



**MAYOR AND COUNCIL
MINUTES
Regular Meeting/Sine Die
Tuesday, December 18, 2007
7:30 P.M.
BOROUGH HALL COUNCIL CHAMBERS
Municipal Place
Emerson, NJ 07630**

Call to Order

Mayor Lamatina called the meeting to order at 7:35 pm. Councilman Todd led the salute to the flag followed by a moment of silence at the request of Mayor Lamatina.

O.P.M.A. Statement

Mayor Lamatina read the Sunshine Statement announcing that the meeting of December 18, 2007 had been adequately noticed and was in compliance to the provisions of the Open Public Meetings Law. Further, that the meeting was included in the Annual Meeting Notice Resolution sent to the Bergen Record and Ridgewood News and advertised in said newspapers; posted on the bulletin board in the Borough Hall, Municipal Place, Emerson, NJ 07630 and had remained continuously posted as required notices under the Statute.

Roll Call:

Mayor Louis J. Lamatina - Present
Councilwoman Marcia DeSalvo - Present
Councilman Christopher Heyer - Present
Councilman Kenneth Hoffman - Present
Council President Anthony Loffredo - Present
Councilman Francis P. Milone, Jr. - Present
Councilman Brian Todd - Present

Also present were Carol Dray, Borough Clerk, Philip Boggia, Borough Attorney, and Joseph Scarpa, Business Administrator.

6. Approval of Minutes – September 18, 2007 –
☛ **Motion** to approve Minutes of September 18th, 2007 with corrections was **moved** by Councilwoman DeSalvo, **seconded** by Councilman Todd and carried by roll call vote.

RC: Council members:

DeSalvo-Yes
Hoffman-Yes
Todd-Yes
Loffredo-Yes
Heyer-Yes
Milone-Yes

7. CORRESPONDENCE

Mayor Lamatina announced that copies of listed correspondence were available for a statutory fee in the Office of the Municipal Clerk.
#07-109 letter dated 11/20/07; re: Emerson Redevelopment
#07-110 letter dated 11/20/07; re: FAA Airspace Redesign Plan
#07-111 letter dated 11/15/07; re: Vivian Ave driveway, Richard and Letty Geier
#07-112 letter dated 12/5/07; re: Traffic patterns

8. PROCLAMATIONS AND PRESENTATIONS

Recognition of Service: Councilman Brian Todd – Mayor Lamatina presented a plaque to Councilman Todd in recognition of his service to the Council.

9. APPOINTMENT AND PERSONNEL CHANGES

None

10. OLD BUSINESS

a) **ORDINANCES-FIRST READING** - None

b) **ORDINANCES-SECOND READING AND PUBLIC HEARING**

I. **1338-07 AMENDMENT TO CHAPTER 150 OF THE CODE OF THE BOROUGH OF EMERSON ENTITLED “FIRE PREVENTION” TO AMEND THE TERMS OF THE BOROUGH FIRE OFFICIAL AND FIRE INSPECTORS**

☞ **Motion** to open the meeting to public comment on this topic only was **moved** by Councilman Hoffman, **seconded** by Council President Loffredo and carried unanimously.

☞ Seeing no hands, Councilman Hoffman **moved** to close the meeting for public comment, **seconded** by Councilwoman Todd and carried unanimously.

☞ **Motion** to adopt Ordinance #1338-07 on final reading was **moved** by Council President Loffredo, **seconded** by Councilman Heyer and carried by roll call vote.

RC: Council members:

DeSalvo-Yes
Hoffman-Yes
Todd-Yes
Loffredo-Yes
Heyer-Yes
Milone-Yes

II. 1340-07:AN ORDINANCE AMENDING CHAPTER 274 OF THE CODE OF EMERSON ENTITLED VEHICLES AND TRAFFIC ARTICLE VII, SCHEDULES § 274-41 TITLED SCHEDULE V: PROHIBITED TURNS at INTERSECTIONS

☞ **Motion** to open the meeting to public comment on this topic only was **moved** by Councilwoman DeSalvo, **seconded** by Councilman Heyer and carried unanimously.

☞ Seeing no hands, Councilman Hoffman **moved** to close the meeting for public comment, **seconded** by Councilman Todd and carried unanimously.

☞ **Motion** to adopt Ordinance #1340-07 on final reading was **moved** by Councilwoman DeSalvo, **seconded** by Councilman Todd and carried by roll call vote.

RC: Council members:

DeSalvo-Yes
Hoffman-Yes
Todd-Yes
Loffredo-Yes
Heyer-Yes
Milone-Yes

III. 1341-07 AMENDING CHAPTER 274, SECTION 50 AND 53 OF THE CODE OF THE BOROUGH OF EMERSON LIMITING AND ADJUSTING PARKING ON VARIOUS BOROUGH STREETS

☞ **Motion** to open the meeting to public comment on this topic only was **moved** by Councilwoman DeSalvo, **seconded** by Councilman Todd and carried unanimously.

☞ Seeing no hands, Councilman Hoffman **moved** to close the meeting for public comment, **seconded** by Council President Loffredo and carried unanimously.

☞ **Motion** to adopt Ordinance #1341-07 on final reading was **moved** by Councilman Heyer, **seconded** by Councilman Hoffman and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Hoffman-Yes

Todd-Yes

Loffredo-Yes

Heyer-Yes

Milone-Yes

IV. **1342-07 AN ORDINANCE OF THE BOROUGH OF EMERSON ADOPTING THE 2006 EDITION OF *THE INTERNATIONAL PROPERTY MAINTENANCE CODE*, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE BOROUGH OF EMERSON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING CHAPTER 216, SECTION 12 AND CHAPTER 216, SECTION 13 OF THE BOROUGH OF EMERSON AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.**

☞ **Motion** to open the meeting to public comment on this topic only was **moved** by Council President Loffredo, **seconded** by Councilwoman DeSalvo and carried unanimously.

Mr. Vincent Donato, 128 Vivian Avenue – questioned if the ordinance was strictly for buildings and what changes had been made to the original. Borough Attorney Boggia explained that the ordinance regulated building construction and the statutory uniform construction codes that officials must follow. It essentially updates local legislation to the current standards presently in existence.

Ms. Liz Petriano, 92 Orchard Avenue – inquired as to whether the ordinance regulated private buildings. Mr. Boggia replied that it regulated the construction of all buildings and brought the codes up to date. Councilman Hoffman added that the ordinance was recommended on the professional advice of the Borough's Construction Code Official.

☞ Seeing no more hands, Councilman Hoffman **moved** to close the meeting for public comment, **seconded** by Council President Loffredo and carried unanimously.

☞ **Motion** to adopt Ordinance #1342-07 on final reading was **moved** by Councilman Todd, **seconded** by Councilman Hoffman and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Hoffman-Yes

Todd-Yes

Loffredo-Yes

Heyer-Yes

Milone-Yes

V. 1343-07 AN ORDINANCE TO AMEND SECTION. 290-17.3. C. OF THE CODE OF THE BOROUGH OF EMERSON TO AMEND THE AGE AND RESIDENCY REQUIREMENTS FOR AGE RESTRICTED COMMUNITIES (ARC)

Councilwoman DeSalvo inquired if the amendment was proposed because the units were not selling; and if there was a price reduction as well. Borough Administrator Scarpa explained that the ordinance only amended the age requirement, reducing it from 62 to 55, and expanded the sale of the units to relatives of Borough residents who met the age requirement. Setting a market price on the condos was never in the original ordinance.

☞ **Motion** to open the meeting to public comment on this topic only was **moved** by Councilman Hoffman, **seconded** by Councilman Heyer and carried unanimously.

