



**MAYOR AND COUNCIL  
MINUTES  
Work Session/Regular Meeting  
Tuesday, September 9, 2008  
7:30 P.M.  
Executive (Closed) Session  
BOROUGH HALL COUNCIL CHAMBERS  
Municipal Place  
Emerson, NJ 07630**

**Call to Order**

Mayor Lamatina called the meeting to order at 7:38 pm. Mr. Brian Todd led the salute to the flag followed by a moment of silence in recognition of two dedicated public servants. The first was Ms. Arlene Riccardi who for over ten years served as Principal Library Assistant. She was greatly admired for her knowledge, steadfastness and genuine commitment to fraternity among her colleagues. Thousands of library patrons were particularly appreciative of her level of service and held her in the highest esteem. The second person the Mayor recognized was. Mr. James Sealey, a former Westwood Mayor. Mayor Seeley was for many years the Secretary of the Pascack Valley Mayors' Association and played a central role as an organizer and record keeper in the pursuit of local municipal initiatives.

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

Mayor Lamatina read the Sunshine Statement announcing that the meeting of September 9th, 2008 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  
Councilwoman Marcia DeSalvo-Present

Council President Christopher Heyer-Present  
Councilman Kenneth Hoffman-Present  
Councilman Anthony Loffredo-Present  
Councilman Francis P. Milone, Jr.-Absent

Also present were Carol Dray, Borough Clerk, Joseph Voytus, Esq. substituting for Philip Boggia, Borough Attorney, and Joseph Scarpa, Business Administrator.

## 6. APPOINTMENTS/RESIGNATIONS

Resignation: Recreation Commission - Fred Maltzan effective September 1, 2008.

☛ **Motion** to accept the resignation of Mr. Fred Maltzan from the Recreation Commission effective September 1, 2008 was **moved** by Councilman Bair, **seconded** by Councilman Loffredo and carried.

Councilman Hoffman noted that he had served for a couple years as a liaison with the Recreation Commission and stated that Mr. Maltzan's resignation was a great loss to the Commission. He commended Mr. Maltzan for doing a great job and said the Recreation Commission members would agree as well.

Mayor Lamatina added that Councilman Loffredo had spoken with the two Recreation Commission alternates and that Mr. Len Fabiano had agreed to step up to the regular spot on the Commission.

## 7. OLD BUSINESS

**a) HUMC North at PVH** - The Mayor explained that he attended a meeting last Thursday at the former Pascack Valley Hospital. He offered an update and a petition for interested residents to sign and discussed next steps that would need to be taken to open the facility. He anticipated that the hearing on the Certificate of Need would take place sometime in November. Westwood had taken the lead in organizing the petition for signatures supporting this Certificate of Need and over the next six weeks, he stressed that everyone should gather as many signatures as possible. He added that he would personally visit residents and attend events to urge people to sign this petition. Mayor Lamatina explained that Westwood Mayor Birkner's goal was 20,000 signatures. He emphasized that this was not an effort to gain votes, but an effort to help the community. Dr. Bair added that, due to overcrowding issues at nearby hospitals, the area desperately needed another facility. Mayor Lamatina also requested that the public and members of the Governing Body write as many letters as possible to the State Department of Health in support of this initiative. He urged everyone to move quickly and to

attend the hearing in November as well. Council President Heyer asked about passing a resolution to voice their opinions on this issue. The Mayor and Ms. Dray said that such a resolution was being prepared. He concluded by stating that Legacy is investing \$80 million dollars in the hospital and that it would be a state of the art facility.

**b) Police Promotional Ordinance** – Mayor Lamatina stated that this Ordinance was being tabled.

## 8. NEW BUSINESS

None

## 9. ORDINANCES

### FIRST READING:

#### **1355-08 VACATION OF PAPER STREET PROPERTY – ALMA AVENUE AT WORTENDYKE**

☞ **Motion** to introduce Ordinance #1355-08 on first reading was **moved** by Council President Heyer, **seconded** by Councilman Bair and carried by roll call vote.

**RC: Council members:**

DeSalvo-Yes  
Bair-Yes  
Heyer-Yes  
Loffredo-Yes  
Hoffman-Yes

Mayor Lamatina announced that Ordinance No. 1355-08 was duly approved unanimously on first reading and would be further considered at a Public Hearing to be held on October 7<sup>th</sup>, 2008 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Pl., Emerson, N.J and published in the September 12<sup>th</sup>, 2008 edition of the Ridgewood News. Ordinance No. 1355-08 was on file in the Clerk's Office and posted on the official bulletin board of the Municipal Building.

