



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
September 3, 2013
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor Colina called the meeting to order at 7:34 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 were Borough Attorney Scott Mooney and Borough Administrator Joe Scarpa.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBERS

- Councilman Worthington from the Special Meeting of August 9, 2013
- Council President Rivers from the Special Meeting of August 9, 2013
- Councilwoman Garis from the Special Meeting of August 9, 2013
- Councilwoman DiPaola from the Special Meeting of August 9, 2013

Mayor Colina postponed the item above from the agenda until the next meeting.

IV. PROCLAMATIONS & CITATIONS

- National Assisted Living Week – September 8th – 14th

Mayor Colina read a proclamation declaring the week of September 8-14th National Assisted Living Week in the Borough of Emerson.

V. APPOINTMENTS/RESIGNATIONS – There were no appointments or resignations.

VI. UNFINISHED BUSINESS

- Exigency Resolution – Asbestos Remediation – This discussion was postponed until later in the meeting to permit Mr. Scarpa to retrieve copies from his office for the Council prior to taking any action. The Council members had not been provided a copy of the resolution prior to the meeting as had been Mr. Scarpa's expectation by the CFO.
- Library Shed-Bill Panza, President, Library Board of Trustees – Councilwoman Garis led the discussion about the placement of a storage shed purchased by the library and gave the discussion over to Library Board President, Bill Panza.

☞ **Motion** to place the library shed on the northern side of the building in the front center was **moved** by Councilwoman Garis, **seconded** by Councilwoman DiPaola and carried by roll call vote of 6-0.

RC: Council members:

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

Mayor Colina returned to the topic of asbestos remediation. Mr. Scarpa said the amount spent to remediate was \$5,700. Mayor Colina adjourned the item to the next agenda so everyone would have a chance to review the resolution and be prepared to take action at the next meeting.

- Proposed local legislation-Commuter parking on Emerson Plaza East – Council President Rivers explained that the ordinance was adjourned for second reading and thanked everyone who had provided insight on the topic. He recommended that an advisory group be created after listening to comments and Councilwoman DiPaola asked to be part of it.
- Emerson 9-11 Memorial Park Hearing – Matching Open Space Grant for \$16,000 – Mr. Scarpa reported on the filing of the Open Space Matching Space Grant and \$4,000 had been raised to date in donations. He added that the borough’s contribution would come out of next year’s budget. The monument would be located and added to the monuments already existing in the area of Villano School. He said he did not anticipate any more donations coming in. Mayor Colina questioned if Veteran’s Park would be renamed and if the veteran’s had been asked for their input. Mr. Scarpa said they would just call it Memorial Park adding he was not aware that there was a problem with the location.

☛ **Motion** to open the meeting to comments from the public on this topic only as required for the grant application was **moved** by Councilwoman DiPaola, **seconded** by Councilwoman Garis and carried.

Tom Browne, 114 Pine Drive suggested that the location be changed to Centennial Park because it was a level space, not encumbering on the Veterans’ Memorial and was already the site of several memorials. Mr. Scarpa said the committee rejected that location. Mr. Browne said it was a reflective location and a good park.

Matt Ryan, 26 Main Street thought this item would have been worked out in advance before it became public but thought if they were going to solicit town feedback, they would have done so in advance. He added that he lived near the park and considered it a small space and requested if could be partitioned to give the chance for residents a greater visualization of how it would look during the comment period. He advocated seeking veterans’ input at that space that was built for them.

Wilfredo Ortiz, 15 Washington Avenue asked Mr. Scarpa if the grant application could be amended to change the location; that in itself would not be a fatal flaw. Mr. Scarpa agreed that it was not.

Ken Hoffman, 61 Emwood Drive said he did not think Centennial Park was one of the best places to put it and reminded the Council that if any trees would be removed it would need the approval of the Shade Tree Commission.

Ken Schaefer, 170 Hartland Avenue asked whether the flyer was sent out town wide because he had not received one and Mr. Scarpa said that the flyer had been. Mr. Schaefer thought that Veterans’ Park was a small space and not very tranquil since it was the intersection of two roads and considered Centennial Park the better of the two locations since it already did have a couple of memorials.

Theresa Wallace, 114 Palisade Avenue commented that months ago Council President Rivers stated he wished more people would come to meetings and questioned the procedure to noticing meetings. She suggested posting meeting notices on Patch and banners at the library. Council President Rivers said it was a great idea and would get in touch with the editor.

Ms. Dray explained that the borough utilized a Twitter account and identified the statutory requirements for posting meeting agendas including the Annual Notice Meeting Notice which is sent to The Record and Ridgewood News prior to the next year's meetings.

Councilwoman DiPaola asked how Ms. Wallace would feel about televising council meetings on public access television. Ms. Wallace said she did not like that idea. She would rather come to the meetings.

Seeing no more hands, Mayor Colina asked for a motion to close the meeting to comments from the public on this topic.

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

- Fiber Tech Networks/ATT/Verizon – Councilwoman Garis led a discussion referencing a letter that was received about year ago from Fiber Tech Networks /AT&T piggybacking on the cable that was placed or owned by Verizon which led to a lengthy discussion of the borough attorney's billing fees and for that item and if reimbursement had been received. Mr. Mooney answered yes for Fiber Tech and AT&T and volunteered to provide further explanation to the councilwomen including case law.

VII. NEW BUSINESS

- Recommendation to hire additional Police Dispatcher
☞ **Motion** to post an employment ad and hire two additional civilian part time police dispatchers 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
- Borough Administrator Transition – Mayor Colina led the discussion stating that Mr. Scarpa would be leaving the Borough at the end of the year adding that he was heartened by comments he read in the paper and hoped they were accurate in terms of a smooth transition. He asked Council President Rivers and Councilman Knoller to participate in the transitioning in terms of identifying the critical activities and functionality of the position and by speaking to various departments and other personnel to try to be proactive and positive in ensuring a smooth transition. Mayor Colina said they were going to meet with Mr. Scarpa and department heads to gather information, perform an analysis and look at the staffing opportunities that the vacancy presented to the Borough. He said they would ultimately come back at a meeting with a recommendation.

VIII. INTRODUCTION OF ORDINANCES – No ordinances were introduced.

IX. ADOPTION OF ORDINANCES

Second Reading and Public Hearing:

1462-13 AN ORDINANCE AMENDING 2013 SALARY ORDINANCE 1459-13 BY ADJUSTING THE ANNUAL SALARY OF CERTAIN EMPLOYEES

☞ **Motion** to open the meeting to comments from the public on Ordinance #1462-13 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 #1462-13.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1462-13 was **moved** by Councilman Knoller, **seconded** by Council President Rivers and carried unanimously.

☞ **Motion** to adopt Ordinance #1462-13 on second reading 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

1463-13 AN ORDINANCE AMENDING CHAPTER 274 OF THE CODE OF EMERSON ENTITLED VEHICLES AND TRAFFIC ARTICLE VII, SCHEDULE III § 274-39 TITLED ONE - WAY STREETS

☞ **Motion** to open the meeting to comments from the public on Ordinance #1463-13 was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried unanimously

Mike Wallace, 114 Palisade Avenue asked for clarification as to whether the streets would be part time one ways. Mayor Colina explained that it was a trial until the end of the year. Councilman Rivers explained they were directing traffic in one direction for the safety of children and motorists and explained the traffic flow.

Tom Browne, 114 Pine Drive said he had been the councilmember who introduced the ordinance and commissioned the initial study for High Street. He explained that the council at the time decided not to go forward with it and made a recommendation on a traffic light. He asked if his second study came back with anything on that. Council President Rivers said it did not. Mr. Browne said the original study said a light was a way to alleviate the cross traffic. Council President Rivers said the Police Department was going to coordinate this and there would be barricades set up. He added that a light was expensive and hard to implement on a trial basis.

Seeing no more hands, Mayor Colina asked for a motion to close the meeting to comments on Ordinance #1463-13.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1461-13 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried unanimously.

☞ **Motion** to adopt Ordinance #1463-13 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: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

1464-13 AN ORDINANCE AMENDING CHAPTER 274 OF THE CODE OF THE BOROUGH OF EMERSON ENTITLED VEHICLES AND TRAFFIC, ARTICLE 21 SCHEDULE XIV ENTITLED PARKING, PROHIBITED AT ALL TIMES

☞ **Motion** to open the meeting to comments from the public on Ordinance #1464-13 was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried unanimously

Seeing no hands, Mayor Colina asked for a motion to close the meeting to comments on Ordinance #1464-13.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1464-13 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried unanimously.

☞ **Motion** to adopt Ordinance #1464-13 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: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

X. REPORTS

- Borough Administrator Joe Scarpa reported that:
 - He and Police Chief Rossi had discussed Fuchs Ambulance Service request for change or amendment in their contract. After a lengthy discussion, the consensus was to adjourn the topic until the next agenda.
 - Mr. Scarpa had solicited quotes for leaf bags and the lowest price was \$321.00 per thousand from Dano Corp. in Connecticut and Mr. Scarpa added that all the quotes received were in the ballpark.

☞ **Motion** to award contract for leaf bags to Dano was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried by a roll call vote of 6-0.

RC: Council members:

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

- Mr. Scarpa asked if the Council wanted to inform the residents about the leaf bags by mailing out a town-wide postcard as had been done in the past at a cost of about \$800. The Council debated the need to send out the postcards.

☞ **Motion** to mail a postcard to residents as a notification of the availability of leaf bags was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried by roll call vote of 6-0.

RC: Council members:

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

XI. 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 Council President Rivers, **seconded** by Councilman Knoller and carried at 9:06 p.m.

Karen Browne, 114 Pine Drive discussed traffic in the area of crosswalks during school in the area of High Street. She suggested stop signs for crossing guards to hold and how to make crosswalks more visible all the time as it was very dangerous.

John Carroll, 64 Vivian Avenue discussed commuter parking needs and suggested that prime spots go to residents. He discussed the cost for nonresidents to park in various towns in the area and thought \$30 was cheap. Council President Rivers said the \$30 cost was the same as other towns around were charging.

Kevin Schaefer, 171 Hartland Avenue appreciated that the commuter parking was being revisited. He suggested angling spots which might increase the number of parking spots.

Ken Hoffman, 61 Emwood Drive was opposed to Mr. Scarpa's contract not being renewed and began to go down the line of council member questioning them individually as to why they voted 'no' to renewing Mr. Scarpa's contract. Mr. Hoffman next discussed the possible censure of Councilwoman DiPaola and asked for the reason for the censure. Mr. Mooney said the item was adjourned to the next meeting when the labor attorney would be present.

Mr. Browne, 114 Pine Drive discussed the parking issue and thanked everyone for visiting the issue. He informed them about another parking option considered by a prior administration of a lot by the DPW that would have been financed by NJT and other developers and asked if there was any interest in that. Council President Rivers said there was discussion about the wetlands but it never went anywhere and agreed it was something to consider.

Matt Ryan, 26 Main Street addressed a question to Councilwoman Garis saying he was somewhat confused by the process in which the cell tower issue was brought up and wondered if she had approached Mr. Mooney or others prior to bringing it up in public session. She said she had previous conversations but not with Mr. Mooney. Mr. Ryan said he would leave it at that.

Mr. Ryan questioned the confusion surrounding the borough asbestos situation including the lack of preparation to take action that evening postponed from the last meeting and why and how long the situation had lingered before taking action. Council President Rivers said he would have to look back to see when it was originally brought to their attention but it had been at least a few months since it originally came up. He added that as far as why it was an emergency, as they gained information about what was going on, they made very quick decisions to have someone come in, clean certain items and remove certain items for safety of personnel in the borough. Mr. Ryan said as he got more involved it was nice to see that certain things were taken under consideration when comments were made such as parking and thanked Council President Rivers for getting back to him on his email message.

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 9:27 p.m.

XII. RESOLUTIONS ON CONSENT AGENDA NO. 154-13

☛ **Motion** to approve Consent Agenda Resolution #154-13 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

- Ca 155-13 Approve Block Party Application – Union Street between Palisade Avenue and Randolph Avenue – Saturday, September 21st (rain date September 22nd)
- Ca 156-13 Endorsing County Trust Matching Grant fund Open Space Grant for \$16,000 for 9-11 Memorial Park– JS
- Ca 157-13 Authorize Mayor Carlos Colina to execute Home for the Armenian Aged, Inc Block 702, Lots 2, 6 & 7 Treatment Works Application WQM-003
- Ca 158-13 Opposing United Water Rate Increase

XIII. 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 Knoller and carried at 9:25 p.m.