

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
PUBLIC MEETING MINUTES
OCTOBER 25, 2022
6:30 PM**

Council President Rossillo 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, Stewart, Wrightington – Present;
Russell – Absent;
Mayor Andrew LaBruno – Absent

Also in attendance: Borough Administrator Chris Tully, Borough Clerk Jeanine Siek, CFO Issa Abbasi, Borough Engineer John Dunlea

Motion to accept the agenda as presented: Councilwoman Stewart

Second: Councilman Harvilla

All in favor.

Approval of Minutes

Motion to approve the October 11, 2022 Executive Meeting minutes: Councilman Gorman;

Second: Councilwoman Stewart;

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

Stewart – abstain; Russell – absent

COUNCIL COMMITTEE REPORTS

Councilman Gorman

• *Police*

There were 1,829 calls for service, 104 medical calls and 31 fire calls. There were 125 traffic summonses issued, 25 motor vehicle accident investigations; 24 burglar alarms responded to; 8,633 miles traveled by patrol activities; 2 warrants were served; 8 street lights and 3 decorative lights reported not functioning; 1 car seat installed.

Councilman Harvilla

• *Library*

The last meeting of the Library Board of Trustees was held on Wednesday, September 28th, and they discussed the air conditioning installation in the old auditorium in August. Remediation of foundation leaks will be taken care of via drain pipe installation, and construction of ADA compliant bathrooms which a grant was received for is tentatively scheduled to begin in January. Library circulation continues to show a growth trend with it being up 33.6 percent over last year, and reference questions are up over 37 percent since last year. The next meeting is scheduled for October 26th.

- *Arts, Beautification & Economic Development*

They held a brief non-core meeting on Wednesday, October 20th, and the next meeting is scheduled for November 17th.

The Councilman also reported there will be a community blood drive sponsored by Vitalint on Thursday, October 27th from 2 p.m. – 8 p.m. at the Knights of Columbus, 61 Armor Place in Dumont. They recommend appointments and he provided the phone number to call.

Councilwoman Stewart

The Councilwoman asked everyone to keep the Lynch family in their prayers as they mourn the loss of their family member and former resident, Jay Lynch who passed away over the weekend. He was an Exalted Ruler with the Elks, ran the Memorial Day Parade, a Dumont Councilman in the 1990's and was very active in the Boys Scouts.

- *Fire Department*

The department had 32 calls for service this month; 3 fires, 5 calls for mutual aid, 2 vehicle accidents, 10 fire alarms, 7 natural gas emergencies, 2 odors of burning, appliance malfunction a technical rescue and a lift assist, for a total of 253 man hours.

Councilwoman Wrightington

- *Board of Health & Stigma Free Committee – No reports.*

Councilwoman Rossillo

- *Board of Education*

The meeting locations will be moved for the November 17th, December 15th and January 15th to the David Dervitz Education Center on 25 Depew Street at 7 p.m.

ENGINEER'S REPORT

John Dunlea of Neglia Engineering provided an update on roadway improvements along Virginia Avenue and Bedford Road. The project is substantially complete and striping was completed as of last week. There are some minor curb repairs, some localized ponding to be addressed with the contractor and installation of LED lighted stop signs along Virginia Avenue at intersection of Depew Street and Howard Street. They are awaiting the solar panels, which is a hard item to get right now. Regarding the Riverside Coop program, five roadways were added to that project and it is proceeding and should be completed in the next couple of weeks. Councilwoman Stewart asked if there has been a noticeable difference with water issues on Virginia Avenue since the paving. Mr. Dunlea stated there have not been rain storms that would result in serious flooding. Flooding issues will occur when there is a high-volume rain over a short period of time, but overall water is flowing better there because of the available funding to do curbing along the entire road which helps get water to the municipal inlets. It is an area in an active floodway as mapped by the DEP, and located in a flood hazard area.

ATTORNEY'S REPORT

Mr. Leibman reported that he was pleased to receive a letter regarding an action the Borough was named in, Martaian vs. Santamaria. There was an accident and the vehicles had nothing to do with the Borough and the Judge dismissed the complaint with prejudice on October 21st. He also reported that he has commenced action against CSX on behalf of the Borough. The complaint has been filed with the Bergen County Superior Court and seeks damages under a number of different causes of action including negligence. The Borough is seeking attorney's fees, interest, propensitory damages and punitive damages. It was recently filed and has not yet been served. There is also a complaint ready to be filed with the Service Transportation Board in

Washington DC which is a regulatory agency that governs interstate rail. The Borough was substantially damaged and there is justice to be done.

