



MINUTES  
BOROUGH OF EMERSON  
MAYOR AND COUNCIL  
May 5, 2015  
7:30 P.M.  
Borough Hall-Council Chambers  
Emerson, NJ 07630



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I. CALL TO ORDER

Mayor Lamatina called the meeting to order at 7:30 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 Paino, Council President Rivers, Councilman Tripodi, Councilman Worthington

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

Councilman Knoller arrived at 7:33 p.m.

III. PROCLAMATIONS & CITATIONS

- Mental Health Month - May 2015

IV. APPOINTMENTS/RESIGNATIONS

- Oath of Office – Borough Administrator Robert Hoffmann
- Emerson Volunteer Fire Department: Active Member - Ryan R. Doughty

☞ **Motion** to appoint Ryan R. Doughty as an Active Member of the Emerson Volunteer Fire Department was **moved** by Councilman Knoller, **seconded** by Council President Rivers and carried unanimously.

V. MINUTES FOR APPROVAL

- Regular Meeting Minutes of April 21, 2015
- Closed Session Meeting Minutes of April 21, 2015

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of April 21, 2015 was **moved** by Councilman Knoller, **seconded** by Council President Rivers and carried unanimously.

VI. FINANCIAL BUSINESS

- Resolution No. 116-15 Bill List

☞ **Motion** to approve Resolution No. 116-15 Bill List was **moved** by Councilman Knoller, **seconded** by Councilman Paino and carried by a roll call vote of 6-0.

**RC: Council members:**

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

- Resolution No. 117-15 Emergency Temporary Budget

☞ **Motion** to approve Resolution No. 117-15 Emergency Temporary Budget was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

**RC: Council members:**

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

#### VII. UNFINISHED BUSINESS

- Assemblyman Auth's proposed bill and requested resolution – Transparent Tax Act of 2015

☞ **Motion** to approve Resolution No. 127-15 Supporting the Transparent Tax Act of 2015 was **moved** by Councilman Knoller, **seconded** by Council President Rivers and carried by a roll call vote of 6-0.

**RC: Council members:**

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

#### VIII. NEW BUSINESS

- Informal Presentation to Council Under Redevelopment Plan for Valero Property

The Governing Body chose to delay this item until the presenters arrived.

- Assumption Church Carnival – Event and banner request

☞ **Motion** to approve Resolution No. 126-15 Permission for Church of the Assumption to hold a carnival was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried by a roll call vote of 6-0.

**RC: Council members:**

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

#### IX. INTRODUCTION OF ORDINANCES

#### X. ADOPTION OF ORDINANCES

Mayor Lamatina announced that no ordinances were being introduced or adopted.

#### XI. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried at 7:45 p.m.

Rita Simonian, 93 Powell Road asked about flooding issues in her neighborhood. Mayor Lamatina said that they would address her concerns shortly.

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 Council President Rivers, **seconded** by Councilwoman DiPaola and carried.

XII. RESOLUTIONS ON CONSENT AGENDA NO. 118-15

☞ **Motion** to approve Consent Agenda #118-15 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

**RC: Council members:**

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

Ca 119-15 Coin-operated Laundry/Dry Cleaning License Renewal – JFancy Cleaners  
Ca 120-15 Coin-operated Laundry/Dry Cleaning License Renewal – Sonic Suds  
Ca 121-15 Designate Robert Hoffmann as Public Agency Compliance Officer (PACO)  
Ca 122-15 Authorize Tax Appeal Settlement with Aljeff Realty LLC – 12 Lincoln Blvd.  
Ca 123-15 Approve Authorized Signatories  
Ca 124-15 Authorizing Tonnage Grant Application to New Jersey Department of Environmental Protection

XIII. CLOSED EXECUTIVE SESSION - Resolution No. 125-15

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 125-15 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 6-0 at 7:50 p.m.

**RC: Council members:**

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

#15-5/05-21 Property Acquisition – Kinderkamack Road N.J.S.A. 10:4-5

Due to the arrival of Attorney Russ Huntington and his client Robert Obernauer, the Governing Body chose to return to open session for their presentation.

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

- Informal Presentation to Council Under Redevelopment Plan for Valero Property

Mayor Lamatina explained that according to the Redevelopment Plan, individual property owners were required to come before the Governing Body for approval before a proposal could move to the Land Use Board. Attorney Russ Huntington, representing Robert Obernauer, the owner of the Valero gas station, presented a redesign plan that would add a two story mixed use building with two retail spaces on the first floor. There was discussion of ingress and egress issues, landscaping, streetscape and parking requirements. Due to traffic safety concerns, the Governing Body required that the ingress at the corner of Kinderkamack Road and Linwood Avenue be closed. The consensus was that the design looked great and that the Governing Body supported the applicant moving forward to the Land Use Board.

☞ **Motion** to approve the applicant to move forward to the Land Use Board with the plan being consistent with the Redevelopment Plan and on conditions of the owner closing the one lane opening at Linwood and Kinderkamack Road just west of the canopy and proceed with the development of the Valero gas station was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 6-0 at 7:50 p.m.

**RC: Council members:**

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

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 125-15 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 6-0.

**RC: Council members:**

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

XIV. RECONVENE

☞ **Motion** to reconvene was **moved** by Councilwoman DiPaola, **seconded** by Councilman Paino and carried.

XV. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by Councilman Knoller, **seconded** by Councilman Paino and carried at 8:37 p.m.

Respectfully submitted,

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Jane Dietsche, RMC  
Deputy Borough Clerk