

MINUTES
BOROUGH OF EMERSON
Mayor and Council
REORGANIZATION
(Closed Executive Session)
Tuesday, January 3, 2006
Municipal Building
Council Chambers-7:30 PM
Emerson, NJ 07630

This meeting was called to order at 7:45 pm. George Howlin lead the Salute to the Flag followed by a moment of silence.

Mayor Setteducati read the Open Public Meetings Statement announcing that the meeting was called pursuant to the provisions of the Open Public Meetings Law. This meeting of **January 3, 2006** was included in a list of meeting notices sent to the Bergen Record and Ridgewood News on December 15, 2005 and advertised in said newspapers on December 17 & December 23, 2005; respectively, posted on the bulletin board in the Municipal Building on December 17th, 2005 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk of the Borough Hall.

RECEIPT OF CERTIFICATES OF ELECTION

The Borough Clerk announced the receipt of the Certificates of Election for Councilmen-Elect Camporeale and Milone and presented the certificates to both.

OATH OF OFFICE

Mayor Setteducati swore in Councilman Camporeale and Milone.

ROLL CALL OF 2006 Council

Councilman Carlo Camporeale Present
Councilwoman Carole Costantin-Present
Councilman Christopher Heyer-Present
Councilman Kenneth Hoffman-Present
Councilman Frank Milone-Present
Councilman Brian Todd-Present
Mayor Steven Setteducati-Present

Also present were Borough Clerk, Carol Dray, Borough Attorney, William Smith and Mr. Scarpa, Borough Administrator.

7. MAYOR'S WELCOME ADDRESS TO CITIZENS FOR 2006

Mayor Setteducati outlined the governing body's goals for 2006. First and foremost on Mayor Setteducati's agenda was the redevelopment of the downtown business district.

He stated that while Redevelopment was very exciting, the process itself is very complicated and intense. He added that he anticipated the presentation of a plan in a few weeks and despite that it had begun in 2003; the Borough of Emerson was way ahead in the Redevelopment process, which can take several years to implement. Mayor Setteducati complimented the Planning Board's expertise and efforts in regard to the Redevelopment, and the Planning Board itself, of whom he was very proud. He was confident that through his efforts and that of the Planning Board, the Redevelopment process would be done correctly.

Secondly, the senior housing project was moving forward and the groundbreaking was scheduled to begin shortly. It had proven to be a very popular project and he was hopeful that more of the same would develop for the senior citizens of the borough. Thirdly, the Pascack Valley Shopping Center was also moving forward with permits in place and the demolition would begin sometime in the spring. Mayor Setteducati was pleased to announce that the project had met with no obstacles nor had it been appealed. Mayor Setteducati stated that his administration had kept the municipal tax increase to below three (3) points two years in a row while addressing infrastructure needs and was hopeful that the pending projects would generate greater ratables for the municipality, thus minimizing future property tax increases. He commented that this administration had held the borough to fiscal responsibility. The Armenian Home would be presenting an application to the Planning Board for a new and improved renovation to beautify the area, which might also generate income for the town. Mayor Setteducati volunteered that there were more exciting projects on the horizon that would affect the ratables and were being pursued vigorously. Mayor Setteducati ended by stating that he was very proud to be Mayor and was enthusiastic about the future of the borough.

8. NEW COUNCIL MEMBER'S ADDRESS

Councilman Camporeale thanked the residents for re-electing him and conceded that, although, all his decisions may not have been agreed with by the public or his fellow council members, they were representative of what he felt was in the best interest of the town and an example of government at work. He again thanked the residents for their faith and trust.

Councilman Milone thanked the residents for supporting him and Councilman Camporeale during their campaign and looked forward to working with his fellow members for the betterment of the town.

9. PROCLAMATIONS AND PRESENTATIONS

a) Former Councilman Anthony Loffredo

Councilman Loffredo was not present and, therefore, the presentation was postponed to a time when he could attend.

10. ADOPTION OF GOVERNING BODY BY-LAWS & SEATING

ARRANGEMENT & ORDER OF VOTING-Resolution No. 01-06

☞ A **motion** was made by Councilwoman Costantin, seconded by Councilman Camporeale, to approve the Rules and By-Laws for the conduct of business of the Mayor

and Council for the Borough of Emerson for the year commencing on January 1, 2006 and expiring December 31, 2006 with amended seating and voting order.

