

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
PUBLIC MEETING MINUTES
MARCH 8, 2022
6:30 PM**

Mayor LaBruno called the meeting to order at 6:34 PM.

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 time, date and location of this public meeting of the Governing Body by means of communication equipment, N.J.S.A. 10:4-8(b) on the Borough website, Borough Hall, The Record and Ridgewood News and Facebook.

Roll Call:

Council members: Gorman, Harvilla, Novoa, Rossillo, Russell, Stewart: Present

Mayor: Andrew LaBruno: Present

Motion to accept the agenda as presented: Councilwoman Rossillo

Second: Councilwoman Stewart

All in favor.

Mayor LaBruno presented the Proclamations for International Women's Day.

Councilwoman Stewart made a motion to take a five-minute recess.

Second: Councilwoman Rossillo

All in favor.

Councilwoman Rossillo made a motion to resume the meeting.

Second: Councilwoman Stewart

All in favor.

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 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

#22-84 – Bills List *

#22-85 – Approval of Fee Waiver for St. Mary's Church Raffle *

#22-86 – Approval of Amendment to Knights of Columbus Raffle License #552 *

#22-87 – Authorization of Generator Maintenance Agreement – Electrical Power Systems, Inc *

#22-88 – Authorization of Elevator Maintenance Agreement – Schindler Elevator Corporation *

#22-89 – *(pulled from Consent)* Appointment of RSC Architects as the Borough's Architects for 2022 *

#22-90 – Appoint Frank Dyer, Jr. as Part-time Electrical Sub-Code Official *

- #22-91 – Accept Resignation of Stigma Free Committee Member Rev. Elaine Wing *
- #22-92 – Appointment of Rebecca Vazquez as Recycling Coordinator *
- #22-93 – Authorization of Agreement for DPW Temporary Personnel *
- #22-94 – Approval of Landscaping Service for Bank-Owned Property *
- #22-95 – Reappoint David Gluckman as Fire Official *
- #22-96 – Accept Leave of Absence from Firefighter Hilcken *
- #22-97 – Approval of Twin Boro Field Lights to Remain on until 10:30PM *
- #22-98 – Accept Application from James Grob as Probationary Firefighter *
- #22-99 – Accept Application from Paul Reissner as Probationary Firefighter *
- #22-100 – Hire Chandra Pal as Per Diem Crossing Guard *
- #22-101 – Hire Gary Lagomarsino as Per Diem Crossing Guard *
- #22-102 – Ratification of Approval to Submit Documentation for 2022 Riverside Cooperative Paving Project *
- #22-103 – Approval of Lincoln School PTO On-Premise Merchandise Raffle Application *
- #22-104 – Approval of Lincoln School PTO 50/50 Cash Raffle Application *
- #22-105 – Approval of Change Order #1 for Picerno Giordano Construction *
- #22-106 – Approval of Further Implementing Provisions of Temporary, Conditional Re-opening of Retail Establishments, Road Closures & Restaurant Outdoor Dining *
- #22-107 – Authorization of HVAC Maintenance Agreement – Trane U.S. Inc. *
- #22-108 – Appoint Stacey Vassallo to Unexpired Term of Stigma-free Committee *

ENGINEERS REPORT

Mr. Dunlea distributed updated basketball court color options to the Governing Body which included two color schemes with blue and orange, and one color scheme with grey and orange. He discussed change order number one with respect to Veterans Memorial Park basketball court reconstruction. His firm did not do the design on this project, but they are finalizing some items that should have been incorporated into the job. There will be a 12-inch wide curb along the side facing the concession stand with a fence installed to address the grade differential. The basketball court is slightly higher than the concession stand area. A concrete slab will be replaced to the left of the concession stand to eliminate a tripping hazard with the current grade of the basketball court. There is currently a dirt patch along this whole area that will be back filled with asphalt to give it a clean look. Some bench pads that are potentially interfering with an existing walking path will also be relocated. They will be moved to the south side, so they are in the existing grass area which is a better area for viewing basketball and the players. The initial contract did not include coloring the basketball court area. This change order includes the amount required to color the entire basketball court. Mr. Dunlea presented a few color options for the Mayor and Council's review and consideration. He stated the court will get scuffed up more easily with the lighter the color. It may also fade a little quicker over time.

