

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
COMBINED EXECUTIVE SESSION AND PUBLIC MEETING MINUTES
NOVEMBER 10, 2015
6:30 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 date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to *The Record* and the *Ridgewood News*, posted on the Borough website and filed with the Borough of Dumont.

Roll Call:

Council members: Correa, Hayes, Manna, Riquelme, Zamechansky-present
Councilman Morrell-absent
Mayor: James J. Kelly

Motion to Accept Agenda as presented: Councilman Manna
Second: Councilman Riquelme
All in favor

Approval of Minutes

Motion to approve the October 6, 2015 Executive Session minutes: Councilman Manna
Second: Councilwoman Zamechansky
Roll call vote: Council members Correa, Hayes, Manna, Riquelme, Zamechansky-yes
Motion to approve the October 17, 2015 Special Meeting and Closed Session minutes:
Councilman Manna
Second: Councilwoman Zamechansky
Roll call vote: Council members Correa, Hayes, Manna, Riquelme, Zamechansky-yes
Motion to approve the October 20, 2015 Public Meeting minutes: Councilman Manna
Second: Councilman Hayes
Roll call vote: Council members Correa, Hayes, Manna, Riquelme
Councilwoman Zamechansky abstained.

ADMINISTRATOR'S REPORT

Mr. Perkins, at the direction of the Mayor and Council, reached out to the Superintendent of schools to meet regarding 50 Washington Avenue ownership. Dates have been suggested for a potential meeting.

The Borough has received a dividend reimbursement of \$16,590.25 from JIF.

He sent a memorandum to the DPW staff to see if anyone is interested in getting certified as a DPW superintendent. There should be another certified person.

Mr. Perkins has approached three property owners to see if they would be interested in selling their property to the borough-55-57 W. Madison (not interested), 33 E. Madison (not interested) and 30 E. Madison (interested).

COUNCIL COMMITTEE REPORTS

- Councilwoman Correa

No Report

- Councilman Hayes

Joint Land Use Board

The 10/27 meeting was cancelled.

Ordinance Committee

They finalized the smoking restriction ordinance, which was reviewed by the Borough Attorney.

- Councilman Manna

Ordinance Committee

The committee will be looking at the criteria on police hiring.

- Councilman Riquelme

There were 20 sewer jobs and 489 miles were swept in October. Residents have been advised to put their leaves in the street no closer than ten feet from any catch basin.

- Councilwoman Zamechansky

Fire Department

There were 39 alarms and 855 man hours in October.

Police Department

There were 1,901 calls for service and 82 medical calls in October. The Detective Bureau investigated 20 domestic violence cases, handled 66 criminal cases and arrested 14 disorderly people.

Senior Citizens

Tomorrow there will be a luncheon for the Veterans.

November 20 they will be going to see the Rockettes.

The holiday luncheon is at Seasons on December 3rd.

Councilwoman Zamechansky wished Glenda Hickey good luck in her new job in Ridgewood.

Celebrations

The Winter Festival will be held December 4th; rain date is the 5th. It begins at 7PM at Memorial Park.

The Councilwoman has met with the Cresskill police chief and Dumont police chief. We have come up with an agreement to take over their 9-1-1 dispatching. Hopefully, there will be more shared services to come.

ATTORNEY'S REPORT

Police promotion litigation depositions are ongoing. Discovery will be done shortly.

On October 29th Mr. Paster attended a case management conference on the D'Angelo Farm declaratory judgment litigation. At that time the borough's motion for approval of the development fee ordinance was approved. The ordinance is on the agenda for introduction this evening. The motion by Landmark to reinstate the dismissed counts of the Builders Remedy action and the reconsideration of the borough's motion for immunity from further Mt. Laurel litigation will be considered November 17th.

Mr. Paster met with the special master, who is anxious to work with Landmark and the Borough to resolve any pending issues having to do with the Borough's affordable housing obligation.

He helped the Zoning and Police Departments with some property maintenance and hazard abatement activity on some abandoned and neglected properties in town. They

are working on establishing a regular protocol to provide notice to the property owners and still afford neighbors with relief when a property falls into disrepair.

The garbage and recycling contracts appear to be resolved. Based on an emergency declaration by the DPW superintendent, Suburban Disposal started collecting the Borough solid waste-the trash as well as recycling-as of November 1st. We negotiated a new five year contract after two unsuccessful bids, which is on the agenda for approval by the Council tonight. The negotiated contract was staggered to mitigate the price increase in the first couple of years allowing the Council to prepare for the increases.

