



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
October 1, 2013
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor Colina called the meeting to order at 7:33 p.m. and identified the emergency exits.

II. ROLL CALL

Mayor Colina asked Ms. Dray to call the roll of the Governing Body.

Present: Mayor Colina, Councilwoman DiPaola, Councilwoman Garis, Councilman Knoller, Councilman Paino, Council President Rivers, Councilman Worthington

Also present were Borough Attorney Scott Mooney and Borough Administrator Joe Scarpa.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

- Councilwoman Garis from the Special Meeting of August 9, 2013
☞ **Motion** to excuse Councilwoman Garis from the Special Meeting of August 9, 2013 was **moved** by Councilman Paino, **seconded** by Council President Rivers and carried unanimously.

IV. PROCLAMATIONS & CITATIONS

- Breast Cancer Awareness – Mayor Colina read the Breast Cancer Awareness Month proclamation.

V. APPOINTMENTS/RESIGNATIONS

- Appoint Fire Official for three year term ending September 30, 2016 - Thomas Monahan, Jr.
☞ **Motion** to appoint Thomas Monahan, Jr. as Fire Official for the three year term ending September 30, 2016 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

RC: Council members:

YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

- Appoint new Emerson Volunteer Ambulance Corps members
 - ✓ Erica Thomas
 - ✓ Damien Spruill
 - ✓ Omar Pedraza
 - ✓ Degy Philips

☞ **Motion** to appoint Emerson Volunteer Ambulance Corps members Erica Thomas, Damien Spruill, Omar Pedraza and Degy Philips was **moved** by Councilman Worthington, **seconded** by Council President Rivers and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Worthington, Rivers, Garis, Paino

ABSTAIN: Knoller

VI. UNFINISHED BUSINESS

- Continuation of OPMA violation discussion – Mayor Colina led the continuation of a discussion from the previous meeting of alleged violations of OPMA made by him according to Councilwoman DiPaola with respect to the Mayor reversing the decision to use taxpayer’s money to print and mail the leaf bag postcard, sending an email to employees to attend a meeting hosted by the Mayor to inform employees of an asbestos situation and the remediation process and postponing a consensus directive to the Borough Administrator made in a closed session meeting in 2012 with respect to the possible future site of a new municipal building.

☞ **Motion** to censure Mayor Colina for admitting that he broke the OPMA at the last meeting was **moved** by Councilwoman DiPaola, **seconded** by Councilwoman Garis.

Councilwoman DiPaola withdrew the motion from the floor preferring to save it for another meeting.

VII. NEW BUSINESS

- Scout Project - EVAC Building – Councilwoman Worthington explained that resident Justin Mason was in the process of reaching the rank of Eagle Scout and as a merit worthy project he had chosen to improve a space for storage within the ambulance building with the Council’s permission.

☞ **Motion** to allow Justin Mason to clean and organize a storage closet at the EVAC building as his Eagle Scout project was **moved** by Council President Rivers, **seconded** by Councilman Worthington and carried by a roll call vote of 6-0.

RC: Council members:

YES: DiPaola, Worthington, Rivers, Garis, Paino

ABSTAIN: Knoller

VIII. INTRODUCTION OF ORDINANCES

Mayor Colina announced that Ms. Dray would read the following ordinances by title and they would be further considered at a Public Hearing to be held on October 15th, 2013 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the October 4th, 2013 edition of the Ridgewood News by summary. 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.

First Reading:

#1466-13 AN ORDINANCE AMENDING CHAPTER 118 OF THE CODE OF THE BOROUGH OF EMERSON ENTITLED BRUSH, GRASS AND WEEDS ADDING ARTICLE I CONTROL OF BAMBOO

☞ **Motion** to introduce Ordinance #1466-13 on first reading was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried by roll call vote of 5-0.

RC: Council members:

YES: Knoller, DiPaola, Worthington, Rivers, Garis

ABSTAIN: Paino

#1467-13 AN ORDINANCE AMENDING CHAPTER 118 OF THE CODE OF EMERSON ENTITLED BRUSH, GRASS AND WEEDS

☞ **Motion** to introduce Ordinance #1467-13 on first reading was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried by roll call vote of 6-0.

RC: Council members:

YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

IX. ADOPTION OF ORDINANCES – No ordinances were adopted.

X. REPORTS

- Borough Administrator Mr. Scarpa said the leaf bags were at the DPW and distribution would begin on October 15th. Panic buttons would be installed at the library building. The Historic Preservation Commission had installed a filing cabinet in the library but for lack of space it was moved to the Senior Center. The deer fence was installed at the Emerson Woods project and the plantings installed by the next day to help the waterway banks. He also mentioned creating a policy regarding sidewalk removal.

Mayor Colina asked Councilman Paino to investigate and report at the next meeting.

XI. PUBLIC COMMENT

Members of the public are welcome to speak on any topic by coming to the table and stating your name and address for the record. In the interest of time, speakers are limited to five (5) minutes. In consideration of all who may wish to speak, please keep your comments brief and concise.

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

Mr. Sardonopoli, asked specific questions about the enforcement of the bamboo ordinance introduced that evening.

Jean Sagredo, 131 Hasbrouck Avenue, a member of the Emerson Environmental Commission, read a statement critical of Councilwoman DiPaola's actions as liaison of the Environmental Commission.

Tom Browne, 114 Pine Drive read a letter he had emailed only to Mayor Colina and Municipal Clerk Dray outlining Councilwoman DiPaola's actions as liaison of the Environmental Commission and requesting her removal. He noted that shortly thereafter, Ms. DiPaola sent an email resigning as the liaison to the Environmental Commission.

Ken Hoffman, 61 Emwood Drive commented that Ms. DiPaola was the Shade Tree Commission liaison this year and had done an excellent job.

Robert Bauman, 13 Birch Street said he was a Shade Tree Commission for nine years and that Councilwoman DiPaola did her job. He also discussed the condition of Birch Street and that it needed repaving. Mr. Scarpa said he would check into adding this to the roads to be paved this year using the 20% change order option.

Seeing no more hands, Mayor Colina 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 Rivers, **seconded** by Councilwoman DiPaola and carried.

Mr. Higgins arrived and the assembled began a lengthy discussion of Financial Action.

XII. FINANCIAL ACTION

- Resolution # 169-13 Bond Sale – Borough Auditor Gary Higgins
☞ **Motion** to adopt Resolution #169-13 Bond Sale was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.
RC: Council members:
YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

XIII. RESOLUTIONS ON CONSENT AGENDA NO. 170-13

Matters listed below are considered routine and will be enacted by one motion to the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item be removed for consideration.

☞ **Motion** to approve Consent Agenda Resolution #170-13 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 6-0.
RC: Council members:
YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

Ca 171-13 Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for Main Street/Linwood Avenue project.

Ca 172-13 Approve appointment of Thomas Monahan as Fire Official three (3) year term ending September 30, 2016

XIV. CLOSED EXECUTIVE SESSION – Resolution No. 173-13

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 173-13 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 6-0.
RC: Council members:
YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

#13-10/1-27 Potential Litigation – Bernard N.J.S.A. 10:4-7

XV. RECONVENE

☞ **Motion** to reconvene was **moved** by Councilman Worthington, **seconded** by Council President Rivers and carried at 9:13 p.m.

XVI. ADJOURNMENT

With no other business to address, at the request of Mayor Colina, a motion to adjourn was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried at 9:14 p.m.