

**BOROUGH OF DUMONT
BERGEN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
DUMONT MUNICIPAL COMPLEX
APRIL 4, 2023**

Meeting to Authorize Closed Session at 6:03 PM

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

- Pending Litigation – CSX Litigation
- Potential Litigation – Affordable Housing
- Contractual Matters – Swim Club
- Attorney-Client Privilege – Legal Advice regarding Borough Website

Council President Russell called the meeting to order at 7:13 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, Russell, Stewart – Present; Morrell - Absent
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: Councilman Kelly
Second: Councilwoman Aponte; All in favor.

Approval of Minutes:

Motion to approve the March 7, 2023 Public Meeting Minutes: Councilwoman Stewart
Second: Councilman Kelly

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

Motion to approve the March 7, 2023 Closed Meeting Minutes: Councilwoman Stewart
Second: Councilwoman Aponte

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

COUNCIL COMMITTEE REPORTS

Councilwoman Aponte

- *Recreation*

Dumont Summer Camp registration will open on April 10th and close on June 5th. Camp will run from June 26th until August 4th. Dumont Little League will have its annual opening day celebration on April 15th at 9:45 a.m. New bleachers were installed at the Little League field per state code. The annual Easter egg hunt was postponed from Saturday to Monday, April 3rd due to

poor weather conditions. The event was a success with a great turn out. The Councilwoman thanked Tony Como for organizing the event with help from the DPW, Police and Chief Joyce. She also thanked Councilman Kelly, Councilman Harvilla and Councilwoman Stewart for joining her at the event. The next Recreation meeting is tomorrow, April 5th at 7 p.m.

- *Fire Department*

There was a total of 29 calls; 3 fires, 2 mutual aid, 5 motor vehicle accidents, 14 fire alarms, 3 natural gas emergencies, 1 brush fire and 1 elevator rescue, for a total of 271.5-man hours.

Councilman Harvilla

- *Library*

The last meeting was on March 22nd and there is a resolution on tonight's agenda to go out to bid on the ADA compliant bathroom project. The roofing for the old auditorium will go underway once good weather is predicted. The next meeting is April 26th.

- *Board of Education*

The last meeting was March 16th and they voted on a resolution to approve the preliminary budget for fiscal year 2023/24. Details are on www.dumontnj.org The next meeting is Thursday, April 20th, with a follow-up meeting that is the public hearing of the budget on April 27, 2023.

Councilman Harvilla stated there is also a \$3,222 expenditure on the resolution for the bills list that is noted as the recreation bequest. On the check register, it is under the trust account for the senior citizen donation from 2020. The CFO is in the process of reconciling that so it reports more clearly under the senior citizens bequest.

Councilman Kelly

- *Finance*

The Finance Committee has been meeting weekly and progressed pretty far along in preparations for this year's budget. The target is to introduce the budget at the April 18th meeting.

Councilwoman Stewart

- *Seniors*

The St. Patrick's Day party was attended by 168 seniors. The food pantry continues to serve a large number of people in the community and is now holding the Easter food drive. Any help is always appreciated.

- *Police*

Chief Brian Joyce explained the Blue Envelope Program for autism awareness. It is an initiative for individuals on the autism spectrum who operate a vehicle, and is a visual clue for the officer that the operator of the vehicle is on the autism spectrum. There is a contact card inside for an emergency contact, if need be. For the operator, it gives instructions to keep documentation inside the envelope and information about what to expect during a motor vehicle stop. The blue envelopes are available at headquarters, or one can be to be dropped off at your residence.

Councilwoman Stewart reported 1,726 calls for service; 102 medical calls, 25 fire calls and 3 commitments. There were 89 traffic summonses issued: 15 for parking and 74 for moving violations; 16 motor vehicle accident investigations; 21 burglar alarms responded to; 8 street or decorative lights reported not functioning; 1 car seat installed; 1 case regarding animal cruelty; 54 dark house slips issued; 6,665 miles traveled for patrol activities; 8 total arrests by detectives; 13 domestic violence, 5 expungements, 27 firearm and 41 criminal cases investigated. The NJ Special Olympics Torch Run, 2nd grade Adopt a Cop, 5th and 8th grade LEADs Program and 2023 Junior Police Academy are being planned.

- *Court*

There were 7 subpoenas issued, 8 expedited expungements ordered, 4 arrest warrants issued, 9 bench warrants issued, 8 trial hearing motions, 44 in-person defendants and 93 virtual defendants scheduled for court; 98 traffic charges and 21 criminal charges adjudicated in court for February and March; bail collected from 5 individuals.

Councilman Russell

- *DPW Committee*

They are working on painting the hut at Memorial Park because it could not be cleaned to get ready for Opening Day. The Councilman thanked them for their help with the Easter Egg Hunt.

