



AGENDA  
BOROUGH OF EMERSON  
MAYOR AND COUNCIL

April 2, 2013  
7:30 P.M.

Borough Hall-Council Chambers  
Emerson, NJ 07630



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I. CALL TO ORDER

Mayor Colina called the meeting to order at 7:35 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 Paino, Council President Rivers, Councilman Worthington

**Absent:** Councilman Knoller

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

III. PROCLAMATIONS & CITATIONS

- Arbor Day-- Mayor Colina proclaimed April 27, 2013 Arbor Day in the Borough of Emerson.

IV. APPOINTMENTS/RESIGNATIONS

- Architect  
☞ Motion to appoint Arcari & Iovino of Little Ferry, N.J. as Borough Architect for 2013 was moved by Council President Rivers, seconded by Councilwoman Garis and carried by roll call vote of 4-0.  
**RC: Council members:**  
**YES: DiPaola, Worthington, Rivers, Garis**  
**ABSTAIN: Paino**  
**ABSENT: Knoller**

V. UNFINISHED BUSINESS – There was no unfinished business.

VI. NEW BUSINESS

- Resolution No. 86-13 Approve Emergency Temporary Budget  
☞ Motion to approve Resolution No. 86-13 Approve Emergency Temporary Budget was moved by Councilman Worthington, seconded by Council President Rivers and carried by roll call vote of 5-0.  
**RC: Council members:**  
**YES: DiPaola, Worthington, Rivers, Garis, Paino**  
**ABSENT: Knoller**

APPROVED FOR CONTENT AND RELEASE

- Resolution No. 87-13 Approve Tax Overpayment Refund for Block 1001.01 Lot 3.01 208 Jordan Road for \$4,574.85  
☞ **Motion** to approve Resolution No. 87-13 Approve Tax Overpayment Refund for Block 1001.01 Lot 3.01 208 Jordan Road for \$4,574.85 was **moved** by Councilman Worthington, **seconded** by Council President Rivers and carried by roll call vote of 5-0.  
**RC: Council members:**  
**YES: DiPaola, Worthington, Rivers, Garis, Paino**  
**ABSENT: Knoller**

VII. 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 April 23rd, 2013 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the April 5th, 2013 edition of the Ridgewood News by summary. He added that the 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:**

**1455-13 Amending Code of Emerson Chapter 77 entitled Police Department Article II entitled Outside Employment; ref: \$125.00**

☞ **Motion** to approve Ordinance 1455-13 Amending Code of Emerson Chapter 77 entitled Police Department Article II entitled Outside Employment; ref: \$125.00 on first reading was **moved** by Council President Rivers, **seconded** by Councilwoman Garis and carried by roll call vote of 5-0.

**RC: Council members:**

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

**ABSENT: Knoller**

**1456-13 Amending the Code of Emerson Chapter 140, entitled "Dogs and other Animals"**

☞ **Motion** to approve Ordinance 1456-13 Amending the Code of Emerson Chapter 140, entitled "Dogs and other Animals" 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: DiPaola, Worthington, Rivers, Garis, Paino**

**ABSENT: Knoller**

VIII. ADOPTION OF ORDINANCES

**Second Reading and Public Hearing:**

**1454-13 CALENDAR YEAR 2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

## APPROVED FOR CONTENT AND RELEASE

☞ **Motion** to open the meeting to comments from the public on Ordinance #1454-13 was **moved** by Council President Rivers, **seconded** by Councilwoman Garis and carried by roll call vote of 5-0.

**RC: Council members:**

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

**ABSENT: Knoller**

Seeing no hands, Mayor Colina asked for a motion to close the meeting to comments on Ordinance #1454-13.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1454-13 was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried by roll call vote of 5-0.

**RC: Council members:**

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

**ABSENT: Knoller**

☞ **Motion** to adopt Ordinance #1454-13 on second reading was **moved** by Councilman Worthington, **seconded** by Council President Rivers and carried by roll call vote of 5-0.

**RC: Council members:**

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

**ABSENT: Knoller**

### IX. REPORTS

- ~~Borough Administrator Joe Scarpa commented on the annual COAH report, the 9-11 Memorial Committee, the multipurpose bond and other items.~~
- Borough Administrator reported that the annual COAH report was submitted and he was finishing up the Storm Water Management and Recycling Tonnage report due by the end of May. He reviewed the cellphones and police department air cards usage and statements and is joining the Western State cooperative due to a law signed by Governor Christie which should realize a savings to the borough of about 10%. He was trying to set up a 9-11 Memorial committee meeting (inaudible) and setting up a meeting with the Finance Committee about the multi-purpose bond. The Police Chiefs submitted letter to Prosecutor Molinelli about a cooperative effort for a pistol range from confiscation funds and asked Mayor Colina if he written his letter as well which he replied that he did.<sup>1</sup>

### X. 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 Councilwoman DiPaola, **seconded** by Council President Rivers and carried.

Ken Hoffman, 61 Emwood Drive questioned the appointment of the Borough Architect and stated he was opposed to building a new municipal complex and suggested that the question be put before the public in a referendum.

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<sup>1</sup> Correction approved 5/28/13

APPROVED FOR CONTENT AND RELEASE

Tom Browne, 113 Pine Drive suggested putting the building of a new municipal complex before the public in a referendum.

Karen Browne, 113 Pine Drive discussed a missing crosswalk sign on Kinderkamack Road across from Cork and Keg and the need for a sign at Main Street and Kinderkamack Road..

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 Garis and carried unanimously.

XI. CLOSED EXECUTIVE SESSION - Resolution No. 88-13

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 88-13 was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried by roll call vote of 5-0.

**RC: Council members:**

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

**ABSENT: Knoller**

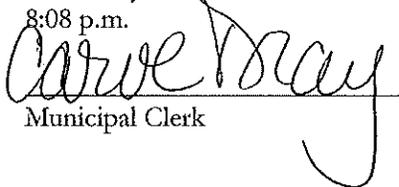
#13-4/02-08 Contract Bargaining Unit-Teamsters – DPW N.J.S.A. 10:4-7

XII. RECONVENE

☞ **Motion** to reconvene was **moved** by Council President Rivers, **seconded** by Councilman Worthington and carried.

X. ADJOURNMENT

With no other business to address, at the request of Mayor Colina, a motion to adjourn was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried at 8:08 p.m.

  
Municipal Clerk