



2023
BOROUGH OF DUMONT
ORDINANCE

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
APONTE				
HARVILLA				
KELLY				
MORRELL				
RUSSELL				
STEWART				
MAYOR LaBRUNO				
TOTALS				

Ordinance No. 1622

Date: August 8, 2023

Page: 1 of 4

Subject: Bond Ordinance No. 1621

Purpose: Amendment to Sections 2 and 4.D

Dollar Amount: _____

Prepared By: Steven L. Rogut, Bond Counsel

Offered by: _____

Seconded by: _____

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Jeanine E. Siek, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

BOND ORDINANCE TO AMEND SECTIONS 2 AND 4.D OF THE BOND ORDINANCE (ORD. NO. 1621) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF DUMONT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,654,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED ON JUNE 13, 2023.

BE IT ORDAINED by the Borough Council of the Borough of Dumont, in the County of Bergen, State of New Jersey, as follows:

Section 1. Section 2 of Ordinance No. 1621 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF DUMONT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,654,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS"

adopted by the Borough Council of the Borough of Dumont, in the County of Bergen, New Jersey (the "Borough") on June 13, 2023 (the "Prior Ordinance") is hereby amended to change the purpose for which the \$96,442 grant from the County of Bergen Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund shall be used from the improvements to Memorial Park authorized in Section 4.D to the park improvements authorized in Section 4.D, and shall hereafter read as follows:

"Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. It is anticipated that the following grants shall be received by the Borough: (A) a \$37,000 Federal American Rescue Plan Act Firefighters Grant to finance the cost of the water rescue equipment acquisition authorized in Section 4.B hereof; (B)

\$96,442 from the County of Bergen Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund to finance the cost of the park improvements authorized in Section 4.D hereof; and (C) \$134,165 from the Bergen County Community Development program, pursuant to the Federal Housing and Community Development Act, to finance the cost of the improvement to Dulles Drive authorized in Section 4.F hereof. Said grant funds shall be applied as set forth in Section 12 hereof. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited."

Section 2. Section 4.D of the Prior Ordinance is hereby amended to add the construction of a pickleball court and other improvements at Berkley Park to the improvements authorized, and shall hereafter read as follows:

"[Section 4.] D. Undertaking of various improvements to Memorial Park (Phase 2) and construction of a pickleball court and other improvements at Berkley Park.

Appropriation and Estimated Cost	\$ 235,000
Down Payment Appropriated	\$ 11,750
Bonds and Notes Authorized	\$ 223,250
Period of Usefulness	15 years."

Section 3. The capital budget is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 4. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Andrew LaBruno, Mayor

Attest:

Jeanine E. Siek, RMC
Municipal Clerk

Introduced: August 8, 2023
Adopted:



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Ordinance No. 1623 (revised 8/8/23)

Date: August 8, 2023

Page: 1 of 5

Subject: Covering of Dumpsters and Refuse Containers

Purpose: Amend Chapter 196 of Dumont Borough Code

Dollar Amount: _____

Prepared By: Jared Geist, Esq.

Offered by: _____
Seconded by: _____

Certified as a true copy of an Ordinance Introduced and Passed on 1st Reading by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Jeanine E. Siek, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

**AN ORDINANCE OF THE BOROUGH OF DUMONT, COUNTY OF BERGEN,
 STATE OF NEW JERSEY, AMENDING CHAPTER 196 OF THE BOROUGH CODE –
 COVERING OF DUMPSTERS AND REFUSE CONTAINERS**

Article I

Covering of Dumpsters and Refuse Containers

[Adopted 9-21-2010 by Ord. No. 1413]

§ 196-1 Purpose.

This article requires dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking or otherwise discharging of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Dumont and/or the waters of the state so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply. This Ordinance is also intended to establish the permit fees for dumpsters to encourage the regulation of same and an escalating cost to maintain permits for them to encourage expeditious use of them and the prompt removal of these unsightly and often odorous containers.

§ 196-2 Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) that is owned or operated by the Borough of Dumont or other public body and is designed and used for collecting and conveying stormwater.

PERSON

Any individual, corporation, company, partnership, firm, association or political subdivision of this state subject to municipal jurisdiction.

REFUSE CONTAINER

Any waste container, commonly referred to as a dumpster, that a person controls, whether owned, leased or operated, including trash cans, garbage pails and plastic trash bags.