The Borough Administrator added that the fence being utilized is a fairly new fence that's currently at Gina Field. It is also to add protection for anyone at the concession stand while basketball is being played. The Engineer confirmed the fence is for safety; so people aren't running through and basketballs do not hit anyone waiting in line for the concession stand.

Councilwoman Stewart asked if there are samples of the basketball court colors. Mr. Dunlea stated what is shown is pretty true to color. He reiterated that the lighter the color, the quicker it

will scuff up and fade. He recommends keeping it as dark as possible. If orange is a color that the Borough likes, then it can certainly be incorporated. The contractor wanted to mention that it will get a little scuffed up.

The Administrator added that the blue and orange color scheme on these plans is the same color scheme being used on the Memorial Park Phase I playground equipment. He also mentioned that the money being used for this change order is coming from a previous bond.

The Governing Body discussed the three different color options, and many agreed that the first option (mostly blue, with orange accent) would be the best option based on what the Engineer stated. Mayor LaBruno added that he liked the third option (orange with gray); Councilwoman Stewart and Council President Rossillo agreed. However, based on what the Engineer said, the gray is too light. They asked if there is a darker gray. Mr. Dunlea said he would prepare another rendering with orange and a dark gray for the Governing Body to consider.

Mr. Dunlea reported the work is scheduled to start the end of next week, weather pending. Also, asphalt plants will not open until the first week of April. The plan is to prepare everything, so when the asphalt plants open, the contractor can do the asphalt work. The coloring will be done once the asphalt work is complete. The paint should be selected as soon as possible to get that ordered.

Councilwoman Stewart made a motion to pull resolution #22-89 – Appointment of RSC Architects as the Borough’s Architects for 2022 for discussion.

Second: Councilwoman Novoa

All in favor.

Public Comment - Consent Agenda Only

Motion to open to the public for Comments on Consent Agenda Only: Councilman Russell

Second: Councilwoman Stewart

All in favor.

1. Tom Kelly, Beacon Street, had questions regarding the change order for the basketball courts and the park bench pads. He also asked about handicapped accessibility to the concession and bathrooms.
2. Mary Normoyle, Randolph Avenue, questioned if the Borough supplies the parts for the elevator maintenance agreement and will the Borough use Covid money or bond money for the Riverside Cooperative road paving. Has the Borough used last year’s Covid money, is there a deadline, and has the second portion been received yet?
3. Maryann Russini, Roosevelt Avenue, inquired about changes to the basketball court and the Recycling Coordinator position salary, responsibilities and job posting.

Motion to close to the public: Councilwoman Rossillo

Second: Councilwoman Stewart

All in favor.

The Borough Administrator stated that the Recycling Coordinator position is required by the State and the previous employee retired last year. There is reporting that’s due in April, and the

Borough determined it was best to have an employee who works in the Borough full-time to fill this position. They receive a stipend, as per Borough salary ordinance.

The Mayor stated that the basketball court was approved back in November. Memorial Park Phase II was approved at the February 8th meeting. There have been many meetings regarding the basketball courts. These are additional items brought up since the original engineers plans that need to be addressed with existing bond money. The ARP money cannot be used to simply pave roads; it would have to be in conjunction with infrastructure improvements. The Riverside Cooperative road project is just mill and pave. We have four years to use the ARP funds. The CFO is working with our finance team, Mary and George on the bond for the Riverside Coop.

The CFO stated that the Borough has not yet used the Covid money. The final guidance was just released. The Administrator, Auditor, Finance Committee and CFO will discuss use of these funds during budget meetings based on guidelines in the upcoming weeks. Funds have to be encumbered by 12/31/2024 and expended by 12/31/2026. The second payment will be received in June-July. He also stated that the CFO is the Treasurer of Borough funds.

The Mayor stated that if any road paving projects in the Borough require infrastructure changes with sewer or water issues, they will look into utilizing the Covid funds.

The Borough Engineer answered residents' questions regarding removal of the bench pads. He stated they will backfill it with stone and put a new coat of asphalt, then infrared the surface. He further stated one of the reasons for reconstructing that pad to the left of the concession stand is to maintain ADA accessibility. In respect to the bathrooms at the opposite side of the concession stand, the concrete matches there so it maintains the ADA accessibility in that area. There are also two ADA access points through the fence.

