



**MAYOR AND COUNCIL
MINUTES
Regular Meeting
Executive (Closed) Session
Tuesday, February 19, 2008
7:30 P.M.
BOROUGH HALL COUNCIL CHAMBERS
Municipal Place
Emerson, NJ 07630**

Call to Order

Mayor Lamatina called the meeting to order at 7:32 pm. Mr. Basile led the salute to the flag followed by a moment of silence at the request of Mayor Lamatina.

O.P.M.A. Statement

Mayor Lamatina read the Sunshine Statement announcing that the meeting of February 19, 2008 had been adequately noticed and was in compliance to 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.

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, Philip Boggia, Borough Attorney, and Joseph Scarpa, Business Administrator.

6. Approval of Minutes:

☞ **Motion** to approve minutes of the January 5, 2008 Reorganization Meeting with corrections noted by Councilwoman DeSalvo was **moved** by Councilman Hoffman, **seconded** by Councilman Bair and carried unanimously.

7. CORRESPONDENCE

Mayor Lamatina announced that copies of listed correspondence were available for a statutory fee in the Office of the Municipal Clerk.

Letter dated 2/11/08; re: request for support to freeze Legislative, Police and School salaries, Mayor Watkins, River Edge
Letter dated 1/6/08; re: Shade Tree, Igor Litrovnik
Letter dated 1/28/08; re: Funeral Procession, A. Musicant

8. PROCLAMATION

Paula Winarksy-100th Birthday – Postponed

Read Across America-NJ – Mayor Lamatina read the Proclamation and declared that the Mayor and Council call on the citizens of Emerson to assure that every child is in a safe place reading together with a caring adult on March 3, 2008 and recommit to engage in programs and activities to make America’s children the best readers in the world.

9. APPOINTMENT AND PERSONNEL CHANGES

None

10. OLD BUSINESS

a) ORDINANCE PUBLIC HEARING

1344-08 AN ORDINANCE TO CREATE AN HISTORIC PRESERVATION COMMISSION IN THE BOROUGH OF EMERSON, BERGEN COUNTY, NEW JERSEY

☞ **Motion** to open the meeting to public comment on this topic only was **moved** by Council President Heyer, **seconded** by Councilman Bair and carried unanimously.

Seeing no hands, Mayor Lamatina asked for a motion to close the meeting to public comment on this topic only.

☞ **Motion** to close the meeting to public comment **moved** by Council President Heyer, **seconded** by Councilman Bair and carried unanimously.

☞ **Motion** to adopt Ordinance #1344-08 on second reading was **moved** by Councilman Hoffman, **seconded** by Councilman Bair and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Absent

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

b) **Discussion** – Finalization of 2008 MUNICIPAL BUDGET Prior to Introduction

Borough Administrator Joseph Scarpa summarized the changes to the 2008 Municipal Budget. Among the items he discussed were allocating \$10,000 for expenses associated with resident tax appeals, looking into adding a hybrid vehicle to the Police Department fleet, and outsourcing some vehicle maintenance to make more efficient use of the mechanic's time. Mr. Scarpa also mentioned that certain sports in the Recreation Department were not spending their allocated funds. He explained that because they are comprised of volunteer staff, bills were sometimes submitted late. Council President Loffredo stated that he would bring this up as a topic of discussion at the next Recreation meeting. Mayor Lamatina also discussed the tax cap issue with Mr. Scarpa and the Council. Mr. Scarpa explained that the NJ State CAP had unintended consequences; it prevents the borough from lowering taxes since they must look ahead to future years' estimated spending. It was estimated that there would be a one point tax increase in 2008 for the average house assessed at \$519,000. Mayor Lamatina stated that the borough had limited its spending to remain within the CAP regulations.