Ms. Liz Petriano, 92 Orchard Avenue, had questions that mirrored Councilwoman DeSalvo's and Mayor Lamatina simplified and reiterated Mr. Scarpa's explanation to her satisfaction.

☞ Seeing no more hands, Councilman Hoffman **moved** to close the meeting for public comment, **seconded** by Councilman Todd and carried unanimously.

☞ **Motion** to adopt Ordinance #1343-07 on final reading was **moved** by Councilman Todd, **seconded** by Councilman Heyer and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Hoffman-Yes

Todd-Yes

Loffredo-Yes

Heyer-Yes

Milone-Yes

C) DISCUSSIONS:

Redevelopment – Mayor Lamatina opened the discussion by updating the Council on the current status of redevelopment. He explained that he had a meeting with the Borough Planner, Joseph Burgis, and the Hekemian and Millennium companies regarding picking a replacement for Atkins. He noted that both companies were still interested in the project and outlined four topics under consideration:

1. Had the vision for redevelopment changed? He commented that he believed that it was a good plan and did not need to change.
2. What happened with Atkins? He believed that Atkins did not have the wherewithal to do the plan.
3. Did the borough need to go with higher density than set forth in the present plan and if so, where? He stated that the council would need to consider that issue.
4. Was Emerson committed to eminent domain? He explained that eminent domain would be a last resort.

Mayor Lamatina considered both companies excellent prospects and appeared motivated to work with Mr. Burgis in crafting the best plan for the Borough. The discussion continued with concerns and remarks about recent interpretative court decisions in regard to the elements of “blight” and eminent domain. Mr. Burgis added his comments and was confident that the plan would hold up to scrutiny. Borough Attorney Boggia assured the Council that there was no legal impediment to moving forward quickly explaining that he and the Borough Planner had gone through the plan property by property to determine if the redevelopment plan would stand judicial scrutiny. He emphasized that Emerson had issues that affected the health, safety and welfare of the community that could only be resolved with a community wide plan.

Councilman Hoffman did not want to rush the process and preferred that the entire council have the opportunity to question Millennium. Council President Loffredo countered that the Borough Attorney could begin the process of negotiating the terms and the details would be presented to the Mayor and Council. With the exception of Councilman Hoffman, it was the consensus of the Council to begin negotiating a developer’s agreement immediately with Millennium as an act of good faith and so as not to waste any more time. Borough Attorney Boggia opined that the borough had

nothing to lose and had no binding commitment by doing so until the terms were agreed upon.

☞ **Motion** to direct the Borough Council to begin discussions in negotiating a developer's agreement with Millennium for no more than 60 days was **moved** by Council President Loffredo, **seconded** by Councilman Heyer and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Hoffman-No

Todd-Yes

Loffredo-Yes

Heyer-Yes

Milone-Yes

Mayor Lamatina asked Mr. Boggia to present the agreement to Millennium and keep the Mayor and Council advised. Borough resident Liz Petriano interrupted the proceedings several times by asserting that the public did not count. She was reprimanded by Mayor Lamatina and Borough Attorney Boggia who both reminded her repeatedly that it was not a public session and that she could not speak out. As Mr. Burgis was preparing to leave, residents remarked that they had questions for the planner.

☞ **Motion** to open the session to the public for purposes of questioning Mr. Burgis on redevelopment was **moved** by Councilman Hoffman, **seconded** by Councilman Heyer and carried unanimously.

Ms. Shirley Vilardi, 186 Eagle Drive – Ms. Velardi had five questions for Mr. Burgis.

1. She asked for the clarification of "condemnation; if redevelopment moves forward would the borough condemn current properties or sell to developers? Mr. Burgis explained that the developer would initially approach property owners. If recalcitrant holdouts refused to sell, the municipality would begin to use the power of eminent domain.
2. How does the development plan improve traffic flow on Kinderkamack Road? Mr. Burgis related that there would be significant improvement when a turning lane was added at the intersection of Linwood Avenue and Kinderkamack Road. Meetings would be held with the County about other improvements, but there were no plans to widen Kinderkamack Road to a third lane through Emerson.
3. What would happen to people whose livelihood depended on their businesses? Mr. Burgis noted that the redevelopment plan involved staggered development in selected areas. Some businesses would be moved in a small phase; if they wanted to stay in town, they could be relocated. Ms. Vilardi shared specific concerns about Emerson Auto Body. Mr. Burgis explained that the plan was

designed for a neighborhood/retail/commercial character like Ridgewood and detailed that the current ordinance does not permit auto repair facilities; the auto body shop in town was preexisting and nonconforming and could be condemned. This was in line with the fact that the municipality had made the determination of how they wanted the character of Emerson developed. Mayor Lamatina pointed out that there were hearings on redevelopment from 2003 through 2006 and that nothing had changed. The Planning Board and the Mayor and Council had voted on this plan and they were just moving forward on to new development. He asked Ms. Vilardi why she had not brought her concerns to anyone's attention before. Councilman Hoffman remarked that he was not in favor of eminent domain.

4. She asked how the council felt about three or four story units if the developer said it was necessary. Mr. Burgis stated that the plan consisted of three stories from the beginning. Also, in select areas where the property slopes down in back, they may consider four stories. These buildings would have a three story look from the front.
5. Ms. Vilardi disagreed with a comment at the last meeting that only professionals will live in the units built. Mr. Burgis noted that there are similar developments in Allendale and Park Ridge that contain an overwhelming number of empty nesters and young couples.

Ms. Vilardi asked to see how wide Kinderkamack Road will need to be made to ease traffic congestion as well as which buildings would need to be condemned to accomplish this goal. She did not trust what people said and wanted to see the plans for herself. Mayor Lamatina requested that other residents be allowed to speak since Ms. Vilardi had far exceeded the five minute speaking limit.

Louis Napolitano, 79 Kinderkamack Road –asked about the number of buildings that were considered blighted on the south side of the railroad tracks on Kinderkamack Road. He added that he had spent over \$100,000 on renovations and was told his building would not be condemned. Mayor Lamatina added that the properties considered for development were the two family house and the building south of it. He acknowledged that certain properties in that zone might not be as feasible to redevelop as others and guessed that Millennium's plan of action may have no present intent for those areas.

Mr. Polidoro, Norwood – wondered if the Millennium's intended plan of action included Kuiken Brothers. Mr. Burgis explained that it was unknown as this time since nothing had yet been submitted. Mr. Polidoro specified that he did not want to sell his property. Mr. Burgis noted that any new developer would have to meet with property owners in good faith. Mayor Lamatina again mentioned the five minute limit and asked to move on to the next speaker.

Vincent Donato, 128 Vivian Avenue – requested Mr. Burgis to explain how adding 300 rental units and 500-600 vehicles to a small downtown area would save the character of the town. Mr. Burgis explained that to affirm the character of the downtown area, uniform retail with multifamily units were needed and the redevelopment plan was designed with this in mind. Mr. Yeungling attempted to disrupt the meeting several times and was reprimanded by Mayor Lamatina. Mr. Donato also stated that he did not think that the public was aware that 300 units would be added downtown. Council President Loffredo reminded Mr. Donato that the redevelopment plan was posted on the website and had been in existence for a long time.

Sal Gebbia, 13 Emerson Plaza East – maintained that the redevelopment plan was unconstitutional and illegal and wondered how many of the 59 tax lots in the plan were considered “blighted”.

Theresa Wallace, 114 Palisade Avenue –stated that she was concerned with the parking situation at Emerson Plaza East. Councilman Todd noted that this was the reason for redevelopment, to give the borough the opportunity to look at the situation as a whole.

Ms. Gina Calogero, 3 South Dorchester – wondered whether the redevelopment plan needed to be updated since economic elements and physical property improvements had occurred. Mr. Burgis countered that some properties she mentioned were not originally designated as blighted and explained that the courts have upheld redevelopment designations that have been on the books for 19 years. He emphasized that there was no real material change to the fact that the overriding character of the district still needed to be improved upon for the benefit of the community.

Ms. Liz Petriano, 92 Orchard Avenue – questioned the intent to hold a town meeting mentioned in the last meeting. Mayor Lamatina explained that they had decided to move forward and that there would be adequate time for public comment. She also questioned the number of children that would come to the district with 300 units added. Mr. Burgis explained that, based on statistical analysis of thousands of similar units, the borough could expect one public school child for every ten to twelve units. Councilman Hoffman asked how these studies were done. Mr. Burgis referenced two studies: The Center for Urban Policy Research at Rutgers University and his firm, Burgis Associates, local to Bergen County, had also done similar studies. He stated that his statistics were fairly consistent with the Rutgers University studies. These studies could be updated to get very current data, but he was confident that the numbers had not changed dramatically. Overall, he noted, by the time children are four years old, they are gone from these types of developments. In fact the units that have the most adverse effect on schools are the detached single family dwellings.

Mr. Harry Elia, 41 Locust Avenue – questioned how much the redevelopment company could change the parameters and when he would be able to see the plan. Mr. Burgis stated that the plan was scheduled to be presented in mid-January and that it was specific in terms of ordinance criteria. If the redeveloper wanted to vary from the plan, it would have to be presented in a noticed public meeting so that the public could comment on its merits.

☞ **Motion** to close the session to the public for purposes of questioning Mr. Burgis on redevelopment was **moved** by Councilman Todd, **seconded** by Councilwoman DeSalvo and carried unanimously.

Borough Planner Joseph Burgis left the meeting at the conclusion of redevelopment discussions.

- i. Historic Preservation Commission – Councilman Hoffman and Councilman Todd were working together to construct an ordinance using the Closter Historic Preservation ordinance as the model. Borough Clerk Carol Dray had distributed it to the governing body and Borough Attorney Boggia in October for review. It was his intent to introduce the local legislation in the beginning of the year. He asked for clarification on contradictory wording in section #35-55 of the model ordinance regarding whether it designated that the commission was simply an advisory committee or that it had the power to make decisions. Mr. Boggia responded that it allowed the Preservation Commission the ability to make decisions; and that the power would lie with the Commission. Councilman Hoffman noted that final designations would be voted on by the Mayor and Council and estimated that a \$2,000 operating budget of would be requested.

11. NEW BUSINESS

- a) Borough Engineer - None

12. REPORTS

- a) Mayor and Council Reports
 - Councilwoman Marcia DeSalvo – gave the report from the **Board of Education** meeting as follows:
 - In November, four students have moved out of town; two have moved in.
 - She updated the Board on redevelopment and notified them that the borough would be asking for enrollment numbers and school capacity based on the density that ended up being approved.

- A public hearing will take place on January 14th regarding full day kindergarten.
- The final school funding formula will not be known until February despite a recent newspaper report.
- The Board of Education had implemented a parental notification system used for early dismissals, snow closings, etc. that has met with positive response.
- Emerson participated in the NJ Quiz Show and will move forward to the next round.
- The state had awarded four Bloustein scholarships to Emerson students.
- Dr. Tafarro presented a shared service initiative regarding technical services for computer support.
- She attended the Library Holiday Open House.
- Councilwoman DeSalvo bid farewell to Councilman Todd noting his many contributions to the residents of Emerson during his term.

Councilman Hoffman echoed Councilwoman DeSalvo's comments about Councilman Todd adding that he appreciated the time and hard work he had given to the community. He wished him the best of luck and thanked him for his service.

Councilman Todd remarked that he had been pleased to serve and urged the Council to move ahead with redevelopment. He stated that he believed that redevelopment was coming to a conclusion and that all would benefit from it. He reported that he had attended the Library Holiday Open House which was a great success and complimented the Library Director, Jodi Fulgione and all library volunteers. He also discussed the Emerson Volunteer Ambulance Corps which had elections at their last meeting and were in need of a new ambulance.

Council President Loffredo gave his congratulations to Councilman Todd. He also detailed the Police Activity Report for November.

Councilman Heyer gave the Building Activity Report for November.

Councilman Milone explained that the Board of Health meeting had been cancelled due to inclement weather. He thanked Councilman Todd for his hard work and dedication.

Mayor Lamatina thanked Councilman Todd and wished him good luck in all his future endeavors. He also reported on the status of Pascack Valley Hospital noting that the certification would remain active for two years so that there would be no need to prove the necessity of a new healthcare

facility in the area. Finally reviewing the FAA status, the Mayor explained that although implementation was postponed for a short period of time, stopping the plan would be a lost cause and that the borough and area would see the effects of this shortly.

- b) Office of the Borough Administrator - Inaudible
- c) Office of the Municipal Clerk - None
- d) Borough Attorney - None

13. PUBLIC COMMENT

Before opening the meeting for comments from the public, Mayor Lamatina 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 Lamatina 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 Council President Loffredo, **seconded** by Councilman Heyer and carried unanimously.

Sal Gebbia, 13 Emerson Plaza East (business), 980 Briarwood, Franklin Lakes (residence) – read from a prepared statement by his attorney regarding his business, Weathercraft, and the condition of this property. He affirmed that Kinderkamack Road needed to be realigned but that it did not necessitate redevelopment.

Laurence Campagna, 3 South Dorchester – asked if Atkins detailed the reasons they were withdrawing from the project in their letter and requested a copy. Mr. Boggia explained that they gracefully backed away in the letter, but they had not been fully committed – the borough had placed time limits on them, and they were not prepared to meet them. Mr. Campagna also shared his concern about the monetary cost to the borough if lawsuits were brought about as a result of eminent domain. He was assured by Mr. Boggia that the costs would be the responsibility of the developer.

Vince Donato, 128 Vivian Avenue – requested confirmation that the developer would bear the responsibilities of legal action.

Gina Calogero, 3 South Dorchester – expressed her opinions on the redevelopment plan and her concern about where 300 apartment units and vehicle parking would be located. Ms. Calogero suggested

reconfiguring the current parking instead and allowing properties to do their own improvements.

☞ Seeing no more hands, Council President Loffredo **moved** to close the meeting for public comment, **seconded** by Councilwoman DeSalvo and carried at 10:00 p.m.

14. CONSENT AGENDA-Resolution No. 200-07

☞ **Motion** to approve the Consent Agenda Resolution No. 200-07 was **moved** by Councilman Heyer, **seconded** by Councilman Todd and approved unanimously by roll call vote.

Roll Call Councilpersons:

DeSalvo-Yes

Hoffman-Yes

Todd-Yes

Loffredo-Yes

Heyer-Yes

Milone-Yes

Ca #201-07 Approve Tax Appeal Settlement 2005 – Mara Center LLC – Blk #609, Lot #2-72 Kinderkamack Rd

Ca #202-07 Approve Tax Appeal Settlement 2006 – Mara Center LLC – Blk #609, Lot #2-72 Kinderkamack Rd

Ca #203-07 Approve Change Order #1 for \$20,813.90; State Aid Improvement of Ackerman Ave from Kinderkamack Rd. to Borough of Westwood border;

Ca #204-07 Approve Tax Appeal Settlement – 2006 – Anali, LLC – block 610, Lot 5.02, 89 Kinderkamack Rd.

Ca #205-07 Approve Tax Appeal Settlement – 2006 – Hudson City Savings Bank, Block #211, Lot #4 – 330 Kinderkamack Rd.

