



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
June 28, 2016
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor Lamatina called the meeting to order at 7:30 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 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

- Councilman Tripodi for his absence from the Regular Meeting of June 14, 2016

☞ **Motion** to excuse Councilman Tripodi for his absence from the Regular Meeting of June 14, 2016 was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried unanimously.

IV. PROCLAMATIONS & CITATIONS

Mayor Lamatina announced that there were no proclamations or citations.

V. APPOINTMENTS/RESIGNATIONS

- Resignation of Stephanie Clark from the Emerson Environmental Commission effective June 14, 2016

☞ **Motion** to accept the resignation of Stephanie Clark as a regular member from the Emerson Environmental Commission effective June 14, 2016 was **moved** by Councilwoman DiPaola, **seconded** by Council President Knoller and carried unanimously.

VI. MINUTES FOR APPROVAL

- Regular Meeting Minutes of June 14, 2016
- Closed Session Meeting Minutes of June 14, 2016

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of June 14th, 2016 was **moved** by Council President Knoller, **seconded** by Councilman Downing and carried unanimously.

VII. CORRESPONDENCE

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

- Letter dated May 16, 2016 from Allen Bell, Esq.; Re: Home for Armenian Aged modification of Developer's Agreement
- Letter dated May 13, 2016 from DCA Commissioner Charles Richman; Re: State Development and Redevelopment Plan
- Letter dated May 19, 2016 from Joe Femia, P.E., County Engineer and Nancy Dargis, P.E., Asst. County Engineer; Re: Emerson –Kinderkamack Road Improvements
- Letter dated May 26, 2016 from Robert Esposito, Director, Bergen County Dept. of Community Development; Re: Reminder to appoint representatives to Regional Community Development Committee
- Letter dated June 15, 2016 from Todd Hay, P.E. President, NJ Society of Municipal Engineers; Re: 2016 Municipal Engineering Project of the Year Awards Program
- Email dated June 18, 2016 from Gary Solimando; Re: Requesting not renewing Just Pups kennel license
- Email dated June 24, 2016 from Shirin Patterson; Re: Requesting not renewing Just Pups kennel license
- Email dated June 27, 2016 from Linda Taffurelli; Re: Requesting not renewing Just Pups kennel license
- Email dated June 28, 2016 from Ali Tomaszewski; Re: Requesting not renewing Just Pups kennel license
- Email dated June 28, 2016 from Betty Michelmore; Re: Requesting not renewing Just Pups kennel license
- Email dated June 28, 2016 from Anne Bodnar; Re: Requesting not renewing Just Pups kennel license
- Email dated June 28, 2016 from Cortney Woznicki; Re: Requesting not renewing Just Pups kennel license

VIII. FINANCIAL BUSINESS

- Resolution No. 176-16 Bill List

☞ **Motion** to approve Resolution No. 176-16 Bill List 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

Mayor Lamatina announced that there was no unfinished business.

X. NEW BUSINESS

- Community Development Grant Application ideas – due date Friday, October 7, 2016
Mr. Hoffmann said the Borough had a Community Development Block Grant application which was due on October 7th. He had attended a County wide grant application meeting the previous week and noted that a portion of the Borough was eligible for infrastructure improvements. A map had been distributed to the Governing Body and he recommended they concentrate on drainage and other issues over the next five years. He would present some cost estimates from the Borough Engineer at the July 12th meeting. If the Governing Body approved, he would put together a grant application and funds would become available next July 1st. This would allow the Borough to coordinate it with the municipal road paving program, get some leverage, and serve the needs of Emerson residents in a more efficient way.