The Council discussed a bond ordinance and Council President Heyer quizzed Mr. Scarpa about the need for a new gas card system. Mr. Scarpa explained that it should provide a more detailed report of the amount of gas each person's vehicle consumes. Mayor Lamatina asked Mr. Scarpa to research the advantages of this system and distribute his findings to the Council. Within categories, the multi – purpose bond would fund additional bond line items such as a street sweeper (\$200,000), a roll off truck (\$200,000), drainage project (\$150,000), miscellaneous building and ground improvements, sidewalk repair (\$10,000), computer upgrades (\$10,000), an electric town sign (\$25,000), a gas card system (\$13,000) and a new repeater

(\$12,000) requested by the Police and Fire Departments. The bonded items would total \$645,000. The down payment would be \$50,000. Councilman Bair recommended repairing a leak in the current street sweeper at a cost of \$15,000, rather than purchasing a new street sweeper, basing his opinion on conversations with DPW Superintendent Joseph Solimando. The Mayor asked the Council if anyone objected to bonding for \$645,000. Councilwoman DeSalvo approved bonding and explained her decision on the basis that whether the street sweeper was replaced or not, there were other items which had been put off year after year. She also expressed the belief that the borough should not neglect its infrastructure. The consensus from the Mayor and Council was to move forward, with the Mayor commending everyone involved in preparing what he called a sound and prudent budget.

11. NEW BUSINESS

- a) Senior housing-delinquent property taxes – The Mayor and Council discussed a letter received by Mr. J. Schettino, Attorney for the developer of senior housing, with Borough Attorney Boggia. The letter alleged that it was ‘represented to his client’ that the assessments at Stone Ridge at Emerson (age-restricted housing units) would be lower than currently assessed. The Council denied knowing anything about his claim and agreed that the developer would need to go through the normal channels to file a tax appeal. Tax Clerk Barbara Looney noted that over \$150,000 in taxes were overdue on this property. The Mayor stated that they would decline a meeting with the developer’s attorney and that the Borough Attorney should respond as a courtesy to deny this improper request. Mayor Lamatina specified that one cannot alter state statutes by oral representation.

12. REPORTS

- a) Mayor and Council Reports
Councilwoman DeSalvo reported on the **Library Board of Trustees** meeting, stating that the library was proud of a 74% increase in circulation over the last three years. She congratulated Library Director Jodi Fulgione and her staff on this accomplishment. She also mentioned that a renovation subcommittee had been set up to discuss hiring an architect to draw up interior renovation plans. In addition, they were in the process of upgrading their collections and preparing to celebrate their 50th anniversary with promotional materials, commemorative flags and a contest to design a new library logo.

Councilwoman DeSalvo also summarized the budget review meeting of the **Finance Committee**, explaining that it had been very productive. Councilman Bair stated that the **Planning Board** had begun hearings on the Armenian Home application, detailing issues the property experiences with drainage and traffic. He commented that the conceptual drawings were beautiful and believed that the Armenian Home was very cooperative and wanted to see the project done.

Councilman Heyer gave the **Construction/Building Department** report as communicated by Michael Sartori, Construction/Building Official.

Council President Loffredo gave the **Police Department** report for January 2008. Three officers had perfect attendance for 2007 – Chief Saudino, Detective Sergeant George Buono, and Police Officer Daniel Kalyoussef. Borough Administrator Joseph Scarpa gave a status report of the basketball court resurfacing project at the request of the Mayor. Mr. Scarpa explained that the contractor would start up again in March, weather permitting, and would not be paid until it was completed.

Councilman Hoffman gave the **Fire Department** and **Shade Tree Commission** reports. He stated that Steven and Diana Frassa had performed a comprehensive examination of all trees in town for pruning and possible removal. Councilman Hoffman also detailed the commission's search for a location to place a tree in honor of Jim Wagner. He explained that they would like to place it in the downtown area but because of redevelopment, they did not want to proceed until they were sure the spot would be permanent. He reported that students read their winning essays at the January meeting of the **Environmental Commission**.