SHORT-TERM DUMPSTER

A dumpster placed onsite for a period not to exceed thirty (30) days and intended to accommodate the disposal of debris created by common renovations, including, but not limited to kitchen, bathroom, roof, siding and basement improvements and upgrades.

STORMWATER

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or

drainage facilities or is conveyed by snow removal equipment.

WATERS OF THE STATE

The ocean and its estuaries, all springs, streams and bodies of surface water or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 196-3 Covering of containers and prevention of leaks and discharges required.

- A. Any person who controls, whether owned, leased or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.
- B. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Dumont.
- C. Every day after the initial citation for violation of this section may be considered a separate violation, in the discretion of the Municipal Court.

§ 196-4 Exceptions.

The following are exceptions to the prohibitions set forth in this article:

- A. Litter receptacles (other than dumpsters or other bulk containers).
- B. Individual homeowner trash and recycling containers.
- C. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
- D. Large, bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

§ 196-5 Enforcement.

This article shall be enforced by the Dumont Police Department and/or Superintendent of Public Works and/or Zoning Officer and/or Assistant Zoning Officer and/or Construction Official of the Borough of Dumont. The Construction Official shall create such forms as are necessary to document the issuance of permits under this section, the dates of issuance, expiration, fees collected and such other information as deemed necessary.

§ 196-6 Fees

- A. The dumpster permit fee shall be one hundred (\$100) dollars and will be valid for one year. Subsequent permit fees shall be five hundred dollars (\$500) and valid for six months. The fee for any portion of the next two succeeding six-month periods shall be five hundred dollars (\$500.00). The fee for any portion of the next six-month period and any portion of a subsequent six-month period shall be one thousand dollars (\$1,000.00). The fee shall be paid for each dumpster present on the site. Dumpsters may be exchanged for empty replacements when removed after being filled for no additional fee except as set forth below.
- B. These fees shall be paid by the person requesting the dumpster and to be placed on the property prior to the issuance of a dumpster permit.
- C. For small projects in which a dumpster is not needed for an extended period of time Short Term Dumpster Permit will be issued, subject to all of the provisions of this Chapter for a period of up to thirty (30) days. The permit fee for a Short-Term Dumpster shall be twenty-five dollars (\$25.00). If a Short-Term Dumpster remains on the property for more than thirty (30) days it shall convert to an ordinary Dumpster and the fees set forth in subsection A of 196-6 shall be paid and collected with no credit for the \$25.00 fee initially paid.
- E. The owner of the property where the dumpster is placed shall bear responsibility for the payment of the fee.

§ 196-6 Violations and penalties.

The failure to pay the fee or have a current permit in place shall subject the owner of the Property and any other persons adjudged guilty to imposition of a fine of \$100.00 to \$250.00 for a first offense; \$250.00 to \$500.00 for a second offense; and \$500.00 to \$5,000.00 for a third or subsequent offense.

§ 196-7 Obligation to Repair Damage

Any person or entity applying for and receiving a permit hereunder shall cause to be repaired any damage to the public roadway, curbs, side-walks or utilities to the specifications of the Borough of Dumont or the utility company that is damaged. If said repairs are not made within 30 days of notice, the Borough of Dumont may make such repairs and pay for same out of the municipal funds available for that purpose. The cost of such work shall be certified by the department or person having charge thereof to the person or department having charge of the collection of assessments in the Borough and upon the filing of said certificate the amount of the cost of such work shall be and become a lien upon the property for which the permit was issued and said sum shall be collected in the manner provided by law for the collection of such other assessments, and shall bear interest at the same rate in addition thereto; the Borough may

commence an action to recover the said amount against the owner of said lands, and in any court having competent jurisdiction thereof a certified copy of the aforesaid certificate shall in such action be prima facie evidence of the existence of a debt due from the said owner to the municipality

§ 196-8 Dumpster in Public Right of Way or Public Property

A. Dumpsters, waste and refuse containers proposed to be placed on public property shall be subject to the fees set forth above and governed by N.J.S.A. 27:5I-1 which is incorporated herein in its entirety as set forth below:

a. No person shall park or leave unattended any waste or refuse container, commonly known as a roll-off dumpster or roll-off container, on or along any highway or public property, without the written consent of the appropriate municipal, county, or State authority having jurisdiction over the highway or public property. Consent shall be valid and remain in effect for a period of not more than 30 days, but may be renewed by the appropriate official upon application therefor.

