

**BOROUGH OF DUMONT
BERGEN COUNTY, N.J.
EXECUTIVE MEETING MINUTES
NOVEMBER 9, 2021
6:30 PM**

Mayor LaBruno 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 are 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: Chae, Gorman, Harvilla, Rossillo, Stewart – present

Englese - absent

Mayor Andrew LaBruno – present

Also present: Borough Administrator Chris Tully, Borough Clerk Jeanine Siek, Borough Attorney Marc Leibman, CFO Issa Abbasi

Motion to Accept the Agenda as presented: Councilman Chae

Second: Councilwoman Stewart

All in favor.

WORK SESSION

Attorney Report

Borough Attorney Leibman reported that his law firm is merging into the DeCotiis, Fitzpatrick Law Firm on or about December 1st. He is not going with the lawyers from his office that are making that move. He will be joining Chiesa, Shaninian & Giantomasi, which is a 175-lawyer firm based out of West Orange. He is asking the Council to consider a vote to authorize him to continue as the Borough's Counsel. He will need a document signed by the Borough authorizing the transfer of files and to maintain continuity as attorney. The contemplated services between now and the end of the calendar year are certainly less than the RFQ limit, so an RFQ for this brief period of time is unnecessary. The agenda tonight contains the issuance of RFQ's for next year, and he will certainly be putting in an RFQ in response to that.

Motion to continue with Mr. Leibman's agreement as Borough Attorney and transfer files to his new firm: Councilwoman Stewart

Second: Councilman Chae

Roll call vote: Council members: Chae, Gorman, Harvilla, Rossillo, Stewart – yes

Englese - absent

Mayors Report

Mayor LaBruno commented that there was a great turnout of Election Day in the Borough of Dumont. He thanked all of the poll workers, over 5,000 residents came out to vote. The Mayor extended his congratulations to the Council-elect Mary Novoa and John Russell. He looks

forward to working with them on the Council in the new year. To everyone who won and even to those who lost, it's a tough thing to put your name on the ballot and it's even tougher to govern when you get elected. However, just putting your name on the ballot means a lot, so congratulations for stepping up and trying to get elected.

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

#21-196 – Authorization to Bid–Veterans Memorial Park Playground Equipment * (*previously tabled*)

#21-254 – Authorization to Advertise for RFQ Proposals *

#21-255 – Approval of Suspension of Ordinance 21-5 - Overnight Parking *

#21-256 – Authorization of Agreement for Flexible Spending Accounts *

#21-257 – 2021 Budget Transfers *

#21-258 – Award of Quote for Snow Removal *

#21-259 – Authorization of Transfer of Dump Truck Title to Haworth *

Borough Engineer Robert Klein displayed the revised plan for the Veterans Memorial Park Playground Equipment with the selected playground equipment assembly overlaid on it. It's slightly different from the last time. The selected colors are blue and orange, and they are adding monkey bars on the side. There is a six-foot required space around each piece, there will be a new safety surface and an underdrain system to handle the water.

Mayor LaBruno thanked Councilwoman Rossillo and Councilman Englese who pointed out some issues with the previous plan, and they worked over the past couple meetings to ensure this was the best suited piece of equipment. There are multiple locations for ADA equipment and a wheelchair ramp. It also suits a plethora of ages.

Discussion on Resolution #21-255, approval of suspension overnight parking:

Mayor LaBruno stated this resolution would approve the suspension for the rest of the year. He stated there has been a strain on our residents who have children home from school and people who are now home because they're not going into work. If it's something the Borough will continue to do in the future, then it's a larger discussion we need to have. Some of the roads are difficult to sustain overnight parking on both sides of the street. There are also benefits to residents as well, such as families with larger families and when children have vehicles. Some of the driveways are not suited to have four vehicles in them. He understands both sides of the coin on this. He spoke to both the DPW Superintendent and Police Chief, and they brought up some issues they would like to discuss if this is something the Council wants to do permanently. There needs to be a larger discussion on how to make this successful for everyone.

Council President Stewart sees both sides, and it will be hard to make everyone happy. The ordinance committee moving forward should be looking at that it's not necessarily a one size fits all situation.

Councilman Chae stated that the side roads along the commuter lines get congested during the day time. He suggested a permit system, but not only for daytime hours. A Dumont resident permit should be created to ease congestion, especially along narrower roads.

Mayor LaBruno commented that neighboring towns could come to Dumont and park overnight on those streets close to the border. He wants to speak further to the Police Chief and DPW about this topic. He agrees that it is necessary with the holidays coming up, but going into 2022 feels it's a larger discussion that they need to have and work on.

Councilman Harvilla stated he feels extending it through the end of the year makes sense because there are students still home from college remote learning. He feels it's necessary for a short-term fix, but there are some challenges that need to be resolved for workable solution long term.

Mayor LaBruno clarified that the overnight would be suspended until the fall of 2022. We have the Nixle and Rave systems to communicate, and need our residents to understand if there is snow or black ice out there, our trucks need to get on the road to make it safe. In the future we will have to discuss it further.

CFO Abbasi explained that Resolution #256 - Authorization of Agreement for Flexible Spending Accounts was to address an audit item looking for a resolution to authorize a section 125 plan to employees, which is a flexible spending account. The resolution allows the Borough to contract with a vendor to implement these accounts. He explained what a flexible spending account is.

Resolution #257 – 2021 Budget Transfers is for the Rent Leveling Board to purchase various supplies. Budget transfers are permitted from November 1st through the end of December, and from January through the end of March, to transfer funds between accounts per NJSA40A:4-58.

Public Comment - Consent Agenda Only

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

Second: Councilwoman Rossillo

All in favor.

1. Lynn Vietri, Wilkens Drive, asked if the RFQ that was discussed at the last closed session can now be discussed. She stated she also sees both sides of the overnight parking issue, but said Dumont is not a city, it is a suburb. She doesn't think it's fair to DPW with the leaves to have cars parked in the road.

2. Cary Stopsky, East Quackenbush Avenue, stated the DPW cannot pick up the leaves if there are cars parked in the street. If the DPW picks up leaves all in one day, he asked that cars not be allowed to park in the street overnight on those days. He also spoke of the speeding on Quackenbush.

3. Karen Valido, Overlook Drive, asked how to find ordinances on the website because she looked for 21-5 and could not find it. She agrees that there should be permits for residents. Some residents have already gone through the expense to widen their driveways. She thinks cars will be in the way of leaf pick up, and hopes cars will not be able to park on snow covered roads.

4. Maryann Russini, Roosevelt Avenue, commented that some streets cannot handle cars parking on the street and cars are in the way of the DPW picking up leaves. She would like to see resident stickers, and asked how the police felt about the overnight parking.

5. Jennifer Grom, Hickory Street, stated that we have to provide our residents with somewhere to park, and permits may work on streets that border other towns. She further states that what many others are asking for such as DPW picking up on only Monday and Tuesdays, is describing a parking authority and parking permits, parking tickets, and alternate side parking. She feels this is the classic sign of being a city, and suggested a permit process by zone, rather than town wide. Ms. Grom questioned if we already offered employees FSA or have we not offered it before this.

Motion to close to the public: Councilwoman Rossillo
Second: Councilman Chae
All in favor.

The Borough Clerk responded that the Borough uses eCode which is available on the website under Governing Body-Borough Code. You can look up any of the Borough ordinances. For example, type in an ordinance number, or enter 21-5, the corresponding ordinances will come up. You can also search by words, such as “parking”, then anything related to parking will come up.

Mayor LaBruno stated that we extended the overnight parking last year, and the DPW does have experience handling it. However, that is why we will have discussion on how to make it better going forward for our residents and our DPW and Police Department.

Councilman Gorman specified that even with the extension of overnight parking, we can issue no street parking in the event of a snow storm. Mayor LaBruno confirmed that messages via Nixle or reverse 911 will be sent out in the event of snow or black ice reminding residents to remove their cars from the street. Unfortunately, tickets are still issued because some people do not move their vehicles.

Motion to adopt the Consent Agenda: Councilwoman Rossillo
Second: Councilman Chae
Roll call vote: Council members: Chae, Gorman, Harvilla, Rossillo, Stewart – yes
Englese - absent

Public Comment - General Comments

Motion to open to the public for general comments: Councilman Chae
Second: Councilwoman Stewart
All in favor.

1. Bruce DeLyon, Beacon Street, asked about the interest payments for \$15.5 million bond, as well as the new bonds for the Borough Hall. He would like to email someone to get an answer to this. Is there an accounting for all bonds, and what is the cost of the municipal project? He discussed the qualifications and certification of the Borough Administrator. He would like an answer about this.

2. Mary Normoyle, Randolph Avenue, asked about livestreaming and if the votes are final. She commented that she would like information about the Ambulance Corps and she is not disparaging them in any way by requesting this information. Did they receive a portion of the Covid relief money? Has relief money been dispersed and is there a final number on the Borough Hall cost? Did we get credit from the landscaper for Borough Hall?

3. Michael Sullivan, Andover Avenue, thanked the Mayor and Council for putting the traffic sign on Andover Avenue going east. He also thanked the DPW for doing a fabulous job picking up leaves.

4. Jennifer Grom, Hickory Street, commented she is involved in many different facets of this town, and every step of the way when she needs something she can reach out to the Borough Administrator because he’s in Dumont more than she is. She can always text him to get answers. With a salaried employee, its up to them how well they do their job, and he goes above and beyond the specifications of his job. He’s on the ground 11-12 hours a day. Does anyone believe getting a certificate will actually make him do a better job? Mayor LaBruno is also there all the

time. She apologized to Mr. Tully for the personal attacks. She feels Mr. Tully is doing an amazing job above and beyond the call of duty.

5. Maryann Russini, Roosevelt Avenue, asked if the handicapped door is just a button being added or a whole new door. Were you able to get a second estimate, how much was it and will it have to go out to bid? Did we get a credit on the landscaping, and what is the dollar amount for the Borough Hall? She stated they were told he was going to school. He's doing the job, but does he need the certificate or not? If our by-laws say the position doesn't need a certificate, then end of story. Just tell us this is the decision.

6. Karen Valido, Overlook Drive, thanked Ms. Siek for clarifying where to find the ordinances under the Borough Code.

Motion to close to the public: Councilwoman Stewart

Second: Councilman Chae

All in favor.

The Borough Administrator stated we are not live-streaming because the recording is not matching with the computer set up for the camera. Dart Computer was in again looking into it. We may need to reach out to JCT for further cabling. The landscaping credit was part of the credit received with the trailer removal and the parking lot. We have not yet received the second quote for the automatic doors. It will not be a whole new door or mechanism, but a push button that will open both doors for accessibility.

The CFO answered questions from the October 26th bills list. The bills paid to Sustainable Communities for two months was because the Borough paid the two bills once the invoices were received, since we only make payments upon receipt. The Dixon Library payment was the quarterly payment based on the states 1/3 of a million calculation, which is the minimum the town has to pay the library. The East-West Electric payment was for LED fixtures for the Police Department that need to repaired in the aftermath of Hurricane Ida. As previously stated, expenses that are capital in nature can be charged to Capital Ordinances and anything operational in nature needs to be charged to the budget. Buildings and grounds is typically where we charge items for the upkeep of all of our municipal buildings. Resolution 21-211 covered and authorized those expenditures related to Hurricane Ida. Regarding dental insurance, when we find employees who are no longer employed by the Borough or retired, we advise the insurer and we are given credits. The question regarding the bill for the transport generator was for the transportation of the generator from Borough Hall to the DPW yard. The bill for Weed Man was for services on three separate visits to Memorial Park, Columbia Field and TriBoro Field. The FSA was not offered to employees in the past. Regarding Covid relief money, at the July 13th meeting, the CFO reported the Borough was in receipt of the first of its two payments of \$916,687.20. We anticipate using these funds in 2022 budget for the replacement of lost revenues. Any leftover funds will be examined with the Finance Committee and Auditors to put to other uses, capital projects and the like. He will look into the cost of the Borough Hall with the Financial Advisors and Auditor with an approximate amount because we are still receiving services on our punch list and its subject to change. Mayor LaBruno asked the CFO to clarify the restrictions for using Covid relief funding that the Borough received. Mr. Abbasi noted the most recent Local Finance Notice gives better guidance on the use of funds. These funds are subject to federal audit and the best way to make the audit process smoother is to replace lost revenue.

The Borough Administrator added that there are resolutions being discussed regarding final payments for the Borough Hall through the appropriate legal channels, but he cannot comment any further at this time.

Councilman Gorman thanked the residents who came to the meeting to voice their opinions on the parking. He's on the ordinance committee, and there is no easy answer. We need to go through it and do the best we can to provide the best answer for the residents of the Borough. It affects everyone, but affects them differently. The Councilman grew up in town with multiple cars, and understands there's a lot to consider.

Attorney Leibman commented that people think government employees come to work to punch in-punch out, and do the bare minimum to get their pension. Mr. Tully is the exact opposite of that. He routinely emails me at late at night with questions, inquiries, looking for legal advice, etc... Mr. Leibman felt he had to say something because he's being attacked again and again in a public setting. The public doesn't see him doing this work, leaving his family on a Saturday to deal with a sewer back up that's about to flood residents with sewage. He addresses emergencies immediately. The public would be astounded by the amount of time Mr. Tully spends outside of normal business hours dealing with emergencies, personnel issues, issues with the building, DPW issues, broken equipment and trucks, sewer problems, it's never ending. He thanked the Administrator, and stated it's very hard to find someone to work in his job.

Councilman Chae congratulated Mary Novoa and John Russell on winning their election. He said it's been a learning experience for the past three years serving on the Council. He thanked everyone for supporting him along the way, and it's been a real pleasure serving. He further stated we have one of the best Borough Administrators, and there is no one finer than Mr. Tully. He does a fantastic job, and goes above and beyond.

Mayor LaBruno stated he does not believe Mr. Tully needs the certification and will not ask him to get it. However, there are six other people who also make that decision. The Mayor dealt with Mr. Tully through the pandemic. He was at Borough Hall 12-16 hours a day, and he never stopped. Some of the council members were here when we worked with other Administrators. Council President Stewart added that there were extraordinary circumstances that Mr. Tully came in on. It was not just the pandemic, but also this building and decisions that happened long before anyone here was part of this Council. The Mayor stated that you can run for office, but it's different governing and being on this dais. There were a lot of things done wrong for decades, and we are trying to right some of those wrongs. It does take time. He thanked Mr. Tully for taking time away from his family to get this Borough back in the right direction. Council President Stewart added that no one thought Ms. Normoyle was being critical of the Ambulance Corps.

Motion to adjourn: Councilwoman Stewart

Second: Councilman Chae

All in favor.

The meeting adjourned at 7:41 PM.

Minutes respectfully submitted by:

Jeanine E. Siek, RMC
Municipal Clerk