11. COUNCIL APPOINTMENTS

a. Council President-RN02-06

☞ Mayor Setteducati **moved** to open the meeting to nominations. Councilman Heyer nominated Councilman Brian Todd. With no other nominations, Councilman Camporeale moved to close the meeting to nominations, seconded by Councilwoman Costantin. **Motion** to appoint Councilman Brian Todd as Council President of the 2006 Governing Body of the Borough of Emerson was moved by Councilman Heyer, seconded by Councilman Camporeale and carried by roll call vote.

Council members:

- Milone-yes
- Costantin-yes
- Camporeale-yes
- Heyer-yes
- Todd-abstain
- Hoffman-yes

b. Committee Chairperson and Board Liaisons- RN03-06

Mayor Setteducati announced that there was some indecision on a few of the commissions and boards and that the Environmental Commission, the Emerson Volunteer Ambulance Corps and Recreation Commission liaison appointments would be considered at another time after more deliberation by the Council.

☞ **Motion** to confirm the following appointment of Committee Chairpersons and Liaisons for the Year 2006 with the exception of Environmental Commission, the Emerson Volunteer Ambulance Corps and Recreation Commission was moved by Councilwoman Costantin, seconded by Councilman Camporeale and carried by roll vote.

Council members:

- Milone-yes
- Costantin-yes
- Camporeale-yes
- Heyer-yes
- Todd-yes
- Hoffman-yes

Committee Chairpersons-

Councilperson(s)

- | | |
|---|--------------------------|
| i. Finance and Revenue | Camporeale/Milone |
| ii. Police | Todd/Costantin |
| iii. Streets and Municipal Services | Heyer/Hoffman |
| iv. Fire | Heyer/Hoffman |
| v. Real Estate& Planning | Todd/Heyer |
| vi. Zoning Board of Adjustment | Heyer/Todd |
| vii. Public Buildings, Grounds, Parks & Utilities | Costantin/Milone |
- c. Council Liaisons-RN04-06 Councilpersons
- i. Board of Health **Milone**
 - ii. Environmental Commission No appointment

- | | |
|---------------------------------|-------------------------|
| iii. Business Community | Setteducati/Todd |
| iv. Shade Tree Commission | Hoffman |
| v. Library Board of Trustees | Costantin |
| vi. Board of Education | Milone/Todd |
| vii. Senior Citizens | Costantin |
| viii. Volunteer Ambulance Corps | No appointment |
| ix. Recreation Commission | No appointment |

d. Insurance Commissioner Appointment by Mayor

Mayor Setteducati appointed **Councilman Camporeale** as the Insurance Fund Commissioner for the term ending December 31, 2006.

e. Class III Planning Board Member-RN05-06-Council Nomination

☞ **Motion** to open the floor for nominations by the Council for the Class III Planning Board Member was moved by Councilman Heyer, seconded by Councilman Todd and carried unanimously. Councilman Heyer nominated Council President Todd as the Class III member. With no other nominations forthcoming, **motion** to close the meeting to nominations from the Councilman Heyer, seconded by Councilman Hoffman and carried unanimously. **Motion** to appoint Councilman Todd as the Class III Planning Board was moved by Councilman Camporeale, seconded by Councilman Heyer and carried unanimously by roll call vote.

Council members:

- Milone-yes
- Costantin-yes
- Camporeale-yes
- Heyer-yes
- Todd-abstain
- Hoffman-yes

14. PROFESSIONAL SERVICES APPOINTMENTS (RESOLUTION NOS. on consent)

☞ **Motion** to confirm Resolution Nos. 06-06 through 15b-06 on consent by the non-fair and open process in receipt of each professional's Business Entity Disclosure Certification pursuant to NJSA 19:44A-20.8 was moved by Councilman Milone, seconded by Councilman Camporeale and carried by roll call vote.

Council members:

- Milone-yes
- Costantin-yes
- Camporeale-yes
- Heyer-yes
- Todd-yes
- Hoffman-yes

Resolution No.	SERVICE	TERM EXPIRATION	APPOINTEE	VOTE
06-06	Borough	12/31/06	William Smith	Roll Call:

	Attorney			Unanimous
07-06	Borough Auditor	12/31/06	Gary Higgins	Roll Call: Unanimous
08-06	Borough Engineer	12/31/06	Kenneth Job	Roll Call: Unanimous
09-06	Bond Counsel	12/31/06	Steve Rogut	Roll Call: Unanimous
10-06	Borough Prosecutor	12/31/06	No Appointment	
11-06	Alternate Prosecutor	12/31/06	Brian Giblin	Roll Call: Unanimous
12-06	Second Alt. Prosecutor	12/31/06	No Appointment	
13-06	Public Defender	12/31/06	Karen Passaro-Prelich	Roll Call: Unanimous
14-06	Alt. Public Defender	12/31/06	Craig Parles	Roll Call: Unanimous
15-06 15B-06	Insurance Risk Managers	12/31/06	Vozza/Johl Agency	Roll Call: Unanimous

16. INTRODUCTION and OATH OF OFFICE FOR EMERGENCY SERVICES OFFICERS

Emerson Volunteer Fire Department

Mayor Setteducati announced the names of the 2006 Officers of the Emerson Volunteer Fire Department as follows: Fire Chief Thomas Carlos, Assistant Chief Mark Savino, Captain of the Hose John Holter, Captain of the Ladder Joseph Castrovillari, and Lieutenant of the Hose Thomas Monahan, Jr., Lieutenant of the Ladder Daniel O'Brien

New Appointments:

1. **Motion** to appoint Timothy Rizza as an Emerson Volunteer Fire Department member was moved by Councilman Camporeale, seconded by Council President Todd and carried unanimously.
2. **Motion** to appoint Daniel K. Ardalan as a member of the Emerson Volunteer Fire Department was moved by Councilman Heyer, seconded by Councilman Camporeale and carried unanimously.

a) Emerson Volunteer Ambulance Corps

Mayor Steve Setteducati administered the oath of office to the 2006 Emerson Volunteer Ambulance Corps Captain Larry Hagberg, 1st Lieutenant Mike Davis, 2nd Lieutenant Dan Argenzia, President Dennis Fleming, Vice President Maureen Howlin, Treasurer Mike Budres, and Secretary Melissa Alexander.

17. OFFICERS AND EMPLOYEES-RN18-06-AMENDED

Councilman Camporeale requested that the appointment of the Tax Search Officer and Tax Collector be pulled in absence of his knowledge of the proposed appointee's

qualifications and experience. Subsequently, no appointment was made for Tax Search Officer or Tax Collector without any objection from the other council members. In answer to Mayor Setteducati’s question as to whether Mr. Amorino had been notified of his non-reappointment, Mr. Scarpa replied that it was an open position.

☞ **Motion** to confirm the appointments duly noted in Resolution No. 18-06 with the exception of Zoning Official/Sign Inspector, Tax Search Officer and Tax Collector was moved by Councilman Todd, seconded by Councilman Hoffman and carried by roll call vote.

Council members:

- Milone-yes
- Costantin-yes
- Camporeale-yes
- Heyer-yes
- Todd-yes
- Hoffman-yes

POSITION	TERM EXPIRES	APPOINTEE
a) Recycling Coordinator	12/31/06	Joseph Scarpa-Appointed
b) Zoning Official/Sign Insp.	12/31/06	No appointment
c) Dep. Emer. Management	12/31/06	Allen Solimando
d) Tax Search Officer	12/31/09	No appointment
e) Tax Collector	12/31/09	No appointment
f) PACO Officer	12/31/06	Carol Dray
g) Fire Official	12/31/06	No appointment

18. MAYOR’S APPOINTMENTS TO BOARDS AND COMMISSIONS (with Council Confirmation)

☞ **Motion** to confirm Mayor Setteducati’s appointments to the Zoning Board of Adjustment was moved by Councilman Heyer, seconded by Councilman Milone and carried unanimously.

Zoning	Member	12/31/09	Kevin Battell
	Alternate I	12/31/06	Larry Gallagher
	Alternate II	12/31/07.	Marc Clouse
	Alternate III	12/31/06 unexp	Robert Adams
	Alternate IV	12/31/07	VACANT

☞ The following borough board and commission appointments below were confirmed by a **motion** made by Councilman Camporeale, seconded by Councilwoman Costantin and carried unanimously with no objection.

Board Of

Health	Member	12/31/08	Elaine Rizzo
	Member	12/31/08	Thomas Lombardi

Recreation	Member	12/31/10	No appointment
Comm.	Member	12/31/10	No appointment
	Alternate I	12/31/09	No appointment

Library

Board	Member	12/31/10	No appointment
	Member	12/31/10	Frances Ianora
	Member	12/31/10	Gail Kovacs

Mayor Setteducati directed Councilwoman Costantin and the Borough Clerk to examine the expiration dates of the Library Board appointments with Mr. Bierman as it seemed that too many terms expired at the same time.

Motion to confirm the appointments below was made by Councilman Todd and Councilman Camporeale and carried on roll call vote.

Council members:

- Milone-yes
- Costantin-yes
- Camporeale-yes
- Heyer-yes
- Todd-yes
- Hoffman-yes

Emerson Auxiliary Police

David Kogut, William Levine, John Mahoney, Ed Napolski, Elizabeth Reilly, Louis Rizzo, Joseph Ellis, and Scott Voorhees, Captain

Community Emergency Response Team (CERT)

Kathy Buda, Carlos Colina, Gladys De Marco, Owen Peacock, Daniel Peacock, George Schomberg, Leslie Solimando, Lucy Solimando and Robert Sottile

School Crossing Guards

Pat Cannone, Joseph Harriman, Bonnie Kompel, Joanne Monahan, Joe Romanowicz, Sue McDonald and Reno Monti, Al Anderson, Edward Helm, Sheri Jaeger, William Levine, Rocco Venezia, and Donna Block.

OFFICIAL	12/31/06	The Bergen Record
NEWSPAPERS	12/31/06	Ridgewood News

19. MAYOR'S APPOINTMENTS

Mayor Setteducati announced his appointments to the Planning Board, Shade Tree Commission and Environmental Commission as follows:

	<u>Board</u>	<u>Expiration</u>	<u>Appointee</u>
*Planning	Class I	12/31/06	Steve Setteducati
	Class II	12/31/06	Robert Adams
	Class IV	12/31/09	Steve Bair
	Class IV	12/31/06unexp	Fred Madura

	Class IV	12/31/08	Marcia DeSalvo
	Alternate I	12/31/06 unexp	VACANT
	Alternate II	12/31/07	VACANT
Shade Tree Commission	Member	12/31/10	Joseph Solimando
		12/31/10	Anthony Szachacz
Environmental Commission			
	Member	12/31/08	Bob Belli
	Member	12/31/08	Tony Leone
	Member	12/31/06 unexp.	Michael Slepian
	Alternate I	12/31/07	Anthony Scozzafava
	Student Member	12/31/06	Peter Todd

NEW BUSINESS:

1. Ordinance-Introduction

ORDINANCE NO 1300-06

AN ORDINANCE TO AMEND SECTION 274-50 OF THE CODE OF THE BOROUGH OF EMERSON ENTITLED, “VEHICLES AND TRAFFIC, SCHEDULE XIV: NO PARKING”

☞ **Motion** to approve Ordinance No. 1300-06 on first reading was moved by Councilwoman Costantin, seconded by Councilman Heyer and carried by roll call vote.

RC: Council members

- Milone-yes
- Costantin-yes
- Camporeale-yes
- Heyer-yes
- Todd-yes
- Hoffman-yes

Mayor Setteducati announced that Ordinance No. 1300-06 would be advertised in the January 6th, 2006 edition of the Bergen Record, posted on the official bulletin board and on file in the Borough Clerk’s office. A second reading and public hearing prior to adoption would take place at the Regular Meeting of the Mayor and Council on January 17, 2006 at 8:00 pm in the Council Chambers in the Municipal Building

2. FINANCIAL MATTERS

a) Adoption of the Temporary Budget-RN16-06

☞ **Motion** to approve Resolution No. 16-06 was moved by Councilman Camporeale, seconded by Councilman Milone and carried by roll call vote.

RC: Council members

- Milone-yes
- Costantin-yes
- Camporeale-yes
- Heyer-yes
- Todd-yes
- Hoffman-yes

b) Approve Transfers within the 2005 Budget-RN17-06

☞ **Motion** to approve Resolution No. 17-06 was moved by Councilman Camporeale, seconded by Councilman Milone and carried by roll call vote.

RC: Council members

Milone-yes
Costantin-yes
Camporeale-yes
Heyer-yes
Todd-yes
Hoffman-yes

3. Arbitration Decision

Mr. Scarpa suggested that the Police matter be discussed in Closed Session or, if the Council chose to continue, to keep the detail at a minimum as the matter was still pending. Mr. Smith advised that the public had a right to know why the Council might be spending tax dollars on an appeal and Mayor Setteducati agreed that the public should be made aware of the circumstances behind their decision to spend tax dollars.

Councilman Todd began briefing the public and Mr. Smith went into greater detail explaining that the new officer had been interviewed by the Police Chief who had claimed the prospective candidate would receive a higher rate of salary, which he was not authorized to do by the Mayor and Council. When it became apparent to the newly hired officer that his rate of pay was not what he had been led to believe it would be, some members of the Police Department filed a grievance on his behalf. The arbitrator ruled that the new police officer had been misled by the Police Chief, and; therefore, his rate of pay should be what he had been originally told by the Police Chief of \$47,000, even though the Police Chief had lacked the authority to decide the new patrol officer's salary. The CFO informed the Council that the new officer's salary would jump to \$61,000 in 2006 because of the annual salary step increases afforded to police officers if he were to receive \$47,000 instead of \$34,000. That difference in pay would cost the borough \$70,000-\$100,000 over the next five years. Mayor Setteducati added that there had been no authorization given to the Police Chief to make a salary offer to the new police officer and the Council was now inclined to take action to appeal the arbitrator's decision. The decision would be appealed in Superior Court.

☞ **Motion** to appeal the decision of the arbitrator in regard to the matter of the starting rate of pay for Police Officer Kalyoussef was moved by Councilman Todd, seconded by Councilwoman Costantin and carried by roll call vote.

RC: Council members

Milone-yes
Costantin-yes
Camporeale-yes
Heyer-yes
Todd-yes
Hoffman-yes

20. PUBLIC COMMENT

Before opening the meeting for comments from the public, Mayor Setteducati 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 Setteducati 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 ejection from the council chambers.

☞ Councilman Camporeale **moved** to open the meeting for comments from the public, seconded by Councilman Todd and carried unanimously.

Bob Belli, 57 Longview Dr., gave his congratulations to the Mayor and Council for their excellent performance, past and present, and hoped Mayor Setteducati, the hardest working mayor he had ever seen, would choose to run again.

☞ Seeing no other hands, Councilman Camporeale **moved** to close the meeting for comments from the public, seconded by Councilman Todd and carried unanimously.

21. CONSENT AGENDA Resolution No. 19-06

☞ **Motion** to approve Resolution No. 19-06, Consent Agenda, was moved by Councilman Camporeale, seconded by Councilman Heyer and carried by roll call vote.

RC: Council members

Milone-yes
 Costantin-yes
 Camporeale-yes
 Heyer-yes
 Todd-yes
 Hoffman-yes

ca20-06	Designate Official Newspapers
ca21-06	Approve Cash Management Plan
ca22-06	Approve Official Depositories
ca23-06	Approve Authorized Signatories
ca24-06	Approve Ratification of Bonds
ca25-06	Establishing Rate of Interest for Delinquent Taxes
ca26-06	Authorize Mayor to execute agreement of Co-Risk Managers Consultants-Vozza/Johl
ca27-06	Approve Appointment of LOSAP Program Administrators Mark Savino for the Emerson Volunteer Fire Department and George Howlin for the Emerson Volunteer Ambulance Corps
ca28-06	Approve Producers Agreement Bergen County Municipal Benefits Fund
ca29-06	Approve Fee of \$20.00 for Returned Checks for Insufficient Funds
ca30-06	Approve Bond, Treasurer of Library Board of Trustees

Re-establishment of Petty Cash Funds
ca31-06 Tax Overpayment \$300.96, Block 1001.02, Lot 4.08
ca32-06 Authorizing participation in Paris Grants

CLOSED SESSION-Resolution No. 33-06

☞ **Motion** to close for an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 33-06 was moved by Councilman Camporeale, seconded by Councilman Heyer and carried unanimously.

06-01/03-1 Personnel-Borough Clerk
06-01/03-2 Personnel-Building Department

RECONVENE

☞ **Motion** to reconvene to open session was moved by Councilwoman Costantin, seconded by Council President Heyer and carried unanimously.

Borough Clerk 2006 Compensation

☞ Councilwoman Camporeale **moved** to raise the annual base salary of the Municipal Clerk to \$62,500, with an election stipend of \$2,000 and a meeting stipend of \$3,500 for the full annual benefit of \$68,500. There would be no change in vacations days and longevity was yet to be decided. Additionally, the Municipal Clerk would receive ½ per diem for every unused sick day. The motion was seconded by Councilman Todd and carried by roll call vote.

RC: Council members

Milone-yes
Costantin-yes
Camporeale-yes
Heyer-yes
Todd-yes
Hoffman-yes

Building Department-Resolution AO2-06

☞ **Motion** to approve a conditional offer of employment to Michael Sartori as the Construction Code Official/Zoning Officer/Property Maintenance/Sign Inspector at the salary rate established by the current Salary Ordinance was moved by Councilman Camporeale, seconded by Councilman Heyer and carried by roll call vote.

RC: Council members

Milone-yes
Costantin-yes
Camporeale-yes
Heyer-yes
Todd-yes
Hoffman-yes

ADJOURNMENT

With no other business to discuss, **motion** to adjourn was moved by Councilman Camporeale, seconded by Councilman Todd and carried unanimously at 9:10 p.m.

Carol Dray, RMC

January 9, 2006