



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
June 18, 2013
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor Colina called the meeting to order at 7:31 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 was Borough Attorney Scott Mooney. Mr. Scarpa arrived at 7:35 p.m.

III. APPROVAL OF MINUTES

- Regular Meeting of 5/18/13
☞ **Motion** to approve the Regular Meeting Minutes of May 18, 2013 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 5-0.
RC: Council members:
YES: Knoller, Worthington, Rivers, Garis, Paino
ABSTAIN: DiPaola
- Special Meeting of 6/5/13
☞ **Motion** to approve the Special Meeting Minutes of June 5, 2013 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

IV. PROCLAMATIONS & CITATIONS

- Honorary 'Chief for the Day' - Isabella Romano – Mayor Colina announced that Emerson kindergartner Isabella Romano had recently been honored as Chief for the Day by the Emerson Police Department. Her sister Brianna was honored as a Lieutenant for the Day. The Police Department did an outstanding job making it a special day and everyone wished her the best.

V. APPOINTMENTS/RESIGNATIONS

- Emerson Volunteer Fire Department
New Member: Ryan Doughty
☞ **Motion** to appoint Ryan Doughty as a member of the Emerson Volunteer Fire Department was **moved** by Councilman Knoller, **seconded** by Council President Rivers and carried by roll call vote of 6-0.
RC: Council members:
YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

- Historic Preservation Commission – Oath of Office-Marie Castrovillari – Mayor Colina announced that the new Historic Preservation Commission member Marie Castrovillari would be sworn in when she arrived.

VI. CORRESPONDENCE

Mayor Colina announced that copies of the correspondence were available in the office of the Borough Clerk.

- Letter dated June 3, 2013 from Jane Linter, BC Dept of Human Services; Re: Bergen County Senior Picnic - Tuesday, Sept. 17, 2013
- Letter dated June 3, 2013 from Ralph LaRossa, President & CEO, PSEG; Re: searchable database tool ChooseNJSites.com
- Letter dated June 11, 2013 from Rob Hatch, Acct. Manager, Community Blood Services; Re: Partnership to Support Wellness Initiative
- Letter dated June 2013 from Donna Bott, Community Educator/Liaison, Community Hospice of Bergen County; Re: First Anniversary

VII. UNFINISHED BUSINESS

- New Municipal Building Study Proposal – Borough Architect Anthony Iovino presented a study proposal and discussed the process of evaluating the current Borough Hall versus the need for a new municipal building. He reviewed what each department needed as opposed to their current facilities as a base line comparison. He discussed staffing levels, interaction with the public, parking needs, code compliance issues, court safety, and configuration issues. He said the current property was an asset that may allow for an addition instead of a replacement building and described the effort and professionals necessary to put together a study proposal. The Council discussed performing their due diligence in order to make the right decision.

☞ **Motion** to authorize Mr. Iovino to perform his study on whether the borough needed a new municipal building at a cost not to exceed \$22,500 was **moved** by Council President Rivers, **seconded** Councilman Knoller by and carried by roll call vote of 5-1.

RC: Council members:

YES: Knoller, Worthington, Rivers, Garis, Paino

NO: DiPaola

- Historic Preservation Commission – Oath of Office-Marie Castrovillari – Mayor Colina swore in new Historic Preservation Commission member Marie Castrovillari.
- Review of the Mayor and Council Regular meeting minutes of 5/14/13; re: Public Commentary by T. Lahey – Mayor Colina noted that Councilwoman DiPaola was looking for some corrections to Mr. Lahey's commentary as she felt the draft minutes did not accurately reflect Mr. Lahey's comments. Councilwoman DiPaola outlined her requested changes.

☞ **Motion** to keep the minutes of the May 14th meeting as originally written with no corrections was **moved** by Council President Rivers, **seconded** Councilman Knoller by and carried by roll call vote of 4-1.