Ca #206-07 Commerce Risk Control Services – Coordinate Alcohol and Drug Testing Services

Ca #207-07 Approve and authorize Mayor Lamatina to sign the Animal Control Contract 2008 Bergen County Department of Health Services

Ca #208-07 Approve the 2008 Annual Meeting Notice of Regular and Work Session Meetings of the Mayor and Council of the Borough of Emerson

Ca# 209-07 Approve 2008 Borough Holiday Closings

Ca# 210-07 SHARE Grant for DPW Services

Ca #211-07 Approval of Bergen Brookside Towing and Rich’s Automotive as towers for Emerson Police Department

Ca #212-07 Approve Cleaning/Maintenance for Borough Buildings to Winnett’s Cleaning

Ca #213-07 Establish a new Petty Cash Fund for Office of the Municipal Clerk in the amount of \$100.00

15. CLOSED SESSION RESOLUTION No. 214-07

☞ **Motion** to close for an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 214-07 was **moved** by Councilman Heyer, **seconded** by Councilman Todd and carried by roll call vote.

Roll Call Councilpersons:

DeSalvo-Yes
Hoffman-Yes
Todd-Yes
Loffredo-Yes
Heyer-Yes
Milone-Yes

#07-12/18-55 Personnel – Fire Department

#07-12/18-56 Personnel – Police Chief Contract, Finance

☞ **Motion** to reconvene was **moved** by Councilwoman DeSalvo, **seconded** by Councilman Todd and carried unanimously at 11:25 p.m.

☞ **Motion** to pay bills was **moved** by Council President Loffredo, **seconded** by Councilman Milone and carried by roll call vote.

Roll Call Councilpersons:

DeSalvo-Yes
Hoffman-Yes
Todd-Yes
Loffredo-Yes
Heyer-Yes
Milone-Yes

☞ **Motion** to sign off on a Memorandum of Understanding between the Borough of Emerson and the Emerson Police Department for purposes of extending the twelve hour shift trial period through January 1, 2009 at 12:00 a.m. was **moved** by Council President Loffredo, **seconded** by Councilman Todd and carried by roll call vote.

Roll Call Councilpersons:

DeSalvo-Yes
Hoffman-Yes
Todd-Yes
Loffredo-Yes
Heyer-Yes
Milone-Yes

☛ **Motion** to hire Gene Vinci, the Administrator/Certified Financial Officer of Park Ridge on a temporary basis, part time basis to fulfill all the duties of CFO while Ms. Burns is out on leave, that included budget transfers, verifying funds for transfer, preparing the 2008 budget, and closing out the 2007 budget for the salary discussed in closed session with no benefits was **moved** by Council President Loffredo, **seconded** by Councilman Heyer and carried by roll call vote.

Roll Call Councilpersons:

DeSalvo-Yes
Hoffman-Yes
Todd-Yes
Loffredo-Yes
Heyer-Yes
Milone-Yes

Fair and Open

The Mayor and Council discussed the Fair and Open policy for hiring Borough professionals. Due to time constraints on filing paperwork and deadlines, it was decided to consider this further for 2008. Council President Loffredo discussed the need to put together RFP criteria as it was wrong to not have job criteria in writing. He also noted that a list of professionals was needed by the Mayor and Council for discussion. Mayor Lamatina remarked that it had been a great year and that he wanted everyone to continue to work with each other.

16. SINE DIE ADJOURNMENT

Mayor Lamatina announced that with no objections, the business of the day that was unfinished falls to the ground and all standing and special committees are terminated and indeterminate appointments dissolved. Those appointments and committee could be introduced at the next meeting of the Mayor and Council of the Borough of Emerson; however, the same as if they had never before been brought up and requested a motion to adjourn sine die.

Motion to adjourn sine die was **moved** by Councilman Todd, seconded by Council President Loffredo and **carried** unanimously at **11:30 p.m.**

Carol Dray, RMC/CMC

February 28, 2008