



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



I. CALL TO ORDER

Mayor Lamatina called the meeting to order at 7:30 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, CFO Catherine Henderson and Borough Engineer Gary Ascolese.

III. PROCLAMATIONS & CITATIONS

- Recognition of Services – Recreation Commission
 - a. Marty Porcello
 - b. Paul Riker
 - c. Peter Weiss

Mayor Lamatina and Recreation Commission Presiding Officer Dave Rector presented Marty Porcello, Paul Riker and Peter Weiss with proclamations recognizing their years of volunteer service to the Emerson Recreation Commission.

IV. APPOINTMENTS/RESIGNATIONS

- Historic Preservation Commission
 - Appointment of Ann McElwain as Class C member for the unexpired term ending 12/31/15
- Environmental Commission
 - Appointment of Michael Griggs as the Alternate II member for the two year term ending 12/31/16

Mayor Lamatina announced that he was appointing Ann McElwain as Class C member of the Historic Preservation Commission for the unexpired term ending 12/31/15. In addition, he appointed Michael Griggs as the Alternate II member of the Environmental Commission for the two year term ending 12/31/16.

- Fire Department
 - Appointment of Logan Castrovillari as Probationary Member of the Emerson Fire Department

☞ **Motion** to appoint Logan Castrovillari as Probationary Member of the Emerson Fire Department 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

V. MINUTES FOR APPROVAL

- Regular Meeting Minutes of March 16, 2015
- Closed Session Meeting Minutes of March 16, 2015

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of March 16, 2015 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried unanimously.

VI. UNFINISHED BUSINESS

There was no unfinished business.

VII. NEW BUSINESS

- Jordan Road/Powell Road flooding – Mayor Lamatina discussed a letter from a resident indicating that multiple flooding events had occurred in this area. Residents Rita Simonian of 93 Powell Road and John Tumino of 169 Jordan Road related their experiences with flooding due to drainage issues and water main breaks. Council consensus was to authorize the Borough Engineer and Borough Attorney to work on this issue.

☞ **Motion** to authorize the Borough Engineer to conduct a study on flooding on Jordan and Powel Roads and use the Borough Attorney to interact with United Water on this issue 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

- Resuming Borough Newsletter

Mayor Lamatina discussed resuming a Borough newsletter to keep residents informed and provide transparency. He outlined two options, one in which there was no cost to the Borough. In this scenario, the Borough would supply information but Community Life would control the content. For a fee, the Borough would supply the information and control the content it wished to publish. He said he wanted to go with the no cost option. He anticipated that the first issue would be published on May 7th if the Council approved moving forward and noted that the new Borough Administrator, Bob Hoffman, would run it.

☞ **Motion** to authorize Mayor Lamatina to obtain and sign a contract with Community Life for the free newsletter option was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried by a roll call vote of 6-0.

RC: Council members:

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

- Budget Work Session
 - ❖ Department Head Operating Budget Discussion & Capital Requests

Mayor Lamatina requested that Mr. Ascolese review the 2015 road project list which had been provided by Mr. Kolodziej and Mr. Solimando and was rated by priority. The total cost to repair all roads was \$995,000. They consensus was to inspect all potential roads and make determinations on which roads to repair at the next meeting.

- Fire Department
Chief Tom Carlos and Assistant Chief Mark Brackenbury presented their department's budgetary needs and reviewed expended funds from 2014. The department's capital requests included a pumper truck to replace the 1998 and 1984 vehicles, a brush truck and lockers for gear and belongings.
- Shade Tree Commission
Chairman Ken Hoffman, Shade Tree Inspector Steve Frassa and Peter Kraycinovich, a member of the commission, presented their budget requests which included increasing the Tree Inspector's salary and an increase in funding for tree removals based on the extensive increase in requests.
- Building Department
 - ✓ Tech Assistant Position – Rice Notice Issued
Construction Official Mike Sartori was not present for the budget presentation. Tech Assistant Michele Perlman discussed her position and the need for her to continue as a full time employee based on the department's volume of work and the needs of residents. The Governing Body apologized to her for issuing a Rice Notice and said the situation had been handled incorrectly. Mayor Lamatina said he would follow up with Mr. Sartori and Mr. Kolodziej.
- Police Department
Chief Rossi presented his budgetary needs and reviewed expended funds for the previous year. He related concerns about Municipal Court scheduling and the impact of potential extended illnesses. His capital requests included two four wheel drive vehicles, replacement weapons and a dispatch control console.
- Finance Department
Ms. Henderson requested that her budget to attend meetings not be reduced and said there was a need for a color copier. She also noted that as Tax Collector, she and Tax Assessor Claire Psota were in need of file cabinets.

VIII. FINANCIAL BUSINESS

- Resolution #86-15 Bill List

☞ **Motion** to approve Bill List #86-15 was **moved** by Councilman Knoller, **seconded** by Councilman Worthington and carried by a roll call vote of 6-0.

RC: Council members:

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

IX. INTRODUCTION OF ORDINANCES

First Reading:

Mayor Lamatina announced that Ms. Dietsche would read the following ordinance by title and it would be further considered at a Public Hearing to be held on April 21, 2015 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the April 10, 2015 edition of the Ridgewood News by summary. He added that this ordinance was 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.

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 approve Ordinance 1499-15 on first reading was **moved** 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

X. ADOPTION OF ORDINANCES

Second Reading & Public Hearing:

1497-15 CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

☞ **Motion** to open the meeting to comments from the public on Ordinance #1497-15 was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried.

Seeing no hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on Ordinance #1497-15.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1497-15 was **moved** by Councilwoman DiPaola, **seconded** by Councilman Tripodi and carried.

☞ **Motion** to adopt Ordinance #1497-15 on second reading was **moved** by Councilman Knoller, **seconded** by Councilman Paino and carried by roll call vote of 6-0.

RC: Council members:

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

1498-15 AN ORDINANCE AMENDING Chapter 176-3, "Laundries and Dry-Cleaning establishments"

☞ **Motion** to open the meeting to comments from the public on Ordinance #1498-15 was **moved** by Council President Rivers, **seconded** by Councilman Tripodi and carried.

Seeing no hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on Ordinance #1498-15.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1498-15 was **moved** by Councilwoman DiPaola, **seconded** by Councilman Tripodi and carried.

☞ **Motion** to adopt Ordinance #1498-15 on second reading was **moved** by Council President Rivers, **seconded** by Councilman Paino and carried by roll call vote of 6-0.

RC: Council members:

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

XI. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried at 10:23 p.m.

Dave Colin, 187 Randolph Avenue praised the Building Department inspectors, the Land Use Board, Shade Tree Commission and specifically Ms. Perlman for her performance as the Technical Assistant in the Building Department.

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 Tripodi and carried.

XII. RESOLUTIONS ON CONSENT AGENDA NO. 87-15

Councilwoman DiPaola asked for an explanation of a few resolutions and asked to remove Resolution Ca #96-15 from the Consent Agenda. The Governing Body was in agreement.

☞ **Motion** to remove Resolution Ca #96-15 Acceptance of the Borough Administrator/Clerk Resignation from the Consent Agenda for separate vote was **moved** by Council President Rivers, **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 approve Consent Agenda #87-15 with the exclusion of Ca #96-15 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, Tripodi, Paino, Rivers, Knoller, Worthington

Ca 88-15	LOSAP Resolution – EVFD
Ca 90-15	Confirm Endorsement of Community Development Project in the amount of \$300,000
Ca 91-15	Enrollment of Nelson Fullam in Rutgers CGS Zoning & Property Maintenance Administration Program
Ca 92-15	Emerson September 11 Memorial Steel to American Monument Company
Ca 93-15	Police Car State Contract to Beyer Ford for total cost of \$35,732.00
Ca 94-15	Renew Swiftreach Public Notification Plan B Contract for 3 year period for total annual cost of \$1,200
Ca 95-15	Transfer of funds
Ca 96-15	Acceptance of Borough Administrator/Clerk Resignation - TABLED

Council President Rivers said that some items in Mr. Kolodziej's resignation letter needed to be reviewed for whether they were due or not which would require review from Labor Attorney Charles Shaw. The consensus was to accept the date of the resignation without the language or terms in the proposed resolution.

☞ **Motion** to accept the resignation of Borough Administrator/Clerk Joe Kolodziej effective April 17, 2015 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

XIII. CLOSED EXECUTIVE SESSION - Resolution No. 97-15

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 97-15 was **moved** by Council President Rivers, **seconded** by Councilman Worthington and carried by roll call vote of 6-0 at 10:30 p.m.

RC: Council members:

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

#15-4/07-15	Boswell Engineering Contract	N.J.S.A. 10:4-7
#15-4/07-16	DeCotiis Law Firm Contract	N.J.S.A. 10:4-7
#15-4/07-17	Municipal Clerk Position	N.J.S.A. 10:4-8
#15-4/07-18	Contract Negotiations Recycling Contract	N.J.S.A. 10:4-7

XIV. RECONVENE

☞ **Motion** to reconvene was **moved** by Councilman Worthington, **seconded** by Councilman Paino and carried at 10:55 p.m.

- Resolution No. 89-15 AWARD PROFESSIONAL SERVICES CONTRACT BY "FAIR AND OPEN PROCESS" IN ACCORDANCE WITH THE "NEW JERSEY LOCAL UNIT PAY TO PLAY" LAW, N.J.S.A. 19:44A-20.4 et seq., FOR MUNICIPAL ATTORNEY FOR THE CALENDAR YEAR 2015 - **TABLED**

☞ **Motion** to separate the positions of Borough Clerk and Borough Administrator 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

XV. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by Council President Rivers, **seconded** by Councilman Tripodi and carried at 10:53 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Deputy Borough Clerk