Mayor Lamatina reported on a Mayor's Summit he attended at Bergen Community College where the topic was 'Going Green' and explained the initiatives of the Summit to encourage "going green" to help the economy and the borough. Buildings should be encouraged to go green and he emphasized that Millennium's proposal supported this initiative. He also received useful information about hybrid vehicles and was happy to announce that the borough would be among the first to receive funds for plantings from Anderson windows at the urging of his daughter, Lauren, the student liaison to the Environmental Commission, who had accompanied him and proposed the idea for a butterfly garden at the high school.

Mayor Lamatina reported on a redevelopment meeting with Millennium, their attorneys and the **Redevelopment Subcommittee** to finalize the developer's agreement. They also were meeting with the County to discuss the road reconfigurations.

Concerning the **FAA**, he explained that he had prepared a set of press releases and letters from the NJ Senators and was pleased that they had taken up this cause. Further, he mentioned New Concepts and

the fact that none of the units were yet occupied due to the State giving them a difficult time about approving clientele. He also touched upon the third round COAH regulations which established 102 units for the borough. He believed that this would be a problem based on redevelopment and asked Borough Planner Joe Burgis to compose a letter objecting to the third round rules and how problematic they would be for redevelopment. He noted that current affordable housing had been unoccupied since 2006.

- b) Office of the Borough Administrator – Administrator Scarpa reported that he was planning to attend a preconstruction meeting next week on the two drainage projects at Linwood and Wortendyke Avenues and that work would begin shortly. The borough had received the final payment from FEMA as reimbursement for the April 2007 Nor'easter, bringing the total to \$12,000 received from the Federal Government. He also stated that on February 22nd, all borough employees would be attending a mandatory seminar with JIF regarding employment practices.
- c) Office of the Municipal Clerk - None
- d) Borough Attorney - None

13. 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 to comments from the public was moved by Council President Loffredo, seconded by Councilman Hoffman and carried unanimously.

Mr. Brian Todd, 207 Palisades Avenue, applauded the entire Council on the budget, stating that he knew how difficult it was to hold the line. He thought it was a good idea to keep the tax appeal funding intact and commented on the revenue brought in by the Building Department in January. Finally, he stated that he thought that the gas card system was a good idea because it offered better controls and was a good investment with gas prices being so high.

Seeing no more hands, Mayor Lamatina asked for a **motion** to close the public portion of the meeting.

☞ **Motion** to close the meeting to comments from the public was moved by Council President Loffredo, seconded by Councilman DeSalvo and carried unanimously.

14. CONSENT AGENDA-Resolution No. 46 -08

☞ **Motion** to approve the Consent Agenda Resolution No. 46-08 was moved by Councilman Bair, **seconded** by Councilman Hoffman and approved carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Absent

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

- Ca 47-08 Approve Bill List
- Ca 48 -08 Approve "Order for Hydrant" from United Water
- Ca 49 -08 Authorize Mayor Lamatina to execute the 2008 Bloodborne Pathogen Professional Services Agreement
- Ca 50 -08 Approve Joseph Scarpa, Administrator, the Designated Indoor Air Quality monitor for the IAQ standard
- Ca 51-08 Opposing Revisions to the Wrongful Death Statute

15. CLOSED SESSION RESOLUTION No. 52-08

☞ **Motion** to close for an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 52-08 was moved by Councilman, **seconded** by Councilwoman DeSalvo and was carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Absent

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

- #08-2/19-14 Personnel - CFO Interviews
- #08-2/19-15 Personnel - Police Chief's Contract
- #08-2/19-16 Personnel - Court Administrator
- #08-2/19-17 Personnel - Fire Department

16. RECONVENE

Motion to reconvene was moved, seconded and carried unanimously.

17. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, Councilman Heyer **moved** to adjourn the meeting, **seconded** by Councilwoman DeSalvo and carried at 11:00 p.m.

Carol Dray, RMC

March 3, 2008