsuit has ended, she asked who on the Council would see to it that the redacted emails are provided. Ms. Binney asked that it be noted that at the December 19<sup>th</sup> meeting Mr. Paster was asked his past experience and his response was not written in the minutes. She said his response, after some hedging, was that he had never been an attorney anywhere before. She said that this is not the first time certain points she feels are important are not reflected accurately in the minutes.

3. deLyon, 67 Beacon Street, pointed out the January 3<sup>rd</sup> agenda names Ms. Siek as Administrative Assistant but the resolution states Administrative Assistant/Webmaster. He asked when the Mayor would be responding to his questions about the utility charges. The Mayor will be responding in the next day or two.

4. Michael Sullivan, 125 Andover Avenue, feels we should be taking the property on W. Quackenbush by eminent domain since we have to provide parking spaces and a fence for the seller. He is in favor of keeping the overnight parking restrictions. We have to wait for the cannabis to play out.

5. Tom Kelly, 70 Beacon Street, wants the minutes to reflect that the by-laws last month were not tabled, but turned down. The ordinance committee should get input from the police, fire, ambulance and some residents if considering changing the parking ordinance. Is there ongoing discussion on the driveway impervious surface? Is there a date set for the demolition of the old building? The Mayor responded no. Mr. Kelly asked if there will be a committee about the size, style, etc. and feels minutes should be taken at those meetings. The Mayor said there is a committee comprised of Councilwoman Correa as Chair and Council members Di Paolo and LaBruno. Mr. Kelly asked if there has been any decision on moving forward with the lot lease for spaces available to the land owner. The Mayor said we are waiting for the contract from the owner's attorney. The Mayor stated a \$975 quote was received to put a meter there and waiting for PSE&G to provide a quote to drop the line in. Councilman LaBruno asked if this company's trucks could be stored at the DPW. Council members Correa and Stewart agreed that there are other alternatives other than the Brook Street lot. Mr. Kelly asked if there is a date for the Affordable Housing Compliance hearing. If a date is set, let the residents know. Mr. Bailey replied that once the implementing documents and ordinances are presented and adopted, Judge Farrington would set a date.

6. Mary Ann Russini, 141 Roosevelt Avenue, asked if Mr. Richards is the grant writer. He replied he is able to find some grants but there are some situations that require more expertise. Ms. Russini asked if any permits have been issued on D'Angelo's and is there a timeline. The Mayor replied there have been no permits and he will be meeting with

Garden Homes soon. Ms. Russini asked if Washington Avenue by D'Angelo's could be fixed. Councilman Manna stated it is a county road and is scheduled to be done.

7. Gerry Aponte, 88 Hickory Street, said the Recreation Commission has quite a bit to do. The previous meeting had been cancelled due to weather. The league presidents were invited for input and budget questions.

8. Steven Fox, 89 Seminole Avenue, asked if Garden Homes needed a permit for the abatement at D'Angelo's. Mr. Richards said that a municipality does not have the authority to issue a permit for asbestos. The people who removed it are certified. Everything is compliant with the law. They did come in and apologize for not letting the town know. Mr. Fox doesn't want cannabis in this town. There was discussion about cannabis and opioid problems.

Motion to close to the public: Councilman Manna

Second: Councilman LaBruno

All in favor.

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

Police Chief-Contract Negotiations

DPW Superintendent Negotiations

Personnel-Labor Hearing

Purchase, Lease or Acquisition of Real Property

Borough Administrator-Negotiations

Motion: Councilman Manna

Second: Councilman LaBruno

Roll call vote: Council members Correa, Di Paolo, LaBruno, Manna, Riquelme, Stewart-yes

Following closed session, motion to return to public: Councilman Manna

Second: Councilman Riquelme

All in favor.

Motion to adjourn: Councilman Manna

Second: Councilman Riquelme

All in favor.

Meeting adjourned at 9:40PM

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk

