

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
EXECUTIVE MEETING MINUTES
OCTOBER 11, 2022
6:30 PM**

Mayor LaBruno called the meeting to order at 6:35 PM.

Flag Salute, Moment of Silence

Sunshine Law: In compliance with the Open Public Meetings Act of the State of New Jersey, Notification of this Meeting has been sent to our Official Newspapers, posted on the Borough website and Notice posted at Borough Hall and filed with the Borough of Dumont.

Roll Call:

Council members: Gorman, Harvilla, Rossillo, Russell, Wrightington – Present;
Stewart – Absent;
Mayor Andrew LaBruno – Present

Also in attendance: Borough Administrator Chris Tully, Administrative Assistant to the Borough Clerk Karen Glass, CFO Issa Abbasi, Borough Engineer John Dunlea

Motion to accept the agenda as presented: Councilwoman Rossillo
Second: Councilman Gorman
All in favor.

Approval of Minutes

Motion to approve the September 13, 2022 Regular Meeting minutes: Councilwoman Rossillo;
Second: Councilwoman Wrightington;
Roll call vote: Council members: Gorman, Rossillo, Russell, Wrightington – yes;
Harvilla – abstain; Stewart – absent

Motion to approve the September 13, 2022 Closed Session Meeting minutes: Councilwoman Rossillo; Second: Councilman Russell;
Roll call vote: Council members: Gorman, Rossillo, Russell, Wrightington – yes;
Harvilla – abstain; Stewart - absent

Ms. Glass 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 Council member or member of the public. Any item may be removed for further discussion or 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

#22-235 – Bills List *

#22-236 – Approval of Dylan Van Riper to Permanent Police Officer Status *

#22-237 – Approval of Knights of Columbus Casino Night Raffle Application *

#22-238 – Approval of Camp Acorn Off-Premise Raffle Application *

#22-239 – Certification of 2021 Audit *

- #22-240 – Approval of Dakota Avenue Block Party Request *
- #22-241 – Approval of Pleasant Street Block Party Request *
- #22-242 – Approval of Beverly Road Block Party Request *
- #22-243 – Authorization of License Agreement with 32 OLE, LLC *
- #22-244 – Authorization to Participate in GSA Federal Surplus Property Program *
- #22-245 – Approval to Refund COAH Trust Account Money *
- #22-246 – Approval to Refund Escrow Account Money *
- #22-247 – Approval to Refund Trust Developer Account Money *
- #22-248 – Approval of 2021 Corrective Action Plan *
- #22-249 – Approval to Hire Stephen Michael Baer as a Crossing Guard *
- #22-250 – Approval to Hire James Robert Kane as a Crossing Guard *
- #22-251 – Award of Contract for the 2022 Road Resurfacing Program to Riverside Cooperative *
- #22-252 – Accept Application from Brandy Stormer as Probationary Firefighter *
- #22-253 – Accept Application from Zackary Levitzki as Probationary Firefighter *

CFO Abbasi discussed resolutions #22-239 – Certification of 2021 Audit and #22-248 – Approval of 2021 Corrective Action Plan. The Borough Auditor conducts an audit of the prior year’s activities by taking a sample of certain transactions by department. There are ten recommendations, which were not resolved as of 12/31/2021, but a lot of them are being resolved currently. The CFO reviewed each of the items in the Borough’s 2021 corrective action plan and explained them in detail. He stated the Borough has made several improvements based on the 2019 and 2020 Auditor recommendations, and is continually working to address the recommendations set forth in this year’s audit.

John Dunlea, Neglia Engineering, discussed the additional roadway paving as discussed at the last meeting, and the contract is being approved for American Asphalt LLC of Newark, NJ through the Riverside Cooperative using the outstanding funds that are bonded. The new amount is \$451,504.80 and includes Church Court, Rucereto Avenue, Lexington Avenue, Revere Drive Summit Avenue and the Fire Department Hose Company #3 parking lot.

Mr. Abbasi stated there is no additional money being spent in this resolution other than what is bonded for already. There was so much saving that the Borough is able to pave five more roads this year. He stated the Borough Administrator had foresight with bonding early for roads, and it should be standard practice going forward.

Public Comment - Consent Agenda Only

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

Second: Councilwoman Rossillo

All in favor.

1. John Sansone, Beacon Street, had questions about the award of contract for the Riverside Cooperative and the bidding process.
2. Lynn Vietri, Wilkens Drive, asked about charges for the copy machines on the bills list and the COAH trust fund and escrow refund resolutions.
3. Bruce DeLyon, Beacon Street, commented on the audit and compared the recommendations made over the past four years, as well as the current year’s

recommendations. He also discussed the budget statement that was published in the newspaper.

4. Maryann Russini, Roosevelt Avenue, asked about the bills list charges for fire hydrants, Borough Hall Police Department, Bond Counsel and Shade Tree Convention. Is Gina's Field, the basketball courts and Memorial playground done? She also asked about replacement checks.
5. Mary Normoyle, Randolph Avenue, asked about the 32 OLE LLC license agreement and a check for photography for the website.

Motion to close to the public: Councilwoman Rossillo

Second: Councilman Gorman; All in favor.

Motion to adopt the Consent Agenda: Councilwoman Rossillo

Second: Councilman Gorman; Roll call vote: Council members: Gorman, Harvilla, Rossillo, Russell, Wrightington – yes; Stewart – absent

ORDINANCES

1st Reading

#1612 Ordinance Establishing Chapter 200 of the Dumont Borough Code – Local Emergency Management Council

Motion to **WAIVE** Formal Reading: Councilwoman Rossillo

Second: Councilwoman Wrightington

All in favor.

The Borough Attorney stated the Police Chief brought the need for the ordinance to the Borough's attention. There's a NJ statute that obligates every municipality to have an expansive emergency council in town. The ordinance was crafted to comply with state law. As emergencies are becoming more frequent, it's important to create this committee. They will have a lot of work to do and may need some funding once it gets established. The Police Chief will lead the effort.

Motion to **PASS** on 1st Reading: Councilwoman Rossillo

Second: Councilman Gorman

Roll Call Vote: Council members Gorman, Harvilla, Rossillo, Russell, Wrightington – yes; Stewart - absent

Public Comment - General Comments

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

Second: Councilman Gorman

All in favor.

1. Brian Harris, East Madison Avenue, commented on flag football not being able to play night games. He stated that other sports play night games.

Councilman Gorman said he would like to follow up with Mr. Harris after the meeting regarding his concerns.

2. Bruce DeLyon, Beacon Street, commented on the interest rates going up and selling bonds and notes at a higher rate of interest. How will the Borough make up for lost funds?
3. Mary Normoyle, Randolph Avenue, asked if the attorney is affiliated with any new LLC's?

4. Lynn Vietri, Wilkens Drive, discussed the increases and decreases in the different schools in the Borough as reported at the Board of Education meeting, and how many new students came from DeAngelo's. She commented on building 3-4 story buildings and the effects on the schools if there are PILOTs.

Mayor LaBruno asked how this information was communicated to the public regarding the number of children coming from certain developments in town. Mr. Leibman asked if they broke out how many children came from the affordable units vs. the market rate units. Planners pay very close attention to these types of issues and he expects some serious analysis to be presented to the Governing Body before they even consider a PILOT.

5. Maryann Russini, Roosevelt Avenue, stated she hopes they do not give a PILOT to the area in need of redevelopment and asked if Wells has been given a notice to clean up. She discussed the bonding and paving, and the audit.
6. John Sansone, Beacon Street, stated he is satisfied with all the road paving and it was needed. He asked what the cost is per resident. Dumont Day was great, but how much did the fireworks cost?
7. Robert Marini, Erie Street, asked about the redevelopment and feels the town is fine the way it is.

Motion to close to the public: Councilwoman Rossillo

Second: Councilman Gorman; All in favor.

Mayor LaBruno answered residents' questions. He stated 32 OLE is a store front across from La Taberna who came in front of the Joint Land Use Board (JLUB). They requested an outside structure and needed airway approval from the Borough for an outside vent. The Borough paid for the fireworks. The town is not redeveloping or building anything. The property owner asked for the study, did the study, it went to the JLUB and was voted on. It will now come to the Council for review and go from there. The Mayor and Council who crafted the previous PILOT did it so the school did not get any funds from it. It can be crafted different ways. The Mayor thinks the DeAngelo's property looks beautiful, but he personally misses having the hayride and the farm there. He stated other municipalities that have development in their town do not just get tax money. They will receive funding for various things, such as community buildings, parks, streetscaping, etc. The Borough spent hundreds of thousands of dollars on lawsuits with fair share housing, builders remedy and the Board of Education. So when talking about paving roads and bonding for it, it's unfortunate but that close to a million dollars back then could have covered most of the roads being paved today. The Borough cannot keep putting a band aid on it. It will only get worse. The Mayor stated sometimes they have to make tough decisions, but it needs to be done and was voted on unanimously by the Council. The Borough had a budget for paving roads during inflation and used the going price in other towns, and got great pricing by using the Riverside Coop. In addition, Bedford Road had half a million dollars in DOT funding.

