

**BOROUGH OF DUMONT  
BERGEN COUNTY, N.J.  
EXECUTIVE SESSION MINUTES  
DUMONT SENIOR CENTER  
MARCH 7, 2017  
6:30 PM**

Mayor Kelly called the meeting to order  
Flag Salute, Moment of Silence

**Sunshine Law:** The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to *The Record* and the *Ridgewood News*, posted on the Borough website and filed with the Borough of Dumont.

**Roll Call:**

Council members: Correa (via phone), Di Paolo, Geist, Manna, Morrell, Riquelme-present  
Mayor James J. Kelly-present  
Alfred Egenhofer, Esq. was present in Mr. Paster's absence.

Motion to accept agenda as presented: Councilman Morrell  
Second: Councilman Riquelme  
All in favor.

**Review of Consent Agenda Items:** All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

**RESOLUTIONS**

#17-77 Bills List \* Moved to non-consent

#17-78 Approval of Dumont High School Music Boosters On-premise Merchandise Raffle to be held April 8, 2017; ID #109-5-36714, RL#469 \*

#17-79 Approval of Dumont High School Music Boosters On-premise Cash Raffle to be held April 8, 2017; ID #109-5-36714, RL#470 \*

#17-80 Approval of Hiring DPW Seasonal Help-\$10.00 per hour \*

#17-81 Transfer of 2016 Budget Appropriation Reserves \* Mr. Herr explained that this is a transfer from one budget account to another. Moved to non-consent

#17-82 Authorization of Execution of Agreement with AXA Equitable-Deferred Compensation Plan \* Mr. Herr explained that AXA is a 457B company, Deferred Compensation. The Police Department requested that this plan be added so they and other employees have choices. There is no cost to the Borough.

#17-83 Approval of Right-of-Way use to Cross River Fiber \*

**#17-84** Dispatcher Jonathan Byrd-Accept Resignation \*

Motion to open to the public on the Consent Agenda: Councilman Manna

Second: Councilman Morrell

All in favor.

1. Bruce deLyon, Beacon Street, asked for clarification of Resolution #81. Mr. Herr said we are not spending any money, just transferring. This is the 2016 budget. Resolution #83-Mr. Egenhofer explained that the Cross River Fiber company is running a fiber optic network through New Jersey, with the authorization of the Board of Public Utilities. There is no immediate benefit to Dumont. The agreement was submitted following the posting of meeting information on the borough website. Dr. deLyon asked if there is any cost for the borough. Mr. Egenhofer replied that legal fees and engineering fees should be reimbursed by the company.

2. Lili Binney, 32 Roxbury Road, questioned Resolution #83. She asked about the Verizon Wireless and Van Dines bills.

Motion to close to the public: Councilman Morrell

Second: Councilman Geist

All in favor.

Councilwoman Correa requested that Resolutions #77 and #81 be moved to non-consent.

Motion to adopt the consent agenda items minus #77 and #81: Councilman Manna

Second: Councilman Riquelme

Roll call vote: Council members Correa, Di Paolo, Geist, Manna, Morrell, Riquelme-yes

Motion to adopt the non-consent agenda-Resolutions #77 and #81: Councilman Morrell

Second: Councilman Manna

Roll call vote: Council members Di Paolo, Geist, Manna, Morrell, Riquelme-yes

Councilwoman Correa-no

**ORDINANCES**

*Second Reading*

**#1515** Ordinance Amending Chapter 75-6 Police Department of the Borough of Dumont Code

Motion to waive formal reading: Councilman Morrell

Second: Councilman Di Paolo

All in favor.

There was discussion among the Governing Body as to how many lateral hires and new recruits there would be.

Motion to open to the public: Councilman Riquelme

Second: Councilman Morrell

All in favor.

Motion to close to the public: Councilman Manna

Second: Councilman Morrell

All in favor.

Motion to adopt on second reading: Councilman Manna

Second: Councilman Morrell

Roll call vote: Council members Correa, Di Paolo, Geist, Manna, Morrell, Riquelme-yes

**#1516 Calendar Year 2017 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank**

Motion to waive formal reading: Councilman Morrell

Second: Councilman Riquelme

All in favor.

Three were no questions from the Council.

Motion to open to the public: Councilman Morrell

Second: Councilman Riquelme

All in favor.

Motion to close to the public: Councilman Morrell

Second: Councilman Riquelme

All in favor.

Motion to adopt on second reading: Councilman Morrell

Second: Councilman Riquelme

Roll call vote: Council members Correa, Di Paolo, Manna, Morrell, Riquelme-yes  
Councilman Geist-no

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

Second: Councilman Di Paolo

All in favor.

1. Wilfred Dunn, 44 Thompson Street, complained about an environmental issue he had complained about in 1986 that was never addressed. On the corner of Thompson and Magnolia there are four catch basins, which have existed for 101 years, with no exit pipe. It has caused his sidewalk to sink. Mr. Herr and the engineer will look at it.

2. Bruce deLyon, 67 Beacon Street, asked about the Quackenbush properties spoken about at the last meeting. The Mayor explained that we are now looking at two other properties on Quackenbush as an alternative. Dr. deLyon asked about environmental issues and demolition cost at the Quackenbush properties. What is the status of the contract of the Administrator/CFO? The Mayor stated the negotiations are ongoing; they will be discussed with the personnel committee first.

3. Chris Sheridan, 9 Wilcox, asked if anyone spoke to Fair Share Housing about our obligation? Councilman Geist responded that the website has the old number still up. He contacted several people and was finally told that everything has to go through the Borough Attorney because it's still in litigation. Mr. Sheridan asked if the Councilman could get the transcript from the fairness hearing. The Councilman said he would try. Mr. Sheridan asked if we have received an environmental remediation plan. The Mayor replied that that would be a question for the Joint Land Use Board. He asked what "E" means on the plans-Egress.

4. Lili Binney, 32 Roxbury Road, asked if there was an engineer at the Joint Land Use Board meeting. Councilman Geist said he was there but the architect was the only one who had time to present testimony. Ms. Binney asked if the town could pay for the May fairness hearing transcript. She asked if Mr. Egenhofer knew when FSH will put out new numbers reflecting the most recent decision on the gap calculation. He does not know. Ms. Binney asked about Resolution 16-248 and when the overlay zone will come up for another vote; has the appendix been found? She asked if it was legal. Why are

we considering an overlay zone? Has the Council considered a set aside ordinance for residential 5+ units instead of the overlay? What number of credits will the overlay satisfy? The Mayor replied the unmet need is 83 until 2027. Will historic sites be designated?

5. Maryann Russini, 141 Roosevelt, asked Mr. Herr for the amount it is costing us for D'Angelo's. The Mayor explained that they are currently working on the budget so this is another project. Every bill would have to be researched to see if it had to do with D'Angelo's. Ms. Russini said Plan B would be to ask if Mr. Paster's bills could be looked at for D'Angelo's

6. Karen Valido, 24 Overlook Drive, mentioned fees in the settlement agreement. She is concerned about the PILOT, environmental issues and the number of children that would result from the D'Angelo's project. Who would be overseeing the soil at 50 Washington Avenue? The Mayor replied the engineer and LSRP would. Ms. Valido asked if there is any soil contamination or tanks on the Quackenbush properties. The Mayor responded that they don't know yet. Ms. Valido asked about tax increase. Mr. Herr said they will be having a meeting tomorrow to discuss the financing of the potential complex. There are a lot of variables.

Councilwoman Correa asked for clarification on our responsibility of soil remediation is necessary at 50 Washington Avenue. She also asked about renovating the old borough hall. Mayor Kelly replied that it is the engineer's opinion that the building is in very bad shape and the cost to rehabilitate it would be the same, if not more. The Councilwoman asked when we would be meeting with the architect. The Mayor responded that the architect who has been working on the plans just left on an emergency medical leave so there is now someone new has been assigned to the project. She said she remembered Councilman Riquelme asked the cost of doing the rehab study. The Councilman clarified that he would like to have the architect provide a cost for doing the study.

Motion to close to the public: Councilman Morrell

Second: Councilman Riquelme

All in favor.

Councilman Manna requested that the Building Department provide an estimate for hiring additional inspectors for the Landmark project so that it can be figured into the budget. He would also like to know the revenue that would be generated.

The Municipal Clerk read the resolution to enter closed session to discuss:

Contract Negotiations-DPW

Litigation-Fair Share Housing

Purchase, lease, acquisition of real property

Motion: Councilman Morrell

Second: Councilman Geist

Roll call vote: Council members Correa, Di Paolo, Geist, Manna, Morrell, Riquelme-yes

Following closed session:

Motion to go back into open: Councilman Morrell  
Second: Councilman Geist  
All in favor.

There is a resolution-#17-85-to approve the hiring of the Borough Appraiser to perform the appraisal on 23 and 27 W. Quackenbush Avenue at a not to exceed figure of \$5,000  
Motion: Councilman Morrell  
Second: Councilman Manna  
Roll call vote: Council members Correa, Di Paolo, Geist, Manna, Morrell, Riquelme-yes

Motion to adjourn: Councilman Morrell  
Second: Councilman Riquelme  
All in favor.

The meeting adjourned at 8:15PM

Minutes respectfully submitted by:

Susan Connelly, RMC  
Municipal Clerk