



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
February 16, 2016
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor Lamatina called the meeting to order at 7:33 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 Downing, Council President Knoller, Councilman Lazar, Councilman Tripodi

Absent: Councilman Worthington

Also present were Borough Administrator Robert S. Hoffmann, Borough Attorney Wendy Rubinstein and Borough Clerk Jane Dietsche.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

Mayor Lamatina announced that no Governing Body members were absent from the previous meeting.

IV. PROCLAMATIONS & CITATIONS

- Swearing in of Patrol Officer George Featherstone

V. APPOINTMENTS/RESIGNATIONS

- Land Use Board
 - Appointment of Douglas McKendry to the Land Use Board as the Alternate III member for the unexpired term ending 12/31/16
 - Appointment of Evan Kutzin as the Alternate IV member for the term ending 12/31/17
- Shade Tree Commission
 - Reappointment of Peter Kraycinovich for the term ending 12/31/20

Mayor Lamatina announced that he was appointing Douglas McKendry to the Land Use Board as the Alternate III member for the unexpired term ending 12/31/16 and Evan Kutzin as the Alternate IV member for the term ending 12/31/17. In addition he reappointed Peter Kraycinovich to the Shade Tree Commission as a member for the term ending 12/31/20.

- Recreation Commission
 - Resignation of Lenny Fabiano from Recreation Commission effective immediately

☞ **Motion** to accept the resignation of Lenny Fabiano from the Recreation Commission effective immediately was **moved** by Councilman Lazar, **seconded** by Council President Knoller and carried unanimously.

VI. MINUTES FOR APPROVAL

- Regular Meeting Minutes of February 2, 2016

☞ **Motion** to approve the Regular Meeting Minutes of February 2, 2016 was **moved** by Council President Knoller, **seconded** by Councilman Tripodi and carried unanimously.

VII. CORRESPONDENCE

Mayor Lamatina announced that copies of the correspondence were available in the Office of the Municipal Clerk.

- Letter dated January 21, 2016 from Mark Madaio, Esq., Re: Parking Spaces at 55 Emerson Plaza East
- Letter dated January 15, 2016 from Layth Taki, Sr. Vice President Cablevision; Re: Franchise fee payment of \$62,709
- Letter dated January 22, 2016 from Thomas Palumbo, Land Acquisitions Manager, Pulte Group; Re: Request for Addition to Township Notice/Service List for Inclusionary Housing
- Letter dated February 5, 2016 from Jeanne Martin, Director, Pascack Valley Meals on Wheels; Re: Mayors for Meals Program

VIII. FINANCIAL BUSINESS

- Resolution No. 87-16 Bill List

☞ **Motion** to approve Resolution No. 87-16 Bill List was **moved** by Councilman Downing, **seconded** by Council President Knoller and carried by a roll call vote of 4-0.

RC: Council members:

YES: Lazar, Downing, Knoller, Tripodi

ABSTAIN: DiPaola

- Resolution No. 88-16 Adoption of 2016 Temporary Capital Budget

☞ **Motion** to approve Resolution No. 88-16 Adoption of 2016 Temporary Capital Budget was **moved** by Councilwoman DiPaola, **seconded** by Council President Knoller and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Lazar, Downing, Knoller, Tripodi

IX. UNFINISHED BUSINESS

- Social Media Policy Recommendations – Mr. Hoffmann discussed draft changes to the Borough’s Social Media Policy for review by the Governing Body. Suggested updates included tightening regulations and respecting the privacy rights of elected officials and individuals. In addition parental permission would be required before a minor’s picture could be placed on a website. He said it would be discussed further at a future meeting.
- COAH – Affordable Housing – Report by Borough Administrator Robert Hoffmann – Mr. Hoffmann provided background information on the history of affordable housing regulations and the impact State mandates would have on the Borough. He emphasized the need for good planning to ensure that development took place appropriately. He noted that the Governing Body was doing the right thing to protect and upgrade Emerson’s neighborhoods. He proposed drafting a letter for residents to understand and explain COAH regulations and their full impact on the Borough. Mayor Lamatina said that downtown redevelopment was the first step in addressing COAH regulations but there was a need to look at other places that could be zoned for affordable multifamily housing He noted that if they were not proactive, the Borough would be subject to builders’ remedy lawsuits. Mr. Hoffmann said that he would work on a draft letter for review by the Governing Body.

X. NEW BUSINESS

- County of Bergen – Fire Truck Loaner Program – Mr. Hoffmann explained that the County had proposed continuing to loan fire trucks to municipalities. However, they were changing the terms to allow for a no cost loan for only the first eight weeks, and then asses a daily charge for a maximum loan of 24 weeks. Fire Chief Mark Brackenbury said it was unlikely the Borough would need to take advantage of this program but he recommended adopting it in case there was an unanticipated need.

☞ **Motion** to approve Resolution No. 96-16 Authorizing an Agreement for the Short Term Emergency Sharing of Fire Apparatus between the County of Bergen and the Borough of Emerson was **moved** by Councilman Downing, **seconded** by Councilman Lazar and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Lazar, Downing, Knoller, Tripodi

XI. INTRODUCTION OF ORDINANCES

Mayor Lamatina announced that Ms. Dietsche would read the following ordinances by title and they would be further considered at a Public Hearing to be held on March 1st, 2016 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the February 19th, 2016 edition of the Ridgewood News. He added that these ordinances were 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.

