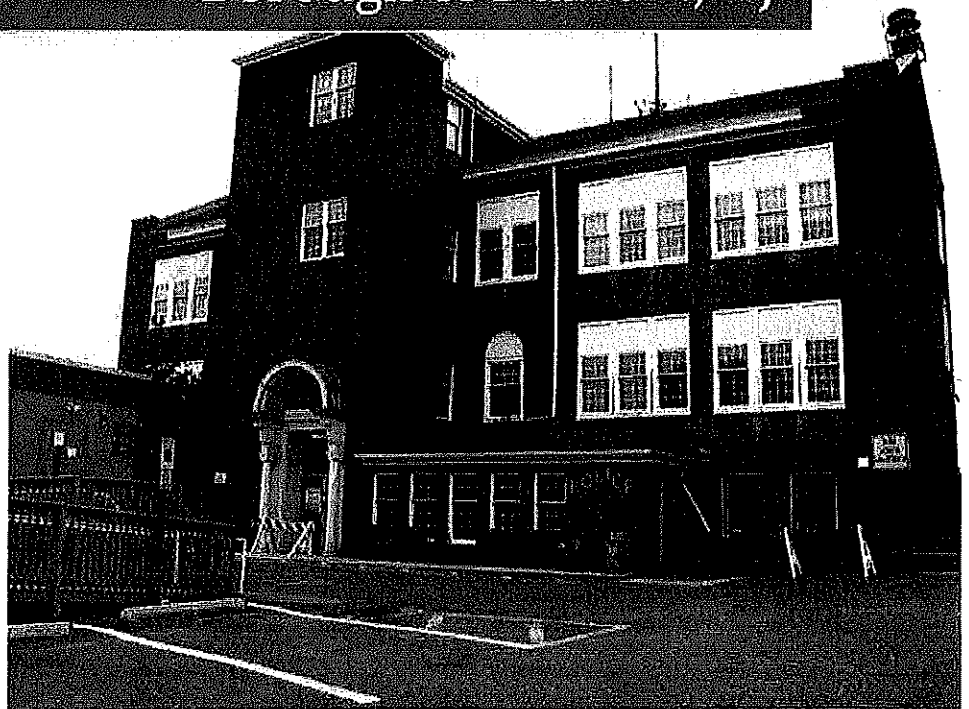


# Redevelopment Study Area Determination of Need

Block 1215, Lot 12 50 Washington Avenue  
Borough of Dumont, NJ



Prepared by:

Darlene A. Green, PP, AICP



Designated by Borough Council on February 2, 2016 via  
Resolution #2016-53

The original of this report was signed in accordance with NISA 45:14A-12

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## I. INTRODUCTION

The purpose of this report is to determine whether Block 1215, Lot 12 (hereinafter referred to as the Study Area), also known as the Borough of Dumont Municipal Building, qualifies as an Area in Need of Redevelopment as defined by the Local Redevelopment and Housing Law (NJSA 40:12A-1 et seq., herein referred to as LRHL). This analysis has been conducted pursuant to the LRHL, which specifies the conditions that must be met within the delineated areas and the process to be undertaken by the Planning Board during the investigation.

This report is written pursuant to Section 6 of the LRHL (NJSA 40:12A-6), which requires the following:

- a) No area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in Section 5 of the P.L. 1992(C.40A:12A-5). Such determination shall be made after public notice and public hearing as provided in subsection b. of this section. The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of the municipality.
- b)
  - 1) Before proceeding to a public hearing on the matter, the planning board shall prepare a map showing the boundaries of the proposed redevelopment area and the location of the various parcels of property included therein. There shall be appended to the map a statement setting forth the basis for the investigation. This report is provided as both the statement and map to satisfy this requirement.
  - 2) The planning board shall specify a date for and give notice of a hearing for the purpose of hearing persons who are interested in or would be affected by a determination that the delineated area is a redevelopment area.

The Borough Council, by Resolution #75, dated February 17, 2015, requested that the Joint Land Use Board of the Borough of Dumont undertake a preliminary investigation as to whether the Study Area identified in the resolution is in need of redevelopment pursuant to the LRHL. (See Appendix)

Section 6b(4) of the LRHL also requires the Planning Board to hold a hearing on this matter prior to recommending that the delineated area, or any part thereof, be determined or not determined a redevelopment area by the governing body. After obtaining the Planning Board's recommendation, the governing body may adopt a resolution determining that the delineated area, or any part thereof, is a redevelopment area (Section 6b(5) of the LRHL). This report serves as the statement setting forth the basis for the investigation of an area in need of redevelopment, as required under the LRHL.

Before presenting the Study Area investigation and parcel level analysis, it is important to note that the determination of need presented in this analysis is only the first step of the redevelopment process and does not provide guidance with respect to the planning, development or redevelopment of the project area. Section 40A:12A-7 of the LRHL describes the tool (the redevelopment plan), which specifies how the redevelopment should be planned, in addition to the process through which such a plan is prepared.

A redevelopment plan, which may supersede the zoning of an area or serve as an overlay thereto, specifies the following:

- Relationship of the project area to local objectives as to appropriate land uses, density of population, improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

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The Borough Council, by Resolution #7S, dated February 17, 2015, requested that the Joint Land Use Board of the Borough of Dumont undertake a preliminary investigation as to whether the Study Area identified in the resolution is in need of redevelopment pursuant to the LRHL. (See Appendix)

Section 6b(4) of the LRHL also requires the Planning Board to hold a hearing on this matter prior to recommending that the delineated area, or any part thereof, be determined or not determined a redevelopment area by the governing body. After obtaining the Planning Board's recommendation, the governing body may adopt a resolution determining that the delineated area, or any part thereof, is a redevelopment area (Section 6b(5) of the LRHL). This report serves as the statement setting forth the basis for the investigation of an area in need of redevelopment, as required under the LRHL.

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A redevelopment plan, which may supersede the zoning of an area or serve as an overlay thereto, specifies the following:

- Relationship of the project area to local objectives as to appropriate land uses, density of population, improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

- Proposed land uses and building requirements in the project area.
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing housing market.
- An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan. (Note: not every property in a redevelopment area must be acquired and, in fact, none may be acquired; the redevelopment plan can specify buildings or uses to remain in the redevelopment area and to be incorporated into the future design and development of the area).
- Any significant relationship of the redevelopment plan to the master plan of contiguous municipalities, the master plan of the county, and the State Development and Redevelopment Plan.

This report and investigation are aimed only at determining whether the Study Area meets the statutory criteria to be identified as an Area in Need of Redevelopment and therefore does not contain any of the specific planning guidance contained in a redevelopment plan.

## II. CRITERIA FOR REDEVELOPMENT AREA DETERMINATION

Section 5 of the LRHL outlines the criteria that can be considered in evaluating a Study Area. An area may be determined to be In Need of Redevelopment if, after investigation, notice and hearing, the governing body of the municipality concludes by resolution that any one of the following relevant conditions is found:

- a) The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b) The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c) Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or entity, or unimproved vacant land that has remained so for a period of ten years prior to the adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d) Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals or welfare of the community.
- e) A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

- f) Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g) In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c. 303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c. 79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c. 431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c. 441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c. 79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- h) The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

In addition to the above criteria, Section 3 of the LRHL, which defines the redevelopment area, allows the inclusion of parcels necessary for the effective redevelopment of the area, by stating "a redevelopment area may include land, buildings, or improvements, which of themselves are not detrimental to the health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area in which they are a part."

### III. DESCRIPTION OF STUDY AREA

#### STUDY AREA DESCRIPTION

The Study Area is one lot that contains the Borough of Dumont Municipal Building (now vacated) and its attendant parking area (See Figure 1 and Figure 2). It is located in the south-central portion of Dumont about 600 feet north of the Borough of Bergenfield municipal line. The Study Area has 150 feet of frontage on Washington Avenue and extends about 286 feet in depth. The block in which the Study Area is located is bordered by West Quackenbush Avenue to the north, Columbia Avenue to the south, the Conrail railroad right-of-way to the west. The block contains a mix of uses including the Stop and Shop Food Market and Washington Commons with medical and general office and personal service uses located to the south of the Study Area. Directly adjacent to and south of the Study Area is a three-story apartment complex. Single family homes are located along West Quackenbush Avenue with some backing up to the Study Area. Directly north of the site along Washington Avenue are offices and a mixed use building. To the west, there is a significant grade change to the parking and loading area serving the supermarket. Along the east side of Washington Avenue in the vicinity of the Study Area are a variety of mixed uses including apartments, an animal hospital, New Provident bank, Walgreens pharmacy, restaurants and other retail and services uses (See Photos 1-5).

The Study Area is known as Block 1215, Lot 12. It is about one acre in size, located on the west side of Washington Avenue about 150 feet south of West Quackenbush Avenue. The three-story brick building was originally built for the Dumont School Board with a wall plaque dating from 1918. The Borough acquired the building from the Dumont Board of Education on April 26, 1962. According to the deed, the building was "no longer desirable or required for school purposes". The building has been vacated since February 13, 2015. There are temporary modular trailers, housing the Borough Police Department and Fire Department Office, which remain on the site.

Figure 1: Redevelopment Area Boundary Map --'Study Area'

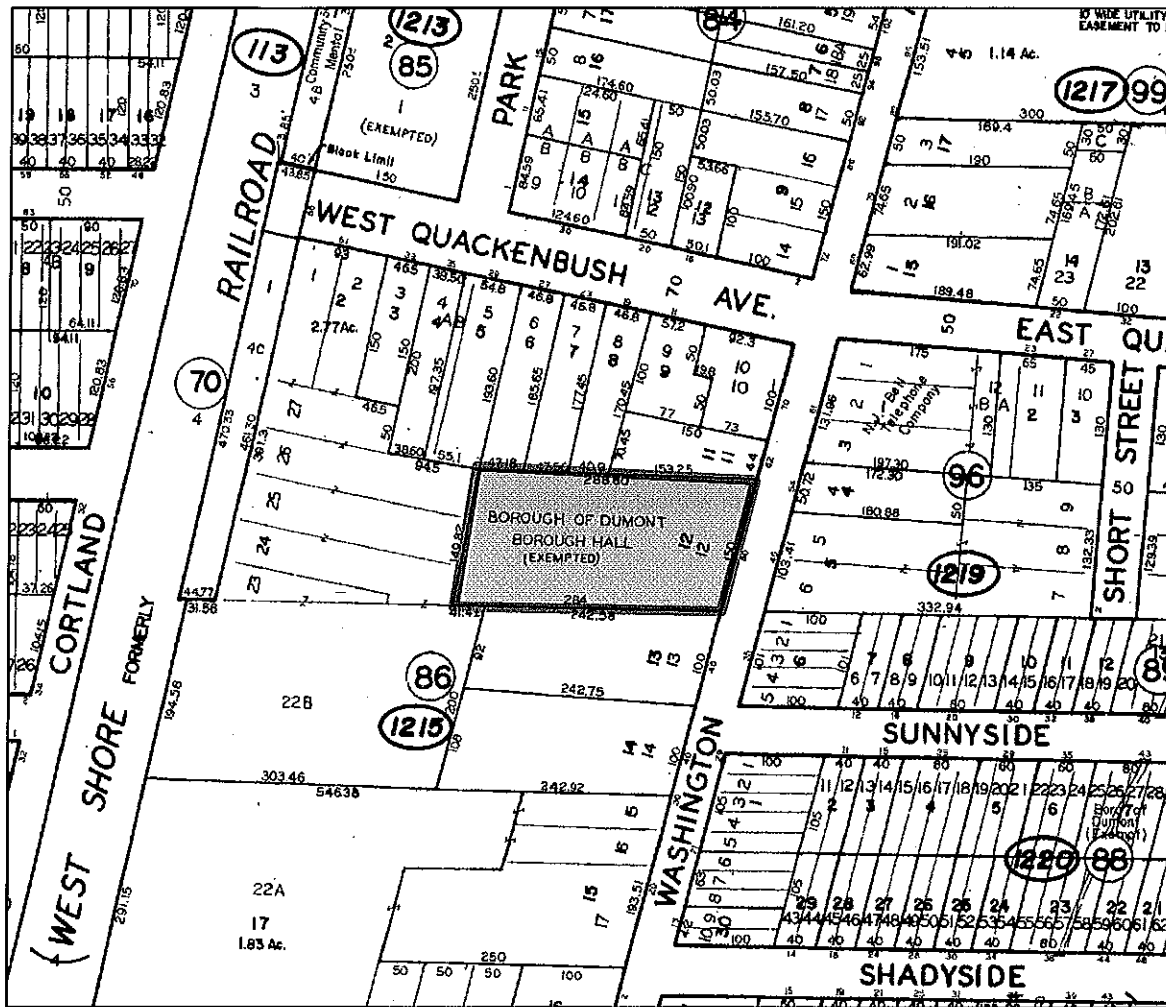
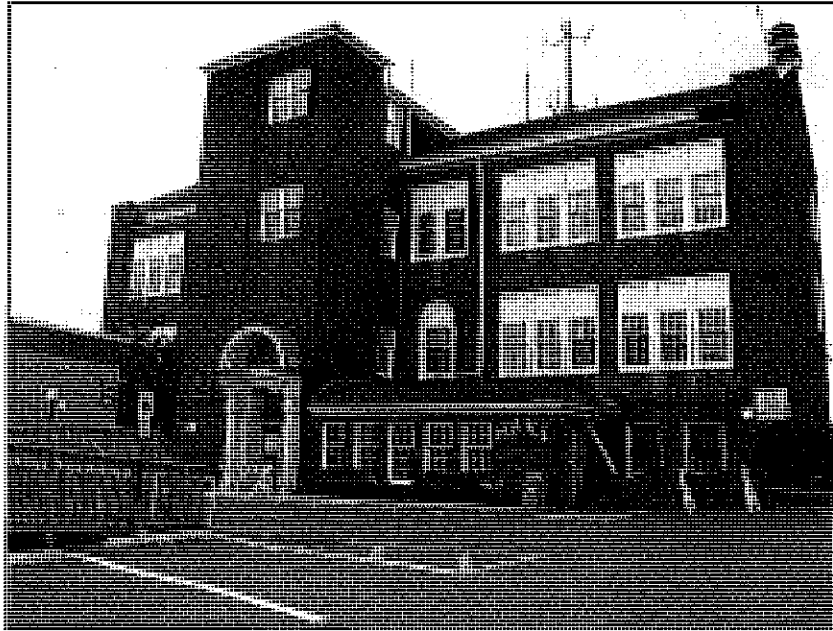




Figure 2: Bird's eye view of Study Area looking west<sup>1</sup>



Photo 1: View of Dumont Municipal Building taken near Washington Avenue looking west

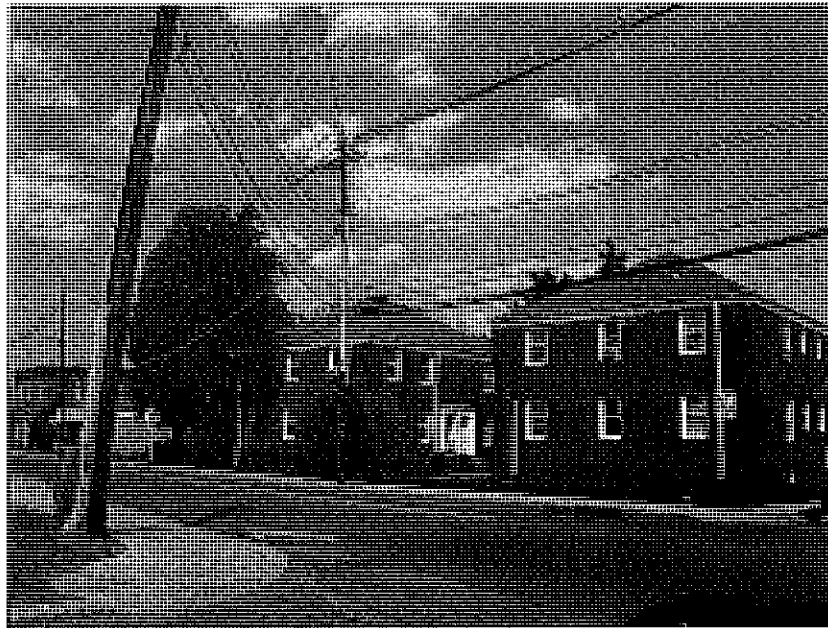


<sup>1</sup> www.bing.com

**Photo 2: View of Stop and Shop parking lot south of the Study Area**



**Photo 3: View looking east of apartments directly across Washington Avenue from the Municipal Building**



**Photo 4: View of bank and commercial buildings across Washington Avenue at the southeast corner of Shadyside Avenue**



**Photo 5: View looking south from the Park Avenue /Quackenbush Avenue intersection towards residences along Quackenbush Avenue which back up to the Study Area**



## ZONING IN STUDY AREA

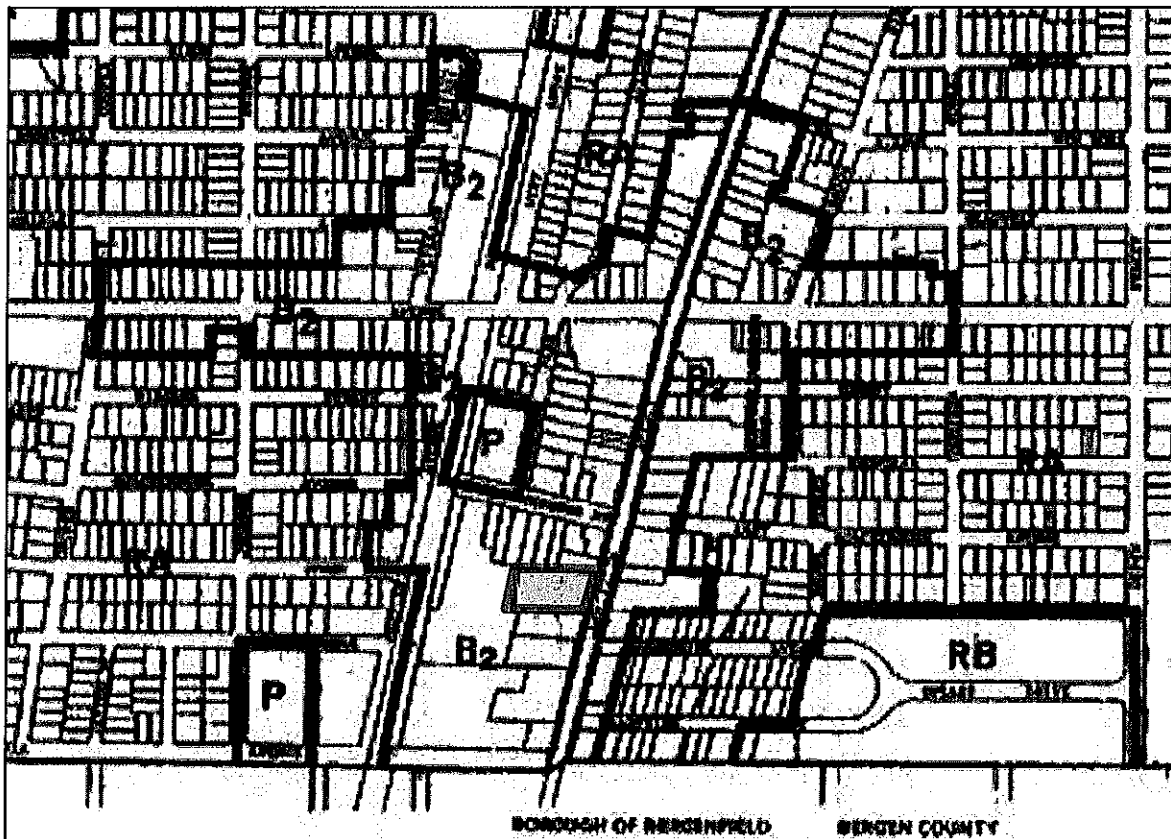
The Study Area is located in the B-2 Business and Commercial District. The B-2 District includes the Study Area and the greater Dumont business area (See Figure 3).

The B2 District in which the Study Area lies has the following zoning requirements:

- A. Principal uses
  - (1) Retail sale of goods and services
  - (2) Banks
  - (3) Business, professional and governmental offices
  - (4) Funeral parlors
  - (5) Restaurants
  - (6) Shopping centers
  - (7) Multifamily dwellings, provided that the same are confined to the upper floors of a building that is being used as a commercial use on the first floor; provided, further, that commercial and multifamily dwellings shall not be mixed on a single floor; and provided, further, that the commercial floor shall begin at or above ground level and shall not be subject to a bulk requirement set forth in § 455-8.
- B. Accessorial uses:
  - (1) Signs
  - (2) Fences or fence walls
  - (3) Garages
  - (4) Enclosed storage
  - (5) Off-street parking
- C. Prohibited uses:
  - (1) Repair garages
  - (2) The sale of motor vehicles
- D. Conditional uses. All industrial uses in the former LI Zone adjacent to West Shore Avenue shall be considered preexisting conditional uses in the B2 Business Zone.
- E. Buffer strips. The following buffer strip requirements shall apply to any business district use in the Borough of Dumont that adjoins or is adjacent to a residential use or any vacant land that is zoned for residential use:
  - (1) The business use shall be screened along those portions of the property that are adjacent to or adjoin a residential use by a fence or fence wall of not less than five feet in height or with a four-foot planting strip consisting of shrubs or trees which are at least four feet high at the time of planting.
  - (2) Such screening shall extend to the minimum setback line for the surrounding property.
- F. Bulk requirements. The bulk requirements for the business districts shall be those as set forth in the Limiting Schedule.

Limiting Schedule for B2 District	
Minimum Lot Area	NA
Minimum Lot Width	NA
Minimum Lot Depth	NA
Minimum Lot Frontage	NA
Minimum Front Yard Setback	NA
Minimum Side Yard Setback	10' only where business building is constructed adjacent to a residential lot, zone or existing residential structure
Rear Yard Setback	NA
Maximum Percent Lot Coverage	70
Minimum Percent Green Area	NA
Maximum Height	28 feet
Minimum Sidewalk Area	10 feet

Figure 3: Existing Zoning Map



## MASTER PLAN STUDIES

The Borough of Dumont Land Use Element of the Master Plan was prepared in 1968, revised in 1981 and last updated in 1986. This 1986 update recommended a rezoning of the Study Area (and surrounding lands into a B1 Business Zone. At that time, the existing zoning on the Study Area property split the Study Area lot into D Business District in front, along Washington Avenue and the A One and Two Family Use District in the rear. A Master Plan Reexamination Report was conducted in 2000 and a Master Plan Reexamination Report and Land Use Element Updated were adopted in 2007. The latest Reexamination Report was adopted on April 29, 2014. The Study Area was not addressed in the latest documents and no potential redevelopment areas were discussed for incorporation into the Land Use Plan.

The 2007 Land Use Plan specifically incorporated the 15 general purposes of NJS 40:55D-2, the Municipal Land Use Law, as amended. Purpose "a" specifically applies to the Study Area as follows:

- "a. To encourage municipal action to guide the appropriate use or development of lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;*

## SITE HISTORY

Historic information pertaining to the site was obtained from online aerial photography.<sup>2</sup> In 1953, the Study Area is developed with the school building, residential along West Quackenbush Avenue and some commercial type structures along Washington Avenue with considerable open landscaped areas (Figure 4).

By 1966, a larger structure and significant parking was developed to the south and west of the site in the area of the current Stop and Shop Food Center (Figure 5). In the 1987 aerials, some changes in buildings have continued to occur along Washington Avenue (Figure 6).

By 1995, the Washington Commons office/ business center has been built. It is located two lots to the south of the Study Area (Figure 7). By 2002, the Stop and Shop Center had been constructed, replacing a smaller commercial structure on this property; it adjoins the Washington Commons shops and offices. The 2013 aerial shows generally current conditions (Figures 8 and 9).

Examining the 1953 aerial as compared to 2013 aerial, the area around the Study Area continued to develop for business uses except along West Quackenbush Avenue, which has primarily remained residential, except proximate to the rail line.

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<sup>2</sup> NETR Online Aerials <http://www.historicaerials.com/>

Figure 4: 1953 Aerial

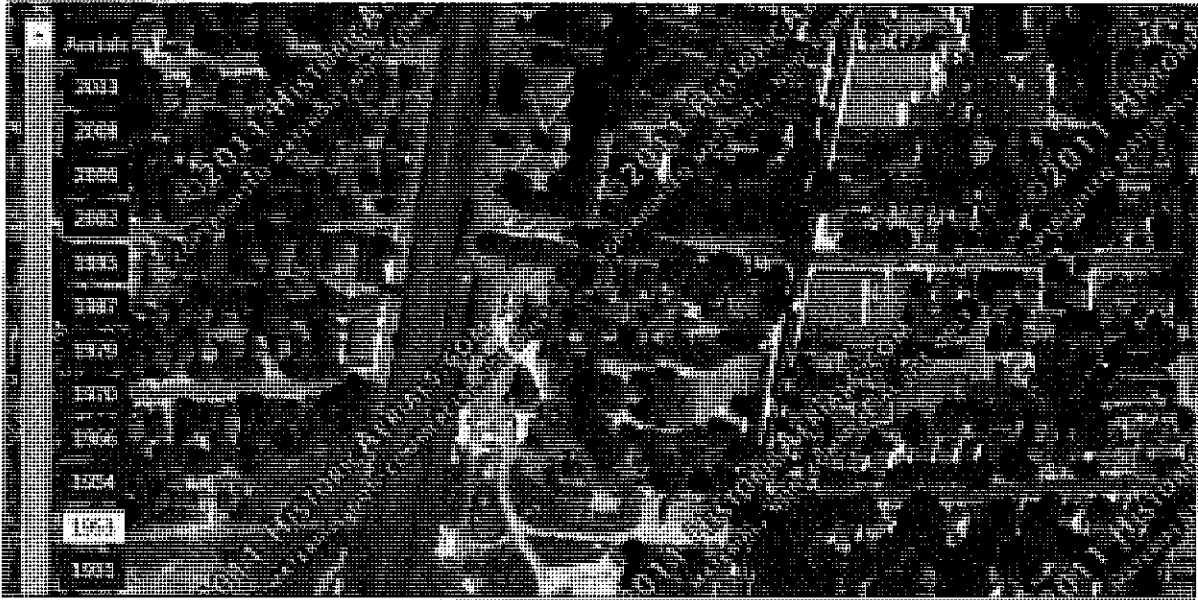


Figure 5: 1966 Aerial



Figure 6: 1987 Aerial



Figure 7: 1995 Aerial





Figure 8: 2002 Aerial

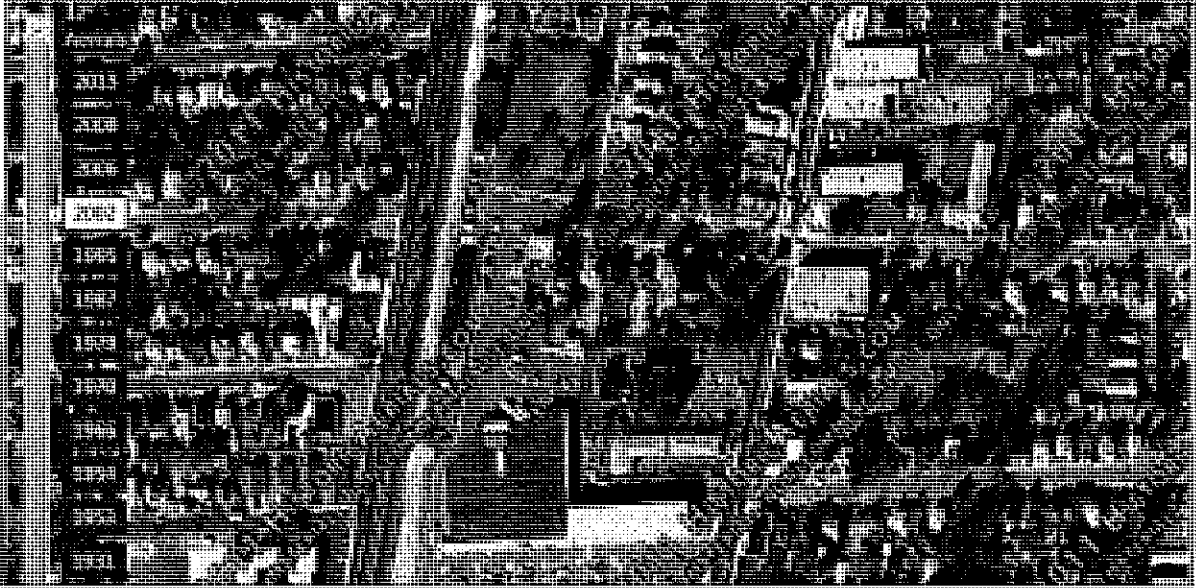


Figure 9: 2013 Aerial



## IV. AREA EVALUATION FOR CONFORMITY WITH REQUIRED REDEVELOPMENT CRITERIA

### STUDY APPROACH

An analysis of the Study Area's existing physical characteristics was conducted via a site inspection with the Borough of Dumont Head Custodian on Monday, May 4, 2015. Historic aerial photographs were reviewed (see Figures 5 through 10). The Township's Master Plan, Master Plan Reexamination Reports, Zoning Ordinance were also reviewed as well as various Township documents on the building's condition. These documents dated from 2008 to 2014. It should be noted that all photos were taken on May 4, 2015, unless otherwise noted.

### PROPERTY EVALUATION

This property consists of almost one acre with 150 feet of frontage along Washington Avenue. The building was dedicated in 1918 and used as a school until it was closed sometime before 1962<sup>3</sup>. On April 26, 1962, the Borough of Dumont Board of Education deeded the property, known as the Washington Avenue School, to the Borough of Dumont, stating that the "building was no longer desirable and required for school purposes".

### CRITERION A

The building has since been used as the Borough Hall. The existing building encompasses 39,970 square feet<sup>4</sup>. There is a basement and three floors including the main building and rear addition. Based upon a 1992 Existing Conditions Survey,<sup>5</sup> the building had the following configuration:

Basement: Police facilities: police offices, squad room, records, photo, computer and radio rooms, traffic control office, lockers, kitchen storage, dog pound and mechanical rooms.

First Floor: Health Department, Borough Clerk, Tax Assessor, Tax Collector, Treasurer, Administration, Violations Bureau, Mayor's Office, Council Chambers, Building Inspector, Court Room, and related utilities and storage facilities

Second Floor: Bureau of Fire Prevention offices and related facilities, Senior Citizens Offices, Juvenile Bureau E.R.T. Team offices, custodian's office and restroom facilities, and attic area which is over first floor courtroom

Third Floor: Senior Citizen Center (later a Teen Center), restrooms, kitchen and storage

In 1977, major renovation work on the building included a new elevator located at the front entrance and a hallway to the Police Department. There has been on-going repairs and replacement of equipment over the years; however, as documented in reports from 2008 until 2014, the condition of the existing building has continued to deteriorate. On August 27, 2014, a memorandum from the Borough Administrator John P. Perkins, CPM, documents the many studies conducted to identify and address issues throughout the building from 2008 to 2014.

<sup>3</sup> On May 20, 2015 information was received from the Borough Clerk that a resident stated that the building had been built in 1888, had a major addition in 1906, and a second addition in 1918. This was not able to be verified.

<sup>4</sup> Acari & Iovino, Municipal Building Study, dated 04/16/2015

<sup>5</sup> Dumont Borough Hall, Existing Conditions, prepared by Wells Associates, Architects Planners dated 5/15/92 consisting of 2 sheets.

(A copy of this August 27, 2014 memo is included in the Appendix). Included were municipal resolutions authorizing a Feasibility Study (2008), repair to the roof (2008), asbestos abatement (2008), and an Architectural Needs Assessment (2012).

Many of these cited documents were provided for review in the preparation of this report. They indicated during the period from 2008 and later the building problems that needed to be rectified. The reports prepared by Ed Rossi, Borough of Dumont, Construction Code Official and Ms. Melissa Johnson, Industrial Hygienist, County of Bergen Health Department are summarized below. They provide a picture of conditions on the property that have identified public health and safety concerns. (Copies of these reports are provided in the Appendix).

In the November 2, 2011, Inspection Report, which was prepared by Ed Rossi, Borough of Dumont, Construction Code Official, he stated: "This response is the result of an inspection of the Borough Hall Building which outlines many current deficiencies. Please be advised that structural damage behind the closed walls is a probability. Prolonged use of this structure is not recommended without total renovations or extensive repairs."<sup>6</sup> Mr. Rossi's Report identified major repair problems throughout the building. These can be summarized as follows:

- Repair of plumbing, main water shut off valves, bathrooms, drainpipes that leak, toilet waste leaking from common drain pipe, 1964 hot water boiler needs replacement
- Water flooding into building in many places; boiler room and rear hall to boilers, leaks from ceiling, leaks from below grade, water damage noted
- Stairway wells, walls deteriorating (due to leaks), windows need repair, emergency exit doors need replacement
- Air conditioning and heating problems throughout building
- Ventilation in bathrooms insufficient (1<sup>st</sup> floor)
- Mold conditions
- Parking lot macadam needs resurfacing
- Fire escape is unsafe
- Exterior conditions – needs new roof, bricks pointing, windows caulked

In the November 28, 2011, Report by Melissa Johnson, MS, IH, Bergen County Dept. of Health Services, she described the findings of an industrial hygiene investigation of the Dumont Police Departments Evidence Locker Room, located at 50 Washington Ave., Dumont, NJ.

The report stated "Employees in the Dumont Municipal Building have been experiencing symptomology which may be related to poor indoor air quality. A request for an indoor air quality assessment was made as a result of concerns of intermittent odors, the presence of mold, the quality of the air inside the building, as well as other potential health hazards."..... The building has a host of occupational safety and health issues; however, this report is in response to a mold issues located on the wall and ceiling of Locker #1; Evidence Room."<sup>7</sup>

The report concluded that "a current cluster of health problems/concerns are consistent with mold allergies and carbon dioxide exposure and are most likely related to a combination of the above findings. Additional violations

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<sup>6</sup> Municipal Building Inspection Report, prepared by Ed Rossi, Dumont Borough Construction Code Official, dated November 2, 2011.

<sup>7</sup> Industrial Hygiene Investigation Report, prepared by Melissa Johnson, MS, IH, Bergen County Department of Health Services, dated November 28, 2011, Page 3

outside of the Evidence Locker #1 were noted during the site visit of the facility and are noted in the addendum.”<sup>8</sup> The health/safety hazards and violations must be remediated.” The report provided extensive photos showing the disrepair and damage to be corrected. These problems included water damage, mold water intrusion, damaged concrete, steps and bricks, damaged ceiling tiles, electrical hazards, overloaded outlet, exposed ceiling box, flooding, cans collecting rain water, pipe damage, damaged exit doors needing repairs and roof shingles missing,

The building situation became more urgent in late summer 2014, with the release of an August 5, 2014 Report by Melissa Johnson, MS, IH, Bergen County Department of Health Services, who conducted an industrial hygiene investigation on July 7, 23, and 30, 2015 at Dumont Borough Hall. The report was initiated by employees of the Dumont Police Department, who had concerns of potential asbestos exposures, the presence of mold as a result of excessive water intrusion, poor indoor air quality, and inadequate health and safety conditions throughout the Department. The following summarizes key findings in this report.

“The building is currently in a deteriorated condition, and it has not yet been determined whether it will be renovated or if a new facility will be built on or off-site.

The entire roof is in disrepair and in need of total replacement. Roof shingles and nails can be found around the perimeter and on the fire escape in large quantities. .... falling bricks and stones have been a concern of the police officers.

Conditions continuously cause water to infiltrate all levels of the building. Stairway walls have deteriorated since 2011. Telephones have been damaged due to water infiltration. Public and employee entrances often have puddles from accumulation of rain water. Numerous water stained ceilings were found throughout all levels. Many exterior doors appear to be original or at least 50+ years old; some only open with excessive force, others are rotted and warped.”<sup>9</sup>

This report noted that of the five-page itemized list of all immediate and necessary repairs shown in the 2008, Ronald Schmidt and Associates, PA, “Programming and Site Feasibility Study”, more than ninety percent are still needed to date.

Ms. Johnson noted that “On February 20, 2009, the New Jersey Department of Labor and Workforce Development’s Public Employees Occupational Health Division (PEOSH) performed a safety site inspection of the facility. As a result, PEOSH issued a Notice of Order to Comply; many of the violations listed are identical to those that exist within the building today”.<sup>10</sup>

Ms. Johnson’s report identified the many studies that had been performed in 2011, 2012 and 2013. Also her report documented building repairs including: generator installed and /or relocated (2010), roof repairs (2012), relocated generator (2012), installation of 10 mini-splits throughout the Police Department to provide fresh air and remove some of the humidity (2012).

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<sup>8</sup> Industrial Hygiene Investigation Report, prepared by Melissa Johnson, MS, IH, Bergen County Department of Health Services, dated November 28, 2011, Page 5

<sup>9</sup> Industrial Hygiene Investigation Report, prepared by Melissa Johnson, MS, IH, Bergen County Department of Health Services, dated August 5, 2014, Page 2-3

<sup>10</sup> Industrial Hygiene Investigation Report, prepared by Melissa Johnson, MS, IH, Bergen County Department of Health Services, dated August 5, 2014, Page 4

In summary, Ms. Johnson notes that "Unfortunately, a majority of deficiencies noted in 2011 continue to exist and most have worsened over time. All levels of the building have areas that are in need of immediate repair/replacement."<sup>11</sup>

Ms. Johnson's recommendations stated that "a very limited amount of renovations and /or remediation has occurred within the last six years.....resulting in a structure that does not provide a workplace free of recognized hazards; that causes or is likely to cause serious physical harm to employees within the building. The aforementioned also applies to the youth that occupy the space in the teen center on the upper level and the general public that enter the building daily."

On September 2, 2014, the Mayor and Council were briefed on the condition of Borough Hall, based upon the report by Ms. Melissa Johnson, MS, of Bergen County Department of Health Services. "The Mayor and Council unanimously agreed that the time for further delay is past and the time for action to begin vacating the municipal building is now."

On September 3, 2014, the Borough issued a News Release entitled – Governing Body Forced to Vacate Borough Hall. (This News Release is included in the Appendix.)

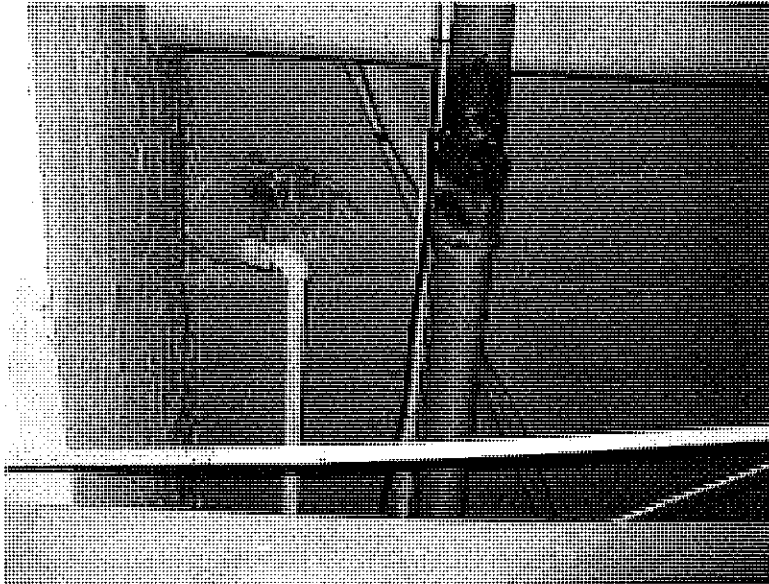
On February 13, 2015, all Borough offices, with the exception of the Police Department and Fire Department office were relocated to a temporary Borough Hall located at 80 Madison Avenue. The Police Department and Fire Department Office are now housed in modular trailers on the Study Area property within the parking lot.

The overall neglect of the buildings and improvements was evident during the May 4, 2015 site inspection. (See Photos 6 – 19). This reinforces the above cited reports detailing deteriorating and unsafe conditions within the building.

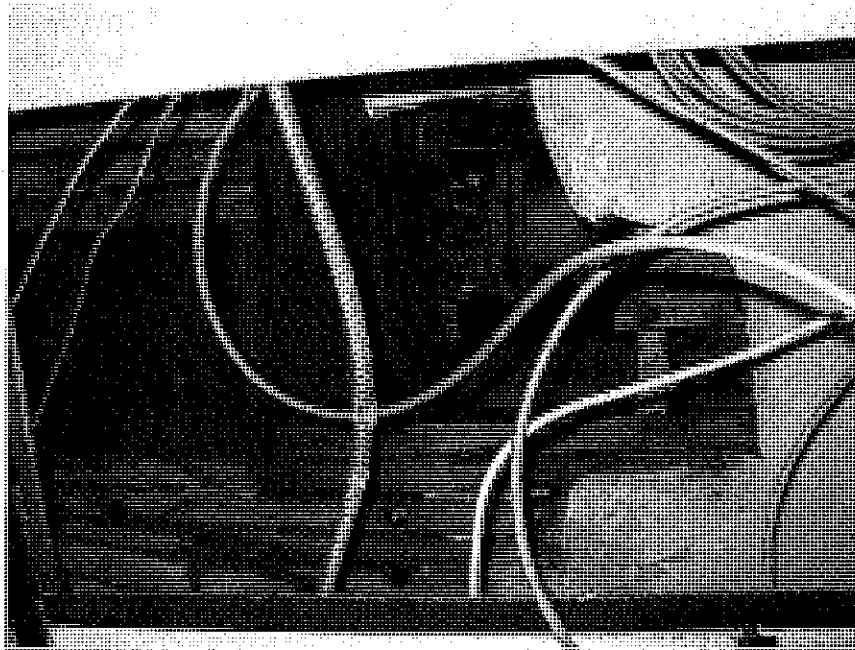
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<sup>11</sup> Industrial Hygiene Investigation Report, prepared by Melissa Johnson, MS, IH, Bergen County Department of Health Services, dated August 5, 2014, Page 5

**Photo 6: Example of deteriorating water line pipe in basement**



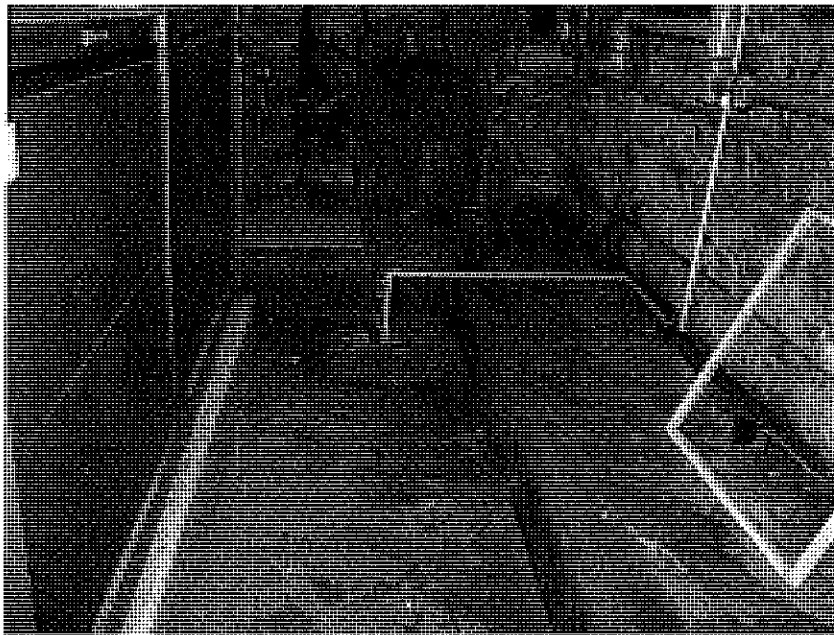
**Photo 7: Plumbing leak from toilets on floors above on Ready Room ceiling**



**Photo 8: Example of mold on tiles and behind wall paneling in the Detective Room**



**Photo 9: Standing water in basement storage area**



**Photo 10: Leak in ceiling on 3<sup>rd</sup> Floor from roof**



**Photo 11: Roof area showing poor condition of tiles**

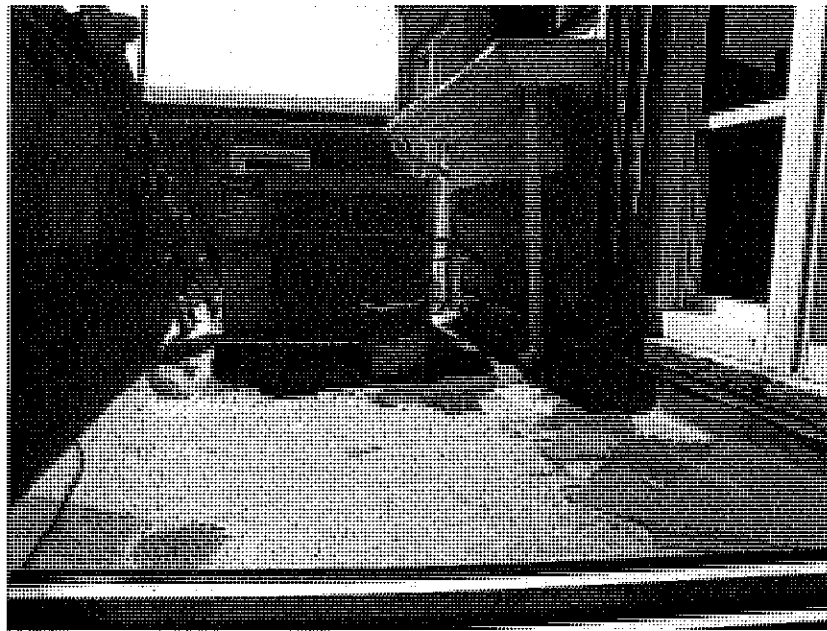
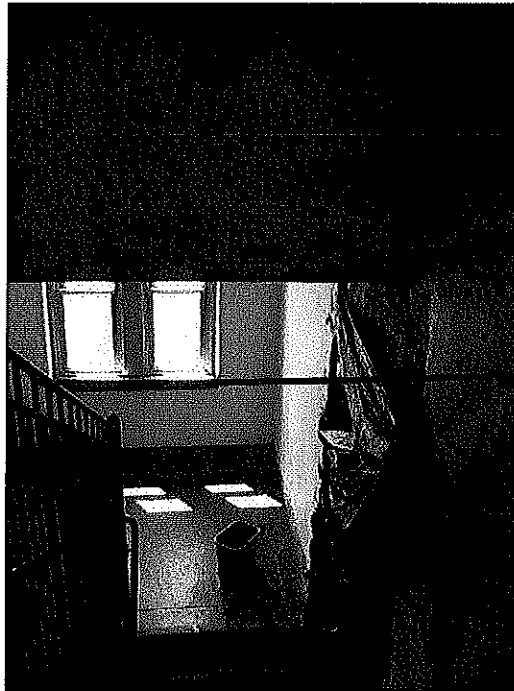




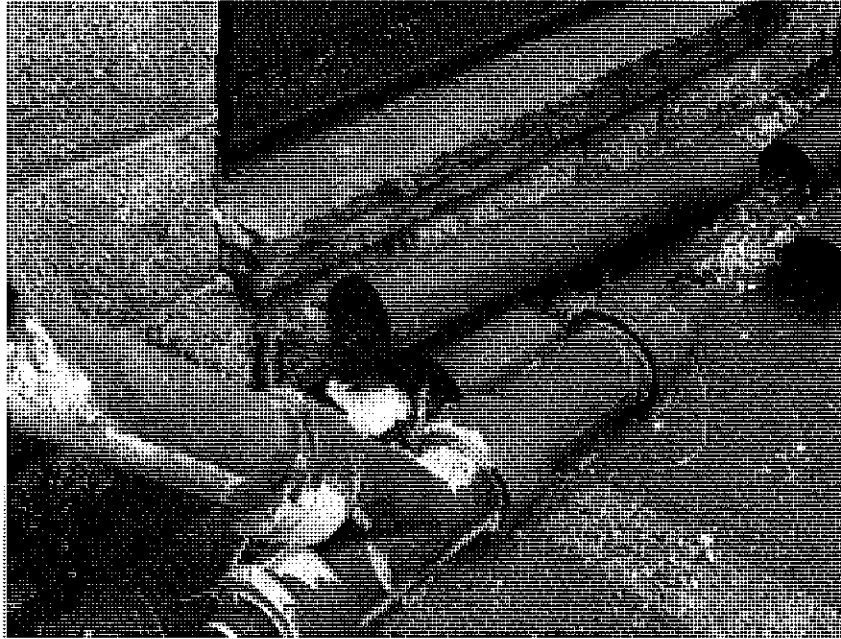
Photo 12: Hallway and stairs with water leakage



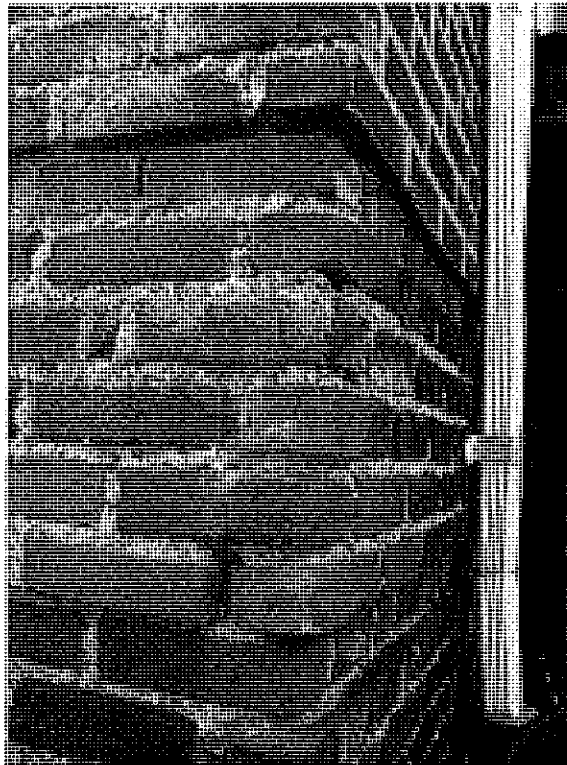
Photo 13: Hallway and stairs with water leakage



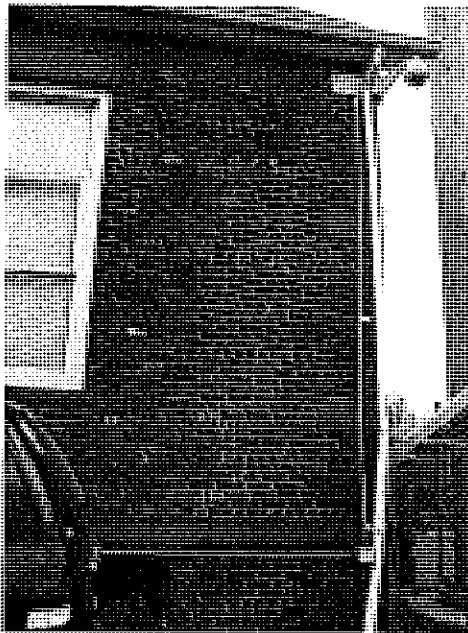
**Photo 14: Example of damaged sewer pipes that were replaced**



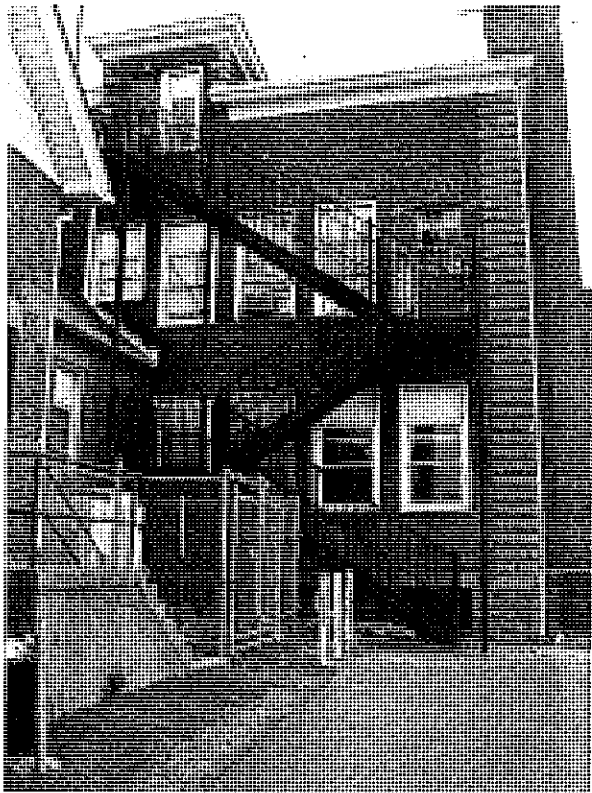
**Photo 15: Poor condition of exterior bricks which allow water infiltration throughout the building**



**Photo 16: Poor condition of exterior bricks which allow water infiltration throughout the building**



**Photo 17: Fire escape at rear of building in an unsafe condition with rusted bolts and metal posts**



**Photo 18: Example of gutters which have been exposed and chewed by animals to enter building**



**Photo 19: Example of gutters which have been exposed and chewed by animals to enter building**





**COUNTY OF BERGEN  
DEPARTMENT OF HEALTH SERVICES**

One Bergen County Plaza - 4<sup>th</sup> Floor - Hackensack, NJ 07601-7076  
(201) 634-2600 • FAX (201) 336-6086

[www.bergenhealth.org](http://www.bergenhealth.org)  
[healthdept@co.bergen.nj.us](mailto:healthdept@co.bergen.nj.us)

**Kathleen A. Donovan**  
County Executive

**Nancy L. Mangleri**  
Director/Health Officer

August 5, 2014

Mr. John Perkins  
Business Administrator  
Dumont Borough Hall  
50 Washington Avenue  
Dumont, NJ 07628

An industrial hygiene investigation was conducted on July 7, 23, and 30, 2014 by the Bergen County Department of Health Services at the following facility:

**Dumont Borough Hall  
50 Washington Avenue  
Dumont, NJ 07628**

Described as follows: **Police Department/Borough Hall**

The enclosed report describes the findings of the investigation and provides recommendations for the control of identified occupational health and safety hazards. With the intent that all involved parties work together to address and to solve existing problems, this information is being provided simultaneously to management, employees, the union (if there is one), and the local health officer.

If there are any questions regarding the investigation or the contents of this report, please direct them to me at (201) 634-2785, between the hours of 9:00am and 4:30pm. We feel that this cooperative effort between employers, employees, and the local health agency personnel will be a positive step toward promoting and maintaining good health among the working population of Bergen County.

## I. Introduction

This investigation by the Occupational Health Division of the Bergen County Department of Health Services was initiated at the request of employees of the Dumont Police Department. Concerns of potential asbestos exposures, the presence of mold as a result of excessive water intrusion, poor indoor air quality, and inadequate health and safety conditions throughout the department were expressed. Although the Police Department is located on the lower of the building, staff members are troubled with the conditions of the entire building; they also occupy space on the second and third floors. Officers are experiencing headaches, sore throats, coughing, sneezing and are lethargic when working inside of the building after short periods of time. Complaints of water pooling into the building during inclement weather in various locations are of a major concern. The most recent site investigations by Melissa Johnson, were performed on July 1<sup>st</sup>, 23<sup>rd</sup> and 30<sup>th</sup>, 2014.

## II. Findings

The building in question houses the following:

The Police Department, located on the ground level (some areas below grade) employs 43 people, 39 are full-time employees. The Business Administrator, Borough Clerk, Tax Collector, Finance Department, Court Office, Court, Conference Room, Health Department and Nurses are located on the second floor, 11 full-time employees are located in these offices. The Fire Prevention Bureau, Fireman's office, D.A.R.E. office (police), Building Department, Summer Recreation room, Summer Recreation office, council meeting room, and Police Department storage rooms are located on the third floor; where 4 full-time employees are employed. The Teen Center, Kitchen and storage closets are located on the fourth floor; no full-time employees are located in this area. The teen center is utilized on Friday and Saturday evenings, number of occupants varies.

The ground level houses the boiler room, no employees work in the area. Adjacent to the boiler room is an IT room. Employees no longer work in this area; however, it is accessed intermittently. The structure was built in 1918 and was a school until approximately 52 years ago. Until such time, the third floor was previously used as an indoor firing range.

The building is currently in a deteriorated condition, and it has not yet been determined whether it will be renovated or if a new facility will be built on or off-site. The entire roof is in disrepair and is need of total replacement. Roof shingles and nails can be found around the perimeter and on the fire escape in large quantities. Flat tires on police patrol cars are problematic and are a normal occurrence (roof nail punctures). The masonry is also in gross disrepair on all sides of the building. Falling bricks and stones have been a concern of police officers, thereby establishing a need to place plywood over the metal awning located outside of the parking lot entrance to prevent injury. The conditions continuously cause water to infiltrate all levels of the building, depending on the quantity of rain, melting of snow and wind direction.

Stairwell walls have also deteriorated since 2011. These stairwells are utilized by the Building Department, Borough Clerk, Teen Center, Rec Center Registration, Domestic Violence Team, Police Department and the

general public. Plastic on the walls and plywood on the ceiling does not constitute remediation. Areas of the roof have folded tarp with items placed on top to secure the tarp from moving. It appears to be a methodology used to prevent water from seeping into the building. This has not been verified.

Telephones have been damaged due to water infiltration, most recently in the Clerk's Office on the second floor. Computers have been damaged within the Police department on several occasions. Public entrances and employee entrances often have puddles from the accumulation rain water. Light fixtures throughout the building have water stains inside the fixtures and numerous water-stained ceiling tiles can be found on all levels throughout. Many ceiling tiles have pre-drilled holes in them to capture water in garbage pails when necessary. Many exterior doors appear to original or at least 50+ years old; some only open with excessive force, others are visibly rotted and warped, no longer close properly. Sunlight can be seen shining through from the outside, around the perimeter of closed exit doors and windows in the basement. The condition of the wood on some of these exit doors are extremely rotted, allowing only a gently push or kick to permeate through to the other side. The hardware has fallen off another exterior; a lock has not been installed.

Between January 27 and June 2, 2008, *Ronald Schmidt and Associates, PA* proposed to provide the Borough with a 'Programming and Site Feasibility' study; costing between \$67,400 and 83,400 (several revisions were submitted). Some items included were measured plan drawings of the building, a survey report for improvements with costs, special needs survey, etc.

A five-page itemized list of *all immediate and necessary repairs* was noted in the above-mentioned 2008 document. More than ninety percent of the noted repairs are the exact same repairs that are needed to date. The conditions noted therein have actually deteriorated from those sited. I have attached the June 2, 2008 document for review.

In May, 2008, the *PMK Group* supplied the Borough with a cost estimate for the identification of asbestos and lead via a written survey for the entire building, asbestos abatement project design and assistance with contractor selection/project monitoring and final clearance samples for \$13,500. Additionally, \$3,500.00 (B & G restoration, Inc.) was quoted for asbestos abatement of said areas.

On March 18, 2008, *Complete Roofing Systems, Inc. (CRS)* provided two estimates for roof repairs, one for \$1685.00 and another for \$1965.00. Two invoices for \$2965.50 and \$3650.00 on July 10, 2008 were provided for said repairs.

On August 28, 2008, *Mandell Environmental Consulting* was hired by *PMK Group* to provide a Lead Paint Inspection Report for areas that were slated to be renovated or demolished only, throughout Borough Hall. Many areas were found to be above the action level of 1.0 mg/cm<sup>2</sup>. *PMK Group* subsequently provided the Lead-Based paint Identification Survey on October 6, 2008 for the purposes of anticipated renovations/demolition. Their reasonable "worse case" cost impact associated with the dust control/cleaning activities was ~\$5,000.

*PMK* performed bulk asbestos sampling throughout the building on August 26 and 28, 2008, the samples were analyzed by *Ameri Sci, Inc.* Asbestos is present in various locations throughout the building; this is not uncommon due to the age of the building. The sampling results were provided, however, the asbestos survey report was not provided.

On February 20, 2009, the New Jersey Department of Labor and Workforce Development's Public Employees Occupational Health Division (PEOSH) performed a safety site inspection of the facility. As a result, PEOSH issued a Notice of Order to Comply; again, many of the violations listed are identical to those that exist within the building today. A follow-up to this inspection was conducted, however, no information has been provided.

On or about December 31, 2010, a generator was installed and/or relocated.

A thorough inspection was made of the Police Department building November 28, 2011 by Melissa Johnson. The rest of the building was examined during this time as well. A report indicating recommendations for remedial action was issued. At such time the new Mayor, Mr. James Kelly and Council members were seeking property to purchase and rebuild the entire facility off-site. Upon following up, there were discussions of relocating the Police Department only and renovating the existing structure for Borough hall; thereby providing a remedy for parking at this location.

On June 14, 2012, an indoor air quality investigation was performed by Birdsall Services Group. This report noted that *"most of the negative conditions that may impact the space start with the numerous points of water intrusion. The water intrusion has lead to water damage, water staining, mold growth and elevated humidity within the space. The water intrusion sources include, but are not limited to the following; roof leaks, gaps/cracks in the building's foundation, gaps/cracks in the brick walls, disconnected drain lines, and poor drainage in areas."* Once again, these conditions are the same conditions listed from 2008 and continue to exist today, only having worsened. The report also stated that *"the HVAC system did not appear to be functioning properly, evidence of damaged asbestos pipe insulation, rodent droppings and moldy items stored on the earthen ground in the lower level storage areas."* The cost for said services was not provided.

An asbestos sampling survey was completed for the Ready Room of the Police Department only on July 14, 2014 by Remington, Vernick and Arango Engineers. This survey was conducted as a result of a recent flood in this location. The carpet and contents of the room were removed. The floor beneath revealed damaged 9"x 9" floor tiles adhered to a concrete floor. Nine by nine inch floor tiles are known to contain asbestos. The report indicated that samples were taken on June 7<sup>th</sup> to identify asbestos containing material (ACM). The report revealed that the floor tiles, mastic on the wood lath and metal panels contained asbestos. It also indicated that the pipe insulation above the drop ceiling tiles was assumed to contain asbestos. This report recommended that all asbestos containing material abatement work be conducted in accordance with all applicable local, State, and Federal regulations. The costs for services were not provided.

On August 7, 2012, Birdsall provided the Borough with an Air Conditioning Systems Evaluation Report. This report stated that the *"lower level walls that were exposed have indications of sprawling due to repeated moisture conditions, suggesting the exterior masonry is not helping to ward off water infiltration. This is problematic when attempting to maintain reasonable humidity conditions within the space. Numerous doors were found to have deteriorated or missing weather stripping, or poor alignment creating areas of infiltration from exterior and adjacent areas as well. A good part of the rear basement area is an unconditioned dirt floor crawl space that is exposed directly to the interior occupied areas."*



The total flow, return air and external static pressure were deficient in the Police Department, and the humidity was found to be excessive. Birdsall recommended that the HVAC system be redesigned and to replace the toilet and interview rooms exhaust systems. Proper make-up air should have been incorporated into the new HVAC design.

On or about August 13, 2013, it was noted that Ray's Auto Body, located at 35 West Shore Avenue was up for sale for \$250,000.00.

On August 20, 2012, Brian Nemetz of Birdsall provided the Borough with an estimate to correct the items listed in their indoor air quality report which totaled \$49,500. The total estimate for repairs for the Police Department was \$388,256.00. The proposal included correction for moisture issues, remediating of molded areas, removal of lead based paint as part of construction activities, pest management services and removal of assumed asbestos containing materials. Further clarification on items that may have been remediated at that time is needed. The cost for services provided was not provided.

Subsequently, 10 mini-splits were installed throughout the Police Department only. The units provide fresh air and remove some of the humidity; however a 3-zoned unit that accommodates the dispatch area, TAC room and Patrolman's office is not working properly, and has not since installation. Air is not supplied nor circulated simultaneously in each of these rooms.

On or about August 20, 2012, a tour of the Tenafly Police Station and a meeting with the Tenafly Borough Administrator occurred. Tenafly had recently built a brand new Police Department and had hired Arcari and Iovino Architects and utilized a Construction Manager to assist with the completion of the project. The cost for services rendered was not provided.

In September, 2012, CRS Roofing was contracted again to provide roof repairs (\$4,894.37). Academy Electric relocated the generator on or about 12/31/2012 (\$16,108.00).

On January 17, 2013, Arcari and Iovino Architect prepared and submitted a Building Study for the Borough Hall. On February 11, 2013, two site diagram options for a new building on the same footprint were provided. The cost for said studies was not provided.

As mentioned in the Introduction, Melissa Johnson returned to the Dumont Borough hall at the request of the Police Department to complete additional industrial hygiene site visits on July 7<sup>th</sup>, 23<sup>rd</sup>, and 30<sup>th</sup>, 2014. A thorough investigation was made of the Police Department; the remainder of the building was then examined. Unfortunately, the majority of deficiencies noted in 2011 continue to exist and most have worsened over time. All levels of the building have areas that are in need of immediate repair/replacement.

*The majority of the recommendations listed on the BCDHS' Occupational Health Division 2011 report were not addressed.*

As indicated previously, the roof continues to leak profusely and shingles can be found in large quantities on all sides of the building. The masonry at the base of the building and above has deteriorated; bricks and stones have fallen off and are worn from the weather. Mortar is missing throughout. The two large stair wells are in much poorer condition, as a result of the faulty roof. Debris is falling off, visible mold is present and the area has been covered with black plastic garbage bags.

Of particular importance are the following:

- Fire escape (currently not in use)
- Blocked escape routes
- Inoperable fire doors/Exit doors (will not open without force)
- Insufficient fire doors (rotten, warped, deteriorated)
- Improperly marked exit signs
- Insufficient exit lighting
- Means of egress lack adequate head room (lower level)
- Insufficient means of egress (lower level)
- Faulty roof
- Damaged asbestos tiles ((lower level)
- Water/flooding in offices (first and second floor)
- General water intrusion throughout the building
- Remediation of all water damaged areas (exterior and interior)
- Electrical hazards (light fixtures/light switches)
- Poor indoor air quality
- Inoperable elevator
- Vermin and insects within the building
- Secured Evidence Room (inadequate supply of fresh air/water intrusion)
- Clogged drain on ground near rear entrance

### III. Recommendations

An exorbitant amount of planning, sampling and surveying has taken place over the past six years with regard to the final outcome of the Borough Hall structure. Various parcels of land have been sought to purchase to build a new structure. A proposal for a site feasibility study has been provided by Ronal Schmidt and Associates and a building study has been provided by Arcari and Iovino Architects for the existing foot print or another location. Asbestos surveys, indoor air quality surveys, roofing quotes, safety audits and industrial hygiene investigations provide ample documentation of the condition and problematic areas throughout the building.

An inordinate amount of money has been allocated for the above-mentioned consultants/contractor to provide information to move forward with the project.

However, very limited amount of renovations and/or remediation has occurred within the last six years... resulting in a structure that does not provide a workplace free of recognized hazards; that causes or is likely to cause serious physical harm to employees within the building. The afore-mentioned also applies to the youth that occupy the space in the teen center on the upper level and the general public that enter the building daily.

It is with great urgency that all involved parties meet to discuss this report and any documents listed within. The condition of the building warrants immediate action. The building remains in a deteriorated state. A clear decision must be made on the end result of this edifice. In the interim, a concise decision must be made as to where the building occupants will be housed to work and provide services to the community in the near future.

There is an enormous amount of unused space on the upper levels of the building, which happen to be in much better condition than that of the lower level occupied by the Police Department. If the building is going to remain the towns Borough Hall, relocation of staff on the upper floors to a rental space should be considered to begin renovations on the lower level (Police Department). The Police Department could occupy an upper level in the interim. All recommendations previously sighted by this department and the NJ State Department of Labor must be addressed immediately, should this option be chosen. Immediate repairs would include the roof, brick and stone masonry, foundation and drainage system which are allowing water to enter the building.

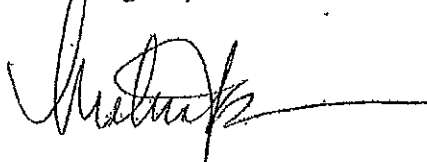
If the Borough Hall will no longer be used for its' existing purpose, relocation of staff on the upper floors to a rental space should be considered until a relocation plan of action is established for the Police Department. This, however, must take place as soon as possible.

Many suggestions and locations have been discussed with management and employees regarding relocation of certain departments and the teen center. I am available to meet and discuss the findings and recommendations within this report and go over in detail the health and safety violations that were noted during my most recent site visits. Please note that the penalty structure has dramatically increased for safety violations under the State Department of Labor's PEOSH Division. Additionally, several health violations were noted throughout the building; they are enforced by the State Department of Health's PEOSH Division.

Lastly, please also be advised, in accordance with N.J.S.A. 34:6A-25 et. seq., employees have a right to file a complaint within 180 days for retaliation or discrimination by an employer for making safety and health complaints or for exercising their right under the NJ PEOSH Act. Under the PEOSH law, public employees are granted certain legal rights to ensure safe and healthful working conditions.

If there are any questions regarding these recommendations feel free to call me at 201-634-2785.

Kind regards,



Melissa Johnson, MS  
Industrial Hygienist

DATE: August 27, 2014

18)  
TO: Mayor James Kelly  
Council President Ellen Zamechansky  
Councilman Bill Brophy  
Councilman Matt Hayes  
Councilman Rafael Riquelme  
Councilwoman Barbara Correa  
Councilman Carl Manna

CC: Borough Clerk Susan Connelly  
Borough Attorney Gregg Paster, Esq.  
Chief Joseph Faulborn  
Detective Steven Brown

SUBJECT: Borough Hall Building

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For a number of years, at various times, there has been ongoing discussion with regards to the condition of the Borough Hall.

During that time, there have been various projects that have been approved in order to try and stem the issue of water infiltration and working condition issues that have plagued the building in general and specifically workspace.

Attached, you'll find various documents relative to issues found throughout Borough Hall, some which have been rectified with others being temporarily satisfied and others not being addressed.

- August 5, 2014, County Health Report authored by Melissa Johnson with color pictures
- November 28, 2011, County Health Report authored by Melissa Johnson
- August 25, 2014, Brown and Brown, Public Risk Advisors, recommendations as a result of the safety meeting held on August 19, 2014 in Borough Hall
- Copy of the memo outlining meeting of August 19, 2014
- March 12, 2008 Twin Boro article regarding building condition
- January 27, 2008 memo to architect Ronald Schmidt
- April 16, 2008, Municipal Resolution for feasibility study
- April 1, 2012, memo to Mayor and Council outlining condition of Borough Hall
- May 29, 2012, memo relative to indoor air quality investigation
- December 4, 2012, Municipal Resolution authorizing Needs Assessment by architect
- February 13, 2008, Asbestos Management Services Proposal
- September 4, 2008, Asbestos findings by AmeriSci
- October 6, 2008, lead paint inspection report
- June 29, 2012, Indoor Air Quality Investigation, Birdsall Services
- August 7, 2012, Air Conditioning Systems Evaluation Report, Birdsall Services
- July 14, 2012, Police Department Ready Room, Asbestos Sampling Survey Report, Remington Vernick
- documentation of various deficiencies found throughout the building
- March 18, 2008, proposal for various repair related issues by CRS
- June 17, 2008, Municipal Resolution authorizing repair to roof
- August 19, 2008, Municipal Resolution authorizing asbestos abatement

Estimates have been received for various improvements to the building. The breakdown is as follows:

• Elevator upgrade due to the inability to obtain parts for the existing elevator	\$70,000
• Masonry pointing of the building	\$500,000
• Fire escape repair	\$9,000
• Roof replacement without gutters	165,000
Total estimated cost	<b>\$744,000</b>

Various repairs to borough Hall in 2013 totaled \$69,450

To date repairs in 2014 have cost \$23,467

In 2013 gas and electric costs stood at \$47,387

In 2014 for eight months gas and electric costs have been \$51,195

The above-mentioned costs are associated only with Borough Hall.

This estimated cost does not include any work to the interior of the building. Various issues exist within the building relative to the closing of doors and the settlement of floors.

Work that has been done to the building includes the following:

• Police Department air-quality units	\$29,195
• Various efficiency parts for air handlers	\$2,995
• Goosetown Communications battery work	\$988
• Installation of recovery ventilators	\$29,500
• Electrical work in PD for ventilators	\$5,985

If the Mayor and Council decides to temporarily move the Police Department and borough administration out of the building based on recommendations found in various reports, temporary trailers are available similar to what Tenafly installed. Mobilease has priced out a modular police station at 3160 ft.<sup>2</sup> at \$2804 per

month. In addition there is a delivery and installation charge, below grade foundations, if required, engineering and dismantle and return at the end of the lease costs totaling \$81,400 +15%. In addition handicap ramps can cost approximately \$8000 and a 5x5 entrance deck can cost approximately \$2900.

The architect that was hired by the Borough, Arcari & Iovino have estimated the cost (2013 pricing) of a new municipal building on-site to be **\$9,712,415**  
Property acquisition to support parking free municipal complex  
(six (6) properties would cost at least (assessed value) **\$2,382,000**

It is estimated that a new building will cost between \$13-\$14 million considering 2014 costs.

If you have any questions, please contact my office.

**BOROUGH OF DUMONT**  
**Mayor and Council**  
**James J. Kelly-Mayor**

-----NEWS RELEASE-----

FOR IMMEDIATE RELEASE

September 3, 2014  
CONTACT: Gregg Paster-Borough Attorney  
gpaster@pasteresq.com  
(201) 489-0078

**GOVERNING BODY FORCED TO VACATE BOROUGH HALL**

Dumont, NJ- At its September 2, 2014 work session, the Dumont Mayor and Council were briefed on the condition of Borough Hall, an old school building originally constructed during World War I, based upon a report produced by the Bergen County Department of Health Services' Melissa Johnson, an industrial hygienist with that department. The report showed the condition of the borough hall building to be poor, particularly in the police department portion of the building, which is housed in the ground floor level. The police department is by far the largest department of municipal government, with 43 employees, 39 of whom are full time.

Of particular note in the County report, "The building is currently in a deteriorated condition, and it has not yet been determined whether it will be renovated or if a new facility will be built on or off-site. The entire roof is in disrepair and is [in] need of total replacement. Roof shingles and nails can be found around the perimeter and on the fire escape in large quantities. Flat tires on patrol cars are problematic and are a normal occurrence (roof nail punctures). The masonry is also in gross disrepair on all sides of the building. Falling bricks and stones have been a concern of police officers, thereby establishing a need to place plywood over the metal awning located outside of the parking lot entrance to prevent injury. The conditions continuously cause water to infiltrate all levels of the building, depending on the quantity of rain, melting snow and wind direction."

The Governing Body was advised that these deficiencies and needed repairs are remarkably similar to those noted in a June 2, 2008 report by the same agency. The condition of the existing facility is only continuing to deteriorate. The Mayor and Council unanimously agreed that the time for further delay is past and the time



for action to begin vacating the municipal building is now. For that reason, Borough Administrator John Perkins was authorized to seek interlocal cooperation from other municipalities to redeploy police personnel on a temporary basis while a more permanent solution, likely trailers to house the department, is sought. Employees from other departments will also be relocated as part of the police move, although logistical details have yet to be finalized.

The Mayor and Council authorized the following statement: 'We recognize that the paramount issue we are dealing with in this situation is the health and safety of our employees, as well as residents and visitors to Borough Hall. While cost is always a consideration, we can no longer delay action on this issue. The County report requires affirmative steps toward a solution, not simply to avoid regulatory penalties and liability, but because it is the right thing to do.'

Mr. Perkins is expected to report back to the Mayor and Council formally at the September 16 public meeting with his findings on options and funding mechanisms to come to a resolution of the need to vacate the municipal building. Long term solutions are under consideration as well, but are secondary at this time while the near term issues of employee health and safety are secured.

Questions or comments about this statement may be directed to Borough Attorney Gregg Paster at 201-489-0078 or via email at [gpaster@pasteresq.com](mailto:gpaster@pasteresq.com).



**2016  
BOROUGH OF DUMONT  
RESOLUTION**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CORREA		✓		
DIPAULO	✓			
HAYES	✓			
MORRELL	✓			
RIQUELME	✓			
ZAMECHANSKY	✓			
MAYOR KELLY				
TOTALS	5	1		

Resolution No. 53 (REVISED)  
Date: February 2, 2016  
Page: 1 of 4  
Subject: 50 Washington Avenue  
Purpose: Designation as Area in Need of  
Redevelopment  
Dollar Amount: \_\_\_\_\_  
Prepared By: Gregg Paster, Esq.

Offered by: Hayes  
Seconded by: Morrell

Certified as a true copy of a Resolution adopted by the Borough of Dumont on above date at a Regular Meeting by: Susan Connelly

**Susan Connelly, RMC, Municipal Clerk  
Borough of Dumont, Bergen County, New Jersey**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH  
OF DUMONT IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY,  
DESIGNATING BLOCK 1215 LOT 12 COMMONLY KNOWN AS THE  
"BOROUGH HALL PROPERTY" AS AN AREA IN NEED OF  
REDEVELOPMENT**

WHEREAS, by Resolution dated February 17, 2015 and pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), the Borough Council of the Borough of Dumont directed the Planning Board of the Borough of Dumont to conduct a preliminary investigation and public hearing to determine whether all or part of the area ("the Study Area" or alternatively, the "Borough Hall Property"), known and designated on the Tax Map of the Borough of Dumont as Block 1215, Lot 12, located at 50

Washington Avenue within the municipality is an "area in need of redevelopment" pursuant to the criteria contained in N.J.S.A. 40A:12A-6; and

**WHEREAS**, as required by N.J.S.A. 40A:12A-6, the Planning Board held a public hearing on June 30, 2015, to determine whether the Study Area is an area in need of redevelopment in accordance with the Redevelopment Law and thereupon, duly adopted a resolution recommending that the Study Area be designated as an area in need of redevelopment, said resolution being incorporated by reference herein; and

**WHEREAS**, the firm of Maser Consulting, PA submitted a report to the Planning Board entitled "Redevelopment Study Area Determination of Need Block 1215 Lot 12 50 Washington Avenue, Borough of Dumont, NJ; and

**WHEREAS**, the Borough Council has considered the recommendation of the Planning Board and the Study; and

**WHEREAS**, the Borough Council has considered the presentation of Joseph J. Layton, senior principal of Maser Consulting, P.A., who prepared said Study.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Dumont, they being the Governing Body thereof, as follows:

1. That all of the recitals hereinabove set forth are incorporated by reference. That all of the exhibits and documents relevant hereto are herein incorporated.
2. More specifically, but not by way of limitation, the Mayor and Council find, consistent with the findings of the Planning Board, after having considered the report prepared by Maser and known as the "Redevelopment Study Area Determination of Need" dated May 29, 2015 (hereinafter, the "Report") with regard to the Property.
3. The Board considered the testimony of Darlene Green, a licensed Professional Planner in the State and a representative of Maser.
4. Ms. Green highlighted the contents of the Report and offered testimony that the Property consisted of a single 150' x 286' property that was formerly utilized as the Dumont Municipal Complex. The Property is in the B-2 Business Zone of the Borough and has become dilapidated and outdated. The structure on the Property was constructed in 1918 and was utilized as a public school until 1962 when it was transferred from the Board of Education to the Borough to be utilized for Borough purposes. The structure previously contained virtually all Borough Offices (including the Police Department) and over the years has deteriorated to the point where it is no longer safe and all municipal offices have relocated from the structure, which is now vacant.
5. The Property meets *Criterion "A"* as an "area in need of redevelopment" in that the building is:

*substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.*

6. Additionally, Ms. Green testified that the Property meets Criterion "H" in that it supports State "Smart Growth" initiatives in that;

- a. According to the State's mapping, the Borough of Dumont is located in a smart growth areas as it is designated Metropolitan Planning Area;
- b. The redevelopment of the property has the potential to produce a **new**, mixed-use building in the municipality 's downtown;
- c. Redevelopment of the property would be able to take advantage of the bus service that runs along Washington Avenue;
- d. The property is located in a walkable setting, where future workers and residents could walk to services and shopping establishments;
- e. Redevelopment of the property will utilize existing land that is already developed to construct a new, safe building.

7. Ms. Green further opined that the condition of the building has deteriorated to the point that the building needed to be vacated to protect the employees in the building on a daily basis and visitors coming to the building. These conditions of the building, by reason of dilapidation of the structure, have been extensively documented in the various reports and studies conducted since at least 2008. She further indicated that vacating of the building put the public on notice that the structure is an imminent public health hazard which must be mitigated.

8. The Mayor and Council have considered public comment regarding the Redevelopment Determination.


**NOW THEREFORE, BE IT FURTHER RESOLVED**, that the Governing Body of the Borough of Dumont hereby finds that the Property constitutes, and is hereby designated "an area in need of redevelopment" as provided in N.J.S.A. 40A:12A-5 and intends to take such additional steps as are necessary to proceed with appropriate redevelopment; and

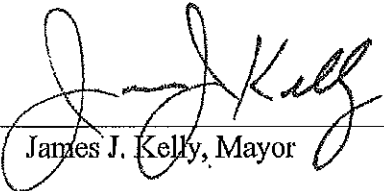
**BE IT FURTHER RESOLVED**, that the Borough Clerk shall forthwith transmit a copy of this resolution to the Commissioner of Community Affairs, in accordance with N.J.S.A.40A:12a-6; and

**BE IT FURTHER RESOLVED**, that within ten (10) days of the adoption of this resolution, the Borough Attorney shall serve a Notice of Determination to designate the Borough Hall Property as an area in need of redevelopment upon each person, if any, who filed a written

objection thereto and supplied an address to which such notice can be sent, and any other party entitled to notice thereof by law.

This Resolution shall take effect immediately.

  
\_\_\_\_\_  
Susan Connelly, RMC  
Municipal Clerk

  
\_\_\_\_\_  
James J. Kelly, Mayor

R E S O L U T I O N

JOINT LAND USE BOARD OF THE BOROUGH OF DUMONT

---

A RESOLUTION DETERMINING THAT BLOCK 1215;  
LOT 12 IS AN "AREA IN NEED OF REDEVELOPMENT"

---

Introduced By: *Worner*

Seconded By: *Cremin*

WHEREAS, pursuant to N.J.S.A. 40A:12A-1, et seq., (The Local Redevelopment and Housing Law) a municipal Governing Body may undertake the redevelopment of a portion of the municipality and designate a property or properties as being "in need of redevelopment" and otherwise exercise the powers set forth in the aforesaid statute; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4b the Board can be requested to conduct appropriate studies and, upon request of the Governing Body, make a determination if certain property is "an area in need of redevelopment" subsequent to holding public hearings on the matter with proper notice to required parties;

WHEREAS, the Governing Body has requested that the Board make a determination if Block 1215; Lot 12 (the "Property") constitutes an "area in need of redevelopment" and the Board has requested that Maser Consulting, PA, (hereinafter, "Maser") undertake such a study and provide the Board with necessary testimony and information in order to make a determination if the Property is "an area in need for redevelopment";

WHEREAS, pursuant to proper notice, the Board has undertaken

public hearing on the matter on June 30, 2015;

NOW, THEREFORE BE IT RESOLVED, by the Board that it does hereby make the following findings of fact and conclusions based thereon:

1. That all of the recitals hereinabove set forth are incorporated by reference. That all of the exhibits and documents relevant thereto are herein incorporated.
2. More specifically, but not by way of limitation, the Board considered the report prepared by Maser and known as the "Redevelopment Study Area Determination of Need" dated May 29, 2015 (hereinafter, the "Report") with regard to the Property.
3. The Board considered the testimony of Darlene Green, a licensed Professional Planner in the State and a representative of Maser.
4. Ms. Green highlighted the contents of the Report and offered testimony that the Property consisted of a single 150' x 286' property that was formerly utilized as the Dumont Municipal Complex. The Property is in the B-2 Business Zone of the Borough and has become dilapidated and outdated. The structure on the Property was constructed in 1918 and was utilized as a public school until 1962 when it was transferred from the Board of Education to the Borough to be utilized for Borough purposes. The structure previously contained virtually all Borough Offices (including the

Police Department) and over the years has deteriorated to the point where it is no longer safe and all municipal offices have relocated from the structure which is now vacant.

5. During testimony, Ms. Green made clear that the Property meets Criterion "a" as an "area in need of redevelopment" in that the building is:

*substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.*

6. Additionally, Ms. Green testified that the Property meets Criterion "H" in that it supports State "Smart Growth" initiatives in that;
  - a. According to the State's mapping, the Borough of Dumont is located in a smart growth areas as it is designated Metropolitan Planning Area;
  - b. The redevelopment of the property has the potential to produce a new, mixed-use building in the municipality's downtown;
  - c. Redevelopment of the property would be able to take advantage of the bus service that runs along Washington Avenue;
  - d. Any potential redevelopment of the property would include a mandatory affordable housing component,



which would provide affordable housing options within the Borough;

e. The property is located in a walkable setting, where future workers and residents could walk to services and shopping establishments;

f. Redevelopment of the property will utilize existing land that is already developed to construct a new, safe building.

7. Ms. Green further opined that the condition of the building has been allowed to deteriorate to the point that the building needed to be vacated to protect the employees in the building on a daily basis and visitors coming to the building. These conditions of the building, by reason of dilapidation of the structure, have been extensively documented in the various reports and studies conducted since 2008. She further indicated that vacating of the building put the public on notice that the structure is an imminent public health hazard which must be mitigated.

8. The Board has considered public comment regarding the Redevelopment Determination.

NOW THEREFORE, BE IT FUTHER RESOLVED that the Planning Board hereby finds that the Property constitutes "an area in need of redevelopment" and requests that the Governing Body so designate the property and take such steps as are necessary.

ROLL CALL:	AYES	NAYS	ABSTAIN
Warner	✓		
Hakim	✓		
Moriarty	✓		
Bochicchio	✓		
AFFRONTI	✓		
Chen	✓		
Masio	✓		
Cremin	✓		
Hayes			✓

William Bochicchio

William Bochicchio, Chairman

Rosalie Bob

, Secretary

RESOLUTION ADOPTED AT THE June 30, 2015 MEETING OF THE DUMONT JOINT LAND USE BOARD

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## CRITERION H

The Department of State defines Smart growth as one of the following:

- Metropolitan Planning Area (PA1)
- Suburban Planning Area (PA2)
- A designated center
- An area identified for growth as a result of either an initial or advanced petition for plan endorsement that has been approved by the SPC
- A smart growth area designated by the New Jersey Meadowlands Commission
- A Pinelands Regional Growth Area, Pinelands Village or Pinelands Town as designated by the New Jersey Pinelands Commission<sup>12</sup>

The website also provides a link to a map to illustrate the smart growth areas within the State. According to the map, the Borough of Dumont is within the Metropolitan Planning Area.<sup>13</sup>

The concept of smart growth embodies ten objectives (modified from the US Environmental Protection Agency):

- **Mix Land Uses.** New, clustered development works best if it includes a mix of stores, jobs and homes.
- **Take Advantage of Existing Community Assets.** From local parks to neighborhood schools to transit systems, public investments should focus on getting the most out of what we have.
- **Create a Range of Housing Opportunities and Choices.** Not everyone wants the same thing. Communities should offer houses, condominiums, homes for low income families, and “granny flats” for empty nesters.
- **Foster Walkable Neighborhoods.** These places offer not just the opportunity to walk, but something to walk to, whether it’s the corner store, the transit stop or school.
- **Promote Distinctive, Attractive Communities with a Strong Sense of Place.** In every community, there are things that make each place special, from train stations to local businesses. These should be protected and celebrated.
- **Preserve Open Space, Farmland, and Critical Environmental Areas.** People want to stay connected to nature and protect farms, waterways, ecosystems and wildlife.
- **Strengthen and Encourage Growth in Existing Communities.** We should look for opportunities to grow in already built-up areas before we pave new areas.
- **Provide a Variety of Transportation Choices.** More communities need safe and reliable public transportation, sidewalks and bike paths.
- **Make Development Decisions Predictable, Fair, and Cost-Effective.** Builders wishing to implement smart growth should face no more obstacles than those contributing to sprawl.
- **Encourage Citizen and Stakeholder Participation in Development Decisions.** Plans developed without strong citizen involvement don’t have staying power. When people feel left out of important decisions, they won’t be there to help out when tough choices have to be made.<sup>14</sup>

The following facts have been found to support the designation of Criteria “h” in the Study Area:

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<sup>12</sup> <http://www.state.nj.us/state/planning/spc-research-resources-sga.html>

<sup>13</sup> <http://www.state.nj.us/state/planning/maps/smartgrowthareasmmap.pdf>

<sup>14</sup> <http://www.njfuture.org/smart-growth-101/primer/>

- According to the State's mapping, the Borough of Dumont is located in a smart growth area as it is designated Metropolitan Planning Area.
- The redevelopment of the property has the potential to produce a new, mixed-use building in the municipality's "downtown".
- Redevelopment of the property would be able to take advantage of the bus service that runs along Washington Avenue.
- Any potential redevelopment of the property would include a mandatory affordable housing component, which would provide affordable housing options within the Borough.
- The property is located in a walkable setting, where future workers and residents could walk to services and shopping establishments.
- Redevelopment of the property will utilize existing land that is already developed to construct a new, safe building.

## COMPLIANCE WITH STATUTORY CRITERIA AS AN AREA IN NEED OF REDEVELOPMENT

Based on the above documentation, the entire Study Area meets the following statutory criteria as an Area in Need of Redevelopment:

*Criterion "a". The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.*

The condition of the building has been allowed to deteriorate to the point that the building needed to be vacated to protect the employees in the building on a daily basis and visitors coming to the building.

These conditions of the building, by reason of dilapidation of the structure, have been extensively documented in the various reports and studies conducted since 2008. Vacating of the building put the public on notice that the structure is an imminent public health hazard which must be mitigated.

These conditions, as supported by the reports in the Appendix, clearly comport with the description in Criterion "a" as being an Area In Need of Redevelopment. Only one criterion is required for designation as an Area in Need of Redevelopment.

*Criterion "h" The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.*

The property is located in a State-designated smart growth area and advances many of the principles of smart growth as mentioned above.

Based on the above, it is recommended that the Joint Land Use Board find that the subject Study Area qualifies for designation by the Borough Council as an Area In Need of Redevelopment.

V. APPENDICES

RESOLUTION FROM BOROUGH COUNCIL AUTHORIZING REDEVELOPMENT AREA DETERMINATION INVESTIGATION

INSPECTION REPORT, PREPARED BY ED ROSSI, BOROUGH OF DUMONT, CONSTRUCTION CODE OFFICIAL, DATED NOVEMBER 2, 2011

REPORT PREPARED BY MELISSA JOHNSON, MS, IH, BERGEN COUNTY DEPT. OF HEALTH SERVICES, DATED NOVEMBER 28, 2011

REPORT PREPARED BY MELISSA JOHNSON, MS, IH, COUNTY DEPT. OF HEALTH SERVICES, DATED AUGUST 5, 2015

MEMO TO MAYOR AND COUNCIL, ON BOROUGH HALL BUILDING, PREPARED BY JOHN P. PERKINS, CPM, DATED AUGUST 27, 2014

NEWS RELEASE, BOROUGH OF DUMONT, ENTITLED GOVERNING BODY FORCED TO VACATE BOROUGH HALL, DATED SEPTEMBER 3, 2014.

COUNCIL RESOLUTION DESIGNATING THE SITE AS AN AREA IN NEED OF REDEVELOPMENT #2016-53

JOINT LAND USE BOARD DETERMINING THE SITE IS AN AREA IN NEED OF REDEVELOPMENT, DATED JUNE 30, 2015.

JLUB



# 2015 BOROUGH OF DUMONT RESOLUTION

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CORREA	✓			
HAYES	✓			
MANNA	✓			
MORRELL	✓			
RIQUELME	✓			
ZAMECHANSKY	✓			
MAYOR KELLY				
TOTALS	6			

Resolution No. 75  
 Date: February 17, 2015  
 Page: 1 of 2  
 Subject: Investigation of Certain Property for Potential Redevelopment  
 Purpose: Authorize and Direct the Joint Land Use Board to Conduct  
 Dollar Amount: \_\_\_\_\_  
 Prepared By: Gregg Paster, Esq.

Offered by: Manna  
 Seconded by: Riquelme

Certified as a true copy of a Resolution adopted by the Borough of Dumont on above date at a Regular Meeting by: Susan Connelly

**Susan Connelly, RMC, Municipal Clerk  
 Borough of Dumont, Bergen County, New Jersey**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF DUMONT IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AUTHORIZING AND DIRECTING THE JOINT LAND USE BOARD OF THE BOROUGH OF DUMONT TO CONDUCT A PRELIMINARY INVESTIGATION OF CERTAIN PROPERTY WITHIN THE BOROUGH FOR POTENTIAL REDEVELOPMENT**

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by resolution, to have its Joint Land Use Board conduct a preliminary investigation to determine whether an area of the municipality is an "area in need of redevelopment" pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, the Mayor and Council of the Borough of Dumont consider it to be in the

best interest of the Borough to have the Joint Land Use Board conduct such an investigation regarding certain property located in the Borough at 50 Washington Avenue, which property is identified as Block 1215, Lot 12, as shown on the official Tax Map of the Borough of Dumont (the "Property"); and

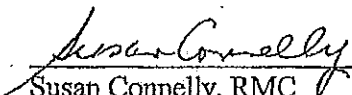
**WHEREAS**, the Mayor and Council believes the Property is potentially valuable for contributing to, serving, and protecting the public health safety and welfare and for the promotion of smart growth within the Borough; and


**WHEREAS**, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Property as "in need of redevelopment" is appropriate and in conformance with the statutory criteria contained in N.J.S.A. 40A:12A-5.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Dumont, they being the Governing Body thereof, as follows:

1. The Joint Land Use Board of the Borough of Dumont is hereby directed to conduct a preliminary investigation to determine whether the aforementioned Property, or any portions thereof, constitute an "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12A-5;
2. The Joint Land Use Board of the Borough of Dumont is hereby directed to study the area known as Block 1215, Lot 12; to develop a map reflecting the boundaries of the proposed redevelopment area; to provide public notice and conduct public hearings pursuant to N.J.S.A. 40A:6; and to draft a report/Resolution to the Mayor and Council containing its findings; and
3. The results of such preliminary investigation shall be submitted to the Mayor and Council for review and approval in accordance with the provisions of N.J.S.A. 40A:12A-1 et seq.

This Resolution shall take effect immediately.

  
Susan Connelly, RMC  
Municipal Clerk

  
James J. Kelly, Mayor



# Borough of Dumont

cc: Mayor  
Council Clerk  
MAYOR  
MATTHEW MCHALE

COUNCIL  
HARRY STYLIANOU  
COUNCIL PRESIDENT

MATTHEW CARRICK  
MARTY CASPARE  
KENNETH FREEMAN  
CARL MANNA  
ELLEN ZAMECHANSKY

BOROUGH ADMINISTRATOR  
JOHN PERKINS

BOROUGH CLERK  
SUSAN CONNELLY

November 2, 2011

Re: Municipal Building Inspection

John Perkins,

This response is the result of an inspection of the Borough Hall Building which outlines many current deficiencies. Please be advised that structural damage behind closed walls is a probability. Prolonged use of this structure is not recommended without total renovations or extensive repairs.

Sincerely,

Ed Rossi  
Construction Code Official  
Building Department



Basement:

Main water shut off valve is in need of repair. The valve leaks when turned on as well as off. The main water valve takes a while to stop leaking, eventually it won't stop leaking.

The urinal does not handle water properly while flushing. The urinal continues to overflow even after the pipes have been cleaned out. *vent?*

Water floods into different rooms in the building depending on the amount of rain. Common places include boiler room and rear hall to boilers. In the winter the Lieutenants room leaks from the ceiling, and the Sergeants room leaks from below grade.

The heating in the building is insufficient in the Lieutenants and Captains room as well as the interview room.

In the interview room, the walls and ceiling is in need of insulation for privacy.

The windows in the detectives, captains, interview, boiler, computer storage, and telephone rooms do not open and close properly. The windows in these rooms are in need of repair.

The drainpipe in the cell area is worn down, as a result of this it is leaking into two areas.

Improper head room in all the door openings.

The elevator is in need of an upgrade; however parts are a problem to get.

The Police locker room is in need of new lockers and paneling - *FEMALE LOCKER RM - INADEQUATE*

The storage areas are currently full; the police are in need of more storage areas.

Low headroom going to back storage area and radio room.

The 1964 old hot water boiler is in need of a change.

There are still areas with asbestos.

Stairwells:

Stairwells from the 1<sup>st</sup> to 3<sup>rd</sup> floor steps treads are worn away. Windows are in need of repair. As a result of this they will not stay open and are not safe because

they can be opened too much. This is also a safety hazard.

Walls have been repaired and keep deteriorating every year.

The exterior two pair double door in the emergency exits is hard to open and close and should be changed from the original 1918 doors.

#### First Floor:

Hallway: All emergency exit doors are hard to open, some are rotted.

Custodial closet sink is in need of a repair faucet and shut off valves need to be replaced.

Conference room is in need of proper air conditioning and proper heating. Installed for each season electric heat for the winter and the windows leak no insulation.

Court rooms need to be painted; walls and ceiling. The exterior doors are falling apart and are hard to open and close. The judges seating area and public seating area are in need of a new floor. The carpet is also very old. Air conditioning and heat pump must be used to keep regulating proper temperatures.

Human services room is drafty and there is no insulation. As a result of this an additional electric heater and air conditioner are installed seasonally.

In the Mayors office, the heat does not work, and an air conditioner is seasonally installed for the summer.

The Finance room needs paint and ceiling tiles. This room needs a proper heat radiator; the current radiator is too small to heat the room. For the summer months an air conditioner is installed for cooling.

Ladies and Mens bathrooms ventilation is insufficient. The floor tiles need to be grouted and the walls caulked. The walls are deteriorating in various spots.

The Borough clerk's offices are always cold in the winter. The windows do not open and close properly. (Very drafty) They are in need of paint and are currently old and dirty. The Air conditioners must be installed for the summer. There is also a need for more space for files and supplies.

The Tax Office is the warmest room in the building. There are no radiators, the boiler from below heats up the room. As a result of this the Air conditioner must stay installed even in the spring to keep the room cool. This room is in need of new cabinets and counter tops as you enter.

Boro Administrator:

Floors are not level; furniture is shimmed to get almost level and plumb. Very drafty windows, they open and close with much difficulty. It is cold in the winter and air conditioner must be installed for the summer.

Court Clerks:

Drafty windows, temporary heat along with the regular heat. Air conditioners are necessary for warm weather.

No more electric can be added to the sub panel. The electric panel is filled to capacity.

The Boro hall heating is all on one zone except for the bathrooms.

Borough hall has no insulation; the outside walls are very cold all winter.

Second floor:

No heat in the hallways. The floors are not even due to previous water damage from roof leaking.

Recreation:

Too much heat; the radiators are way too big for room, and the windows are open all winter.

Conference Room:

Drafty ceiling needs to be fixed; collapsed once and was replaced with old tracks. Heat pump and air conditioner are needed to maintain temperature. Hallway: door to fire exit are rotted away. (Leaks and drafts)

Storage and repair repeater room are drafty and need shelves for storage and paint.

Fire Chiefs Room:

Water damage by windows. Air conditioner necessary for summer.

Building & Grounds office and storage: filled beyond capacity there is no room for organization. This room is not really an office.

Third Floor:

No heat in hallways. Three unfinished storage areas. Teen Center A.C has lots of

breakdowns. The air handler located in the ceiling leaks and has been patched.

The door to the fire escape in the teen center is in poor condition.

The exterior stairs are in need of attention. The concrete has broken down and cracked away.

The parking lot macadam cracked, sink hole areas need to be fixed. The whole lot needs to be resurfaced.

~~Generator:~~

~~1963 or 1964, only supplies a small part of the building. (911 and dispatch area) Last emergency the generator overheated and failed; as a result of this we had lost all power.~~

Fire Escape:

Fire escape should be checked for safety. Has fallen apart in the past and has been repaired. - **UNSAFE STRUCTURE**

Exterior:

\* Exterior needs a new roof, has had two new roofs already. Must be ripped down to sheathing and a new roof must be installed. Soffit, fascia, gutters and leaders are all in need of repair, the wood underneath seems to be rotted and falling down in many places.

\* The building needs to be pointed, in certain spots brick and block have fallen off.

\* The windows on building need to be caulked, on exterior, causes leaks into building by main entrance, and runs down inside wall by entrance.

Plumbing (Continued)

Waste from toilets leaking into police again. This is due to the crack in the drain pipe from the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floor. (Leaking above ceiling in police station)

Cleared drain of blockage, lots of metal and slag could be heard; sounded like marbles going down the pipes. As a result of this, I had to vacuum with the wet vacuum, main trap going out of building filling with lots of metal and debris from pipes. The pipe was patched with epoxy, but still needs to be fixed.

Second floor men's room, urinal needs a new flushometer. The shut off probably doesn't work, so the main water supply has to be shut down.

The walls are deteriorated in one spot. The wall tiles and floor tiles need attention in all bathrooms.

Changed trap in sink on the 2<sup>nd</sup> floor ladies room, was filled with rust and slag. As a result of this the plumber had to change the pipe in the wall for the drain.

When plumbing is done, many shut off valves don't work. The building has to be drained down, by shutting off the main shut off those leaks. I always call in a plumber to be there to make the repairs as quick as possible.

Tiles in second floor hallway are lifting in many spots.

#### Elevator (Continued)

Elevator in the winter needs temporary electric heater by motor in the elevator room and storage closet too heat up hydraulic oil to keep working properly.

#### Front Entrance:

Heat is insufficient in front entrance and hallway to police. The front door is drafty causing the elevator not to work properly in the winter.

#### Mold

Mold sample submitted to testing facility upon receipts of results, a definitive action will be recommended.



**COUNTY OF BERGEN**  
**DEPARTMENT OF HEALTH SERVICES**  
**Environmental Division**  
327 East Ridgewood Avenue • Paramus, New Jersey 07652-4895  
(201) 634-2780 • FAX (201) 599-6270  
healthdept@co.bergen.nj.us  
[www.bergenhealth.org](http://www.bergenhealth.org)

Kathleen A. Donovan  
County Executive

Nancy Mangieri, DNP, C-PHFP, CPM  
Director/Health Officer

November 28, 2011

Melissa Johnson, MS, IH  
Bergen County Dept. of Health Services  
327 Ridgewood Avenue  
Paramus, NJ 07652

John Perkins  
Borough Administrator  
Dumont Borough Hall  
50 Washington Avenue  
Dumont, NJ 07663

Dear Mr. Perkins,

The enclosed report describes the findings of an industrial hygiene investigation of the Dumont Police Departments Evidence Locker Room, located at 50 Washington Ave, Dumont, NJ. It also provides recommendations for the control of identified occupational health and safety hazards. With the intent that all involved parties work together to address and to solve existing problems, this information is being provided simultaneously to management, employees and the union.

If there are any questions regarding the investigation or the contents of the report, please direct them to 201-634-2785 between the hours of 9:00am and 4:00pm. We feel that this cooperative effort between employers, employees and local health agency personnel will be a positive step towards promoting and maintaining good health among the working population of Bergen County. I look forward to assisting you in the future if needed.

Very truly yours,

Melissa Johnson, MS, IH

Cc: Brian Venezia, Chief of Police  
Michelle Dillon, REHS

## APPENDIX

Appendix A: *Commonly Asked Questions About Mold*, BC Department of Health (BCDHS)  
Appendix B: *Mold*, Centers for Disease Control and Prevention (CDC)  
Appendix C: *Indoor Bioaerosols*, NJ Department of Health and Senior Services (NJDHHS)  
Appendix D: *Indoor Air Quality*, NJDHHS  
Appendix E: *Indoor Air Quality Log*, BCDHS  
Appendix F: *Indoor Air Quality Audit*, BCDHS  
Appendix G: *Ventilation Assessment Guide*, BCDHS  
Appendix H: *Industrial Hygiene Consultants List*, American Industrial Hygiene Association  
Appendix I: Indoor Environmental Remediation Firms  
Appendix JI: Guide to Effective Joint Labor/Mgmt Safety & Health Committees, NJDHHS

## BACKGROUND

Employees in the Dumont Municipal Building are experiencing symptomology which may be related to poor indoor air quality. An indoor air quality assessment was made as a result of concerns of intermittent presence of mold, the quality of the air inside of the building, as well as other potential issues.

Prior to the industrial hygiene investigation, an Industrial Hygienist, questioned employees to determine the potential hazard. Reports of a foul, musty odor and the evidence of mold were present. To a host of occupational safety and health issues, however, this report is in regard to a mold issue located on the wall and ceiling of the Locker #1; Evidence Room.

## RESULTS

A calibrated Vulcan environmental indoor air monitor was used to obtain direct carbon dioxide levels. The permissible exposure limit for carbon dioxide (CO<sub>2</sub>), set by Public Employees Occupational Health and Safety Administration (PEOSH) is 1000 parts per million over an eight hour work day. Carbon dioxide, a byproduct of human respiration, is an indicator of the lack of fresh outdoor air. PEOSH recommends a minimum rate of 20 cubic feet per minute per person of fresh air. An anemometer is portable instruments that also measures temperature in degrees Fahrenheit, relative humidity and carbon monoxide (CO).

**Carbon Monoxide** - This substance is an odorless and tasteless gas which is usually found as a waste product of incomplete combustion. Sampling is usually conducted when headaches are reported simultaneously by several occupants. It is important to rule out the possibility of hazardous levels of this gas.

**Carbon Dioxide** - This substance is a natural byproduct of human respiration and would not typically be present in working environments or office situations at anything approaching hazardous levels. Concentrations exceeding 600ppm (parts per million) have been cited as being indicative of insufficient fresh air ventilation and a cause of discomfort to occupants. When we detect levels that are considerably higher than outdoors, or if levels are shown to build up significantly over the work day, this is also indicative of insufficient ventilation.

**Temperature and Relative Humidity** - During summer, thermal environmental guidelines for human occupancy indicate temperature readings should be within 73°F to 79°F and relative humidity within 40% to 60%. During winter, temperature readings should be within 69°F to 76°F and relative humidity within 30% to 50%.



## AVG VULCAN READINGS:

	<u>CO<sub>2</sub></u>	<u>R. H.</u>	<u>CO</u>	<u>TEMP</u>
Main Office (front)	1258 ppm	41	2 ppm	70.5
Capt. Faulborn office (rear)	1101 ppm	45	1 ppm	67.9
Locker 1	1144 ppm	58	1 ppm	65.6
Records/Clerk Area	1086 ppm	43	2 ppm	69.6
Detective Bureau	930 ppm	41	0 ppm	72.0
Sgt. Ready Room	919 ppm	37	2 ppm	69.9

A GE Protimeter Moisture Measurement System (MMS) was used to measure the moisture levels of the building materials. The subsurface readings in the Evidence Locker Room between 30-80% wet, while the surface measurements were between 27-60% wet.

## FINDINGS

### IAQ/Ventilation

In many cases, health symptoms reported by building occupants are of a non-specific nature and may include headache, lightheadedness, excessive drowsiness, eye, throat or respiratory irritation, inability to wear contact lenses and a rash. Often occupants will report the sensations of stuffy or stagnant air. These types of problems are often associated with a lack of adequate fresh air, allowing low levels of a variety of contaminants to build up in the room's air supply. The carbon dioxide levels in six areas were compared to the PEOSHA indoor air quality standard in buildings occupied by public employees during their regular work shift.

The Vulcan results provide instantaneous readings taken at different times. Some levels were above the PEOSHA permissible exposure limit. Additionally, all readings were above 600ppm; a threshold in which many individuals begin to experience side effects to lack of fresh outdoor air. Some individuals are more sensitive than others; this includes those with asthma, hay fever, other allergies, as well as those with a weakened immune system. The current employee health concerns are consistent with inadequate indoor air quality, carbon dioxide exposure, allergies and are most likely related to a combination of the above findings.

### Water Intrusion and Mold Growth

The rear wall and ceiling of the locker area (evidence room) is wet and has mold growing on the surface. Water stains were present, and the surface is peeling, in fact there is evidence that this deterioration is not new, but has been occurring for some time. There is also evidence of previous repairs to stop water from entering the building. There are stained ceiling tiles in the area and the presence of water stains inside of light fixtures. It is clear that there has been an extensive amount of water/moisture within this building for many years.

Mold can grow on any substance as long as moisture or water, oxygen and an organic source are present. Mold will reproduce by creating tiny spores (viable seeds) that usually cannot be seen without magnification. Employees reported symptoms consistent with mold exposure:

## Symptoms of mold exposure

Nasal or sinus congestion	Sneezing	Skin Irritation (rash or itching)
Sensitivity to light	Sore Throat	Eye, skin and respiratory irritation
Sneezing	Cough	Shortness of breath
Nausea	Diarrhea	
Fatigue	Headache	

Some mold that grows indoors can produce chemicals called mycotoxins. Mycotoxins are toxic to other microorganisms. For example, bioaerosols are microorganisms or particles, gases, vapors, or fragments of biological origin that are in the air. Bioaerosols enter the human body through inhalation so the diseases they can cause usually affect the respiratory system. Water, humidity, temperature, nutrients (e.g. dirt, wood, paper and paint) oxygen and light determine whether microorganisms will grow in the indoor environment. The most common microorganisms found indoors are fungi and bacteria.

### CONCLUSION

The current cluster of health problems/concerns are consistent with mold allergies and carbon dioxide exposure and are most likely related to a combination of the above findings. Additional violations outside of the Evidence Locker #1 were noted during the site visit of the facility and are noted in the addendum. The health/safety hazards and violations must be remediated.

### RECOMMENDATIONS

1. The Public Employee Occupational Safety and Health Program (PEOSH), by authority established under the PEOSH Act of 1995 (N.J.S.A 34:6A-25 et seq., enacted in 1984 and amended on July 25, 1995) is responsible for promoting the health and safety for approximately 500,000 State and Local government employees in the State. *The PEOSH Program has adopted identically all Federal OSHA standards and regulations applicable to public sector employment, with the exception of the following:*

- Hazard Communication Program - 1910.1200 - PEOSH modified OSHA's standard to include specific provisions of the State's Right-to-Know Law regarding fact sheets on chemicals - State Standard NJAC 12:100-7
- Fire Brigade 1910.156 - State Standard NJAC 12:100-10

2. In accordance with CFR 1910, Section 5(a)(1) of the OSH Act, often referred to as the General Duty Clause, employers are to "furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees". Section 5(a)(2)

requires employers to "comply with occupational safety and health standards promulgated under this Act".

3. **Immediately establish an employee/management health and safety committee to comply with the PEOSHA Indoor Air Quality Standard and other recognized potential health and safety problems.**

4. **Repair exterior brick wall of building adjacent to vault that is leaking immediately.** Water permeates the building when it rains outside. The mortar between the bricks is in disrepair and/or missing. The adjacent steps are in the same condition. Protimeter Moisture readings for the exterior wall within the Evidence Room indicated that the wall was indeed wet; the last rainfall was several days prior. The temperature and elevated humidity level provides a perfect breeding ground for mold to prosper. After the exterior is remediated, the wall must be scraped, sanitized and dried accordingly. Consult with a mold remediation contractor for assistance with proper clean-up.

5. An engineer and/or waterproofing professional must be hired to identify any and all other sources of possible water intrusion. The water/moisture problem must be remediated **before** the interior repairs are made.

6. The buildings' roof is also in need of repair. The roof leaks in more than one area. Garbage cans are permanently positioned to catch rain water and office areas are tarped to prevent items from getting wet. Eliminate all sources of water and moisture from entering the entire building; this includes small areas which are occupied infrequently, as well as the remainder of the building. The entire building must be addressed in terms of moisture and water intrusion immediately, not sections thereof. The key to mold control is moisture control. *Every person has a right to a safe and healthy workplace.*

5. Consult with a Heating, Ventilation and Air-Conditioning (HVAC) Specialist to inspect all systems within the building to ensure that they are not contributing to the water and/or moisture problem found throughout the facility.

6. It is not certain whether water has previously entered into other areas of the building that are not noticeable, (i.e. behind furniture, paneling) or have seeped in via the exterior structure and wet cinder blocks or plastered walls. Additionally, the watermarks on the interior walls may be from the A/C unit above as well as from the roof leak.

This attributes to the damp/mildew smell in certain areas of the building and/or the presence of microbial contamination. The origin of this type of problem is usually a location where dirt or water has collected or high humidity is present, providing a good medium for the growth of microorganisms (bacteria, fungi, molds, etc.)

Mold symptoms include allergic rhinitis (cold-like symptoms), dermatitis (rashes), sinusitis, conjunctivitis, an inability to concentrate and fatigue. Symptoms usually disappear after the contamination is removed.

**Consult with a licensed mold contractor to remove/remediate mold in building.**

7. Remove the carpet from the occupied offices on the lower level, as they have repeatedly become wet. The carpet was not always sanitized after being wet continuously; in some cases over the weekend and for more than 48 hours. *Discard all porous materials such as carpets and ceiling tiles contaminated with microbial growth.* Replace carpet after the old carpet has been removed and the floors have been properly sanitized; with a one part bleach to ten parts water solution (1:10) and a mild surfactant. It

is important to dry water-damaged areas and items within 24-48 hours to prevent mold growth.

8. Remove and discard all wet and/or stained ceiling tiles, ***immediately***. Remove and discard all wet and/or stained light fixtures, ***immediately***. Once repairs have been made, replace with new ceiling tiles. There should never be stained tiles on the ceilings, nor should the tiles ever be painted over to cover up stains. This practice should be adhered to in the event of any future water damage.

9. Continually monitor above-mentioned area and keep a log of when and if watermarks or condensation re-appears on the walls/ceilings. An indoor air quality log is being provided for recordkeeping. The log should contain the *date, time, and outside weather conditions*. If possible the temperature *inside* of building should be noted, (including whether or not the heat or air-conditioning unit is turned on). Moreover, noting when either of the two was last used would also be helpful. This information should be faxed to (201) 599-6270, attention Melissa Johnson.

10. Apply (1:10) bleach/water solution immediately to all other non-porous surfaces that have become wet. To remove any dirt, a small amount of liquid soap can be added to the mixture. Apply mixture with a sponge. Let stand for 15 minutes and dry thoroughly. If material is porous, it must be discarded (i.e. paneling, sheet rock, etc.). Discard any sponges and or rags used in the clean-up. Clean-up personnel should not be asthmatic or prone to allergies. *Never add ammonia to this mixture, this would cause harmful and dangerous vapors.*

12. Ensure adequate fresh air supply. When the windows are closed and the air-conditioning unit is in use, the single most effective action that can be taken in this case is to provide the proper amount of fresh outdoor air for the amount of people that occupy the space. This will create what is known as dilution ventilation and will reduce the levels of CO<sub>2</sub> immediately. The A/C system must be evaluated to ensure that a minimum 20 cubic feet per minute (CFM) per person of fresh outdoor air is being adequately distributed throughout the entire building, during all times of occupancy. The filters must be changed according to manufacturers' specifications.

13. When the air-conditioning unit is not in use, employees must open the windows to create cross ventilation to reduce the levels of carbon dioxide in the office. This can be done prior to lunch and towards the end of the day.

15. I am enclosing two brochures on mold, an indoor air quality fact sheet, an indoor bioaerosols fact sheet, and an indoor air quality log to be distributed among employees. Moreover, an indoor air quality audit and ventilation assessment guide is also provided to record conditions in the building, Industrial Hygiene consultants list, as well as a 'Guide To Effective Joint Labor/Management Safety & Health Committees' brochure; this information will prove helpful in assessing the matter in the future.

16. The initial industrial hygiene investigation was for the Evidence Locker #1 only. Photos, including additional health and safety violations throughout the building are being provided as an addendum. Additional time on-site is needed to conduct a proper walkthrough of the facility. However, many of the violations shown in the photos are in need of immediate attention. A follow-up investigation will be conducted within 30 days to ascertain completed repairs.

# ADDENDUM

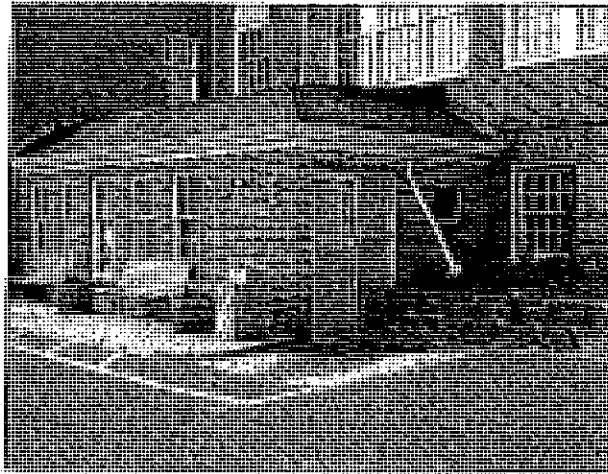


Figure 1: Dumont PD\_Faulty Roof/Water Intrusion



Figure 2: Evidence Room\_Wet Exterior Wall



Figure 3: Evidence Room\_Damaged Wet Wall



Figure 4: Evidence Room\_Wet Falling Debris



Figure 5: Evidence Room\_Mold/Water Intrusion

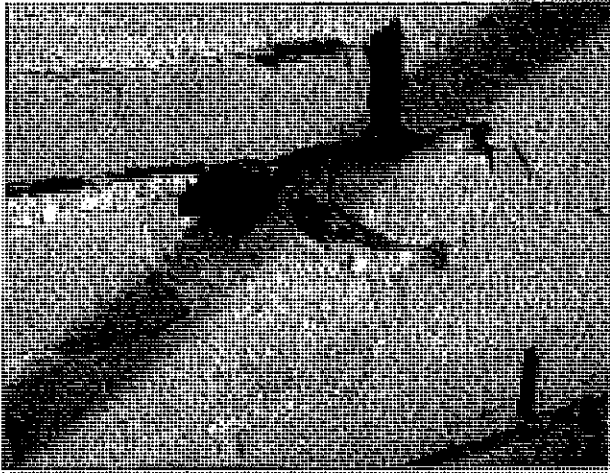


Figure 6: Exterior Wall to Evidence Room

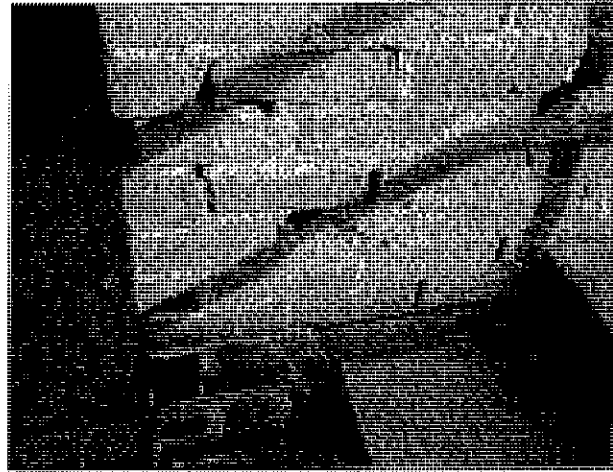


Figure 5: Faulty Brick Wall/Water Intrusion



Figure 5: Damaged Concrete, Steps, Bricks

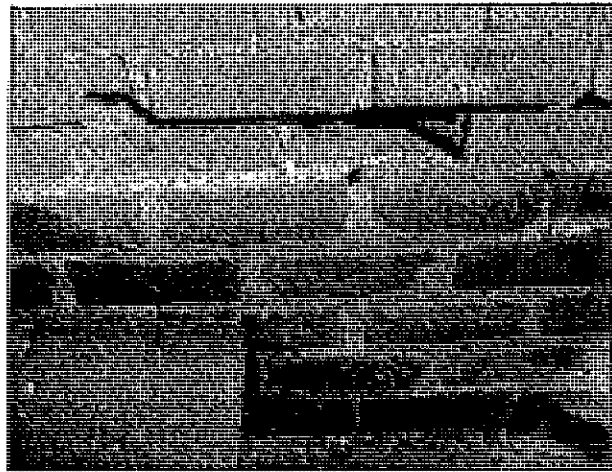


Figure 6: Brickwork in need of repair/H<sub>2</sub>O Intrusion



Figure 7: Mold\_Damaged Ceiling Tiles

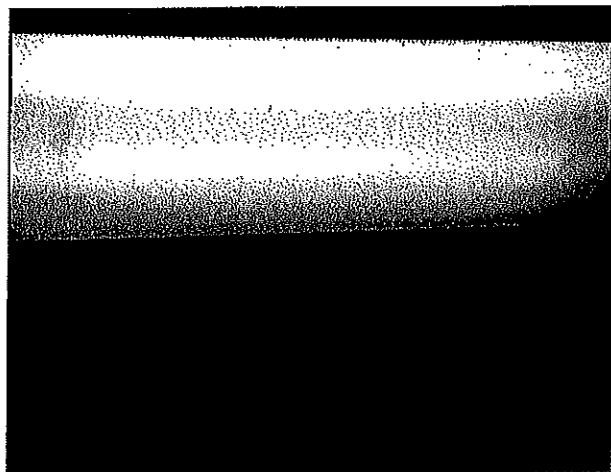


Figure 8: Mold\_Water Logged Light Fixture

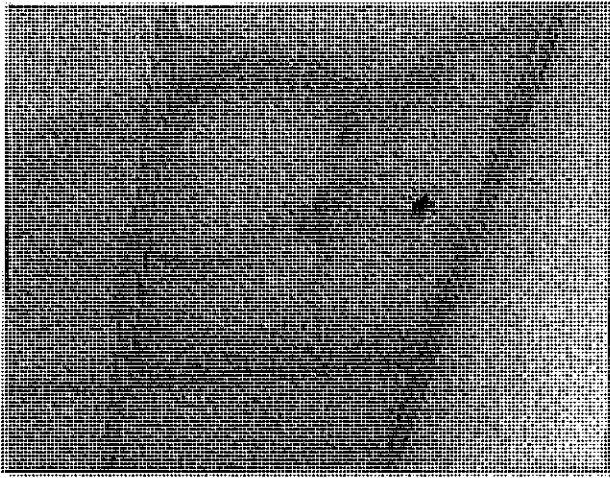


Figure 9: Mold\_Damaged Ceiling Tiles

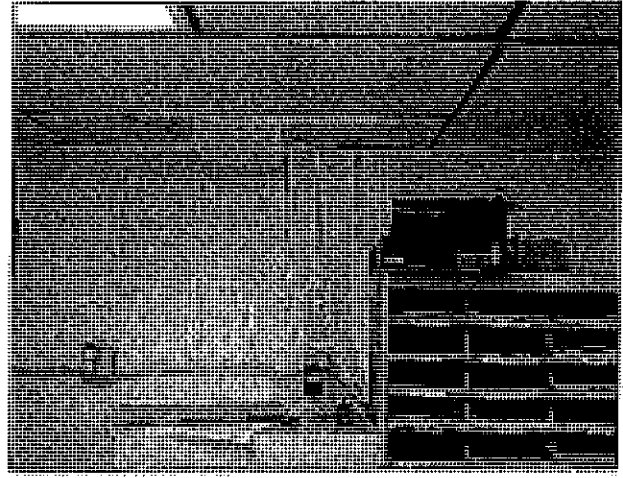


Figure 10: Electrical Hazard\_Damaged Ceiling Tiles



Figure 11: Electrical Hazard\_Damaged Ceiling Tiles

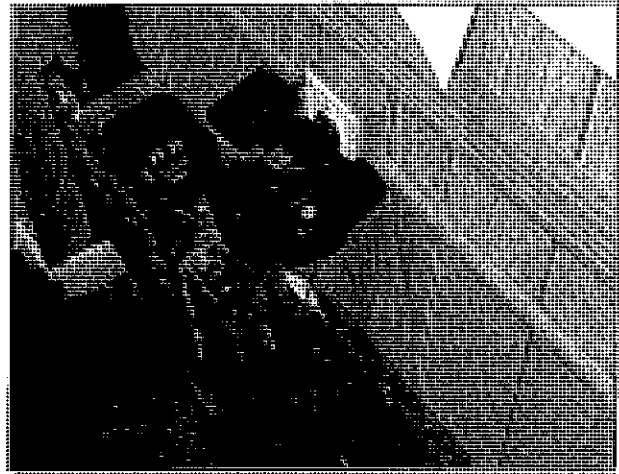


Figure 12: Electrical Hazard\_Overloaded Outlet

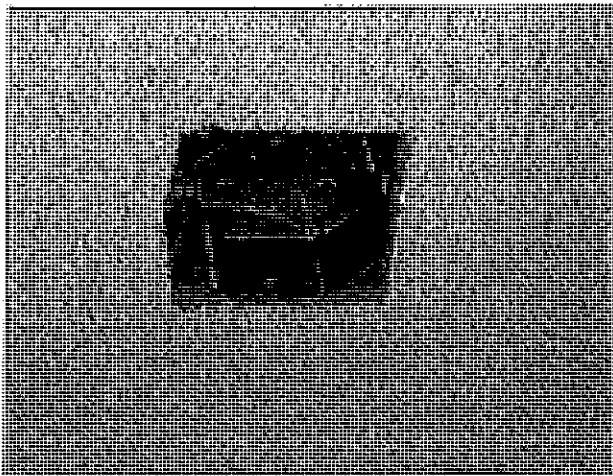


Figure 13: Electrical Hazard\_Exposed Ceiling Box



Figure 14: Garbage Can used to collect Rain Water

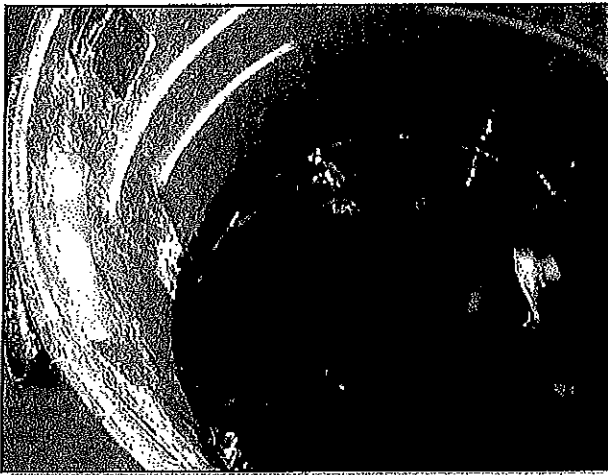


Figure 15: Garbage Can used to collect Rain Water



Figure 16: Water Intrusion\_Stairwell



Figure 17: Water Intrusion

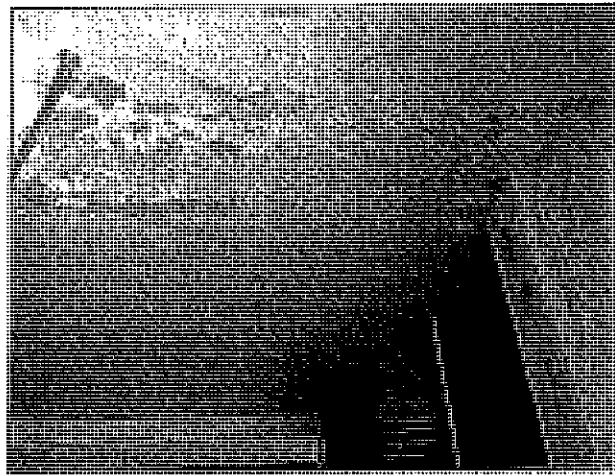


Figure 18: Water Intrusion

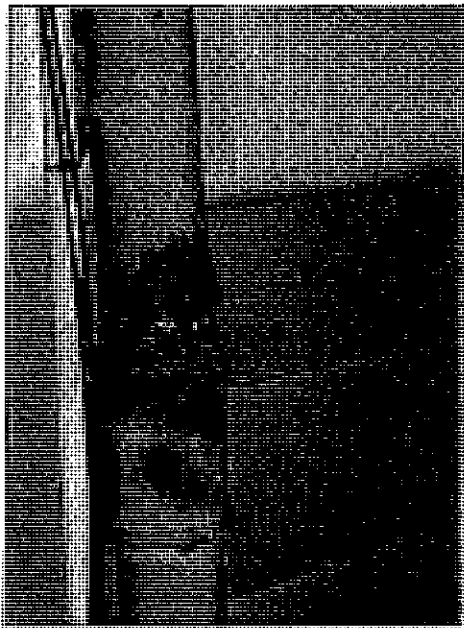


Figure 19: Pipe\_Damaged

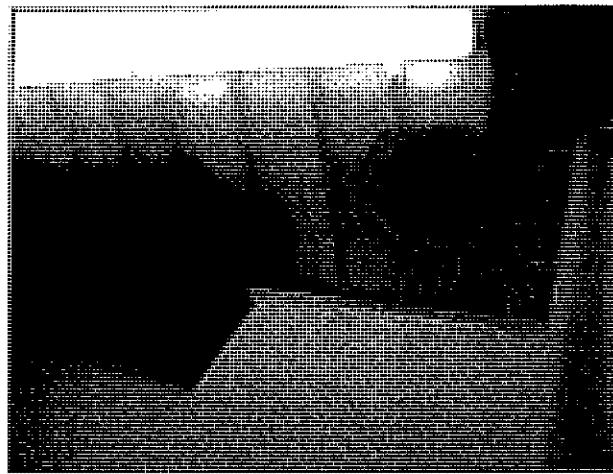


Figure 20: Water Intrusion



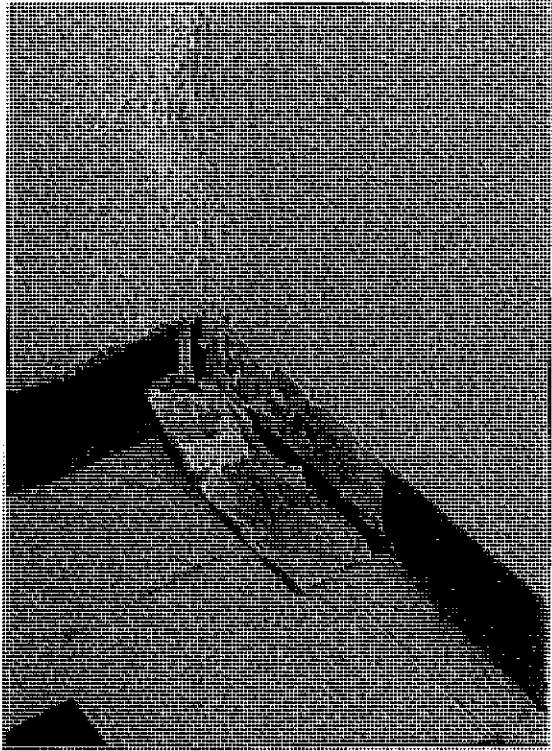


Figure 21: Floor\_Water Intrusion

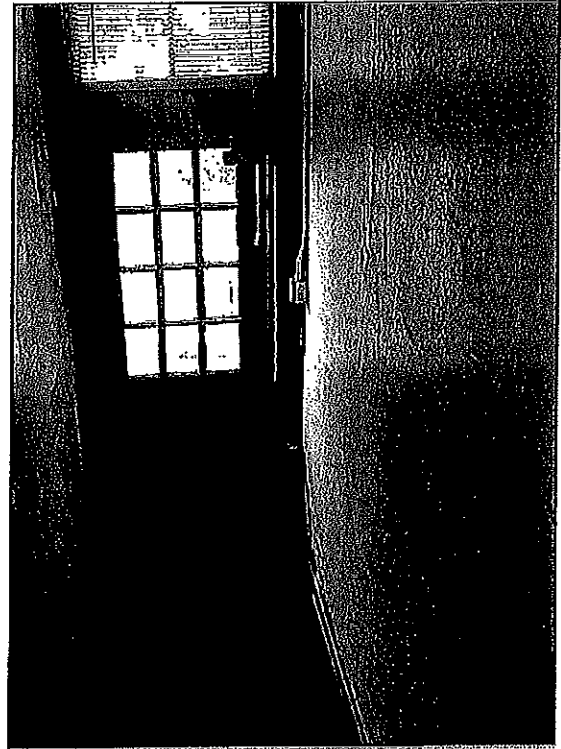


Figure 22: Exterior Door\_Unable to Lock

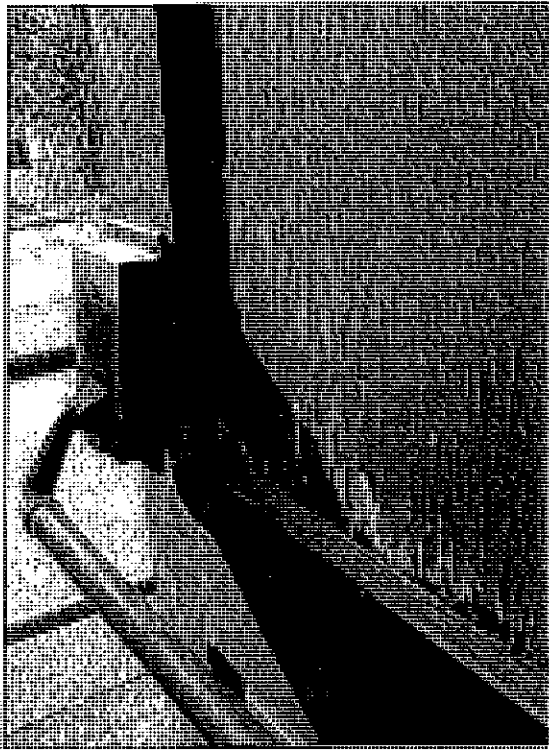


Figure 23: Exit Door/In need of Repair

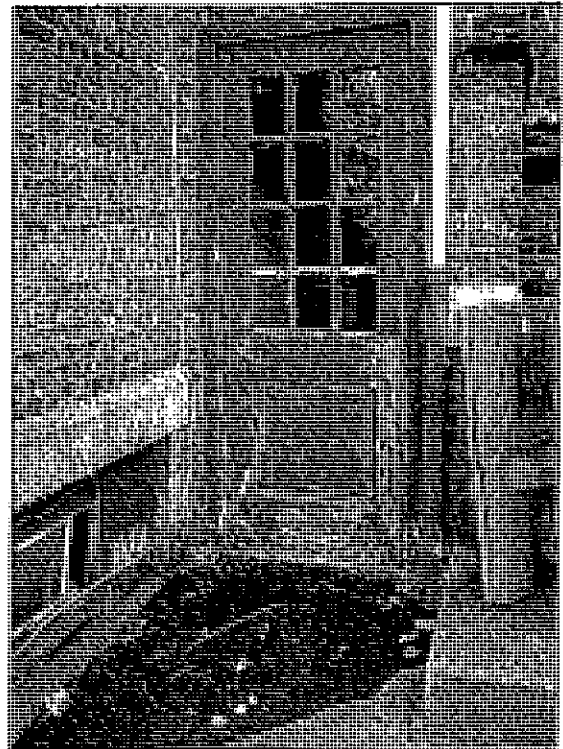


Figure 24: Exit Door/In need of Repair



Figure 25: Roof Shingles



Figure 26: Missing Roof Shingles



Figure 27: Fire Escape in disrepair

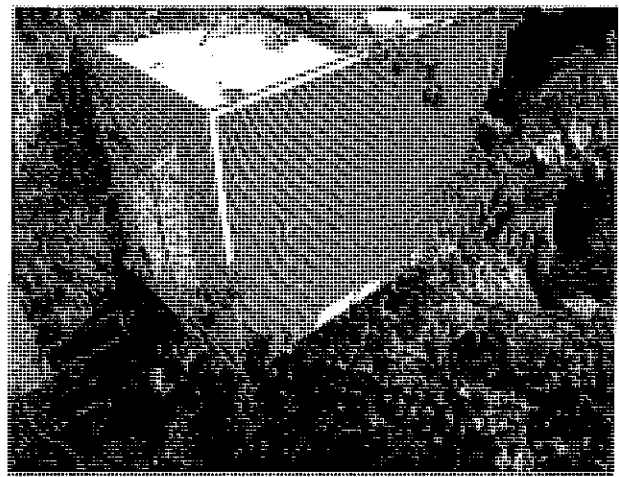


Figure 28: Overgrown Weeds\_A/C Unit