ADMINISTRATOR'S REPORT

Mr. Tully stated they are currently wrapping up the punch list for Gina's Field. Colonial Parkway and Seminole Avenue have been completed. The Borough is working on Druid Bridge with the Engineer. He thanked all of the volunteers and workforce that helped out with the Mayor's Senior Luncheon and Rock the Block. Both events went very well. The attendance was excellent and there were great reviews from residents. This Saturday is the Halloween Festival, including the parade; preregistration is looking very good. The PSE&G project continues. The hope was that it would finished by year end, but it is taking longer than expected. It is updating the infrastructure of the Borough, so they will continue working with PSE&G on the project. The Borough is working with the Library on their grant and beginning their project this winter. The Borough will be posting job openings for a DPW Laborer, DPW Secretary and Finance Clerk. There was a meeting with the Ordinance Committee this month, so the Council should expect some ordinances for their review and consideration including a Social Media Policy, Protected Road Ordinance, Field Rental and Shade Tree. Mr. Tully is working with the Payroll Specialist to administer new time and attendance software, and the CFO on the corrective action plan.

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 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

#22-254 – Bills List *

#22-255 – Approval of St. Mary's Off-premise 50/50 Cash Raffle Application *

#22-256 – Accept Resignation of DPW Laborer/Driver – Eddie Rynander *

#22-257 – Award of Quote for Snow Removal of Vacant and Bank Owned Properties *

#22-258 – Approval of Selzer School PTO Calendar Raffle Application *

#22-259 – Approval of Selzer School PTO On-premise Merchandise Raffle Application *

#22-260 – Accept Removal of County Collision and Towing LLC from Police Towing List *

Public Comment - Consent Agenda Only

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

Second: Councilwoman Stewart

All in favor.

1. Mary Normoyle, Randolph Avenue, commented on items on the bills list for the Mayor's Senior Luncheon, such as the mug giveaways and photographer. She stated she attended the luncheon and it was a lovely affair.
2. Maryann Russini, Roosevelt Avenue, commented on the amount of celebrations budget items on the bills list and the beautification budget.

Motion to close to the public: Councilwoman Stewart

Second: Councilman Gorman; All in favor.

Motion to adopt the Consent Agenda: Councilwoman Stewart
Second: Councilman Gorman; Roll call vote: Council members: Gorman, Harvilla, Rossillo, Stewart, Wrightington – yes; Russell – absent

ORDINANCES

2nd Reading

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

Police Chief Brian Joyce discussed the purpose of the ordinance. The NJ State Office of Emergency Management issue Directive #9 on August 31st stating each municipality is required to establish a Local Emergency Management Council. The directive gives guidelines of who the committee should be comprised of. The Borough has an emergency operation plan which covers all aspects of the Borough. Each aspect of the annex has a representative on the Local Emergency Management Council which will meet twice annually regarding the emergency operations plan that was just approved by the State in September. The plan is reviewed annually. Councilwoman Stewart confirmed that the State provides the guidelines for who makes up the committee.

Motion to waive Formal Reading: Councilman Gorman

Second: Councilwoman Stewart

All in favor.

Motion to open to the public: Councilwoman Stewart

Second: Councilman Gorman

All in favor.

1. Maryann Russini, Roosevelt Avenue, asked if the State provides funding or grants and what other towns have this
2. Tom Kelly, Beacon Street, questioned how this is different from how the Borough currently operates its emergency management.

Motion to close to the public: Councilman Gorman

Second: Councilwoman Stewart

All in favor.

Motion to adopt on 2nd reading: Councilwoman Stewart

Second: Councilwoman Wrightington

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

Russell – absent

Chief Joyce returned to answer the residents' questions. He stated there are no extra costs associated with adopting the ordinance. Once the emergency operations plan is accepted by the State, the Borough is able to apply for grants. Prior to the Local Emergency Management Council being formed the Chief was the OEM Coordinator and there were Deputy Coordinators. They are still a part of it, but this expands it to include all aspects of the community. The Chief stated it's a directive from the State, but it is each municipalities choice whether they will do it. Councilman Gorman asked if there are specific grants the Borough should be looking into now that we are in a position to apply. The Chief stated there are emergency management opportunities and they have been working with FEMA after the major storms that have impacted the area. Mr. Leibman stated that Paramus has a Local Emergency Management Council because of Garden State Plaza. The State sent the directive over the summer, and he reviewed it with the Chief. They sent it to the ordinance committee.

1st Reading

#1613 Ordinance Amending Chapter 455-30 of the Dumont Borough Code – Lead-Based Paint Inspection Fees

Mr. Leibman stated the State passed lead-based paint laws that require the physical inspection of every single unit of rental housing within two years of the date of adoption which was this past July. The law is complicated and there are different rules and regulations for different municipalities depending on reported levels of lead paint found in children in those communities. Dumont is in the safest, lowest testing range, so testing is least intrusive and limited to a visual inspection. The Construction Official took the necessary course and is trained to do the inspections. The law mandates the municipalities collect a \$20 fee from every unit at the time of inspection and forward it to the State. The Borough is allowed to collect its own fees. Mr. Leibman explained the different steps of the inspection process.

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

Second: Councilwoman Gorman

All in favor.

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

Second: Councilman Gorman

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

Russell - absent

Public Comment - General Comments

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

Second: Councilwoman Wrightington

All in favor.

1. Tom Kelly, Beacon Street, regarding the lead ordinance, asked if inspections are only done when it changes occupancy or is it within two years. He questioned the area in need of development study and if there were any meetings about this. Will it be discussed at a future meeting before being voted on?

Mr. Leibman stated the lead inspections have to be done with change of occupancy, but must be done within two years regardless.

2. Karen Valido, Overlook Drive, commented on a previous discussion about the number of students coming from different developments in the Borough. She stated this information is available by reaching out to the Superintendent of schools. She also discussed PILOTS, and who they benefit.
3. Maryann Russini, Roosevelt Avenue, questioned what action was taken with the Wells Fargo property by the building department and if there is somewhere online where the bond and interest rates are posted. She thanked them for the CSX information. Ms. Russini commented on the recent advertisement for the Schraalenburg Inn.
4. Mary Normoyle, 106 Randolph, asked how school systems in towns with PILOTS are rated and about the building department.

Mr. Leibman stated he is not the Labor Attorney who is handling the case. He stated Covid has slowed everything down though and there is a tremendous back log in the courts.

5. Cary Stopsky, East Quackenbush Avenue, commented on any follow up with the DEP going into the brook regarding the dirt wall and flooding. He also asked about the street parking ordinance on Quackenbush, and the problem with the leaves now and then the snow will be the next issue.

Motion to close to the public: Councilman Gorman
Second: Councilwoman Stewart; All in favor.

Councilman Gorman thanked the Borough Attorney for the huge undertaking with the CSX lawsuit and thanked the Police Chief for answering all of their questions.

Councilman Harvilla said he will look into that portion of the budgetary dynamic in the surrounding Boroughs and what drives tax rates. He stated many of the surrounding towns have a broader business base and state/local highways with shopping malls and centers. The Councilman will look into the PILOT dynamic.

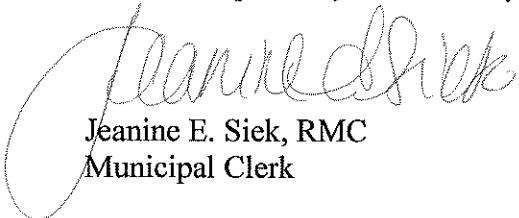
Mr. Leibman stated there were two deposits made by proponents of the redevelopment because the taxpayers should not pay the professionals to do the work. There were two escrows established for two separate study areas. The study areas were initially suggested by proponents of the redevelopment plans but they didn't have the final say on that. The Borough's Planner made that determination looking around the area to see what made sense. Some of the parcels suggested to be looked at were excluded from the plan because they were determined to not qualify. It's been a transparent process. Eventually the Governing Body will have to make decisions that will happen in public. Mr. Leibman said the discussion on PILOTs is a little premature. It's a conversation for a future day if a redevelopment plan gets approved and moves forward.

Mr. Tully remarked that he and the DPW Superintendent have reached out to the DEP several times, and will continue to do so. They need DEP approval to do anything with that area. The building department was notified about the Wells Fargo property. They notified the property owner and it has been addressed and cleaned.

Motion to adjourn: Councilman Gorman
Second: Councilman Harvilla
All in favor.

The meeting adjourned at 7:35 PM.

Minutes respectfully submitted by:



Jeanine E. Siek, RMC
Municipal Clerk