

**BOROUGH OF DUMONT
BERGEN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
DUMONT MUNICIPAL COMPLEX
FEBRUARY 7, 2023**

Meeting to Authorize Closed Session at 6:03 PM

The Municipal Clerk read the resolution for the Closed Session Meeting to discuss:

- Potential Litigation – Municipal Complex
- Contractual Matters – Swim Club

Council President Russell called the meeting to order at 7:07 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: Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – Present

Mayor: Andrew LaBruno – Absent

Also in attendance: Borough Administrator Chris Tully, Borough Clerk Jeanine Siek, CFO Issa Abbasi, Borough Attorney Jared Geist

Motion to accept the agenda as presented: Councilwoman Stewart

Second: Councilman Harvilla; All in favor.

Approval of Minutes:

Motion to approve the January 2, 2023 Sine Die Meeting Minutes: Councilman Morrell

Second: Councilwoman Stewart

Roll call vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

Motion to approve the January 2, 2023 Reorganization Meeting Minutes: Councilman Morrell

Second: Councilman Harvilla

Roll call vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

Motion to approve the January 17, 2023 Executive Meeting Minutes: Councilwoman Stewart

Second: Councilwoman Aponte

Roll call vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

Motion to approve the January 17, 2023 Closed Session Meeting Minutes: Councilman Morrell

Second: Councilwoman Stewart

Roll call vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

COUNCIL COMMITTEE REPORTS

Councilwoman Aponte

- *Recreation*

Recreation meetings are held the first Wednesday of every month. Recreation Commissioners are getting ready for the spring program season. At the February meeting, they decided to move the flag football season from fall to late summer. There are six applicants for the summer camp director position. The Councilwoman will work with Tony Como during the interview process.

- *Fire Department*

There were 24 calls for the month of January, with a total of 371-man hours. Thankfully, no structural fires.

Councilman Harvilla

- *Library*

The last meeting was Wednesday, January 25th. The final progress drawings and specs from the architects were forwarded to the Borough for review. Once approved, the bid can be posted for contractors. Construction should begin the end of 1st quarter or early 2nd quarter of this year. The paver project and outdoor bench area has been completed. The repair of the old auditorium emergency exit roof will be undertaken, weather permitting. The library year end numbers for attendance and enrollment in programs continues to rise. The next meeting is February 22nd.

- *Board of Education*

The last meeting was January 26th. The Councilman looks forward to working as their liaison this year. The next meeting will be Thursday, February 16th.

Councilman Harvilla expressed his condolences to the family of Sayreville Councilwoman Eunice Dwumfour, whose life was tragically taken last week.

Councilman Kelly

- *Finance*

The Councilman met with the Administrator and CFO. Budget requests have been submitted by most departments. They are in the process of scheduling meetings through the remainder of the month to go over budget requests with department heads and start preparing this year's budget.

Councilman Morrell

- *Police*

There were 1,772 phone calls for service; 123 medical calls, 21 fire calls and 7 commitments. There were 139 traffic summonses issued: 27 for parking and 112 for moving violations; 12 motor vehicle accident investigations; 21 burglar alarms responded to; 4 warrants were served; 7 street or decorative lights reported not functioning; 3 cases regarding animal cruelty; 50 dark house slips issued; 6 total arrests by detectives; 22 domestic violence, 17 firearm and 33 criminal cases investigated; registered Megan Law offenders, prepared subpoenas, evidence management and destruction, initial reports of gang information and drug activity, investigation of credit card theft and fraud.

Chief Joyce and his staff conducted interviews to hire in the department. Their recommendations were brought to him, Councilwoman Stewart, the Administrator and the Mayor. The Borough will hire three officers.

Councilwoman Stewart

- *Arts, Beautification and Economic Development Committee*

This will be a new assignment if approved on tonight's agenda. Therefore, no report yet.

- *Cultural Affairs Committee*

Last month's meeting was canceled but their work continues on social media, including honoring Black History Month.

The Councilwoman stated that a long-term employee of the Borough, Mary Winner passed away. Her services will be Friday from 4-8 p.m. at Frech.

Councilman Russell

- *DPW Committee*

They met with UA Local 855 to discuss the union organization. The committee also discussed the Riverside Coop paving and should have a list of streets for the next meeting.

- *Ordinance Committee*

No report.

- *Shade Tree Commission*

They met on January 9th and discussed the 2023 events. The next meeting is February 13th.

ATTORNEY'S REPORT

Mr. Geist has been busy getting up to speed and meeting with everyone in the Borough. Many of the items are closed session, but he will address things on a case by case basis as appropriate.

ADMINISTRATOR'S REPORT

Mr. Tully thanked the Cultural Affairs Committee and Library for recognizing International Holocaust Remembrance in late January. The Borough continues to look into streaming with other vendors on YouTube and the website. The DPW Committee met to discuss the DPW union which is on tonight's agenda, and the Ordinance Committee will be looking at ordinances not completed last year. He met with Councilman Kelly and the CFO to discuss finance and budgeting for 2023. The Borough is in the process of training all employees on the VCS attendance software. The Borough is a part of the Riverside Coop and would like to participate again this year. The deadline is February 17th to move forward with paving roads for the 2023 road program. They discussed the Administrator engaging with the DPW Committee, Engineer and DPW to provide a list of roads for the Council to consider. A resolution will be done at the next meeting to fully codify which roads were chosen.

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

#23-66 – Voluntary Recognition of DPW Union UA Local 855 (previously tabled) *

#23-68 – Bills List *

#23-69 – Appointment of Arcari and Iovino as Borough Architects for 2023 *

#23-70 – Approval of Honiss School PTA Merchandise Raffle Application *

#23-71 – Approval to Submit Grant Application & Execute Grant Contract with NJDCA for FY23 Local Recreation Improvement Grant Program *

#23-72 – Accept Frank Dyer's Retirement as Electrical Inspector *

#23-73 – Appoint Municipal Redactors to Comply with Daniel's Law *

#23-74 – Authorization of Provisional Appointment of Acting Municipal Court Administrator *

- #23-75 – Revision to 2023 Council Committees & Liaison Assignments *
- #23-76 – Appoint Maryanne Russini as Arts, Beautification and Economic Development Committee Member *
- 23-77 – Appoint John Sansone as Arts, Beautification and Economic Development Committee Member *
- #23-78 – Execution of Agreement with BCUA for Certified Recycling Professional *
- #23-79 – Authorize 2022 Budget Transfers *
- #23-80 – Authorization to Advertise for DPW Seasonal Labor Services Proposals *
- #23-81 – Accept Nicola Attanasio’s Retirement as Part-time Fire Inspector *
- #23-82 – Hire Katia Minaya as Secretary to Fire Department *
- #23-83 – Authorization of Contract with RER Supply, LLC for Vegetative Waste Disposal *
- #23-84 – Approval of Fee Waiver for St. Mary’s Church Raffle License *
- #23-85 – Authorize Redemption and Disbursement of Tax Sale Certificate
- #23-86 – Appointment of Borough’s Special Counsel for 2023: Law Offices of Richard Malagiere, O’Toole Scrivo and Chasan, Lamparello, Mallon & Cappuzzo *
- #23-87 – Approval of PTO Grant School Merchandise Raffle Application *
- #23-88 – Approval of Final Suspension of Borough Ordinance 21-5 – Overnight Parking
(removed)

Councilman Harvilla requested to remove resolution #23-88 from the Consent Agenda.

Public Comment - Consent Agenda Only

Motion to open to the public for Comments on Consent Agenda Only: Councilman Kelly;
Second: Councilman Harvilla; All in favor.

1. John Sansone, Beacon Street, asked what the Reiner bill was for? Mr. Tully stated it was for water seepage within the HVAC system.
2. Bruce DeLyon, Beacon Street, asked about a bill for the Special OPRA Counsel. Ms. Siek stated the invoices were received in December 2022 which encompassed 10-12 OPRA requests over a five to six-month period dealing with litigious requestors and redactions. Mr. Geist also responded that not all OPRA’s go to OPRA Counsel. It’s on a case by case basis.
3. Maryanne Russini, Roosevelt Avenue, commented on the National Opioid settlement bill and asked how much the Borough was awarded. She asked about the breakdown of the cost of the building. Councilman Morrell stated the price was \$24,449,000. Mr. Tully stated this is a full encapsulation of the bonded funds and the emergency funds from the flood. He provided the general maintenance from 2021 and 2022. Ms. Russini questioned if all municipal building bills have been paid. Mr. Geist stated this is a closed session item. She asked about various Memorial Park bills. Mr. Tully stated they were for the engineer and the basketball court at Memorial is complete.
4. Mary Normoyle, Randolph Avenue, asked about the municipal redactors being appointed. The Municipal Clerk explained Daniels Law and the Borough’s responsibility for redacting protected persons covered under the law. This coincides with OPRA requests and giving out public information. Anyone in the Borough dealing with public facing websites are being appointed municipal redactors.

Motion to close to the public: Councilwoman Stewart

Second: Councilman Morrell; All in favor.

Motion to adopt the Consent Agenda: Councilwoman Stewart

Second: Councilman Harvilla

Roll call vote: Council members: Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

Non-Consent Agenda Items

Discussion on Resolution #23-88 – Councilman Harvilla stated the Council has been discussing this for about four months and has engaged with the public. Feelings fall on both sides of the fence regarding enforcing or not enforcing. There was concern about liability to the Borough having an ordinance not being enforced. Equally there is consideration for those individuals who moved into the Borough during the time it was not being enforced and were not aware of the ordinance. A compromise was reached which gives constituents eight months to make accommodations if they need to facilitate parking more vehicles than they have driveway space. Beginning in October of this year, the Borough will fully enforce the ordinance.

Councilman Russell added the ordinance is still in place if there is snow, and cars need to be off the street. Councilman Morrell stated that come October 2023, the ordinance goes back into full effect where there is no parking in the streets.

The Borough Administrator stated the Borough will put a message on Facebook and the Borough website, and send out a Nixle that overnight parking is allowed until April 15th. He will discuss any fixes that need to be done over the next ten months with the Police, DPW and Ordinance Committee before this goes into full effect. The Governing Body plans to put this into full effect as of October 15, 2023.

Motion to Adopt Resolution #23-88 – Approval of Final Suspension of Borough Ordinance

21-5 – Overnight Parking: Councilman Morrell

Second: Councilman Kelly

Roll call vote: Council members: Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

ORDINANCES

1st Reading

#1618 An Ordinance Amending Chapter 75 of the Borough Code – Provisions Regarding Police Department Structure and Borough Council Committee Structure

Motion to **WAIVE** Formal Reading: Councilman Morrell

Second: Councilwoman Stewart

All in favor.

There was no discussion from the Council.

Motion to **PASS** on 1st Reading: Councilman Morrell

Second: Councilwoman Aponte

Roll Call Vote: Council members Aponte, Harvilla, Kelly, Morrell, Russell, Stewart – yes

Public Comment - General Comments

Motion to open to the public for General Comments: Councilwoman Stewart

Second: Councilman Morrell

All in favor.

1. Cary Stopsky, East Quackenbush Avenue, thanked the Council for the email regarding the parking. He said there is a white van parking on his street all day, and discussed driving and traffic on East Quackenbush. He brought up multiple issues with the brook by his house. He asked about a grant to complete a wall by the brook and if soil samples have been done in the brook.
Councilman Harvilla said he reviewed all parking ordinances of the Borough back to 1924, and stated his findings. Regarding the flooding issue, no water courses on a map begin or end in Dumont. The Borough can remediate as many things as they like but if all the connecting Boroughs do not remediate on their end, its never going to rectify the problem. Two plans in the downtown area being reviewed by the Joint Land Use Board actually touched on flood plain remediation.
2. Gerry Drummond, Blauvelt Avenue, said he received anonymous harassing letters after he publishing articles in the newspaper. He contacted the post office and the police in the past when he received phone calls. He spoke about free speech and democracy.
3. Bruce DeLyon, Beacon Street, commented on the COVID money being applied to the budget and asked how many bonds/notes need to be finalized. He asked about the handicapped door and the status of his neighbors' driveways.
4. Mary Normoyle, Randolph Avenue, asked about a previous report of how much Cummings had been paid. The CFO explained the difference between encumbered and paid amounts of contracts, and offered to look into it further. Ms. Normoyle asked about interactive meetings, the new borough website and COVID relief money. Councilman Harvilla responded there is a little over \$900,000.00 remaining. The Councilman stated they held about 20 budget meetings last year and the finance committee went line by line to review where the money could be used.
5. Maryanne Russini, Roosevelt Avenue, discussed the Memorial Park grant and asked if the Governing Body was moving forward with it. Councilman Kelly stated there may be changes to the project, and it may be on work session. They will consult with the Grant Writer and Borough Administrator, and will reach out to Recreation for ideas to proceed He also requested information from the Health Department for summer camp requirements. Ms. Russini stated there used to be water pipes under the basketball court. She discussed her OPRA about Dumont girls' softball. Mr. Geist said there will be a closed session to discuss this and they will talk to Dumont girls' softball directly. Ms. Russini asked about a budget line item for repairs. The Administrator answered there is a General Maintenance line item. Councilman Kelly stated there is a 50 Washington Avenue Committee that will look at all costs associated with the building. She thanked the Council for appointing her to the ABED Committee. Councilman Morrell stated there is \$312,058.00 left in the original bond.

The CFO answered a previous question that the Borough received \$1,833,374.40 in ARP funds, using \$762,000 in the 2022 budget for revenue replacement, leaving \$1,071,374.40 to be used by 12/03/2026. He will connect with Ms. Normoyle regarding the Cummings OPRA after doing more research.

6. John Sansone, Beacon Street, appreciates being reappointed. He would like to do good things but can only do this if they get some funds. They need to do stuff with the downtown. He thinks they should mark parking spaces, so they can plant trees along the

road. Councilman Harvilla explained the purpose of a five-year plan, in order to have cohesiveness based on what is available in the budget year to year.

Motion to close to the public: Councilman Morrell

Second: Councilman Kelly; All in favor.

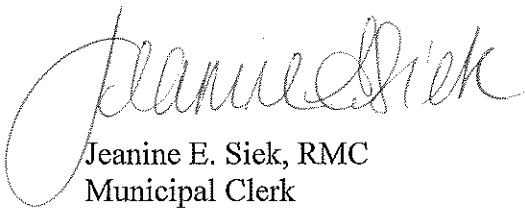
Motion to Adjourn: Councilwoman Stewart

Second: Councilman Morrell

All in favor.

The meeting ended at 8:42 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jeanine E. Siek". The signature is written in black ink and is positioned above the typed name and title.

Jeanine E. Siek, RMC
Municipal Clerk