MAYOR'S REPORT

This past Friday the Mayor met with Congressman Scott Garrett and some other mayors along the CSX train line. Safety is of the utmost importance. The Congressman was asked to see if rail crossings could be made "quiet zones". These crossings are much safer and afford a quality of life. It costs several hundred thousand dollars for each crossing to be done and only works if everyone along the line does this.

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

#15-234 Bills List *

#15-235 Approval of Dumont High School Music Boosters On-premise Cash Raffle to be held December 15th and December 16th, 2015; ID#109-5-36714, RL#441 *

#15-236 Approval of Dumont High School Music Boosters On-premise Cash Raffle to be held January 15th, 2016; ID#109-5-36714, RL#442 *

#15-237 Approval of Selzer School Calendar Raffle to be held from February 2, 2016 through April 26th, 2016; ID#109-5-37089, RL#440 *

#15-238 Revision of 2015 Salary Resolution *

#15-239 Zachary Arlin-Accept Application as Firefighter *

#15-240 Approval of Change Order #1-Final-Depew III Road Project (-2,443.00) *

#15-241 Locust & Brook Road Improvements-Authorization of Execution of Bergen County Community Development Grant Agreement *

#15-242 Locust & Brook Road Improvement-Approval of Remington, Vernick & Arango Proposal-\$26,250 *

#15-243 Locust & Brook Road Improvements-Authorization for the Municipal Clerk to Advertise for Bids *

#15-244 Michael Sestanovich-Accept Resignation as Plumbing & Sub code Official effective October 16, 2015 *

#15-245 Charles Miuccio-Hire as Plumbing and Sub-code Official-\$9,914 annually *

#15-246 Glenda Hickey-Accept Resignation as Deputy Court Administrator, Effective November 12, 2015 *

#15-247 Mikes Landscaping-Award of Quote for Landscaping Services of Abandoned and Bank-owned Properties-\$90.00 per hour *

#15-248 R.L. Roem Jr.-Award of Quote for Snow Removal from Abandoned and Bank-owned Properties-\$75 per hour *

#15-249 Garbage & Recycling Services Resolution *

#15-250 Mark Abdulla-Accept Resignation-as DPW Full-time Employee Effective November 2, 2015 *

#15-251 Chris Gidney-Full-time DPW Position-\$25,000 annual salary *

#15-252 Armen Zorzopian-Accept Resignation as DPW Seasonal Employee *

#15-253 Approval of the Request from the Volunteer Fire Association of Schraalenburgh to Conduct their Annual Fund Drive *

#15-254 Chris Kraykowski-Hire as DPW Seasonal Employee-\$10 per hour *

#15-255 Authorization for the Municipal Clerk to Advertise for RFQ's for 2016 *

#15-256 Shared Services with Cresskill-Dumont would Assume Responsibility for Cresskill's 9-1-1 Calls * Councilman Manna stated he feels one year is too short a time. Councilwoman Zamechansky said she spoke to both Chiefs and they were fine with it. Councilman Hayes asked if there would be any cost to Dumont. Mr. Paster responded that Cresskill would pay all costs.

Councilman Hayes asked that Resolutions 241, 242 and 243 be moved to non-consent.

Councilwoman Correa wanted to be assured that the engineer's fee would not exceed the approved amount in resolution #242. She referred to resolution #246-the Borough pays for employees to be trained for these positions so is there a time frame when they leave us that they do not have to reimburse us? We need to have an ordinance written that when an employee leaves within a certain period of time, they need to reimburse us.

Mr. Perkins asked if a resolution could be adopted to address this because we will be hiring someone to take Ms. Hickey's place. Mr. Paster responded that it would have to be a permanent document, not just a resolution. He recommended a resolution to amend the employee handbook pending adoption of an ordinance might work.

Councilwoman Correa asked if a full-time person is really needed. Mr. Perkins responded that the Judge said yes.

Following advertising for the position, thirty-eight resumes were received. The County must be involved in the hiring process.

Councilwoman Correa stated that the work done on bank-owned properties are paid for by the banks. Mr. Paster added that they are imposed as a tax on the property.

Councilwoman Zamechansky stated it was her opinion that if the professional RFQ's are not submitted correctly, they should not be considered.

Motion to open to the public on the consent agenda: Councilwoman Zamechansky

Second: Councilman Riquelme

All in favor.

1. Rachel Bunin asked if it is necessary to pay someone \$75 per hour to shovel snow from abandoned properties-couldn't the DPW seasonal employees do it? Mr. Paster responded that it is private property and has to be maintained privately. Ms. Bunin has an abandoned property next door so could she call to have it shoveled? Mr. Paster said there is a process. Ms. Bunin asked what application was cancelled for the Joint Land Use Board meeting.

2. Lynne Vietri, 41 Wilkens Drive, asked who Goosetown Communications is. Mr.

Perkins responded that they handle the communication systems for the Police Department. Why would Cresskill be paid almost \$2,100 under the Recreation Trust Account? Ms. Vietri asked about payment to N.J. State Health Insurance and Voya. She asked about Mark Madaio and was told he is the Joint Land Use Board attorney. She asked what the RFQ resolution was for. Mayor Kelly replied it is for the professionals and is advertised every year.

3. Catherine Booth, Shelby Street, asked if we would make any money on the Shared Service with Cresskill. Councilwoman Zamechansky said Dumont would be paid \$.50 per Cresskill resident.

Motion to close to the public: Councilman Manna

Second: Councilman Riquelme

All in favor.

Motion to approve the Consent Agenda without resolutions #241, #242 and #243:

Councilman Manna

Second: Councilman Riquelme

Roll call vote: Council members Correa, Hayes, Manna, Riquelme, Zamechansky-yes

Non-consent Agenda

#15-241 Locust & Brook Road Improvements-Authorization of Execution of Bergen County Community Development Grant Agreement

#15-242 Locust & Brook Road Improvement-Approval of Remington, Vernick & Arango Proposal-\$26,250

#15-243 Locust & Brook Road Improvements-Authorization for the Municipal Clerk to Advertise for Bids

Motion to adopt Non-consent Agenda: Councilman Manna

Second: Councilwoman Zamechansky

Roll call vote: Council members Correa, Manna, Riquelme, Zamechansky-yes

Councilman Hayes-abstained

Ordinances

First Reading

#1494 Ordinance Establishing Chapter 360- Regulating Smoking in and upon Public Buildings and Public Properties, Parks, Playgrounds and Recreation Areas entitled "Smoking Prohibited" of the Ordinances of the Borough of Dumont

Motion to waive formal reading: Councilman Hayes

Second: Councilwoman Zamechansky

All in favor.

Councilman Manna stated that this ordinance came about from the County's effort to have smoke-free environments in public spaces. They had made a presentation at a public meeting and the Ordinance Committee has been looking at different town ordinances in the County. The Board of Education has already instituted their policy.

Motion to pass on first reading: Councilman Manna

Second: Councilman Hayes

Roll call vote: Council members Correa, Hayes, Manna, Riquelme, Zamechansky-yes

#1495 An Ordinance to Amend Chapter 209, Article III, Section 16 "Developer Fees" of the Borough of Dumont, County of Bergen, State of New Jersey

Motion to waive formal reading: Councilman Hayes

Second: Councilman Riquelme

All in favor.

Councilman Hayes stated that this will allow the Borough, under COAH's regulations, to charge a developer's fee on developments being built in town. This will save the taxpayers money.

Motion to pass on first reading: Councilman Hayes

Second: Councilman Manna

Roll call vote: Council members Correa, Hayes, Manna, Riquelme, Zamechansky-yes

Motion to open to the public for general comments and questions: Councilman Manna

Second: Councilman Hayes

All in favor.

1. Rachel Bunin, 9 Poplar, asked about Ordinance #1494 and whether there could be a smoking area stipulated in the regulations.

2. Lynne Vietri asked about the court date on October 29th. Mr. Paster stated that we have until mid-December to complete a matrix with an unofficial proposal, they were advised by the Special Master, of the proposed third round figures that COAH had proposed last year. However, the numbers would not be binding-they would be placeholder numbers. Also, the Developer Fee ordinance was approved by the court. The two motions-the reconsideration of our immunity motion and Landmark's motion to reinstate the first two counts of its builder's remedy will be heard next Tuesday. Mr. Paster, Mr. DelVecchio and Special Master Banish were present October 29th.

3. Louis DiPaolo, 32 Highland Avenue, asked for clarification of the Developer Fee Ordinance. Mr. Paster replied said it can go to administrative costs for COAH projects, it can go into rehabilitation projects but the spending plan has to be approved by COAH before you can spend the money. Mr. DiPaolo asked who has been paying in the past and how much money is this expected to bring in. Mr. Paster answered the taxpayers has paid. Mr. DiPaolo asked where in the ordinance it states what the money can be used for. The response was page 8.

4. Rachel Bunin asked if there is a vacant land list available. Mr. Paster will check whether it is public information or not.

Motion to close to the public: Councilman Manna

Second: Councilwoman Zamechansky

All in favor.

The Mayor read the resolution to enter closed session to discuss Police Personnel

Motion: Councilman Manna

Second: Councilman Riquelme

Roll call vote: Council members Correa, Hayes, Manna, Riquelme, Zamechansky-yes

Motion to back into public following closed session: Councilman Manna

Second: Councilman Riquelme

All in favor.

Meeting adjourned at 8:40PM

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk