



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
JUNE 16TH, 2009
7:30 P.M.



Call to Order

Mayor Lamatina called the meeting to order at 7:42 pm. Sergeant George Buono 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 June 16th, 2009 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 Steven Bair –Present
Councilman Browne - Present
Councilman Heyer-Absent
Council President Hoffman-Present
Councilman Lazar - Present
Councilman Loffredo - Present

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

I. PROCLAMATIONS & CITATIONS

- Tessie Napolitano

Mayor Lamatina read a citation honoring Ms. Napolitano on the occasion of her 90th birthday. At her side were her son and daughter-in-law Louis and Christine.

- Emerson Jr./ Sr. High School-Broadcast Journalism Students-Outstanding Achievement-“Proms and Alcohol Don’t Mix”

Mayor Lamatina read proclamations honoring the eight Emerson High School seniors who won First Place and Honorable Mention in a state-wide contest for writing a Public Service Announcement on ‘Proms and Alcohol Don’t Mix’. The student’s teacher Ms. Ava Annese, Superintendent Taffaro and Principal Valenti participated in the ceremony. The students honored were Kevin Benny, Jenna Castrovillari, Krysta Cullen, Matt Hills, Natasha Mackenzie, Nicole Palombit, Arielle Russo, and Dan Tomansky.

- Ambulance Corps/Roman Family

Council President Hoffman read a proclamation signed by Mayor Lamatina honoring members of the Ambulance Corps for resuscitating Ms. Eileen Roman. Also recognized were Ms. Dawn Materra, a nurse, and Emerson Police Officers Michael McDermott and Scott O'Connor. The members of the Ambulance Corps honored were Maureen Howlin, George Howlin, Andrew Bevilacqua, Dave Mason, Larry Hagberg, and Melissa Hagberg.

II. APPOINTMENTS/RESIGNATIONS

- Swearing In Ceremony - Lieutenant George Buono

Mayor Lamatina read the oath swearing in George Buono as Lieutenant of the Emerson Police Department. His wife Terry held the Bible while his sons, George and Joey, looked on. Chief Saudino thanked the Governing Body and said that they had picked the finest candidate to represent the Emerson Police Department as Lieutenant. The Chief stated that it was an honor and privilege to have Lieutenant Buono in this position. Lieutenant Buono thanked the Mayor and Council and Mr. Scarpa for putting their trust in him and bestowing this honor. He also thanked Chief Saudino, and his family and friends. He added that Emerson was a very special place for him and emphasized that he would work hard for the Chief and the community for the rest of his life.

- Green Team-Sustainable New Jersey

Councilman Browne asked to postpone this discussion as he was not ready.

III. CORRESPONDENCE

Mayor Lamatina announced that copies of the correspondence were on file in the Office of the Municipal Clerk.

- Letter dated May 22, 2009 from Bobby Kaplan, Kaplan Architecture; Re: Redevelopment
- Letter dated May 20, 2009 from Dennis McNerney, County Executive; Re: 2009 Community Development Block Grants
- Letter dated June 1, 2009 from Cathy Hornyak, 123 Palisade Avenue; Re: High and Union Streets
- Letter dated June 5, 2009 from Assemblyman John Rooney; Re: Street signs

IV. UNFINISHED BUSINESS

- a. Kinderkamack Corridor Improvement Concept Plan – John Jahr and Borough Engineer Paul Niehoff reviewed the premise of the plan which was to minimize impact to the downtown area as much as possible, while maximizing road improvement within the existing right of way. However, Mr. Jahr stated that there was flexibility in the plan. He reiterated that the project limits were from Lincoln Boulevard to Ackerman Avenue and detailed the road plan for this length of Kinderkamack Road emphasizing improved traffic flow throughout. He also said that there would be no need for any property condemnations. Among the topics reviewed were the placement of traffic signals, limiting certain streets to one-way, the location and width of turn lanes, driveway ingress and egress for businesses, public safety issues, streetscape design, sidewalk width, ADA compliance and

limiting left hand turns. He emphasized that no matter was done, there would still be congestion on Kinderkamack Road unless it was widened, explaining that in order to have more lanes, the entire downtown would have to be condemned. He finished by explaining that after the Borough's plan went to the County, they would review it and coordinate a plan with Emerson that everyone could live with. Mayor Lamatina stated that the County was reviewing it and would hopefully have a response by July 2nd. The Mayor added that he would like the public notified before the July 7th meeting of the Governing Body. He also said that he also wanted to set up meetings to see if Transit Village designation and Smart Growth were viable for downtown.

☞ **Motion** to open the meeting to the public on this issue only was **moved** by Councilman Bair, **seconded** by Councilman Loffredo and carried.

Danielle DiPaola, 93 Union asked about easements and the width of the road near Arthur's Restaurant and the church.

Robert Rossi, owner of the Emerson Dairy Queen asked about moving Emerson Plaza East. Mr. Jahr explained that this would require a whole realignment of the road.

Danielle DiPaola asked about having Mr. Jahr come back to do a presentation for the residents of Union Street regarding their engineering study and signal warrant analysis.

Karin Argenzia, 73 Dyer Avenue – Inaudible

☞ **Motion** to close the meeting to the public on this issue only was **moved** by Councilman Bair, **seconded** by Councilman Loffredo and carried at 9:40 p.m.

- b. Maser Traffic Engineering Study & Signal Warrant Analysis for:
Linwood Avenue, High Street & Union Street

The Mayor asked for a consensus to not discuss this topic that evening. The Council agreed.

V. NEW BUSINESS

- a. Broadcasting Mayor & Council Meeting via public access cable channels – Mr. Scarpa stated that he had no report yet.
- b. Closed Sessions – Council President Hoffman stated that he was concerned about the short closed sessions that had been taking place at the beginning of the meetings and that closed session times were inconsistent from meeting to meeting. He opined that this was inconveniencing the public and that sometimes the press was not present until 8:15, causing them to miss ceremonies and proclamations. He stated that he preferred to go back to having the closed session at the end of the meeting.

☞ **Motion** to return to having closed session only at the end of the meeting was **moved** by Council President Hoffman, **seconded** by Councilman Bair and carried by roll call vote.

RC: Council members:

Browne-Yes

Lazar-Yes

Loffredo-Yes

Hoffman-Yes

Bair-Yes

VI. INTRODUCTION OF ORDINANCES

Mayor Lamatina announced that the following ordinances would be read by number and title. On approval, they would be further considered at a Public Hearing to be held on July 7th, 2009 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J and published in the June 19th, 2009 edition of the Ridgewood News. He added that these ordinances were on file in the Clerk's Office and posted on the official bulletin board of the Municipal Building where copies would be available to the General Public at no charge.

1377-09 AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF EMERSON CHAPTER 290 , ENTITLED ZONING, ARTICLE II, DEFINITIONS AND USAGE AND ARTICLE VII, SUPPLEMENTAL REGULATIONS PROVIDING FOR THE DEFINITION, REGULATION AND FEES OF CONSTRUCTION DUMPSTERS, STORAGE TRAILERS, PORTABLE ON DEMAND STORAGE UNITS, TEMPORARY EXTERIOR STORAGE UNITS

☞ **Motion** to introduce Ordinance #1377-09 on first reading was **moved** by Councilman Lazar, **seconded** by Councilman Loffredo and carried by roll call vote.

RC: Council members:

**Browne-Yes
Lazar-Yes
Loffredo-Yes
Hoffman-Yes
Bair-Yes**

1378-09 AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF EMERSON, CHAPTER 216, ENTITLED PROPERTY MAINTENANCE, § 216-3 ENTITLED DEFINITONS, AND § 216-26 ENTITLED APPEARANCE OF EXTERIOR OF PREMISES AMENDING § 216-26 D. DUMPSTERS AND OTHER GARBAGE OR REFUSE CONTAINERS

☞ **Motion** to introduce Ordinance #1378-09 on first reading was **moved** by Councilman Loffredo, **seconded** by Councilman Lazar and carried by roll call vote.

RC: Council members:

**Browne-Yes
Lazar-Yes
Loffredo-Yes
Hoffman-Yes
Bair-Yes**

1379-09 AN ORDINANCE AMENDING ORDINANCE 1323-07 SECTION 61-09 SUBSECTION 9 ENTITLED 'FEE SCHEDULE' OF THE BOROUGH OF EMERSON, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 61, PARKS, PLAYGROUNDS AND RECREATION, DEPARTMENT OF THE CODE OF THE BOROUGH OF EMERSON ESTABLISHING FEES FOR PARTICIPATION IN RECREATIONAL ACTIVITIES

☛ **Motion** to introduce Ordinance #1379-09 on first reading was **moved** by Councilman Loffredo, **seconded** by Council President Hoffman and carried by roll call vote.

RC: Council members:

Browne-Yes

Lazar-Yes

Loffredo-Yes

Hoffman-Yes

Bair-Yes

VII. REPORTS

Councilman Browne asked Mr. Scarpa about PSE&G's changeover for lights. Mr. Scarpa explained that they had agreed to change over all 227 lights in town to energy efficient bulbs. He estimated that the Borough would save about \$1000 per year. He said that he was not sure of the timeframe, but that Emerson would be one of the first towns to have them.

Councilman Lazar reported that CFO Catherine Henderson had finished the budget.

Councilman Loffredo thanked the **Recreation Commission** for the work they did this year on the Town Picnic. He remarked that they were a great group that worked very well together.

Council President Hoffman stated he liked the presentation done that evening for the Ambulance Corps. He added that they work hard and put in a lot of hours for the community on a volunteer basis and that it was nice to recognize them for something they do all the time.

Councilman Bair mentioned that a **Planning Board** meeting was scheduled for Thursday to get changes to the Redevelopment plan.

Mayor Lamatina reported that he had met with County Engineer Farouk Ahmad and Ken Aloisio. They agreed to review everything and get back to the Council. He added that they had promised their cooperation and that he was very excited about that. The Mayor discussed the Town Picnic and said that he had performed the first paid wedding for the Borough. He also mentioned that the sod at Hillman Field needed to be aerated and that the FAA decision was affirmed by the DC Circuit Court. He said that he would report back after the next Pascack Valley Mayors meeting on July 8th.

Administrator – Mr. Scarpa stated that the sprinkler heads were adjusted at Hillman Field and the grass was coming back. The recent storm affected houses in town and two Borough buildings – Borough Hall and the Ambulance Corps. Three boilers in the basement were half way under water and would have to be checked. Circulator pumps on the heating system were inoperable with a repair cost of \$12,000 which would come out of the multipurpose bond. Valley Brook Road experienced a washout from the flood, causing a storm drain to be washed, necessitating an emergency exigency resolution. He mentioned that the June 15th issue of NJ Business magazine listed top performing New Jersey housing markets, placing Emerson twelfth in the State and second in the Pascack Valley. COAH had sent a letter stating that recently submitted financial paperwork was in order. An application was submitted for the Firefighters' Grant program and a police grant. He commented that they are both very competitive. He said that he would be drafting a grant application for a new firehouse with the Fire Chief. The Borough had also received grants for \$3000 for Senior Activities and \$8,400 for the firehouse lift. Anti-harassment training was scheduled for volunteers on August 17th.

Borough Clerk – No report

Borough Attorney – No report

VIII. 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 Councilman Loffredo, **seconded** by Council President Hoffman and carried at 10:15 p.m.

Eric Wendell, 89 Vivian Avenue stated that he thanked the Governing Body for doing a good job in presenting the proclamations recognizing the efforts of Ms. Annese and her students.

Geraldine Wacker, 98 Dorchester Road described a flooding situation on her property, noting that she had sustained a tremendous amount of damage there due to the recent storm. She said that she wanted Borough officials to look into resolving this situation and shared pictures with the Council. Mr. Scarpa said that he would speak with DPW Superintendent Joe Solimando about this issue the next day.

Ralph Spataro, 27 Granger Road discussed flooding and damage to his home and on his street. Mayor Lamatina suggested desnagging the stream in that area.

Seeing no more hands, Mayor Lamatina 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 Councilman Loffredo, **seconded** by Council President Hoffman and carried.

IX. RESOLUTIONS ON CONSENT AGENDA NO. 127-09

☞ **Motion** to approve the Consent Agenda Resolution No. 127-09 was **moved** by Councilman Loffredo, **seconded** by Council President Hoffman and carried by roll call vote.

RC: Council members:

Browne-Yes

Lazar-Yes

Loffredo-Yes

Hoffman-Yes

Bair-Yes

Ca 128-09 Approve Bill List

Ca 129-09 Approve 2009 -2010 Liquor License Renewals for Plenary Consumption, Distribution and Club Licenses #'s 0214-33-001-006, 0214-33-006-007, 0214-33-003-004, 0214-44-002-002, 0214-44-007-008, & 0214-31-009-001

Ca 130-09 Authorize Gary Higgins to prepared Financial Analysis for PBA Arbitration not to exceed \$5,000

APPROVED MIN 7-21-09

- Ca 131-09 Approve Emerson Hotel Place to Place License Renewal for extension of premises
- Ca 132-09 Approve Chapter 159 – Requesting Approval of Items of Revenue & Appropriation NJS 40A:4-87 – Municipal Alliance on Alcoholism & Drug Abuse
- Ca 133-09 Approve Chapter 159 - Requesting Approval of Items of Revenue & Appropriation NJS 40A:4-87 – Alcohol Education, Rehabilitation & Enforcement Grant Fund
- Ca 134-09 Approve Chapter 159 - Requesting Approval of Items of Revenue & Appropriation NJS 40A:4-87 – Clean Communities Grant
- Ca 135-09 Approve Chapter 159 - Requesting Approval of Items of Revenue & Appropriation NJS 40A:4-87 – Community Development Block Grant – Senior Activities
- Ca 136-09 Exigency Repair – Valley Brook Ave.
- Ca 114-09* Approve 2010 Municipal Aid – Lincoln Blvd.
- Ca 115-09* Approve 2010 Safe Routes to Transit

*Consent Agenda 5/19/09 Regular Meeting

X. CLOSED EXECUTIVE SESSION

- a. Resolution No. 137-09
 - N.J.S.A. 10:4-12-7 Litigation - Savino

☞ **Motion** to close for an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 137-09 was **moved** by Councilman Lazar, **seconded** by Councilman Loffredo and carried by roll call vote.

RC: Council members:

Browne-Yes
Lazar-Yes
Loffredo-Yes
Hoffman-Yes
Bair-Yes

XI. RECONVENE

☞ **Motion** to reconvene was **moved** by Councilman Loffredo, **seconded** by Councilman Lazar and carried at 10:35 p.m.

XII. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, Councilman Bair **moved** to adjourn the meeting, **seconded** by Councilman Lazar and carried at 10:37 p.m.

Carol Dray, RMC/CMC/CMR

June 23, 2009

(Proofed 7/17/09, jmd)