



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
February 17, 2015
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

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

II. ROLL CALL

Mayor Lamatina asked Ms. Dietsche to call the roll of the Governing Body.

Present: Mayor Lamatina, Councilman Knoller, Councilman Paino, Council President Rivers, Councilman Tripodi, Councilman Worthington

Absent: Councilwoman DiPaola

Also present was Borough Attorney Daniel Zwillenberg.

III. PROCLAMATIONS & CITATIONS

There were no proclamations or citations.

IV. APPOINTMENTS/RESIGNATIONS

- Land Use Board
 - Resignation of Alternate II member Michael Wallace effective immediately
 - Appointment of Stephen Malone as Alternate II member for the unexpired term ending 12/31/16

Mayor Lamatina announced that he accepted the resignation of Alternate II member Michael Wallace from the Land Use Board effective immediately. He further appointed Stephen Malone as the Land Use Board Alternate II member for the unexpired term ending 12/31/16.

- Shade Tree Commission
 - Resignation of Regular member Robert Bauman effective 12/31/2014
 - Appointment of Craig Bosch as Regular member the unexpired term ending 12/31/16
 - Appointment of Edward Bueti as Alternate I member for the unexpired term ending 12/31/15

Mayor Lamatina announced that he accepted the resignation of Regular member Robert Bauman from the Shade Tree Commission effective 12/31/14. He further appointed Craig Bosch as a Regular member of the Shade Tree Commission for the unexpired term ending 12/31/16 and Edward Bueti as the Alternate I member for the unexpired term ending 12/31/15.

V. MINUTES FOR APPROVAL

- Regular Meeting Minutes of February 3, 2015
- Closed Session Meeting Minutes of February 3, 2015

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of February 3, 2015 was **moved** by Councilman Knoller, **seconded** by Councilman Tripodi and carried unanimously.

VI. CORRESPONDENCE

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

- Letter dated January 15, 2015 from Layth Taki, Sr. VP, Cablevision; Re: Franchise Fee payment of \$61,870
- Letter dated January 25, 2015 from Ken Hoffman, Chairman, Emerson Shade Tree Commission; Re: Status of hazardous trees
- Letter dated February 2015 from County Executive James Tedesco; Re: FEMA Draft Flood Hazard Area maps for Bergen County
- Letter dated February 2015 from Mayor D. Buzby-Cope, Bass River Township; Re: NJ Conference of Mayors Annual Spring Conference
- Letter dated February 9, 2015 from Jeanne Martin, Director, Pascack Valley Meals on Wheels; Re: March for Meals Kick off Breakfast, March 2nd

VII. UNFINISHED BUSINESS

- Election polling places – Councilman Paino said a resident suggested exploring the possibility of using the Assumption Church as a polling location instead of the public schools. He noted they had a large cafeteria and gym as well as adequate parking. The consensus was to ask Mr. Kolodziej to reach out to Pastor Paola to discuss this option.
- Uploading council meeting audio – Council President Rivers said that a web based company, SoundCloud, could be used to upload meeting audio to make it available to the public and track usage statistics.

☞ **Motion** to start making the audio available to the public for Council meetings and in doing so also prepare a Pro account with SoundCloud that would allow the Borough to upload and gather statistics and put that on the website was **moved** by Council President Rivers, **seconded** by Councilman Tripodi and carried by a roll call vote of 5-0.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

VIII. NEW BUSINESS

- Filling Borough Administrator position – Mayor Lamatina led a discussion of the structure of the office of the Borough Administrator and Borough Clerk and expressed a preference to separate these two positions in order to provide adequate services to the Governing Body and public. Council consensus was to advertise for the position of full time Borough Administrator at a salary range of \$100,000 to \$125,000 on the New Jersey State League of Municipalities website for a period of ten days.

☞ **Motion** to advertise for the position of Borough Administrator and have the resumes sent to the Deputy Clerk with the advertisement stating ‘prior administrator experience preferred, bachelor’s degree required, MPA preferred, financial experience preferred, salary range from \$100,000 to \$125,000, live within 30 miles of Emerson and be full time, with the proposed ad distributed to Mayor Lamatina and the Personnel Committee was **moved** by Councilman Knoller, **seconded** by Councilman Tripodi and carried by a roll call vote of 5-0.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

IX. FINANCIAL BUSINESS

- Resolution #63-15 Bill List

☞ **Motion** to approve Bill List #63-15 was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

X. INTRODUCTION OF ORDINANCES

Mayor Lamatina announced that no ordinances were being introduced this evening.

XI. ADOPTION OF ORDINANCES

Second Reading & Public Hearing:

1496-15 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 274, VEHICLES AND TRAFFIC; ARTICLE VII, SCHEDULES, SECTION 274-53, SCHEDULE XVII, TIME LIMIT PARKING

After reviewing the ordinance it was determined that there were some conflicts between Emerson’s Schedule 27 – Time Limit Parking – and the Ordinance being amended. The Emerson School Board had also contacted the Police Department and explained that a number of teachers parked in that area, presenting a parking issue for school staff. The Governing Body, Police Chief, Borough Attorney, Borough Administrator and Council President Rivers agreed to address teachers’ concerns and amend the ordinance to address parking issues on High Street, East Ackerman Avenue, and Henry Street and resolve the conflicts between the parking schedules. The amendment to the ordinance would clarify time limit parking on Henry and High Streets but would not supersede the stricter no parking provisions in Schedules XIII, XIV and XV. The consensus was to review the changes after Closed Session.

XII. REPORTS

- Mayor and Council

Councilman Tripodi reported on the **Library Board of Trustees**, noting that circulation was up by 7000 items. There had been no **Land Use Board** meetings but he was interested in exploring updating the lighting ordinance and would consider it at their next scheduled meeting.

Councilman Paino gave the **Volunteer Ambulance Corps** and **Building Department** reports for the month of January.

Council President Rivers gave the January **Police Department** report and commented on parking regulations during snow emergencies.

Councilman Knoller reported on the **Volunteer Fire Department** meeting and noted that there were concerns about the lack of Knox Boxes at the Recreation Center, Library, Clerk's Office and Senior Center. Governing Body consensus was to ask Mr. Kolodziej to arrange for the purchase of this item for these locations.

Council President Rivers had no report.

Councilman Worthington had no report.

Mayor Lamatina gave an update on the ongoing Kinderkamack Road redesign and redevelopment project, including whether they would go forward with a sewer drainage pipe on land north of Linwood Avenue since it was a several hundred thousand dollar project. Borough Engineer Gary Ascolese had said that the Borough's costs could be drastically reduced by not doing it at this point. The Mayor had met with Russ Huntington, the attorney for the Valero gas station, and Mr. Obernauer to talk about his plans for that site. He emphasized that Emerson was trying to control its destiny by actively appraising properties and potentially buying them. He also explained that the redevelopment plan was adopted in 2006 and re-confirmed in 2008 and any changes to that plan would have to be after hearings before the Land Use Board and the Mayor and Council. He said a developer would have to ask their permission to be the developer of a project and the Governing Body would have the right to say yes or no. He also discussed his attendance at the Annual Mayor's Legislative Day. He noted that the Transit Trust Fund debate about raising the gasoline tax was a big issue. PSE&G would be starting work on replacing damaged gas lines in April. That would be a signal of work being done on Kinderkamack Road and Emerson Plaza West. PSE&G would also be relocating poles from the west side to the east side of Kinderkamack Road.

- Borough Administrator/Clerk – Ms. Dietsche read a report submitted by Mr. Kolodziej where he detailed the status of researching alternate election polling places, outlined the issues related to a delay in filing the Annual Financial Statement and preparations for the upcoming budget process. The memo also reviewed the status of privatizing paper and commingled recycling collection and plans to upgrade the Borough's communication services. Mayor Lamatina announced a mediator has been selected for the Scarpa lawsuit against the Borough.
- Borough Attorney Dan Zwillenberg had no report.

XIII. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilman Paino, **seconded** by Councilman Knoller and carried at 9:00 p.m.

Gary Schwinder, 99 Linden Avenue asked questions about how paper and recycling pickup was handled in the Borough.

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 Council President Rivers, **seconded** by Councilman Paino and carried at 9:01 p.m.

XIV. RESOLUTIONS ON CONSENT AGENDA NO. 64-15

☞ **Motion** to approve Consent Agenda #64-15 was **moved** by Council President Rivers, **seconded** by Councilman Paino and carried by a roll call vote of 5-0.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

- Ca 65-15 Appointment of Jane Long - Temporary P/T Finance Assistant
- Ca 66-15 Appointment of Ronald Berg - Temporary CFO/Tax Collector Duties
- Ca 67-15 Authorizing execution of a Release as to Count Four in litigation entitled Joseph J. Scarpa, III v. Borough of Emerson, et al., Docket No: BER-L-5671-13
- Ca 68-15 Authorizing Disposal of Surplus Property

XV. CLOSED EXECUTIVE SESSION - Resolution No. 69-15

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 69-15 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 5-0.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

#15-2/17-7 Police Chief Contract N.J.S.A. 10:4-8

XVI. RECONVENE

☞ **Motion** to reconvene was **moved** by Council President Rivers, **seconded** by Councilman Tripodi and carried at 9:23 p.m.

Discussion resumed on Ordinance 1496-15. Mr. Zwillenberg explained that the amendments would eliminate conflicts and allow stickers to be available to Villano School staff on school days on High Street, East Ackerman Avenue and Henry Street around Villano School.

☞ **Motion** to amend Ordinance 1496-15 as provided in the redline draft which was distributed to the Council and direct the Clerk to republish and schedule the ordinance as amended for final reading at the next meeting was **moved** by Councilman Worthington, **seconded** by Councilman Paino and carried by roll call vote of 5-0.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

XVII. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by Councilman Worthington, **seconded** by Councilman Paino and carried at 9:26 p.m.

Respectfully submitted,

Joseph Kolodziej, MPA
Borough Administrator/Clerk