XI. INTRODUCTION OF ORDINANCES

Mayor Lamatina announced that Ms. Dietsche would read the following ordinance by title and it would be further considered at a Public Hearing to be held on July 12th, 2016 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published by title in the July 1st, 2016 edition of the Ridgewood News. He added that this ordinance was 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:

1528-16 AN ORDINANCE CREATING AND ESTABLISHING A NEW CHAPTER XX OF THE CODE OF THE BOROUGH OF EMERSON ENTITLED, "MOTION PICTURE FILMING"

☞ **Motion** to introduce Ordinance #1528-16 on first reading was **moved** by Councilman Downing, **seconded** by Council President Knoller and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Lazar, Downing, Knoller, Tripodi

XII. ADOPTION OF ORDINANCES

Second Reading & Public Hearing:

1525-16 AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 248, ENTITLED "EXCAVATIONS IN STREETS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF EMERSON

☞ **Motion** to open the meeting to comments from the public on Ordinance #1525-16 only was **moved** by Council President Knoller, **seconded** by Councilman Tripodi and carried at 7:36 p.m.

Seeing no hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on this ordinance only.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1525-16 only was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried at 7:37 p.m.

☞ **Motion** to adopt Ordinance #1525-16 on second reading was **moved** by Council President Knoller, **seconded** by Councilman Tripodi and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Lazar, Downing, Knoller, Tripodi

1526-16 AN ORDINANCE TO FIX THE SALARIES, WAGES, COMPENSATION AND OTHER TERMS OF EMPLOYMENT OF CERTAIN EMPLOYEES OF THE BOROUGH OF EMERSON FOR THE CALENDAR YEAR 2016

☞ **Motion** to open the meeting to comments from the public on Ordinance #1526-16 only was **moved** by Council President Knoller, **seconded** by Councilman Tripodi and carried at 7:37 p.m.

Seeing no hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on this ordinance only.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1526-16 only was **moved** by Council President Knoller, **seconded** by Councilman Tripodi and carried at 7:38 p.m.

☞ **Motion** to adopt Ordinance #1526-16 on second reading 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

1527-16 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF EMERSON, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,822,900 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 open the meeting to comments from the public on Ordinance #1527-16 only was **moved** by Council President Knoller, **seconded** by Councilman Tripodi and carried at 7:39 p.m.

Seeing no hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on this ordinance only.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1527-16 only was **moved** by Councilman Downing, **seconded** by Council President Knoller and carried at 7:39 p.m.

☞ **Motion** to adopt Ordinance #1527-16 on second reading was **moved** by Councilman Downing, **seconded** by Council President Knoller and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Lazar, Downing, Knoller, Tripodi

XIII. REPORTS

- Mayor and Council

Councilwoman DiPaola had no report.

Councilman Lazar reported that Department of Public Works employees were taking many courses in topics including management, hazardous identification, and reviewing safety videos. He noted that these activities would help prevent accidents. They had worked with PSE&G to take down several large trees. They had also replaced bushes damaged in a tree removal last year. They had received a FEMA refund in the amount of \$28,617.69 for winter storm Jonas. He had attended a safety meeting with department heads which was very productive and would help prevent losses. He also reported on his findings after reviewing budget correspondence. He noted that Council President Knoller had been very helpful in the budget process which he attributed to his prior budget experience and thanked him for his hard work.

Councilman Downing said that a Fire Department drill at the Oradell Reservoir had taken place the previous week and had gone very well. He thanked the Fire Department for doing an amazing job.

Council President Knoller gave the May Police Department report. He had also attended the Emerson Community Policing golf outing and commended Sergeant Mark Savino and his sons Mark and Nico who had helped out and showed how to give back to the community. He said a great day was had by all.

Councilman Tripodi also said the Community Policing golf outing was a great event and noted that it was the largest turnout ever and was for a great cause. He thanked everyone for a job well done.

Mayor Lamatina had no report.

- Borough Administrator Robert Hoffmann reported on the following:
 - A preconstruction meeting had taken place on June 23rd for the road paving project. Milling was scheduled to begin on August 10th with paving to follow on August 15th. They anticipated finishing by August 19th if all went well. Paving at the Emerson Jr./Sr. High School parking lots was being coordinated with the Board of Education. Information would be posted on the Borough website and letters would be delivered to those on the affected roadways.
 - He had received constructive feedback from two of the three architects he had sent draft bid specs to and was planning a trip to Wanaque on June 29th to inspect the newest borough hall in North Jersey and learn from them.
 - A groundbreaking was scheduled for Wednesday, June 30th for the American Legion housing on Main Street. He said this was positive for the Legion and the community.
 - Phones at Borough Hall had been down on a regular basis. Verizon had placed an emergency work order and the copper lines would be replaced soon.
 - He was preparing a draft COAH letter for the Governing Body to review. He asked for feedback at the July 12th meeting as Ms. Rubinstein would be attending an important meeting on this topic on July 31st.

- 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 Councilman Tripodi and carried at 7:48 p.m.

Joseph Letizia, 21 James Street, Westwood asked about the status of funding and grant applications for flooding remediation.

Linda Taffurelli, 176 East Main Street, Bergenfield, an Animal Control Officer, commented on the Just Pups stores and violations.

Robike Noll, Westwood, commented on Just Pups and listed reasons not to approve a new application for this business.

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 Council President Knoller and carried at 7:58 p.m.

XV. RESOLUTIONS ON CONSENT AGENDA NO. 177-16

Councilman Tripodi requested that Consent Agenda item CA 180-16 Limousine License Renewal for the one year period of 7/1/16 through 6/30/17 – MetroPro Limo be pulled for a separate vote.

☞ **Motion** to approve Consent Agenda No. 177-16 excluding CA 180-16 Limousine License Renewal for the one year period of 7/1/16 through 6/30/17 – MetroPro Limo was **moved** by Council President Knoller, **seconded** by Councilman Tripodi and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Lazar, Downing, Knoller, Tripodi

☞ **Motion** to approve Consent Agenda item CA 180-16 Limousine License Renewal for the one year period of 7/1/16 through 6/30/17 – MetroPro Limo only was **moved** by Council President Knoller, **seconded** by Councilman Downing and carried by a roll call vote of 4-0.

RC: Council members:

YES: DiPaola, Lazar, Downing, Knoller

ABSTAIN: Tripodi

Ca 178-16	Cancelling taxes on 64 Locust Avenue
Ca 179-16	2016-2017 Liquor License Renewals
Ca 180-16	Limousine License Renewal for the one year period of 7/1/16 through 6/30/17 – MetroPro Limo
Ca 181-16	Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40a:4-87 - \$423.02 Appropriated to the Alcohol Education and Rehabilitation Fund
Ca 182-16	Authorizing Voluntary Payroll Deduction By Municipal Employees For The Purpose Of Additional Supplemental Insurance At No Cost To The Borough of Emerson

- Ca 183-16 Authorizing Implementation of A Section 125 Flexible Benefits Plan For The Purpose Of Offering Pre-Tax Employee Premium Contributions And Flexible Spending Accounts With Fees Waived For The Borough Of Emerson
- Ca 184-16 Tax Overpayment in the amount of \$2,383.79 – 254 Kinderkamack Rd, Blk 405, Lot 11
- Ca 185-16 Changing hours at Borough Hall
- Ca 186-16 Permanent Appointment of Patrol Officer Brendan Rizza
- Ca 187-16 Permanent Appointment of Patrol Officer Jorge Fujita
- Ca 188-16 Cancelling taxes on 58 Locust Avenue
- Ca 189-16 Road Paving Amendment
- Ca 190-16 Salary Resolution

XVI. CLOSED EXECUTIVE SESSION - Resolution No. 191-16

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 191-16 was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried by a roll call vote of 5-0 at 7:59 p.m.

RC: Council members:

YES: DiPaola, Lazar, Downing, Knoller, Tripodi

- #16-06/28-14 Potential Litigation – Licensing Regulations N.J.S.A. 10:4-7
- #16-06/28-15 Update on Status of Potential Litigation – Fire Dept. N.J.S.A. 10:4-7

XVII. RECONVENE

☞ **Motion** to reconvene was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried at 8:31 p.m.

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 Councilman Lazar and carried at 8:31 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk