



AGENDA
BOROUGH OF EMERSON
MAYOR AND COUNCIL
December 20, 2011
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



Mayor Colina called the meeting to order at 7:35 p.m., wished everyone a happy holiday and identified the emergency exits. Mr. Chris Knoller led the assembled in the salute to the flag. Mayor Colina asked everyone to remain standing for a moment of good thought, silent prayer and meditation for former Councilwoman Marcia DeSalvo's father who passed away, the plane crash in New Jersey that led to the loss of five lives and all holiday travelers the season would bring and with the end of the Iraqi war, the 4500 American lives lost, the 100,000 Iraqi lives lost and the pain and suffering of many across the globe. He also asked for a moment of good thought for the holiday season and the generosity that everyone was able to provide to one another.

O.P.M.A. Statement

Mayor Colina read the Sunshine Statement announcing that the meeting of December 20, 2011 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 Bergen Record and Ridgewood News on December 22, 2010; 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, Councilman Browne, Councilwoman DiPaola, Councilwoman Garis, Councilman Lazar, Councilman Rivers, Council President Shaw

Also present were Borough Clerk Carol Dray, Borough Attorney Scott Mooney and Borough Administrator Joseph Scarpa.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

- Councilman Browne from Regular Meeting of December 6, 2011
 - Councilman Rivers from Regular Meeting of December 6, 2011
- ☛ **Motion** to excuse Councilman Browne and Councilman Rivers from the Regular Meeting of December 6, 2011 pursuant to Ordinance #1425-11 was **moved** by Councilwoman DiPaola, **seconded** by Councilwoman Garis and carried.

IV. PROCLAMATIONS & CITATIONS - None

V. CORRESPONDENCE

- Letter dated December 5, 2011 from Assemblywoman Charlotte Vandervalk; Re: Opposing United Water's rate request resolution
- Letter dated December 9, 2011 from Richard Loveless, Acting Manager, NJDOT; Re: Award Approval 2011 Pascack Valley NJDOT Project, Lincoln Blvd (section 3)
- Letter dated December 12, 2011 from Ronald P. Mondello, P.C.; Re: resignation as Borough of Emerson Public Defender
- Letter from Phillip Forte; Re: Commending DPW

VI. FINANCIAL BUSINESS PRESENTATION

- Resolution #210-11 **Exigency** – 'Pre-Halloween' snow storm of October 29, 2011
☞ **Motion** to approve Resolution #210-11 Exigency – 'Pre-Halloween' snow storm of October 29, 2011 was **moved** by Councilman Rivers, **seconded** by Councilwoman DiPaola and carried by roll call vote.
RC: Council members:
YES: Browne, Rivers, DiPaola, Shaw, Garis, Lazar
- Resolution #211-11 **Emergency** - 'Pre-Halloween' snow storm of October 29, 2011
☞ **Motion** to approve Resolution #211-11 Exigency – 'Pre-Halloween' snow storm of October 29, 2011 was **moved** by Councilman Rivers, **seconded** by Councilwoman Garis and carried by roll call vote.
RC: Council members:
YES: Browne, Rivers, DiPaola, Shaw, Garis, Lazar

VII. APPOINTMENTS/RESIGNATIONS

- Resignation of Land Use Board Alternate III member Patrick Gagliardi effective immediately
☞ **Motion** to accept the resignation of Land Use Board Alternate III member Patrick Gagliardi effective immediately was **moved** by Councilwoman DiPaola, **seconded** by Councilman Rivers and carried.

VIII. UNFINISHED BUSINESS

- Broadway – Councilman Rivers requested that the Library be discussed first.
- Library – Councilwoman Garis provided everyone with a timetable for the reopening of the new library. They were on schedule and looking to reopen on January 17, 2012. The Interim Library Director had set up three interviews for a new director on January 5th. She added that Interim Library Director Phyllis Palley had been wonderful and so helpful; she had also made some positive changes in the overall setup of the library and made her realize the importance of what a library director could really do for a library. She reviewed proposals for the children's library shelving and design. She added that Mr. Scarpa had informed her there was money left over from a bond to cover most of the \$30,000 to help with the children's room and some chairs.

Mr. Scarpa agreed that the Interim Library Director was doing a great job. He noted there were still some issues with the contractor that needed to be worked out as well as issues related to lighting items that had yet to come in. He noted the library was able to purchase a circulation desk and the computer desk with their funds. He explained that the previous library director had disposed of all the shelving in the children's room so there was nothing left to utilize. He said furniture was necessary for a reading area they wanted and recommended authorizing this expenditure as they were important components of the new library since the money was in the building improvement section of the bond.