CFO Abbasi also answered residents' questions. The copiers are leased. Regarding audit items #8 and #9 about sufficient funds being available prior to the expenditure of funds, this Council would never knowingly over expend a line item. One budget transfer did not get entered in the system and on the back end, there was an over expenditure. The CFO signs off on every single requisition. The remedy to a line item being over expended is a budget transfer, which starts next month through the end of March. He stated the audit does not capture all of the things that have been covered by him, the Administrator and the Governing Body in the past couple of years. He

further stated the charge on the bills list for fire hydrants is part of water utilities. Bond Counsel are the attorneys who assist the Borough in preparing and seeing through the note bond sale process from accepting bids to preparing appropriate documentation and paperwork. The Borough bonded the \$1.28 million at 3.9% net interest cost.

The Borough Administrator stated the Wells Fargo property was flagged for the Building Department, the fence is still up, the copy machines are rentals and the Mayor and Council certify the audit before it is posted. The Memorial Park basketball court and the Phase I playground equipment is complete. Phase II is awarded with a \$90,000 matching grant and Phase III was applied for and the Borough expects to receive that award in the last quarter of the year. There are still punch list items for Gina's Field which should be addressed by the end of the month. The replacement checks were at the request of the vendor. The Shade Tree convention was for two volunteers and four staff members. Monday was a holiday, which is why the agenda items were posted this morning. Mr. Tully stated the Borough has been a part of the Riverside Coop for a number of years. He and the Engineer agreed it made sense to go out to bid with neighboring communities. They saw that in the price value of the contract.

Mr. Dunlea explained the award for the additional roads to be paved through the Riverside Coop did not have to go out to bid. The services are being purchased through a purchasing cooperative. In accordance with Local Public Contracts Law, the Borough was able to set up a new contract for an additional scope of work. It was not a change order. The Borough is using outstanding funds from a prior contract in the amount of \$451,504.80. With respect to bonding amounts for construction cost estimates, he looks at historical pricing and uses those numbers to provide to the Mayor and Council to take under advisement for the bonding amount. The estimates were done in January-February and market conditions were a little funky with respect to construction costs. They look at worst case scenario and asphalt was \$115 per ton and other considerations such as fuel prices. The Borough was lucky that the work was done when the price of fuel was down which impacted the price of construction.

The Administrator stated the Borough received great rates and the Borough is right to move forward to pave these roads. The easiest thing is to do nothing, and there is long-standing infrastructure issues across the Borough. Thanks to the leadership of the Governing Body, as well as the Engineer and all partners with the Borough including the PD who is working very hard helping with all of the road projects in town.

Councilman Gorman asked to see the breakdown for the cost of the water for the fire hydrants. He announced the Old North Church has their pumpkin sale going on and all of the money goes to charity. He thanked all of the volunteers, including the Boy Scouts, who helped unload the truck and made it a success. Lincoln School recently unveiled a memorial for Dorothy Sperone, who was very well known in town for her defense of children and looking out for people. It was a very nice ceremony and the Councilman thanked everyone who helped make it happen.

Councilman Harvilla stated that residents have to deposit money into an escrow account whenever they for a variance to the Joint Land Use Board to cover professionals' fees. Regarding the area in need of redevelopment, a key component is flood control and reevaluating the status of flood zones along Brook Street. About twenty-five percent of the area under review is being

reviewed to provide guidance to reduce the amount of flooding, and increase the veracity of effectiveness of the flood control processes and structures that have been built there. It is not just about assessing what is appropriate for building but equally how to implement some environmental controls. There are some properties that have been excluded from any redevelopment because they do not fit the criteria.

Councilman Russell asked if the Mayor received the request for two Shade Tree commissioners from Tanya Zimmerman. The Mayor replied he had, and is waiting for responses.

Mr. Leibman stated the escrow fees is returning money that is posted for road openings and affordable housing fees that were over collected by a former employee. The Dixon Library grant for bathroom renovations is moving forward. He stated he is not involved in any new LLC's. Regarding the PILOT, if there is redevelopment and if a PILOT is created, the money can be customized however the Borough likes. The ordinance committee is meeting Friday afternoon, and the Lead Paint Inspection ordinance is ready for review. He explained the new state statute regarding the lead paint hazards and inspections. Mr. Leibman commented that he and Councilman Russell had a great meeting with Shade Tree commissioners, and went through the ordinance line by line.

Mayor LaBruno announced the Senior Luncheon is on Saturday, October 15th at the Senior Center and the Fall Rock the Block on Grant Avenue is on October 22nd. The Halloween Parade is on October 29th at Memorial Park.

Motion to adjourn: Councilman Gorman
Second: Councilwoman Rossillo
All in favor.

The meeting adjourned at 7:49 PM.

Minutes respectfully submitted by:

Jeanine E. Siek, RMC
Municipal Clerk