First Reading:

1518-16 AN ORDINANCE TO ADOPT AN OFFICIAL MAP SHOWING THE CORRECT ZONING OF ALL PROPERTIES WITHIN THE BOROUGH AND TO ADDRESS ALL REZONING ORDINANCES THAT HAVE BEEN ADOPTED SINCE THE LAST ZONING MAP WAS AMENDED IN OCTOBER 2008

Mayor Lamatina announced that this ordinance was being pulled for further review.

1519-16 BOND ORDINANCE TO AUTHORIZE THE 2016 ROAD RESURFACING PROGRAM IN, BY AND FOR THE BOROUGH OF EMERSON, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$325,000 TO PAY THE COST THEREOF, 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 introduce Bond Ordinance 1519-16 on first reading was **moved** by Councilman Lazar, **seconded** by Councilman Downing, and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Lazar, Downing, Knoller, Tripodi

XII. ADOPTION OF ORDINANCES

Mayor Lamatina announced that no ordinances were being adopted this evening.

XIII. REPORTS

- Mayor and Council

Councilwoman DiPaola had no report.

Councilman Lazar complimented the Department of Public Works for their fabulous job during the recent major snowstorm. He planned to inspect flooding and erosion concerns on Patrick Avenue with Acting DPW Superintendent Perry Solimando the next day in order to fix the problem.

Councilman Downing gave the January report of the Emerson Fire Department and the December and January reports for the Volunteer Ambulance Corps. He also discussed the potential relocation of the Ambulance Corps building, upcoming summer recreation programs including a 4th and 5th grade dance, and exploring shared service recreation programs with surrounding municipalities.

Council President Knoller gave the Police Department report for the month of January. He also congratulated Coach Stan Woods and the Emerson/Park Ridge wrestling team for their outstanding success this season.

Councilman Tripodi also congratulated the wrestling team on their great accomplishments.

Mayor Lamatina discussed a recent shared service meeting he attended with Pascack Valley administrators and said that it was informative and interesting. Items discussed including their road paving program and revenue that the Borough of Paramus was generating after installing wind turbines. He noted that Senator Cardinale and Assemblywoman Schepisi were also in attendance and had addressed the group on pension issues.

- Borough Administrator Robert Hoffmann reviewed the following items:
 - The Department of Public Works had begun repairs and improvements in Borough Hall including installing a shelf outside the first floor Tax Office and a new sump pump in the basement. He thanked the Governing Body for approving the hiring of a new DPW employee.
 - Laurel Carnazza had been hired as the new Court Administrator. She was a joy to have around and the Borough was looking forward to her having a long successful career here.
 - The Borough Engineer had located a plan from the early 1960's that helped explain the cause of flooding issues on Vivian Avenue. A 12" sanitary sewer line had been installed within the 36" storm drain line. He was working on proposals to address this issue.
 - He reviewed the 2016 municipal road program and discussed potential locations for road paving.

- Borough Clerk Jane Dietsche had no report.

- Borough Attorney Wendy Rubinstein had no report.

XIV. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried at 8:52 p.m.

Vince Donato, 128 Vivian Avenue inquired about COAH and commented on the poor condition of the street near the Sonic Suds Laundromat. He complimented the Department of Public Works on their outstanding work during the recent snow storm. In addition he commented on building height restrictions in the Borough.

Gary Schwinder, 99 Linden Avenue discussed the difference between affordable housing and low income housing. He also said he would help determine who was responsible for repaving the street near the laundromat. In addition he discussed vehicles which were parking overnight at Sunset Park and suggested a four hour parking restrictions at that location.

Ken Hoffman, 61 Emwood Drive asked about a recent meeting with the Hackensack River Keeper related to using the watershed buffer area. He also asked about potential locations for wind turbines. In addition, he inquired about the Special Master for COAH.

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 Councilwoman DiPaola, **seconded** by Councilman Downing and carried at 9:10 p.m.

XV. RESOLUTIONS ON CONSENT AGENDA NO. 89-16

☞ **Motion** to approve Consent Agenda No. 89-16 was **moved** by Council President Knoller, **seconded** by Councilman Downing and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Lazar, Downing, Knoller, Tripodi

- Ca 90-16 Service Agreement for a Certified Recycling Professional (CRP) to Prepare Annual Recycling Tonnage Report
- Ca 91-16 Extension of Employment for Temporary Full Time DPW Employee
- Ca 92-16 Authorize Submission of Strategic Plan for Emerson Municipal Alliance
- Ca 93-16 Authorize hiring of P/T Staff Member/Floater for Municipal Court and Other Offices
- Ca 94-16 Amend Resolution 64-16 Interlocal Services Agreement – Mutual Aid Plan & Rapid Deployment Force

XVI. CLOSED EXECUTIVE SESSION – Resolution No. 95-16

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 95-16 was **moved** by Council President Knoller, **seconded** by Councilman Lazar and carried by roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Lazar, Downing, Knoller, Tripodi

- #16-2/16-01 Fire Department – Potential Litigation N.J.S.A. 10:4-7
- #16-2/16-02 Property Negotiations N.J.S.A. 10:4-5

XVII. RECONVENE

☞ **Motion** to reconvene was **moved** by Councilman Downing, **seconded** by Council President Knoller and carried.

XVIII. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by Councilwoman DiPaola, **seconded** by Council President Knoller and carried at 9:56 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk