



**AGENDA**  
**BOROUGH OF EMERSON**  
**MAYOR AND COUNCIL**  
**December 18, 2012**  
**7:30 P.M.**  
**Borough Hall-Council Chambers**  
**Emerson, NJ 07630**



Mayor Colina called the meeting to order at 7:35 p.m., and identified the emergency exits. Bergen County Sheriff Michael Saudino led the assembled in the salute to the flag. The Mayor asked everyone to remain standing for a moment of silence for Emerson resident Dennis Flynn Jr. who recently passed away as well as the tragedy and horror of the events in Newtown, CT this past Friday.

**O.P.M.A. Statement**

Mayor Colina read the Sunshine Statement announcing that the meeting of December 18th, 2012 had been adequately noticed and was in compliance with the provisions of the Open Public Meetings Law. Further, that the meeting was included in the Annual Meeting Notice Resolution transmitted to the Record and Ridgewood News on December 21, 2011; posted on the bulletin board in the Borough Hall, Municipal Place, Emerson, NJ 07630 and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice was on file in the Office of the Municipal Clerk and had been available to the public since its approval by the Governing Body.

**ROLL CALL:**

**PRESENT:**

Mayor Colina, Councilwoman DiPaola, Councilwoman Garis, Councilman Knoller, Councilman Paino, Council President Rivers

**ABSENT:**

Councilman Worthington

Also present were Borough Attorney Scott Mooney, Borough Administrator Joe Scarpa and Labor Attorney Ron Gordon.

III. PROCLAMATIONS & CITATIONS

IV. APPOINTMENTS/RESIGNATIONS

- Swearing in ceremony for Sergeant Michael McDermott and Sergeant Mark Savino  
Mayor Colina invited Sergeant McDermott and his family to the dais for the swearing in ceremony. The Mayor said it was a tremendous night for the Emerson Police Department and they appreciated everything they did for the community. He said two fine men were getting promoted that evening. Mayor Colina then invited Sergeant Savino and his family to the dais for his swearing in. At the conclusion of the event, the large crowd erupted in applause.

Captain Rossi thanked the Mayor and Council for promoting three sergeants, and hiring three new officers. He noted that Sergeant McDermott and Sergeant Savino were hired on the same day, were being promoted on the same day, and were pillars of the community. He said they certainly deserved the recognition they were getting that evening because they worked very hard and earned it.

Sergeant McDermott thanked everyone and said it was hard to believe that on December 28<sup>th</sup>, 1996, he and Sergeant Savino stood in the same spot where they were sworn in together and were now being promoted together. He said he could not think of a better person to be promoted with. He said Sergeant Savino was his partner and his brother and was very special to him. He said he was truly honored to serve the Borough of Emerson and would not want to work anywhere else.

Sergeant Savino thanked everyone and said he was truly blessed to stand there that evening. He thanked Sheriff Saudino for his faith in him and during the hard times they shared together, but they stuck it out and came through it. He thanked Chief Rossi for giving him the opportunity to further himself so he could serve as Sergeant. He thanked everyone for the opportunity to serve each and every one of them.

- Recreation:
  - a. Resignation of Mark Micucci effective September 9, 2012  
☛ **Motion** to approve the resignation of Mark Micucci from the Recreation Commission effective September 9, 2012 was **moved** by Councilman Knoller, seconded by Councilwoman Garis and carried unanimously.
  - b. Resignation of Stephen Paino effective December 4, 2012  
☛ **Motion** to approve the resignation of Stephen Paino from the Recreation Commission effective December 4, 2012 was **moved** by Councilman Knoller, seconded by Council President Rivers and carried unanimously.

Ms. Dray announced that Councilman Worthington arrived at 7:58 p.m.

- c. Appointment of Afrim Hoxha as regular member for the term ending 12/31/15  
☛ **Motion** to approve the resignation of Stephen Paino from the Recreation Commission effective December 4, 2012 was **moved** by Councilman Knoller, seconded by Council President Rivers and carried unanimously.

Ms. Dray announced that Councilman Worthington arrived at 7:58 p.m.

## V. CORRESPONDENCE

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

- Letter received November 16, 2012 from Stoneridge Condominium Board Members; Re: Thanks for outstanding job during Hurricane Sandy
- Letter dated November 14, 2012 from Adam Falk, Vice President, Government Affairs, Cablevision; Re: Challenges of Hurricane Sandy
- Letter dated November 16, 2012 from David Vozza, President, Vozza Agency; Re: Municipal Joint Insurance Fund dividend of \$8,256.00
- Letter dated November 21, 2012 from PERMA Risk Management Services; Re: 2013 Budgets
- Letter received November 28, 2012 from Ralph LaGrasta; Re: Municipal sewer pump
- Letter dated December 3, 2012 from M. Julius; Re: Shade tree
- Letter dated December 3, 2012 from Justin Shetty; Re: Leaf collection
- Letter dated December 12, 2012 from Director Noreen Best, Bergen County Community Development; Re: New regulations for CD Block Grant project

VI. UNFINISHED BUSINESS

- Broadway Passive Trail /Path Update –Councilman Worthington said he thought the Environmental Commission would be doing the clean up in 2013. Council President Rivers said they would mobilize the volunteer group and start that process.
- Kinderkamack Road Corridor Project Update – Mr. Scarpa reported that an invitation had been sent out to the strip mall property owners to discuss the right of way acquisition. One owner did attend the meeting. He said Mr. Mooney would be reaching out to other property owners in 2013. He added that engineering plans were submitted to the county and state for review. There was agreement with New Jersey Transit, the county and the Borough regarding submissions with the railroad.

Council President Rivers stated that he thought this would be one of their most important initiatives going into 2013 as they began to beautify the downtown area. He thought this would make a huge contribution to that progress – widening the road, making it better from a traffic perspective, he thought all those things would help Emerson moving forward.

Mr. Scarpa said the intent with the property owners of the strip mall was to try to get them all together to discuss improvements to that building. The county was offering to repave the lot for those property owners and he was hoping to get something in exchange for that in terms of façade and sidewalk improvements. He said that was not fruitful since only one owner was present.

- Finance Office Assistant Position – Mr. Scarpa asked to move this to Closed Session.

VII. NEW BUSINESS - None

VIII. INTRODUCTION OF ORDINANCES - None

IX. REPORT

- Borough Administrator – Mr. Scarpa said there was a follow up meeting regarding a Department of Transportation grant they got for repaving High Street. They would be unable to do the entire street – it would go from Highland Avenue to East Ackerman Avenue. It was scheduled for spring break or during the summer of 2013. He said they had received an email regarding dimming the lights the next day in a show of support in memory of the people killed in Newtown, CT. The Council had no objection. The Borough received a notice from the tax assessor regarding added assessments for 2012. There would be an additional \$56,000 in net taxes gained by the Borough starting in 2013. The Pascack Valley utility audit had begun meeting with the company that won the bid, Madison Cost Recovery, who would be looking at the costs of the different utilities in the Pascack Valley – energy, phones, fire hydrants, sewer bills. They received a note from the Joint Insurance Fund that their dividend for 2013 would be \$8,256 which would be applied to the 2013 budget. The sewer relining project at Vivian Avenue and Hillcrest Avenue was done. The 2012 Pascack Valley Road Resurfacing Program was completed on time and within budget. The 2013 garbage and recycling calendar was being proofed and was almost ready to go to print. It would be mailed out before the end of the year.
- Borough Attorney Scott Mooney and Borough Clerk Carol Dray had no reports.

- Mayor and Council

Councilwoman DiPaola said the **Land Use Board** was looking to do some proposed changes to the zoning ordinances. She said Chairman Mark Orecchio should be coming early next year to review the changes with the Council. She asked the Governing Body to look into reinstating the change of tenancy ordinance as it might be important to know what was coming into town and give the Land Use Board guidelines. She mentioned businesses that opened recently that some people were unhappy about because of the type of business. She said they couldn't necessarily change the type of business coming in but they could do things to make it more amenable to the community. She commended the first responders as a fire occurred next door to her home the previous week. She appreciated the **Fire Department**, all mutual aid departments and all the first responders that came from different towns. She said that quick action saved her home.

Mayor Colina said that one of the postal workers was very instrumental in bringing the emergency to the attention of the appropriate officials and said he was a true hero.

Councilman Knoller had no report.

Councilwoman Garis had no report.

Councilman Worthington gave the November **Volunteer Ambulance Corps** report.

Councilman Paino had no report.

Mayor Colina said there was an award ceremony in Mahwah for first responders where they honored OEM Coordinators Mark Savino and Deputy Coordinator Joe Solimando. They also honored Dr. Phil Nisonoff for the action he took on day one of Hurricane Sandy by recruiting volunteers and procuring a bus to pass out flyers door to door to affected areas of town that were without power to get information out to residents.

Council President Rivers gave the **Fire Department** report for November. He said he had showed up at the Union Street fire and it was impressive to see how they took charge of the fire. He said the mutual aid was impressive and four or five towns showed up as well. He also gave the November **Police Department** report.

#### 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 Councilman Knoller, **seconded** by Council President Rivers and carried.

Seeing no 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 Councilwoman DiPaola, **seconded** by Councilman Knoller and carried unanimously.

XI. RESOLUTIONS ON CONSENT AGENDA NO. 212-12

Matters listed below are considered routine and will be enacted by one motion to the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item be removed for consideration.

☛ **Motion** to approve Consent Agenda #212-12 was **moved** by Councilman Worthington, **seconded** by Councilwoman Garis and carried by roll call vote of 6-0:

**RC: Council members:**

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

- Ca 213-12 Approve Bill List
- Ca 214-12 Approve Mayor and Council Meeting Dates 2013
- Ca 215-12 Approve Mayor and Council Holiday Dates 2013
- Ca 216-12 Authorize Mayor Colina to execute Drug & Alcohol Testing Agreement for 2013
- Ca 217-12 Approve Exigency – Hurricane/Storm Sandy
- Ca 218-12 Approve 2012 Pascack Valley Coop Road Resurfacing Program – Change Order #1 Reduction in the amount of \$60,156.06
- Ca 219-12 Approve Transfer of funds
- Ca 220-12 Senior Center Kitchen Renovation Bid Change Order #1 in the amount of \$4,473.58
- Ca 221-12 Emergency Resolution – Hurricane Sandy 10-29-12
- Ca 222-12 Release Maintenance Bond – 57 Wortendyke Avenue, Block 609, Lot 4.02

XII. CLOSED EXECUTIVE SESSION - Resolution No. 223-12

☛ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 223-12 with the addition of the Finance Assistant position was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried by roll call vote of 6-0.

**RC: Council members:**

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

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| #12-12/18-36 | Personnel – Finance Dept.        | N.J.S.A. 10:4-8 |
| #12-12/18-37 | Contract Bargaining Negotiations | N.J.S.A. 10:4-4 |
| #12-12/18-38 | Personnel-Hearing Investigator   | N.J.S.A. 10:4-7 |
| #12-12/18-39 | Personnel-EVAC                   | N.J.S.A. 10:4-8 |
| #12-12/18-40 | Minutes                          | N.J.S.A. 10:4-x |

XIII. RECONVENE

☛ **Motion** to reconvene was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried.

☛ **Motion** to authorize the Borough Administrator to fill the vacancy in the Finance Department as of December 31, 2012 by employing temporary staffing by potentially asking others within the Borough to split time or duties and to advertise for a full time position at a reduced salary of \$35,000 and speak with the Deputy Clerk regarding splitting her responsibilities between the Finance Office and the Clerk's Office was **moved** by Councilman Worthington, **seconded** by Council President Rivers and carried by roll call vote of 6-0.

**RC: Council members:**

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

XII. ADJOURNMENT

With no other business to address, at the request of Mayor Colina, a motion to adjourn was **moved** by Council President Shaw, **seconded** by Councilman Rivers and carried at 10:13 p.m.

Carol Dray, RMC/CMC/CMR  
(Proofed xx/xx/12)

December 20, 2012