#### **1356-08 PUBLIC SALE OF VACANT LAND AT 156 PALISADE AVE – BLOCK 715, LOT 2**

☞ **Motion** to introduce Ordinance #1356-08 on first reading was **moved** by Councilman Bair, **seconded** by Councilman Loffredo and carried by roll call vote.

**RC: Council members:**

DeSalvo-Yes  
Bair-Yes  
Heyer-Yes  
Loffredo-Yes  
Hoffman-Yes

Mayor Lamatina announced that Ordinance No. 1356-08 was duly approved unanimously on first reading and would be further considered at a Public Hearing to be held on October 7<sup>th</sup>, 2008 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Pl., Emerson, N.J and published in the September 12<sup>th</sup>, 2008 edition of the Ridgewood News. Ordinance No. 1356-08 was on file in the Clerk's Office and posted on the official bulletin board of the Municipal Building.

**10. 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 DeSalvo, **seconded** by Council President Heyer and carried at 7:50 p.m.

Leslie Solimando, 138 Highland Avenue – Ms. Solimando asked that a sign be posted expressing support for the Emerson residents who have been deployed to the Middle East. She added that she had contacted Mayor Lamatina with her idea and that he supported it. Ms. Solimando mentioned that the Fire Department had already put up two signs and that her son, who is overseas, was touched by the picture she sent him of them. She suggested that the sign be personalized by stating “Emerson Supports Our Troops”. Mr. Scarpa said that he would check into getting a sign and see if pictures of the Emerson residents deployed overseas could be included on the banner. The consensus was to post the sign in front of Borough Hall. Council President Heyer asked if the Borough still had yellow ribbons for trees left from when the war first

broke out. The Mayor asked Mr. Scarpa to do what needed to be done to show that the Borough supports their deployed residents and keep the Governing Body informed of his progress.

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

☛ **Motion** to close the meeting for comments from the public was **moved** by Council President Heyer, **seconded** by Councilman Loffredo and carried at 8:00 p.m.

### 11. CONSENT AGENDA-Resolution No. 155-08

☛ **Motion** to approve Consent Agenda Resolution No. 155-08 was **moved** by Councilman Hoffman, **seconded** by Council President Heyer and carried by roll call vote.

**RC: Council members:**

DeSalvo-Yes

Bair-Yes

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

Ca#156-08 Authorize the SHARE Grant Agreement with the Borough of Westwood for a DPW Study

Ca#157-08 Approve Change Order Nos. #2 & #3 for Improvements to Ackerman Park Basketball Courts for a total of \$6,981. 25

Ca#158-08 Approve Tax Overpayment for Property at 9 Eagle Drive, Emerson in the amount of \$4352.00

Ca#159-08 Award Contract for DPW 2009 International Roll-Off to Deluxe International Trucks, Inc. for \$163,228.00

Ca#160-08 Approve request to Emerson Fire Department to travel with their boat to Wildwood, New Jersey for the Annual Convention

### 12. CLOSED SESSION RESOLUTION No. 161-08

Mayor Lamatina stated that he would like to add two items to the Closed Session Resolution - #08-71 Litigation and #08-72 Personnel – Court.

☛ **Motion** to close for an Executive Session to discuss matters exempt from the public as duly noticed by Resolution No. 161-08 as amended was **moved** by Councilman Loffredo, **seconded** by Councilman Hoffman and carried by roll call vote.

**RC: Council members:**

DeSalvo-Yes

Bair-Yes

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

#08-69-Personnel-Employee Personnel Manual

#08-70-Personnel-Police Ordinance

#08-71-Litigation-Chief v. Borough of Emerson

#08-72-Personnel- Court (Deputy)

**13. RECONVENE**

☞ **Motion** to reconvene was **moved** by Council President Heyer, **seconded** by Councilman Loffredo and carried at 9:15 p.m.

☞ **Motion** to accept the recommendation of the Borough Administrator for the applicant for the Assistant Court Administrator, Marisa Perry, with a starting date of September 29<sup>th</sup> was **moved** by Councilman Loffredo, **seconded** by Council President Heyer and carried unanimously.

Council President Heyer reminded everyone that Thursday was September 11<sup>th</sup> and asked the Governing Body as elected officials to remind everyone to keep the day solemn to remember those who perished in the tragedy. The consensus of the Council was to sound the Borough whistle once for each attack.

**14. ADJOURNMENT**

With no other business to address, at the request of Mayor Lamatina, Council President Heyer **moved** to adjourn the meeting, **seconded** by Councilman Bair and carried at 9:17 p.m.

Carol Dray, RMC, CMC

September 12, 2008