



MINUTES  
BOROUGH OF EMERSON  
MAYOR AND COUNCIL  
April 21, 2015  
7:30 P.M.  
Borough Hall-Council Chambers  
Emerson, NJ 07630



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I. CALL TO ORDER

Mayor Lamatina called the meeting to order at 7:30 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, Councilwoman DiPaola, Councilman Knoller, Councilman Paino, Council President Rivers, Councilman Tripodi, Councilman Worthington

Also present were Borough Attorney Wendy Rubinstein, Deputy Clerk Jane Dietsche, CFO Catherine Henderson and Borough Auditor Gary Higgins.

III. PROCLAMATIONS & CITATIONS

- Recognize William Nienstedt, Winner of Villano School Spelling Bee/Vocabulary competition
- Arbor Day – April 25, 2015
- Recognition of 48 Years of Service as Emerson Board of Health Nurse – Kay Hodges

IV. APPOINTMENTS/RESIGNATIONS

- Emerson Volunteer Fire Department
  - Appoint Tyler Mills as Probationary member

☞ **Motion** to appoint Tyler Mills as Probationary member of the Emerson Volunteer Fire Department was **moved** by Councilman Knoller, **seconded** by Councilman Tripodi and carried unanimously.

- Community Emergency Response Team
  - Appoint Marc De Carlo as CERT member

☞ **Motion** to appoint Marc De Carlo as a CERT member was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried unanimously.

- Recreation Commission
  - Appointment of Suzanne Smith as the Alternate II member for the term ending 12/31/17

☞ **Motion** to appoint Suzanne Smith as the Alternate II member of the Recreation Commission for the term ending 12/31/17 was **moved** by Councilman Knoller, **seconded** by Councilman Tripodi and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

#### V. MINUTES FOR APPROVAL

- Regular Meeting Minutes of April 7, 2015
- Closed Session Meeting Minutes of April 7, 2015

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of April 7, 2015 was **moved** by Councilman Knoller, **seconded** by Councilman Paino and carried unanimously.

#### VI. CORRESPONDENCE

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

- Letter dated March 20, 2015 from Adam Strobel & Robert Abbatomarco, BC Dept. of Planning & Economic Development, Division of Open Space; Re: Floodplain Protection Program workshop
- Letter dated March 27, 2015 from Senator Gerald Cardinale; Re: Municipal Aid Grant from NJDOT for improvement of Main Street/Linwood Avenue (Section 2) in the amount of \$149,000
- Letter dated March 30, 2015 from Paul F. Groffie, Drunk Driving Enforcement Coordinator; Re: Payment of DDEF FY 2014 Grant in the amount of \$11,692.26 for DDEF enforcement
- Letter received March 31, 2015 from Matt Harris, Chief Executive, Arbor Day Foundation; Re: Emerson recognized as 2014 Tree City USA
- Letter dated March 2015 from Assemblyman Robert J. Auth; Re: Bill A4235: The Transparent Tax Act of 2015
- Letter dated April 1, 2015 from Kaitlin Chieco, Community Manager, Relay for Life; Re: Event May 30-31 at Pascack Valley High School
- Letter dated April 10, 2015 from Commissioner Jamie Fox, NJDOT; Re: FY 20156 Municipal Aid funding for Main Street/Linwood Avenue (Section 2) in the amount of \$149,000

VII. FINANCIAL BUSINESS

- Budget Work Session
  - Department Head Operating Budget Discussion & Capital Requests
    - Public Works

DPW Superintendent Joe Solimando presented his capital requests for 2015 which included a garbage truck and larger capacity fuel tanks. He discussed the sidewalk repair budget and the need to purchase playground mulch. He described repairs needed to Borough Hall and reviewed the snow overtime and salt budgets. After a lengthy discussion, the Finance Committee and Ms. Henderson said they would meet again to reconsider these items before the budget was adopted.

- Changing Council meeting date from May 5<sup>th</sup> to May 4<sup>th</sup>

☞ **Motion** to change the next regular/budget meeting date from Tuesday, May 5<sup>th</sup> to Monday, May 4<sup>th</sup> was **moved** by Councilman Worthington, **seconded** by Council President Rivers and carried by a roll call vote of 5-1.