RC: Council members:

YES: Knoller, Worthington, Rivers, Paino

NO: DiPaola

ABSTAIN: Garis

- Lightning Detection System Shared Service Agreement with Emerson BOE update – Mayor Colina updated the Council on the shared service agreement that several borough officials had worked on with the Emerson Board of Education, Westwood, Westwood Regional Board of Education and Washington Township for a lightning detection system with the goal of protecting coaches, athletes and visitors and spectators. He reported that the group had reviewed and considered different lightning detection systems and the decision was made to go with the vendor, Strike Guard. The system would be centrally located most likely at the Westwood Middle School. Councilman Knoller concurred adding that five separate entities met several times adding that the cost should not exceed \$22,600. He stated that Strike Guard met all the criteria and was within the range that was budgeted for and translated into a savings of approximately \$17,000 for each municipality with the Board of Education’s inclusions. Councilman Worthington concurred adding that there was a miscellaneous allocation for the lightning detection system but he was then informed by the Administrator that those miscellaneous funds allocated were not meant exclusively for the lightning detection system but also the now defunct parking meter project and \$12,000 for the 9-11 Memorial. There were some brief comments made about which project should take precedence and clarification of what and what was not budgeted for but the general consensus was that the lightning detection system would take precedence over any other project out of priority for public safety. Mr. Scarpa remarked to the governing body that there were other components and incidentals to the construction of the 9-11 Memorial if they wanted it done right and noted that the flyer said the \$35,000 was for the monument itself. He was working on a quote of the incidentals including ground lighting but did not have a number. Mayor Colina stated that he spoken to someone who might be interested in donating his services for the installation of electricity and before he entered into an agreement with anyone he requested a follow up.

☞ **Motion** to enter into a joint purchasing agreement for the purchase and installation of the lightning detection system with the vendor Strike Guard and the Emerson Board of Education, the Borough of Westwood, the Westwood Regional Board of Education and the Township of Washington for an amount not to exceed \$22,000 was **moved** by Councilman Knoller, **seconded** by Councilwoman DiPaola and carried by roll call vote of 6-0.

RC: Council members:

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

VIII. NEW BUSINESS

- Resolution No. 119-13 Group Affidavit-Audit
 - ☞ **Motion** to approve Resolution #119-13 Group Affidavit of the 2012 Annual Audit was **moved** by Council President Rivers, **seconded** by Councilman Worthington and carried by roll call vote of 6-0.
 - RC: Council members:**
 - YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino**
- New local legislation proposals:
 - Regulating Invasive Plant Species – Mayor Colina referenced residents’ issues with invasive plants, specifically bamboo. However the proposed legislation would not be limited to that species and would include language regarding plants that became invasive and pervasive on others’ properties. Mr. Mooney would draft a proposed ordinance.

- Capping reimbursement period for tax exempt status – A memo from the Borough Tax Assessor Claire Psota was referenced suggesting that the governing body adopt an ordinance to limit the time period capping the reimbursement for property owners that meet the criteria as 100% disabled veterans' tax exempt status. The reasonable timeframe of one year recommended by the Tax Assessor and CFO was agreed upon by the Governing Body. Mr. Mooney was directed to draft an ordinance.

IX. INTRODUCTION OF ORDINANCES – No ordinances were introduced.

X. ADOPTION OF ORDINANCES

Second Reading & Public Hearing:

1457-13 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, A NEW PUMPER FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF EMERSON, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,450,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

☞ **Motion** to open the meeting to comments from the public on Ordinance #1457-13 was **moved** by Councilwoman DiPaola, **seconded** by Councilman Knoller and carried unanimously

Seeing no hands, Mayor Colina asked for a motion to close the meeting to comments on Ordinance #1457-13.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1457-13 was **moved** by Councilman Knoller, **seconded** by Councilman Worthington and carried unanimously.

☞ **Motion** to adopt Ordinance #1457-13 on second reading was **moved** by Councilman Knoller, **seconded** by Councilman Worthington and carried by roll call vote of 6-0.

RC: Council members:

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

1460-13 AMENDING ORDINANCE NO. 1379-09 MINIMUM COURT FEES FOR VIOLATIONS OF THE CODE OF EMERSON

☞ **Motion** to open the meeting to comments from the public on Ordinance #1460-13 was **moved** by Councilman Knoller, **seconded** by Councilman Paino and carried unanimously

Seeing no more hands, Mayor Colina asked for a motion to close the meeting to comments on Ordinance #1460-13.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1460-13 was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried unanimously.

☞ **Motion** to adopt Ordinance #1460-13 on second 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

XI. REPORTS

- Mayor and Council

Councilman Knoller reported that the Town Celebration was incredible with some of the best fireworks and turnout he had ever seen and he had received a lot of positive feedback. He thanked the **Recreation Commission** led by Dave Rector. He commended the fundraising efforts that allowed this event to take place without costing any taxpayer money. He also commended the **Police Department**, Fire Inspector Frank Boccio, and borough staff, Ms. Carol Dray, Deputy Clerk Jane Dietsche, Mr. Scarpa, the **Department of Public Works**, the **Volunteer Ambulance Corps** and **Volunteer Fire Department** for their integral role in making the event a success. He thanked new Emerson resident Eugene Alevio for delivering a spectacular firework display. Councilwoman DiPaola seconded Councilman Knoller's comments adding that it had been phenomenal. She reported that the **Shade Tree Commission** would be having a joint meeting with other local Shade Tree Commissions during the summer.

Councilman Worthington gave the May **Emerson Volunteer Ambulance Corps** report. He also congratulated Dave Mason on being named EMT of the Year by the Knights of Columbus.

Councilman Paino gave the May **Building Department** report.

Councilwoman Garis reported on the **Emerson Board of Education** meeting where they were distributing I Pads to kindergartners.

Council President Rivers gave the May **Police Department** report. He congratulated the three new officers who graduated from the Police Academy and noted that the Police Department was planning to make changes to the schedule in the future. He also extended his congratulations to Officer Ryan Sokerka for being named Officer of the Year by the Knights of Columbus of Emerson. In an annual parade, the **Fire Department** placed first in Color Guard and Regulation Uniform Marching. He said they did a great job and were functioning really well. He congratulated the **Recreation Commission** for raising funds for the fireworks display and noted it was a phenomenal show and a great night for Emerson.

Mayor Colina reported that he, too, received numerous positive comments about the town celebration. He had participated in the 6th grade DARE program recently and offered kudos to Officers Meltzer and Velez and Chief Rossi for their efforts. He also thanked Detective McDermott and Lieutenant Mazzeo for their help in demonstrating the dangers of drinking and driving to high school seniors. He praised the Chief for the Day effort on behalf of Isabella and Brianna Romano and noted the benefits of community policing and being a small town. He praised the **Police Department** for setting the bar high and reaching for it.

- Borough Attorney Scott Mooney and Borough Clerk Carol Dray had no reports.
- Borough Administrator Joe Scarpa reported that he attended the Police Academy graduation and referenced his recommendations sent by email to the governing body about commuter parking on Emerson Plaza East projecting revenue for the borough of \$10,000 annually. He reported that Police Chief Rossi requested parking changes on Etna Street by the nursing home on Kinderkamack Road and he had scheduled a quarterly safety meeting for June 20th. Posted escape routes were suggested at the Senior Center and Recreation Center by the JIF and the library would be done as well including the installation of panic buttons there by request of the Director. Two Hillman Field signs and restroom signs that were vandalized would be replaced after he received repair quotes. Shred Day was scheduled for July 19th at 8:00 a.m. He met with PSEG about arranging for electricity at the site of the 9-11 Memorial monument. The 9-11 fundraising mailer went out and about \$2,700 in donations had been received to date. He noted that the mailer cost about \$1,300, was confident that more donations would be received and he had reached out to a couple of businesses as well. He mentioned again that a grant application was due August 29th and thought the 9-11 Memorial project would qualify under parks and open space and said the match did not have to necessarily be tax money – it could be the money being raised from the anticipated private donations but would push the project to next year. Mr. Scarpa proposed to the Council to consider the condition that if not enough money was raised through donations and no taxpayer's money would be used than the project would not be done. Council President Rivers proposed beginning the process of applying for the open space matching grant and then making a determination based on what came in from donations for the match to be budgeted for next year. Mr. Scarpa continued his report remarking on some suggested changes to the original design by another architect that he thought were good ideas and would send the changes to the governing body to review. He suggested that it could be further discussed at the next meeting but he inquired if it would be alright to begin to prepare the grant for the project. Mayor Colina responded by asking if he had spoken to a particular landscape contractor and he replied that he had not had the opportunity but that all the contractors he had spoken to had been consistent with the \$35,000 price range. There had been a pre-construction meeting on June 14th regarding the Emerson Woods restoration project, a \$359,000 project being done at no cost to the town. The Borough Engineer sent preliminary plans to NJ Transit regarding Kinderkamack Road improvements and was waiting for their comments. He said security cameras would be installed at various fields and schools to reduce vandalism and prosecute offenders. He also mentioned suggested parking changes for the drop off at High Street by Villano School.

XII. 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 Councilman Knoller and carried.

Tom Lahey, 9 South Dorchester Road asked Mr. Scarpa for an update on a missing road sign, restated some of his comments from a previous meeting and criticized the way the Mayor had addressed a councilmember during an earlier discussion.

Mr. Sardanopoli, 166 Vivian Avenue commented on a dispute with a neighbor regarding invasive plantings requested an ordinance to be put in place.

Ken Hoffman, 61 Emwood Drive cited the Open Meeting regarding public comment and inquired and commented about the pending bamboo pending ordinance.

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 unanimously at 9:10 p.m.

XIII. RESOLUTIONS ON CONSENT AGENDA NO. 120-13

☞ **Motion** to approve Consent Agenda Resolution #120-13 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

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| Ca 121-13 | Approve Bill List |
| Ca 122-13 | Approve 2013-2014 Liquor License Renewals for the following licensee's: |
| | • Emerson F&B LLC 0214-33-006-007 |
| | • Emerson Hotel 0214-33-003-005 |
| | • Hackensack Golf Club 0214-33-004-002 |
| | • Scalco, Inc 0214-44-002-002 |
| | • K. D. Liquors, L.L.C. 0214-44-007-009 |
| Ca 123-13 | Approve 2013 Estimated Tax Rate Resolution |
| Ca 124-13 | Approve 2012 Audit Corrective Action Plan |
| Ca 125-13 | Tax Deduction Adjustments |

XIV. CLOSED EXECUTIVE SESSION - Resolution No. 126-13

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 126-13 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

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| #13-6/18-15 | Litigation-Attorney Fees | N.J.S.A. 10:4-7 |
| #13-6/18-16 | Contract Negotiations: | |
| | DPW Superintendent | N.J.S.A. 10:4-8 |
| #13-6/18-17 | Personnel - IHO Report | N.J.S.A. 10:4-8 |

XV. RECONVENE

☞ **Motion** to reconvene was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried.

- Resolution No. 127-13 Attorney Fees to Be Paid on Behalf of Mayor Colina Attorney
☞ **Motion** approve Resolution #127-13 Attorney Fees to Be Paid on Behalf of Mayor Colina Attorney was **moved** by Councilman Knoller, **seconded** by Councilwoman Garis and carried by roll call vote of 5-0.

RC: Council members:

YES: Knoller, Worthington, Rivers, Garis, Paino

ABSTAIN: DiPaola

☛ **Motion** to approve the DPW Superintendent Joe Solimando's contract proposals as presented by Mr. Scarpa and Councilman Paino was **moved** by Council President Rivers, **seconded** by Councilman Paino and carried by roll call vote of 6-0.

RC: Council members:

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

XVI. 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 Councilman Worthington and carried at 9:59 p.m.

Carol Dray, RMC CMC