- *Shade Tree Commission*

The next meeting April 17th. Volunteers are needed with the Arboretum clean up and mulching on April 15th from 9 a.m. to 11 a.m. The rain date is April 23rd. The Arbor Day Celebration will be at the Arboretum on April 29th from 1 p.m. to 3 p.m.

ATTORNEY'S REPORT

Mr. Geist reported the Borough has received the insurance from the Dumont Swim Club, and it is satisfactory. The Borough will move forward with engaging in a lease with the swim club. He attended the bid opening for the body worn cameras and worked with the Borough to review and award the bid. The Dumont Girls Softball issue is considered a closed matter. There was an internal inquiry brought to the Council's attention regarding an unauthorized Venmo account the Dumont Girls Softball program was using and a report was made to the prosecutor's office, but no investigation was done. The records were produced and there was no wrongdoing other than the existence of the Venmo account in the first place. Also, due to Daniel's Law, the Council has decided that the public should only state their name, not address going forward for Public Comment, to avoid having information on the Borough website in violation of the law.

ADMINISTRATOR'S REPORT

Mr. Tully thanked Tony Como, the volunteers, Police Department and DPW for making the Easter Egg Hunt such a success. Summer camp will take place from June 26th until August 4th. Finance meetings have taken up a significant amount of time for his office, the CFO and Finance Committee. There will be a recycling program for Earth Day on April 22nd including a public clean up at the Library and shredding event. The Ordinance Committee will meet to discuss outdoor dining, grease traps, fee schedules, field permits, restricted uses, dumpsters and shade tree. VSC attendance software system was implemented this week Borough wide. The Borough received notification for a SAFER award applied for in 2021. The hut at Memorial Park had to be repainted due to damage from shaving cream from Cabbage Night. He understands it's been a long-standing event but it does cause a significant amount of damage at Memorial Park, which is an area that the Borough has put a lot of funding into recently. Mr. Tully thanked Lieutenant Hogan for his service as his retirement is on the agenda. The Borough's rabies clinic was held on March 31st.

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

#23-123 – Bills List *

#23-124 – Approval to Refund Developer Trust Account Funds *

#23-125 – Authorization to Advertise for Bids for Dixon Homestead Library Barrier-Free Improvements *

#23-126 – Authorization of Agreement for DPW Temporary Personnel *

#23-127 – Appointment of Christopher Tully as Joint Insurance Fund Commissioner and Cathy Romeo and Jodie Delehanty as Alternate JIF Commissioners for 2023 *

#23-128 – Authorization of 2023 Emergency Temporary Appropriation *

#23-129 – Award of Bid for Body Worn Cameras and In-Car A/V Recording System *

#23-130 – Authorization of Agreement with Reiner Group, Inc. for Boiler Maintenance *

#23-131 – Authorization of Terminal Leave Payment to Police Department Lieutenant Charles Hogan *

Public Comment - Consent Agenda Only

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

Second: Councilwoman Stewart; All in favor.

1. Bruce DeLyon, asked if insurance will cover the injector pump on the bills list. He congratulated Lt. Hogan on his retirement and asked if the position will be replaced.
2. Mary Normoyle, asked about numerous bills list items, the Trane maintenance contract and senior function payments.
3. Avinash Melkote, questioned if the award of bid for body worn cameras is for better cameras and how would a public records request with redactions be responded to. Attorney Geist responded it is a requirement to have body-worn cameras and the prior ones were not working properly. The Municipal Clerk responded that the bid included third party redaction services.
4. Maryanne Russini, asked about the temporary DPW personnel, the various phone bills and a sprinkler payment. She congratulated Lt. Hogan on his retirement.

Mr. Tully stated the sprinkler payment was preventative maintenance. Councilman Russell said they have to tested every year and sometimes have to be rebuilt. Councilman Harvilla stated the mobile radios was funded in last year's budget as part an ongoing process to replace the first responders' radios.

Mr. Tully answered the injector pump was a new item and police promotions were done last week. There are various maintenance contracts to make sure everything is taken care of properly at the Borough. The Northeast Staffing bill is for maintenance at the Borough and the resolution tonight is for DPW staffing. The Finance Committee is looking at the possibility of restarting our summer help program. The Optimum internet is for the DPW pump station and New Horizon is for the previous account when the pump station was on a phone line. The senior center services are provided by the regular vendors who have been tailoring those services for them for years.