☛ **Motion** to approve the expenditure of \$30,000 coming from the bond to the library for the two items listed was **moved** by Council President Shaw, **seconded** by Councilman Lazar and carried by roll call vote.

RC: Council members:

YES: Browne, Rivers, DiPaola, Shaw, Garis, Lazar

Mayor Colina praised Interim Director Phyllis Palley's fine qualities and leadership. Councilwoman Garis noted that Ms. Palley had offered to mentor the new director they ultimately planned to hire and said that she had been absolutely wonderful in every way.

- Broadway – Councilman Rivers mentioned the numerous discussions on the paper street Broadway and about making it into some kind of park. He asked that this topic be moved to the beginning of next year and read a draft resolution. He said ultimately he would like the Mayor to set up a separate committee to look at the property next year and determine what would be the best thing moving forward. He proposed having help from members of the Environmental Commission. He read the resolution which supported preserving the area as open space to the assembled. He said that after the first of the year, he would ask the committee to determine what they wanted to do with the area. He thought they would want to leave it more as a natural park and a safe travel area for children.

IX. NEW BUSINESS

- CFO – Hillsdale – Mr. Scarpa said that Hillsdale would most likely be moving in a different direction sometime early next year since they were advertising for the CFO position. He claimed that there was potential for another possibility they might engage in but was unable to give further details. He asked that this item be put on hold. Mayor Colina said that the Mayor of Hillsdale had proposed going forward on a month to month basis. Mr. Scarpa explained that they might not be able to continue the Hillsdale arrangement month to month based on another potential situation. Councilman Rivers was investigating an opportunity with Mr. Scarpa's help to see if they could make something work.
- Court Administrator – Old Tappan – Mr. Scarpa said he had sent the Governing Body an updated version of the contract. He suggested they do the resolution at the Sine Die meeting. The Governing Body agreed.
- Approval of banner for Catholic School Week – Mayor Colina said this was requested by former Councilmember Carlo Camporeale. He said this had been approved in the past and would be displayed across Kinderkamack Road during the last two weeks of January near Assumption Church.

☛ **Motion** to approve the banner request for Catholic School Week was **moved** by Councilwoman DiPaola, **seconded** by Councilman Rivers and carried.

- Website Services – Councilman Browne said he had helped move the Borough from the old to new website and made a volunteer offer to help because all the functionality had not yet been implemented. He thought it could be made more useful for groups in town such as calendaring for sports field assignments or an email distribution if a game was cancelled. He offered to volunteer to help based on his expertise in this area. He explained he would be an administrator but not publish content. Councilman Rivers complimented Councilman Browne for doing an excellent job getting the website up and running. He said that if specific people were given access to certain pages, they could provide updates over the weekend if necessary. Mayor Colina Body agreed that this was a great idea.

X. INTRODUCTION OF ORDINANCES

Second Reading and Public Hearing:

1438-11 AN ORDINANCE AMENDING CHAPTER 77 OF THE CODE OF THE BOROUGH OF EMERSON, COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED “POLICE DEPARTMENT”

Council President Shaw requested holding off on passing this ordinance due to a couple issues. He had distributed a couple revisions for review and comments to Mr. Mooney. Mr. Mooney said that after he reviewed it, he would send it to Chief Rossi for review. Mayor Colina suggested holding off on the ordinance until January.

XI. REPORTS

- Mayor and Council

Council President Shaw extended his thanks to Councilman Browne and Councilman Lazar as it was one of their last meetings as council members. He said they had been incredibly helpful to him and thanked them for their time commitment. They had pride in their work and tried to do what was best for the town of Emerson. He said they would be missed and everyone in Emerson should appreciate their effort.

Councilwoman Garis said she appreciated the help she received from Councilman Browne and Councilman Lazar in her first year.

Councilman Rivers gave the November **Fire Department** report and commended them on their performance during the Lozier Avenue house fire. He added that Fire Safety Official Frank Boccio and County officials had commended the Fire Department’s performance as well. He remarked that they were a volunteer organization and had done a great job for the community and the Borough. He also thanked the **Volunteer Ambulance Corps** for their assistance. He thanked Councilman Browne for his dedication to the group for doing everything he could to help the Borough out no matter how big or small the task. He thanked Councilman Lazar and said that both had been extremely generous with their time, were very genuine and were always trying to do the right thing for Emerson.

Councilwoman DiPaola said that she had attended a course at the New Jersey League of Municipalities sponsored by the Joint Insurance Fund. It afforded the Borough a \$250 credit on the bill. She encouraged all council members and department heads to attend the class and take advantage of the credit. She said she had been on the Environmental Commission with Councilman Browne and the Planning Board with Councilman Lazar and would miss both of them.

Councilman Browne thanked everyone for the kind words. He reported on a community garden at Centennial Park that was being discussed by the **Environmental Commission**. He said that it was a fun three years.

Councilman Lazar gave the November **Police Department** report. He said the **Historical Preservation Commission** had met and gone over plans for a display at the Library about the history of Emerson as well as planned lectures for adults and children. He said Hillman Field had gone out to bid to remedy poor field conditions. He thanked all the council members and the Mayor, as he truly believed that everyone had the best interests of Emerson in their heart. He added that their only agenda was doing what was best for Emerson. He thought that everyone at the dais was a good friend and the experience was something he would remember for the rest of his life.

- Administrator Joe Scarpa said the Lincoln Boulevard resurfacing was completed. He sent a letter to PSE&G regarding street lights that were out, some since July. They received the report from the consultant hired by the Pascack Valley towns regarding a regional dispatch center. The consultant had three responses that would be discussed at an upcoming meeting for police chiefs, mayors, administrators and council people. The Board of Public Utilities did grant an increase to United Water, and held the fire hydrant increase to 2%. However, the water rates increased by 10%. The Federal Emergency Management Agency added Bergen County to the list of counties eligible for reimbursement for the October snow storm. He contacted the Joint Insurance Fund to inform them they were upset with the surcharge they were giving towns which amounted to a \$1.6 million tax increase throughout the towns that were part of the JIF. He wished Councilman Browne and Councilman Lazar well in 2012 and said it was good working with them and appreciated their service to the Borough. He added that he was looking forward to working with Councilman-Elect Worthington and Councilman-Elect Knoller. He wished everyone a Happy Hanukkah, Merry Christmas and Happy New Year.
- Borough Clerk Carol Dray said goodbye to Councilman Browne and Councilman Lazar and said it was a pleasure working with them. She thanked Councilman Browne for his gracious note. She said she was looking forward to working with the new councilmen-elect and wished everyone a Happy Hanukkah, Merry Christmas and Happy New Year.
- Borough Attorney Scott Mooney said farewell to Councilman Browne and Councilman Lazar and that it was a pleasure working with them in the past year. He said that they were both professional at all times and thanked them for their service.

- Mayor Colina commented that 2011 was an interesting year and thanked Council President Shaw for his thoughtful words about their esteemed colleagues on the dais. He was struck by the people coming and going at the beginning of last year who volunteered to get involved. He appreciated Councilman Browne's offer to continue to support the Borough and added that he and Councilman Lazar had similar conversations. He remarked that this was role model behavior for the rest of the community. He thanked them both for helping him during his first year and wished them the best. He wished everyone a Happy Hanukkah, Merry Christmas and a happy holiday season. He noted that they all needed to take the time to acknowledge one another and share a sense of good health, harmony and happiness.

Mr. Scarpa noted they had been remiss in not giving Dr. Bair a plaque for service for his time on the Council. He invited him to the reorganization meeting in January. He said he would get a plaque made up for him and Councilman Browne and Councilman Lazar for their service. Councilwoman DiPaola mentioned that a proclamation would be nice for Dr. Bair as well. The Mayor said they would discuss that with various council members.

XII. PUBLIC COMMENT

Before opening the meeting for comments from the public, Mayor Colina reminded everyone to turn off their cell phones, keep their comments as brief as possible and try to limit them only to governmental issues of concern to an Emerson resident. He further requested that if a subject matter was addressed and answered, to please refrain from repeating it unless they had something new to contribute. A five-minute rule was in effect for each speaker at the discretion of the Council. Mayor Colina asked that everyone do their part to be civil, to the point and respectful of another's point of view and opinion. He further warned that speaking out without recognition would not be tolerated and a second warning could result in removal from the Council Chambers.

☞ **Motion** to open the meeting for comments from the public was **moved** by Councilman Rivers, **seconded** by Councilwoman DiPaola and carried.

Mr. Ken Hoffman, 61 Emwood Drive, thought a proclamation for Dr. Bair was an excellent idea and referenced a letter he had sent earlier in the year. He said he knew that Councilman Browne and Councilman Lazar had put a lot of time, devotion and dedication in as members of the Governing Body. He thanked them for serving the people of Emerson.

☞ **Motion** to close the meeting for comments from the public was **moved** by Councilwoman DiPaola, **seconded** by Councilwoman Garis and carried at 8:25 p.m.

XIII. RESOLUTIONS ON CONSENT AGENDA NO. 212-11

Councilwoman DiPaola asked to have Resolution #214-11 pulled from the Consent Agenda.

☞ **Motion** to approve Consent Agenda Resolution #212-11 with the removal of #214-11 was **moved** by Councilman Rivers, **seconded** by Councilwoman Garis and carried by roll call vote.

RC: Council members:

YES: Browne, Rivers, DiPaola, Shaw, Garis, Lazar

Ca 213-11	Bill List
Ca 214-11	Borough Holiday Closings 2012 - PULLED
Ca 215-11	Mayor & Council Meeting Dates 2012
Ca 216-11	Social Affairs Permit – Church of the Assumption – Home School Assoc. March 3, 2012
Ca 217-11	Catholic Schools Week Banner – Kinderkamack Road - Assumption Academy
Ca 218-11	Transfer of Funds
Ca 219-11	Tax Overpayment Refunds and Tax Adjustments

Councilman DiPaola questioned why Election Day was given as a holiday floater to Borough employees. She did not think it should be given and did not know anyone else in the private or corporate world that had off that day. Mr. Scarpa said that it had been a day off for employees since before he came to Emerson. In fact, he noted that the Governing Body had approve and granted the additional day off for the DPW at the last contract negotiation. Councilwoman DiPaola stated there were twelve other legal holidays on the calendar and asked what other days the Borough closed early. She thought the time off was very lenient. Mr. Scarpa said that an early closure meant there was no lunch hour so it was two hours off and included Thanksgiving, Christmas and New Year's Day. Councilwoman DiPaola commented that this added up to another full day off of work. Councilman Rivers said he did not have an issue with this; that if you looked at the total holidays, it was just one additional day – the others did not seem ridiculous or outlandish. He appreciated her looking into everything but commented that in his own business, he did not give off those days, but more than those days as part of his company. Council President Shaw said he did not have the body of information to evaluate it. Councilwoman DiPaola suggested researching this and discussing later. Mr. Scarpa said that the only day on the list that had been a state holiday but was not anymore was the day after Thanksgiving. Councilman Rivers suggested tabling the resolution until January when they had more information. Council President Shaw requested of Councilwoman DiPaola to prepare and organize the information for later discussion. The Mayor asked Mr. Scarpa to survey the Pascack Valley towns for a comprehensive sample of which to reference for the discussion.

Council President Shaw thanked and congratulated the Police with regard to the individual going around to different towns. He said it would have been a significantly serious potential crime situation in the Pascack Valley and Bergen County had it not been for the significant contribution of the Emerson Police Department. He noted that Police Officer Michael McDermott had the experience, training, knowledge and skill to help piece it together which led to a successful investigation and taking an incredible threat off the streets. Councilman Rivers added that Police Officer Daniel Kalyoussef should also be recognized and thanked.

Mayor Colina said that in the spirit of the season he also wanted to thank Mr. Scarpa, Ms. Dray, Ms. Henderson and the Borough employees for their dedication in helping the Governing Body move Emerson forward. He also thanked all volunteers, the commissions and committees, boards, liaisons. He emphasized this was the true demonstration of democracy.

XIV. CLOSED EXECUTIVE SESSION - Resolution No. 220-11

☛ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 220-11 was **moved** by Councilman Rivers, **seconded** by Council President Shaw and carried by roll call vote.

RC: Council members:

YES: Browne, Rivers, DiPaola, Shaw, Garis, Lazar

#11-12/20-48 Personnel- Qualified Purchasing Agent N.J.S.A. 10:4-8
#11-12/20-49 Personnel- Ambulance Corps N.J.S.A. 10:4-8
#11-12/20-50 Potential Litigation – Maser Engineering N.J.S.A. 10:4-7

XV. RECONVENE

☛ **Motion** to reconvene was moved, seconded and carried.

XII. ADJOURNMENT

With no other business to address, at the request of Mayor Colina, a motion to adjourn was **moved** by Councilwoman DiPaola; **seconded** by Councilman Lazar and carried at 9:51 p.m. Mayor Colina wished everyone a happy holiday.

Carol Dray, RMC/CMC/CMR
(Proofed 03/12/12)

January 23, 2012