**RC: Council members:**

**YES: Tripodi, Paino, Rivers, Knoller, Worthington**

**NO: DiPaola**

- Resolution No. 98-15 Waiver to Reading Budget in Full

☞ **Motion** to approve Resolution No. 98-15 Waiver to Reading Budget in Full was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

- Resolution No. 99-15 Self Examination of Budget

☞ **Motion** to approve Resolution No. 99-15 Self Examination of the Budget was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

- 2015 Municipal Budget-Public Hearing

☞ **Motion** to open the meeting to comments from the public on the 2015 Municipal Budget was **moved** by Councilwoman DiPaola, **seconded** by Councilman Knoller and carried unanimously at 8:40 p.m.

Ken Hoffman, 61 Emwood Drive inquired about the budget for the Shade Tree Commission.

Seeing no more hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on the 2015 Municipal Budget.

☞ **Motion** to close the meeting to comments from the public on the 2015 Municipal Budget was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried unanimously.

- Resolution No. 100-15 Amend the 2015 Municipal Budget

☞ **Motion** to approve Resolution No. 100-15 Amend the 2015 Municipal Budget was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

- Resolution No. 101-15 Bill List

☞ **Motion** to approve Resolution No. 101-15 Bill List was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

- Resolution No. 102-15 Establishing Emergency Temporary Budget Appropriations for 2015

☞ **Motion** to approve Resolution No. 102-15 Establishing Emergency Temporary Budget Appropriations for 2015 was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

#### VIII. UNFINISHED BUSINESS

- 2015 Pascack Valley Road Paving Program participation and selection of items/quantity

The Governing Body, Mr. Solimando and Berge Tombalakian of Boswell Engineering discussed the NJDOT grant for paving of Main Street and Linwood Avenue. They also reviewed the list of roads in need of repair and determined that Wortendyke Avenue, Alma Avenue, Hasbrouck Avenue, Grand Boulevard, Emerson Plaza East and Lexington Avenue would be included in the 2015 Road Paving Project with Highland Avenue and Union Street as alternates to stay within the allocated budget of \$315,000 for construction and \$35,000 for engineering and other related costs.

☞ **Motion** to authorize Boswell Engineering to prepare specs and plans for the paving of Linwood Avenue and Main Street using the entire NJDOT Section 1 & 2 grant monies for funding was **moved** by Councilman Paino, **seconded** by Councilwoman DiPaola and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

☞ **Motion** to authorize Boswell Engineering to inform the Pascack Valley Cooperative of quantities and items for the road paving project specifying items #1-6 with #7 and #8 as alternates was **moved** by Councilman Paino, **seconded** by Council President Rivers and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

- Authorization to execute newsletter contract, as amended, to allow the Borough to cancel on 30 days notice

☞ **Motion** to authorize moving forward on execution of the newsletter contract, as amended, to allow the Borough to cancel on 30 days notice was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

#### IX. NEW BUSINESS

- Policy and Ordinance for Workshops, Seminars and Conferences  
Councilman Knoller requested that this item be tabled until the new administrator starts.
- Assemblyman Auth's proposed bill and requested resolution – Transparent Tax Act of 2015 – Mayor Lamatina noted that the Bergen County League of Municipalities opposed this resolution. He requested that the Governing Body have more time to consider this topic and reschedule discussion to the next meeting.
- Metro PCS Cell Tower Contract – Council President Rivers asked that this item not be discussed in open session as there were legal issues involved.

☞ **Motion** to authorize the Borough Attorney to deal with contract termination issues if and when termination occurs formally was **moved** by Councilwoman DiPaola, **seconded** by Councilman Tripodi and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

#### X. INTRODUCTION OF ORDINANCES

Mayor Lamatina stated that no ordinances were being introduced.

#### XI. ADOPTION OF ORDINANCES

##### **Second Reading & Public Hearing:**

**1499-15** AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 57 OF THE CODE OF THE BOROUGH OF EMERSON REGARDING THE POSITION OF BOROUGH ADMINISTRATOR.

☞ **Motion** to open the meeting to comments from the public on Ordinance #1499-15 was **moved** by Councilman Knoller, **seconded** by Council President Rivers and carried.

Ken Hoffman, 61 Emwood Drive asked for an explanation of the ordinance.

Seeing no more hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on Ordinance #1499-15.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1499-15 was **moved** by Councilwoman DiPaola, **seconded** by Councilman Tripodi and carried.

☞ **Motion** to adopt Ordinance #1499-15 on second reading was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

## XII. REPORTS

- Mayor and Council

Councilwoman DiPaola stated that the **Shade Tree Commission** would be holding an Arbor Day Ceremony and memorial dedication on Saturday, April 25<sup>th</sup> at 3:00 p.m.

Councilman Tripodi had no report.

Councilman Paino gave the March report for the **Building Department**.

Council President Rivers gave the March report for the **Police Department** and said the **Emerson Police Community Policing Unit** would be holding their Annual Golf Outing on May 26<sup>th</sup>.

Councilman Knoller gave the March report for the **Fire Department** and said the **Recreation Commission** had sponsored a social dance for seventh to ninth graders at the Assumption Church gym which was very successful. He commended Recreation Commission member Afrim Hoxha for his work on this event. He said the Recreation Commission was working on another dance and hoped it would become a regular event. He also thanked Councilman Worthington for his work on the budget.

Councilman Worthington thanked Councilman Knoller for his work on the budget.

Mayor Lamatina said he had participated in the **Environmental Commission's** cleanup of the woods the previous weekend. He would be attending the upcoming Annual New Jersey Conference of Mayors. He also discussed downtown redevelopment and noted that he was encouraged by calls he has been receiving from people looking to develop in the Borough.

- Deputy Borough Clerk Jane Dietsche had no report.
- Borough Attorney Wendy Rubinstein had no report.

## XIII. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Council President Rivers, **seconded** by Councilman Tripodi and carried at 9:40 p.m.

Seeing no 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 Councilman Knoller, **seconded** by Council President Rivers and carried.

XIV. RESOLUTIONS ON CONSENT AGENDA NO. 103-15

☞ **Motion** to approve Consent Agenda #103-15 was **moved** by Councilman Knoller, **seconded** by Council President Rivers and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

- Ca 104-15 Coin-operated Laundry/Dry Cleaning License Renewal – Emerson Cleaners
- Ca 105-15 Coin-operated Laundry/Dry Cleaning License Renewal – Ranch Cleaners
- Ca 106-15 Authorization to issue Certificate of Exemption to Kyle P. Rizza as member of the Emerson Volunteer Fire Department
- Ca 107-15 Authorization to issue Certificate of Exemption to Kim M. McKersie as member of the Emerson Volunteer Fire Department
- Ca 108-15 Authorize Bergen County Multi-Jurisdictional Hazard Mitigation Plan
- Ca 109-15 2015 Temporary Budget Amendment #2
- Ca 110-15 Appointment of Certified Fire Inspector – Michael Sartori
- Ca 111-15 Award a One Year Contract for Elevator Inspection Services to NJ Technical Services in the amount of \$3,801.75

XV. CLOSED EXECUTIVE SESSION - Resolution No. 112-15

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 112-15 was **moved** by Council President Rivers, **seconded** by Councilman Tripodi and carried by roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

- #15-4/21-19 Kinderkamack Road Property Acquisition N.J.S.A. 10:4-5
- #15-4/21-20 Personnel – Former Borough Administrator N.J.S.A. 10:4-8

XVI. RECONVENE

☞ **Motion** to reconvene was **moved** by Councilwoman DiPaola, **seconded** by Councilman Paino and carried at 10:35 p.m.

☞ **Motion** to allow the Borough Appraiser to complete the appraisal for 129 Kinderkamack Road in accordance with the cover email that was sent together with the draft report was **moved** by Councilman Paino, **seconded** by Council President Rivers and carried by roll call vote of 5-1.

**RC: Council members:**

**YES: Tripodi, Paino, Rivers, Knoller, Worthington**

**NO: DiPaola**

XVII. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by Councilman Knoller, **seconded** by Councilman Paino and carried at 10:32 p.m.

Respectfully submitted,

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Jane Dietsche, RMC  
Deputy Borough Clerk