Councilman Kelly commented on the phone usage charges. They are for telephones at the Borough Hall. With a commercial phone account, there are usage fees for the amount of usage the telephones get. It includes the police and DPW. The Councilman asked if the seasonal workers work year-round? The Administrator answered that the contract goes until December 31st allowing the Borough flexibility depending on its needs. He stated they work

during grass pick up season from 7 a.m. until 12 noon, no more than 25 hours per week, and they are supplemental help during the summer. He hopes to reintroduce the summer help program, and is working with the new DPW union for new staff this year. Councilman Russell added with the temporary workers it is beneficial when someone calls out sick.

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

Motion to adopt the Consent Agenda: Councilwoman Stewart
Second: Councilwoman Aponte
Roll call vote: Council members: Aponte, Harvilla, Kelly, Russell, Stewart – yes;
Morrell - absent

ORDINANCES

2nd Reading

#1619 – An Ordinance to Amend, Revise and Supplement Ordinance No. 1593 and its Progenies as to the Establishment of Certain Compensation Ranges and Related Items for Certain Officers and Employees – 2023-2024 Salary Ranges Municipal Court Administrator

Motion to **WAIVE** Formal Reading: Councilwoman Stewart
Second: Councilman Kelly; All in favor.

Motion to open to the public: Councilwoman Stewart
Second: Councilman Harvilla; All in favor.

1. Maryanne Russini, asked for a description of the ordinance. Mr. Tully stated the Borough is updating the salary ordinance regarding one position in the Borough to put it at a more typical salary for that position.

Motion to close to the public: Councilwoman Stewart
Second: Councilwoman Aponte; All in favor.
Motion to **ADOPT** on 2nd reading: Councilwoman Stewart
Second: Councilman Harvilla

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

1st Reading

#1620 – Calendar Year 2023 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

Motion to **WAIVE** Formal Reading: Councilwoman Stewart
Second: Councilman Kelly; All in favor.

CFO Abbasi explained the Cap Bank ordinance allows the Borough to increase by 1% over the 2.5% appropriations Cap, and it can be utilized up to two years. It can be utilized in the 2024 or 2025 budget. The Borough is not borrowing more money or spending more money. It is being banked for future needs, if the Borough needs to use it.

Motion to **PASS** on 1st Reading: Councilman Kelly; Second: Councilman Harvilla
Roll Call Vote: Council members Aponte, Harvilla, Kelly, Russell, Stewart – yes;
Morrell - absent

Public Comment - General Comments

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

Second: Councilwoman Aponte; All in favor.

1. Mary Normoyle, asked if all officials attended the special closed session meeting last Tuesday. Attorney Geist responded that all Council members were present (two via phone) and the Mayor was not there.
2. Bruce DeLyon, stated he received an answer about the driveways and commented that the Administrator did not call him.
3. Michael Sullivan, complimented the DPW for repairing the potholes on Andover and hopes they continue to fill them throughout town.
4. Avinash Melkote, asked the Borough to consider repaving sections of Andover and Brookfield. He asked about the policy of not stating the address during public comment. Attorney Geist stated there's no legal requirement for the addresses to be stated. Professionals and businesses need to identify themselves.
5. Maryanne Russini, asked if all Shade Tree commissioner spots are filled and thanked them for the update on Dumont Girls Softball. She asked about the Oriental Trading shipping cost. Councilwoman Aponte answered the cost was due to the weight and number of boxes. He was unable to get the items from the usual company so they had to order from Oriental Trading. Ms. Russini asked if there is a snow removal budget. The CFO explained the budgeting process and overtime, and if the money is not spent, then it goes to the Borough's surplus. Councilman Harvilla stated there is a line item for road salt or fuel, but not for snow. Ms. Russini asked if the Cap bank can be used for anything, and the CFO answered that it can.
6. Joan Strubel, questioned the Cap account and if the grant money can be put in there. The CFO explained how the Cap bank money can be used. Councilman Kelly clarified that the money is not actually in the account and discussed the process by which the Cap allows the Borough to raise taxes.

Motion to close to the public: Councilman Harvilla

Second: Councilman Kelly; All in favor.

Councilman Harvilla commented that he spoke to the Recreation Director regarding the shipping charge for the Easter eggs. He said the charge was due to supply chain issues. The place where he normally orders from that does not charge a large shipping fee did not have any in stock. It was ordered later than normal, but was not a rush order.

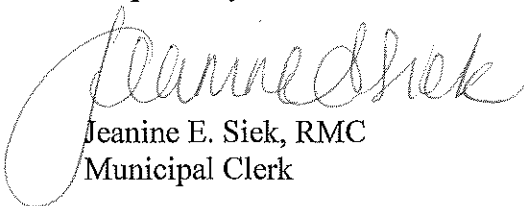
Motion to Adjourn: Councilwoman Stewart

Second: Councilman Kelly

All in favor.

The meeting ended at 8:25 p.m.

Respectfully submitted,



Jeanine E. Siek, RMC
Municipal Clerk