To warn the operators of vehicles of the presence of a traffic hazard requiring the exercise of unusual care, any roll-off dumpster or roll-off container parked on or along any highway shall be equipped with and display markers consisting of all yellow reflective diamond-shaped panels having a minimum size of 18 inches by 18 inches. These panels shall be mounted at the edge of the dumpster or container at both ends nearest the path of passing vehicles and facing the direction of oncoming traffic. These markers shall have a minimum mounting height of three feet from the bottom of the panels to the surface of the roadway.

b. A person who is convicted of a violation of this section shall pay a fine of not more than \$100.00 for each violation. In default of the payment of a fine, imprisonment in the county jail for a period of not more than 90 days may be imposed. The fine shall be paid over to the board or body charged with the maintenance of the road or highway upon which the violation occurs.

The Borough of Dumont designates to the Police Chief, or his/her designee, the authority to consent to such placement on behalf of the Borough of Dumont.

ATTEST:

Jeanine E. Siek, RMC
Municipal Clerk

Andrew LaBruno, Mayor

Introduced: August 8, 2023
Adopted:



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TOTALS				

Ordinance No. 1624

Date: August 8, 2023

Page: 1 of 6

Subject: Grease Traps

Purpose: Amend Chapter 339 of Dumont Borough Code

Dollar Amount: _____

Prepared By: Jared Geist, Esq.

Offered by: _____
Seconded by: _____

Certified as a true copy of an Ordinance Introduced and Passed on 1st Reading by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Jeanine E. Siek, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

**AN ORDINANCE OF THE BOROUGH OF DUMONT, COUNTY OF BERGEN,
 STATE OF NEW JERSEY, AMENDING CHAPTER 339 OF THE BOROUGH CODE –
 GREASE TRAPS**

§ 339-31. Purpose.

The purpose of this chapter is to aid in the prevention of sanitary sewer blockages, backups and obstructions from contributions and accumulation of fats, oils, and greases into the sanitary sewer system from industrial or commercial establishments, particularly food preparation and serving facilities.

§ 339-32 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BROWN GREASE

Waste vegetable oil, animal fat, grease, etc., that is recovered from the waste water that is discharged into a drain and grease trap.

FATS, OILS, AND GREASES

Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in the United States Code of Federal Regulations, 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as "grease" or "greases."

FOOD ESTABLISHMENT

Any permanently fixed location that prepares food for human consumption that generates fat, oil or grease waste as a part of its business within the Borough and is licensed by the local health department.

GREASE TRAP

A device for separating and retaining waterborne greases and grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection and treatment system.

INSPECTING OFFICIAL

Representatives from the Building Department, Department of Public Works and/or Health Department.

USER

Any person who contributes, causes, or permits the contribution or discharge of wastewater into sewers within the Borough's boundaries, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater.

YELLOW GREASE

Grease derived from used cooking oil from the food industry as typically found in frying oils from deep fryers.

§ 339-33 Best management practices.

All food establishments regulated under this chapter shall adhere to best management practices dealing with fat, oil, and grease disposal and shall educate their employees to these practices. Best management practices include, but are not limited to, the following:

- A.
Training kitchen staff on grease handling practices.
- B.
Hanging grease handling posters in the kitchen.

C.
Instructing employees that food waste shall be disposed of in the trash and not in the sanitary sewer system.

D.
Providing ample paper towel dispensers for dry-wiping grease from spills, pots, frying, grilling equipment, and other surfaces saturated with fat, oil, and grease residue.

E.
Using strainer baskets in sinks to catch food waste.

F.
Directing all drains from grease-producing sources to a properly sized grease trap.

G.
Ensuring that the hot water in the food establishments is less than 140° F.

§ 339-34. Installation requirements.

A.
All existing, proposed, or newly remodeled food establishments within the Borough of Dumont shall be required to install, at the user's expense, an approved, properly operated and maintained grease trap or acceptable grease recovery system.

B.
The inspecting official may require that a grease trap in a food establishment be upgraded to the current-day industry standards.

C.
Food waste, including fat, oil, and grease, cannot be discarded into a slop sink, floor drain, toilet or any other plumbing fixture not connected to a grease trap.

§ 339-35 Access.

Access to grease traps shall be available during normal Borough business hours to allow for their maintenance and inspection by the inspecting official. Access includes the ability to open the trap, if the inspecting official requires access. Should an emergency situation arise, the access shall be provided to the inspecting official immediately.

§ 339-36. Grease trap maintenance.

A.
Cleaning. The user, at the user's expense, shall maintain all grease traps to assure proper operation and efficiency. Maintenance of grease traps shall include the complete removal of all

contents, including floating materials, wastewater, bottom sludge and solids. The decanting or discharging of removed waste back into the trap from which it was removed or any other grease trap, for the purpose of reducing the volume to be disposed, is prohibited. Any needed repairs shall be noted. Repairs shall be made at the user's expense.

B.

Cleaning frequency. The grease trap must be cleaned completely at a minimum of every 30 days, or more frequently, as determined by the inspecting official, as needed to prevent carryover of grease into the sanitary sewer system.

C.

Disposal. The waste material from the grease trap must be discarded in accordance with applicable state, county, and local regulations. The food establishment shall be responsible, after cleaning the grease trap, to have the contents of the grease trap removed by a private waste hauler firm hired by the food establishment. In no way shall the waste material removed from the grease trap be returned to any private or public portion of the Borough's sanitary sewer collection system. In addition, the food establishment shall insure that proper written documentation is established and maintained for 24 months, noting the name of the waste hauler, address, phone number, date waste removed and volume in gallons, that the brown grease and yellow grease, was removed from the premises.

§ 339-37 Maintenance log; records retention.

A.

Maintenance log. A grease trap cleaning/maintenance log indicating each cleaning of the grease trap for the previous 24 months shall be maintained by each food establishment and posted near the grease trap. This log shall include the date cleaned, by whom, and the signature of the person cleaning the grease trap. Said log shall be made available to the inspecting official upon request.

B.

Retention of records. Each user shall retain all cleaning, maintenance, and disposal records for review by the inspecting official upon his or her request. The records shall be retained for a twenty-four-month period of time.

§ 339-38 Inspections.

The inspecting official shall have the authority to perform periodic inspections of those food establishments generating fat, oil or grease in their operations and shall notify the user of any additional required maintenance or repairs. Upon written notification by the inspecting official, the user shall be required to perform the maintenance or repair within the time period defined. Upon inspection by the inspecting official, the user may be required to install, at his expense, additional controls to provide a complete system which prevents discharges of undesirable materials into the wastewater collection system.

§ 339-39 Additives.

Any biological additive(s) placed into the grease trap or building discharge line, including, but not limited to, enzymes, commercially available bacteria, or other additives designed to absorb, purge, consume, treat, or otherwise eliminate fats, oils, and grease, shall in no way be considered as a substitution to the maintenance procedures required herein.

§ 339-40 Enforcement; violations and penalties.

A.

Recovery of damages. When the discharge from a food establishment causes an obstruction, damage, or any other impairment to the treatment works, or causes any expense, fine, penalty, or damage of whatever character or nature to the Borough, the inspecting official shall invoice the owner for same incurred by the Borough. If the invoice is not paid, the inspecting official shall notify the Borough Attorney to take such actions as shall be appropriate to seek reimbursement.

B.

Penalty. Any person who violates this chapter is subject to the following fines.

(1)

First offense: up to \$250 per day until corrected, plus reimbursement of costs and damages.

(2)

Second offense: \$500 per day until corrected, plus reimbursement of costs and damages.

(3)

Third or more offenses: \$1,000 per day until corrected, plus reimbursement of costs and damages, plus possible closure of discharge to the Borough sanitary sewer system.

(4)

Failure to follow the following shall result in a fine of \$50 per day until corrected:

(a)

The best management practices outlined in § 339-33;

(b)

Maintaining the waste hauler information and

(c)

The maintenance log

(5)

Violations of "Grease trap maintenance," may result in the user hiring a qualified and licensed hauler to maintain the grease traps for one year from the time of the violation, based on the determination of the inspecting official.

§ 339-41 Remedies nonexclusive.

The remedies provided for in this chapter are not mutually exclusive. The inspecting official may take any, all, or any combination of these actions against a noncompliant person.

ATTEST:

Jeanine E. Siek, RMC
Municipal Clerk

Andrew LaBruno, Mayor

Introduced: August 8, 2023
Adopted: