



MINUTES  
BOROUGH OF EMERSON  
MAYOR AND COUNCIL  
OCTOBER 5, 2010

7:30 P.M.

Borough Hall-Council Chambers  
Emerson, NJ 07630



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**Call to Order**

Mayor Lamatina called the meeting to order at 7:35 pm. Mr. John Bednarz led the salute to the flag followed by a moment of silence at the request of the Mayor.

**O.P.M.A. Statement**

Mayor Lamatina read the Sunshine Statement announcing that the meeting of October 5, 2010 had been adequately noticed and was in compliance with the provisions of the Open Public Meetings Law. Further, that the meeting was included in the Annual Meeting Notice Resolution sent to the Bergen Record and Ridgewood News and advertised in said newspapers; posted on the bulletin board in the Borough Hall, Municipal Place, Emerson, NJ 07630 and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice was on file in the Office of the Municipal Clerk and had been available to the public since its approval by the Governing Body.

**Roll Call:**

Mayor Louis J. Lamatina-Present  
Councilman Browne – Present  
Councilwoman DiPaola - Present  
Councilman Hoffman – Present  
Council President Lazar - Present  
Councilman Rivers – Present  
Councilman Shaw – Present

Also present were the Borough Clerk Carol Dray, Borough Attorney Phil Boggia and Business Administrator Joseph Scarpa.

III. PROCLAMATIONS & CITATIONS

“John Bednarz Day”

Mr. Bednarz and his family joined Mayor Lamatina and Councilman Rivers at the flag where Councilman Rivers read a proclamation honoring Mr. Bednarz’s sixteen years of dedicated service as a coach and mentor to the Emerson Soccer Board. He declared October 5<sup>th</sup> as John Bednarz Day. The audience, including members of the Emerson Soccer team and their families, gave Mr. Bednarz a big round of applause.

Breast Cancer Awareness Month

Mayor Lamatina signed a proclamation in honor of Breast Cancer Awareness Month.

#### IV. APPOINTMENTS/RESIGNATIONS

- Historic Preservation Commission - Seymour Turk as the Class C representative for the unexpired term ending 12/31/11

Mayor Lamatina announced that he had accepted the resignation of Steve Frassa as the Class C member of the Historic Preservation Commission effective immediately and appointed Seymour Turk as the Class C representative for the unexpired term ending 12/31/11.

#### V. UNFINISHED BUSINESS - None

#### VI. NEW BUSINESS

- Resident's Request to Waive Permit Fees for the Disabled – Mayor Lamatina said that the Borough had received a request to waive construction permit fees for accessibility improvements made at residential homes for the benefit of a disabled person and had been informed that the local Uniform Construction Code be amended to do so. Councilwoman DiPaola had begun researching the initiative, but was still waiting for information on model ordinances. She explained that she had not made a final decision but, based on her discussions with Borough employees, she might consider waiving emergency services volunteers to permit fees also. Mr. Scarpa said that a number of towns waived permit fees for firemen and ambulance corps members, and also suggested applying the waiver to cover all nonprofits and specifically disabled projects on residential homes. Mayor Lamatina asked that the ordinance be ready to introduce at the next meeting.
- Historic Preservation Commission Alternates – Councilman Hoffman referenced a discussion he had with Council President Lazar, the liaison to the Historic Preservation Commission. He said that at their last meeting, they were requesting the addition of two alternates and explained the Municipal Land Use law statutes allowed this option. He said that it would give them the opportunity to have a quorum in instances where an insufficient number of members attended and it would provide two more members to do the commission's work. Mayor Lamatina mentioned that he had someone in mind, Anthony Basile. Councilman Hoffman said that he would continue his work on amending the ordinance for presentation at the next meeting.

#### VII. INTRODUCTION OF ORDINANCES - None

#### VIII. REPORTS

- Administrative – Mr. Scarpa reported that the agenda included two resolutions related to Community Development, endorsing the two applications he would be submitting. One was a \$41,000 grant request to replace the 1970's kitchen in the Senior Center adding energy efficient appliances and other upgrades. The other was a request for a \$6,000 grant application for senior citizen activities. He discussed the recent bond sale and said that the Standard and Poor had upgraded Emerson's bond rating to AA and commented that the Borough was in a strong financial position with stable general reserve fund levels, a low debt burden with modest capital needs, and basically a strong economic position from the borough standpoint. He emphasized that this was noteworthy and that the State's

credit rating was lowered while Emerson's increased in spite of what the State was trying to do to us. Finally, he mentioned that the newsletter had been distributed.

#### IX. PUBLIC COMMENT

Before opening the meeting for comments from the public, Mayor Lamatina reminded everyone to turn off their cell phones, keep their comments as brief as possible and try to limit them only to governmental issues of concern to an Emerson resident. He further requested that if a subject matter was addressed and answered, to please refrain from repeating it unless they had something new to contribute. A five-minute rule was in effect for each speaker at the discretion of the Council. Mayor Lamatina asked that everyone do their part to be civil, to the point and respectful of another's point of view and opinion. He further warned that speaking out without recognition would not be tolerated and a second warning could result in removal from the Council Chambers.

☞ **Motion** to open the meeting for comments from the public was **moved** by Councilwoman DiPaola, **seconded** by Councilman Shaw and carried.

Jill Dunican, 19 Kensington Avenue discussed the condition of Hillman Field and asked about next steps to resolve continuing issues. The Governing Body and DPW Superintendent Joe Solimando commented on the engineering design and work that had been done and how weather and athletic use impact it. Mayor Lamatina said that the engineer would attend the next meeting to discuss field conditions. Ms. Dunican questioned the appropriation of field use by the Board of Education. Mayor Lamatina explained that the Borough did not have control of the Board of Education fields. Councilman Rivers stated that the Recreation Commission had been in contact with them and they were looking at putting up a schedule to understand all sports and who was on the Recreation fields and would be happy to speak to Dr. Nisonoff to see if they would work together on field utilization. Councilman Rivers said the Recreation Commission wanted to set up an open schedule that anyone could see to know who was on the field or when it was reserved. Mayor Lamatina suggested that the Board of Education get involved as well, so that all fields could be monitored.

Patty and Gene Frank, 49 Chandler Drive and 75 Highland Avenue identified themselves as the family asking for the permit fee waiver for handicap access to their home. Mrs. Frank explained they had purchased a ranch-style home to accommodate their son's disability and a lot of costly renovations were necessary. She thanked the Governing Body for considering it and urged them to pass an ordinance to waive the project permit fees. Mayor Lamatina announced that this issue would be addressed on October 19<sup>th</sup>.

Evan Petrower, 184 Grand Boulevard voiced his frustration with the condition of Hillman Field. Mayor Lamatina stated that it would be discussed by Councilman Rivers and Superintendent Nisonoff and the Board of Education and would be included in the next meeting agenda. Councilman Shaw agreed with what everyone was saying, but thought more should be done than speak with Dr. Nisonoff, recommending that the effort be more global engaging the heads of all the boards meet and develop a system with a goal and purpose and get it accomplished.

Peter Weiss, 158 Jordan Road suggested exploring the possibilities of acquiring land for additional fields, mentioning the Emerson Golf Course or property from United Water. Mayor Lamatina noted that there would be a 2% tax cap next year and suggested that if bonding was to be considered, the public should vote on it. Councilman Lazar asked if Mr. Weiss had been to the school board meetings and addressed these issues with them. Mr. Weiss said that he had not attended the meetings but had spoken with Dr. Nisonoff who had been very cooperative. Councilman Lazar suggested that a group approach the Board of Education with these issues to see if they had any solutions. Mayor Lamatina and Councilman Lazar said that they would go to the Board of Education with a group of residents if needed.

Brian Pierce, 6 Rudolph Way spoke about the condition of Hillman Field after a rain storm as compared to the field at Villano School and whether Hillman Field was subject to overuse. He stated that the field did not meet the needs of Emerson's children and recommended that it be dug up and a proper foundation be put in place. Mayor Lamatina commented that this would have to be put to a referendum of the voters. Councilman Shaw suggested forming a subcommittee to investigate these issues and asked that the engineer come in to talk to everyone about their concerns.

Steven Paino, 51 Colonial Road said that the overuse explanation was out of line and the field was inadequate. He suggested that a second engineer take a look at the field.

Brian Todd, 207 Palisade Avenue commended the Governing Body for honoring John Bednarz. He commented that there were not enough fields in town now and never had been. He agreed with Councilman River's idea to get people together to open communications. He asked for to be provided with information at the next meeting on how much the engineer was paid to do Hillman Field and whether Maser gave any campaign contributions to any Council members in the past.

Evan Petrower, 184 Grand Boulevard asked questions about the work done on the field and whether the plan was followed. Mayor Lamatina detailed the history of the project for the assembled.

Seeing no more hands, the Mayor asked for a motion to close the meeting to comments from the public.

☞ **Motion** to close the meeting to comments from the public was **moved** by Council President Lazar, **seconded** by Councilwoman DiPaola and carried.

#### X. RESOLUTIONS ON CONSENT AGENDA NO. 193-10

☞ **Motion** to approve the Consent Agenda Resolution No. 193-10 was **moved** by Councilman Hoffman, **seconded** by Councilman Shaw and carried by roll call vote.

**RC: Council members:**

**Browne-Yes**  
**Rivers-Yes**  
**DiPaola - Yes**  
**Lazar-Yes**  
**Hoffman-Yes**  
**Shaw-Yes**

- Ca 194-10 Approve Minutes – September 21<sup>st</sup> Mayor & Council Meeting
- Ca 195-10 Confirm Endorsement of Community Development Project – Senior Citizen Activities for \$6000.00
- Ca 196-10 Confirm Endorsement of Community Development Project – Senior Citizen Center Improvements for \$41,335
- Ca 197-10 Approve Release of Oritani Savings Bank Performance Bond
- Ca 198-10 Approval of Plans for Hillman Field
- Ca 199-10 Tax Appeal Settlement – Verizon Communications, 17 Chestnut Street, Block 405, Lot 14 for the years 2008, 2009, 2010
- Ca 200-10 Tax Appeal Adjustments for a Total Assessed Value Reduction of \$4,200,900 and tax cancellation of \$83,761.99
- Ca 201-10 Tax Appeal Adjustments - Veterans

XI. CLOSED EXECUTIVE SESSION - Resolution No. 202-10

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 202-10 was **moved** by Councilman Hoffman, **seconded** by Councilwoman DiPaola and carried by roll call vote.

**RC: Council members:**

**Browne-Yes**  
**Rivers-Yes**  
**DiPaola - Yes**  
**Lazar-Yes**  
**Hoffman-Yes**  
**Shaw-Yes**

#10-10/05-19	Personnel Matter	N.J.S.A. 10:4-8
#10-10/05-20	Police	N.J.S.A. 10:4-8

XII. RECONVENE

☞ **Motion** to reconvene was moved, seconded and carried.

XIII. ADJOURNMENT

With no other business to address, at the request of the Mayor, Councilman Browne **moved** to adjourn the meeting, **seconded** by Councilwoman DiPaola and carried at 10:25 p.m.

Carol Dray, RMC/CMC/CMR  
(Proofed 11/05/10)

October 6, 2010