Motion to adopt the Consent Agenda: Councilwoman Rossillo

Second: Councilwoman Stewart

Roll call vote: Council members: Gorman, Harvilla, Novoa, Rossillo, Russell, Stewart – yes

Councilwoman Stewart requested to discuss Resolution #22-89 – Appointment of RSC Architects as the Borough's Architects for 2022. The Councilwoman stated these were the Architects on the building, and the Borough has had issues with the building. For her to vote in favor of them tonight is very difficult. However, she understands there are no architectural projects coming up. The Borough is essentially hiring them to finish this job, and that is why she is not fighting it. Mayor LaBruno expressed the same concerns, and believes everyone feels the same way. He discussed it with the Borough Administrator, and feel it's necessary to hold them over for the institutional knowledge to implement these maintenance contracts, with the help of Councilman Russell as well. If the situation arises where we need an architect for another project, the Borough can go out for RFQ or have the Engineer sub-contract an Architect.

Motion to adopt #22-89 – Appointment of RSC Architects as the Borough's Architects for 2022:

Councilwoman Stewart; Second: Councilwoman Rossillo

Roll call vote: Council members: Gorman, Harvilla, Novoa, Rossillo, Russell, Stewart – yes

ORDINANCES

2nd Reading

#1593 2022-2024 Salary Ordinance to Amend, Revise and Supplement Ordinance No. 1587 and its progenies as to the establishment of certain compensation ranges and related items for certain officers and employees

Motion to waive formal reading: Councilwoman Rossillo

Second: Councilwoman Novoa

All in favor.

Councilwoman Novoa stated she will be voting no, and would like to explain why. The Councilwoman stated there is a full-time Tax Collector and Tax Assessor on there. There have been part-time employees for many years and they have done a great job. The Borough can't afford to pay someone full-time. The Borough is not in the position to hire a Director of Public Engagement, and should focus on operational costs before bringing on new talent.

Councilwoman Stewart commented that the salary amendment and changes are not to hire new people, but to have a growth plan going forward should the Borough have a need. There's a whole other process to go through to hire someone. This document just sets a growth path going forward so we're equipped to open the door for other positions. The Borough is not running out to hire full-time people for these positions.

Councilwoman Novoa clarified she believes the Borough can do it via ordinance at the appropriate time, and there should be a long-term plan to phase positions in and others out.

Mayor LaBruno understands both positions. He specified that ordinances take time to adopt, therefore it could cause a delay in the hiring process. If the salary ordinance is in place, it gives the Governing Body flexibility when a need is identified. The Administrator is always looking for ways to make it better for the Borough and our residents.

Councilman Harvilla understands Councilwoman Novoa's perspective coming from a corporate realm and focusing on operational efficiency. The Councilman feels the salary ordinance gives the Borough the ability to act nimbly when there is a need but doesn't mandate every position on there be filled.

Councilwoman Stewart asked if open positions are posted internally, and understands hiring from within because the employee has institutional knowledge.

The Borough Administrator stated for the Recycling Coordinator position, he initially thought it would go under DPW. The DPW felt they did not have the staff or time to do this. When the Borough decided to keep it in house, this individual was identified as a candidate.

The Mayor remarked that you wouldn't identify someone in the Police Department for the Recycling Coordinator role. It has to be allocated to what personnel and department will handle it best. It was previously being farmed out to the County, but it's better to have someone who works in the Borough handle this.

Motion to open to the public: Councilwoman Rossillo

Second: Councilwoman Stewart

All in favor.

1. Tom Kelly, Beacon Street, stated he is happy to hear dialogue between the Council, and questions being answered before they are even asked. He agrees with Councilwoman Novoa and adding positions that we don't have intentions of filling. He feels the Director of Public Engagement is a unique position, and wonders if we have a need for some of these more expensive positions.

2. Maryann Russini, Roosevelt Avenue, believes the Borough should be able to foresee if a position needs to be filled, and it's not just the salary, it also includes benefits as well.

Motion to close to the public: Councilwoman Rossillo

Second: Councilwoman Novoa

All in favor.

Motion to adopt on 2nd reading: Councilwoman Stewart

Second: Councilwoman Rossillo

Roll call vote: Council members: Gorman, Harvilla, Rossillo, Stewart – yes

Novoa, Russell – no

2nd Reading

#1594 Municipal Stormwater Control Ordinance for the Borough of Dumont, New Jersey

Motion to waive formal reading: Councilwoman Rossillo

Second: Councilman Gorman

All in favor.

There was no discussion from the Council.

Motion to open to the public: Councilwoman Rossillo

Second: Councilwoman Stewart

All in favor.

No one wished to be heard.

Motion to close to the public: Councilwoman Rossillo

Second: Councilwoman Stewart

All in favor.

Motion to adopt on 2nd reading: Councilwoman Rossillo

Second: Councilwoman Stewart

Roll call vote: Council members: Gorman, Harvilla, Novoa, Rossillo, Russell, Stewart – yes

1st Reading

#1595 Ordinance to Amend Chapter 36 of the Dumont Borough Code - Fire Department

Motion to waive formal reading: Councilwoman Rossillo

Second: Councilwoman Stewart

All in favor.

There was no discussion from the Council.

Motion to pass on 1st reading: Councilwoman Rossillo

Second: Councilman Gorman

Roll Call Vote: Council members: Gorman, Harvilla, Novoa, Rossillo, Russell, Stewart – yes

1st Reading

#1596 Establishment of the Borough of Dumont Committee of Arts, Beautification & Economic Development

Motion to waive formal reading: Councilwoman Rossillo

Second: Councilwoman Stewart

Mayor LaBruno discussed this at length with Councilman Harvilla who is the Chair for the Beautification and Economic Development Committees. They felt it would be beneficial to combine the two committees, as well as add an Arts element. Some residents have expressed an interest in theater and fine arts within the Borough.

Councilman Harvilla added that Beautification and Economic Development dove tail in many areas. Adding the arts element creates the optic that the Borough supports an expanded business plan and the businesses of the Borough. It creates an area that is more inviting when entering the business sector.

Councilwoman Stewart stated she is thrilled to see the Arts involved.

Motion to pass on 1st reading: Councilwoman Rossillo

Second: Councilwoman Stewart

Roll Call Vote: Council members: Gorman, Harvilla, Novoa, Rossillo, Russell, Stewart – yes

1st Reading

#1597 Ordinance to Amend Chapter 322-2 of the Dumont Borough Code - Rent Leveling Board

Motion to waive formal reading: Councilwoman Rossillo

Second: Councilwoman Novoa

All in favor.

Mr. Leibman explained this is reducing the size of the board, which does not have a lot of activity. It's difficult to get volunteers on the Board and then attend meetings. They discussed getting rid of it, but due to rent control, the Board is necessary. Otherwise, the Governing Body would end up hearing every appeal.

Motion to pass on 1st reading: Councilwoman Rossillo

Second: Councilwoman Stewart

Roll Call Vote: Council members: Gorman, Harvilla, Novoa, Rossillo, Russell, Stewart – yes

Public Comment - General Comments

Motion to open to the public for general comments: Councilwoman Rossillo

Second: Councilwoman Stewart

All in favor.

1. Mary Normoyle, Randolph Avenue, asked if ADA doors are installed and if we can sell the thermometers. She had various questions regarding the PILOT agreement. Ms. Normoyle discussed comments by a Council member at the previous meeting.
2. Maryann Russini, Roosevelt Avenue, had questions about the landscaper parking agreement and asked what the final cost of the building is? She clarified her comments about the Recycling Coordinator position. She also asked about the process to be appointed to committees.
3. Tom Kelly, Beacon Street, thanked Councilwoman Stewart for her explanation regarding the architect. He commented about water pooling on the basketball court. He asked if the detention center and sally port been inspected yet, and if it affects the accreditation. Mr. Kelly believes in fostering the discussions between the governing body and constituents.

Motion to close to the public: Councilwoman Rossillo

Second: Councilwoman Stewart

All in favor.

Councilwoman Stewart reported that our Social Services Director has done a great job running a really extensive food bank for the Borough and received a \$10,000 grant. This grant will help move the food bank into the Borough Hall, and make it a cleaner set up by purchasing a tent, refrigerator and shelving. The Senior Center is open and recently held two parties for Mardi Gras and Valentine's Day.

Councilwoman Novoa stated the Stigma Free Committee met on February 24th, and went over what they have accomplished and new projects for the upcoming year. They attended the wellness fair at Honiss School and educated the children on mental health and provide them with resources. The Food Brigade donated Dr. Seuss mugs filled with hot chocolate and marshmallows for the children in honor of Read Across America week. The committee will hold a task force meeting, and committee meetings will be held on the forth Thursday of every month at 12:30 p.m. and posted on YouTube. Anyone who is interested in joining the task force should reach out to Karen DeMarco via Facebook, on the Dumont Stigma Free page or via email at info@dumontstigmafree.com. Also, the first Board of Health meeting will be tomorrow, March 9th in the conference room at 7 p.m.

Councilman Russell reported that the Shade Tree Commission will hold a nursery clean up on Saturday, March 19th from 10 a.m. until 12 p.m. They are looking for volunteers to help.

Councilman Gorman congratulated the new Recreation Chairman Commissioner Euris Rivas and Vice-Chairman Jeff DeVito, who were appointed after the recent update to the By-Laws. He wished them both the best. Mayor LaBruno stated they are great additions to the Recreation team.

The Administrator responded to residents' questions. The Borough is getting new quotes for the ADA doors, as the previous quotes were too high. The thermal scanners that were covered by CARES funds are being stored in Borough Hall, and the Borough is looking into selling them on GovDeals.

The Borough Attorney stated the Asplindt case was settled about eighteen months to two years ago. It was a settlement agreement which was discussed at a meeting. He believes the lease expires in September 2023, and the Administrator worked closely with him to provide what was necessary to make it cost effective for the Borough. The Borough gave up the rent he was supposed to pay for the last 2-3 years as part of the settlement because of the situation with the DEP keeping a close eye on everything. The settlement was going well, then his lawyer died. The Borough was not negotiating from a position of a lot of strength. Mr. Liebman also discussed the PILOT audit received from the developer, and they have paid what they owe. The Borough Auditor reviewed it, and has some follow up questions for the developer's attorney. They must provide an annual audit to us, and it will be public record. The income is pretty strong, and the Borough should collect about \$440,000 in PILOT payments from that site. It's vastly more than DeAngelo's Farms was paying. He's unsure of what services the project's creating, how many school children but has been told it's very few.

Mr. Tully further responded to a question regarding the Recycling Coordinator stating that it wasn't posted because it is a \$5,000 stipend and not a full-time job at the Borough. Operations work better when positions such as this are in house, when people who are here day to day do these responsibilities. The sally port has not yet been inspected, but will not affect the accreditation. Regarding the salary ordinance, for example, the full-time Tax Collector position, if someone were to leave, it's always a good idea for the Governing Body to be nimble in their processes. He also feels the Public Engagement Director is a position the Governing Body

should consider as this is a high service town, and in many departments, there is only one full-time person, such as Tax, Health, Recreation, for a time in the Clerk's Office, the food bank is exceptionally busy, the Senior Center. We do a lot of work and an incredible job, on a skeleton staff. A Public Engagement Director would oversee all public interfacing here at the Borough, such as the Food Bank, Recreation, Social Media, permits, etc... Mr. Tully would like to see a dedicated org chart solidified. This position is being discussed in public here tonight, it would be advertised and all full-time hires are up to the full Governing Body.


Mayor LaBruno commented that the Governing Body made the Construction Code Official a full-time position. The Mayor stated Bobby Sherrow is very responsive and very involved with the Borough's projects. It's good to have a full-time employee in house looking out for the Borough, rather than always going to a Borough professional. He said Mr. Sherrow is doing a really good job.

Councilman Harvilla responded to Ms. Normoyle and Mr. Kelly stating that he does not make vail threats and is not a passive aggressive person. He sees the best in people, and doesn't expect people to see him the same way. They took something out of context, and he would like to explain. The trajectory of his conversation began with him engaging how to get people who are not at the meeting to dial in remotely so we can engage in broader discussions with a group of people who are not present. The point he made was he vetted out what some neighboring boroughs do to make sure that we are at least in parity with them. The reality is some surrounding boroughs only allow one public comment, some limit the public comment to three minutes, and in both cases, he stated he was not in agreement. He then stated there was actually one borough that requests if an organization is being represented, they choose one individual to speak on behalf of the organization. He commented he would not be in favor of that because the concept of an organization is too vague. The Councilman stated he is in favor of finding broader ways of engaging the public. It was an example, just as there were other examples. He cannot help the way others took it, but his comment was about broadening public engagement.

Motion to adjourn: Councilwoman Rossillo
Second: Councilwoman Novoa
All in favor.

The meeting adjourned at 8:16 PM.

Minutes respectfully submitted by:



Jeanine E. Siek, RMC
Municipal Clerk

