



MAYOR AND COUNCIL MINUTES

Tuesday, March 28, 2006

8:00 P.M.

BOROUGH HALL COUNCIL CHAMBERS

Municipal Place

This meeting was called to order at 8:23 pm. Dr. Rishi Raj led 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 **March 28, 2006** was a re-scheduled meeting after publication of the Annual Meeting Notice. Notice of this meeting was faxed to the Bergen Record and Ridgewood News on March 15, 2006, posted on the bulletin board in the Municipal Building 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.

Also present was Borough Administrator, Joseph Scarpa, and Borough Clerk, Carol Dray. Mr. Smith arrived at 8:37 p.m.

- I. Approval of Minutes –None were presented for approval

VII. CORRESPONDENCE

Mayor Setteducati announced that copies of the correspondence are on file in the Office of the Municipal Clerk.

- #06-19 letter dated 3/7/06, re: Bergen County Council of PTA's, K. Shinevar
- #06-20 letter dated 3/13/06, re: Request to hang banner for Westwood Swim Club, M. Pellegrino
- #06-21 letter dated 3/10/06, re: Bergen County Volunteers of the Year Program, County Executive, D. McNerney
- #06-22 letter dated 3/10/06, re: Flooding Problems, Assemblywoman C. Vandervalk
- #06-23 letter dated 3/14/06, re: Improvement of Chestnut Ave., Job & Job
- #06-24 fax dated 3/13/06, re: Request for permission to hang banner, M. Pellegrino
- #06-25 letter rec'd 3/6/06, re: CDBG Program, County Executive D. McNerney
- #06-26 letter dated 3/23/06, re: Meadowland issues, E. Randall, Freeholder
- #06-27 letter dated 4/1/06, re: BCUA, 2006 Municipal Recycling Assistance

VIII. PROCLAMATIONS AND PRESENTATIONS

Dr. Rishi Raj-Outstanding Achievements and Community Service

Mayor Setteducati presented Dr. Raj with a plaque in recognition of his service to the community with his family present. Dr. Raj thanked the Mayor and Council and implored

the public to make the sacrifice of service on behalf of the community and strive for harmony as the Bible teaches.

IX. APPOINTMENT AND PERSONNEL CHANGES

None

X. OLD BUSINESS

None

XI. ORDINANCES-FIRST READING

**The Borough Clerk read the number and title of the first ordinance for introduction.
No. 1303-06 AN ORDINANCE AMENDING CHAPTER 150 OF THE CODE OF THE BOROUGH OF EMERSON ENTITLED "UNIFORM FIRE CODE"**

☞Motion to approve Ordinance No. 1303-06 on introduction was moved by Councilman Heyer, seconded by Councilwoman Costantin and carried on roll call vote.

RC: Council members

Milone-yes

Costantin-yes

Camporeale-yes

Heyer-yes

Todd-yes

Hoffman-yes

Mayor Setteducati announced that Ordinance No. 1303-06 was approved unanimously on first reading and will be further considered at a Public Hearing to be held on May 2, 2006 at 8:00 p.m. in the Council Chambers of the Borough Hall, Municipal Pl., Emerson, N.J. Ordinance No. 1303-06 is on file in the Clerk's Office and posted on the official bulletin board of the Municipal Building.

**The Borough Clerk read the number and title of the second ordinance.
No. 1304-06 AN ORDINANCE TO ESTABLISH STORM WATER MANAGEMENT CONTROLS TO ENSURE PROPER STORM WATER MANAGEMENT IN CONJUNCTION WITH CURRENT STATE AND FEDERAL REGULATIONS**

☞Motion to approve Ordinance No. 1304-06 on introduction was moved by Councilman Milone, seconded by Councilwoman Costantin and carried on roll call vote.

RC: Council members

Milone-yes

Costantin-yes

Camporeale-yes

Heyer-yes

Todd-yes

Hoffman-yes

Mayor Setteducati announced that Ordinance No. 1304-06 was approved unanimously on first reading and will be further considered at a Public Hearing to be held on May 2, 2006 at 8:00 p.m. in the Council Chambers of the Borough Hall, Municipal Pl., Emerson, N.J. Ordinance No. 1304-06 is on file in the Clerk's Office and posted on the official bulletin board of the Municipal Building.

XII. ORDINANCES-SECOND READING AND PUBLIC HEARING

None

XIII. FINANCIAL ACTION

Under Financial Action, the Borough Clerk read the number and title of the third ordinance prepared for introduction.

Ordinance No. 1302-06 **ORDINANCE TO EXCEED THE CAP
BOROUGH OF EMERSON BERGEN COUNTY, NEW JERSEY
CALENDAR YEAR 2006 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A-4-45.14)**

☛ **Motion** to approve Ordinance No. 1302-06 on introduction was moved by Councilwoman Costantin, seconded by Councilman Milone and carried unanimously on roll call vote.

RC: Council members

Milone-yes

Costantin-yes

Camporeale-yes

Heyer-yes

Todd-yes

Hoffman-yes

Mayor Setteducati announced that Ordinance No. 1302-06 was approved unanimously on first reading and will be further considered at a Public Hearing to be held on March 2, 2006 at 8:00 p.m. in the Council Chambers of the Borough Hall, Municipal Pl., Emerson, N.J. Ordinance No. 1302-06 is on file in the Clerk's Office and posted on the official bulletin board of the Municipal Building.

Resolution No. 68-06 **Introduction of the 2006 Municipal Budget**

Mayor Setteducati commented that this year's municipal portion of the budget excluding the County and the school board portion represented a zero percent increase over last year. He added that that the Mayor and Council had reduced municipal debt by \$1,280,000 or 17% while at the same time fully funding the infrastructure by over \$400,000 for each of the past four years. Mayor Setteducati explained that the significant investment with no new borrowing was achieved by tightening the belt, and restructuring borough departments for greater efficiency. Mayor Setteducati anticipated an additional \$1 million in ratable revenue from the Pascack Valley Shopping Center and Senior Housing alone when both projects are completed, which is not reflected in this year's budget. As progress is made on both of those projects, spot assessments would generate

revenue and be reflected as surplus in next year's budget. The Senior Housing project Developer's Agreement mandates \$100,000 for infrastructure expenses to be reflected in next year's budget and \$105,000 in COAH obligation for future years. Mayor Setteducati added that the Capital Budget was fully funded with no new borrowing.

☛ **Motion** to approve the 2006 Municipal Budget on the first reading was moved by Councilman Camporeale, seconded by Councilman Costantin and carried on roll call vote.

RC: Council members

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

☛ **Resolution No. 69-06** **Deferred School Tax**

Motion to approve Resolution No. 69-06 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

☛ **Resolution No. 70-06** **Making Application for a CAP Waiver**

Motion to approve Resolution No. 70-06 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

XIV. NEW BUSINESS

1. Hot Dog Heaven -amending commercial sign ordinance reconsideration request, letter dated 12/5/05, H. Bailey, LLP-Councilwoman Costantin
2. Amending Election signs, limiting residential lawn advertisement signs-Councilman Milone

Councilwoman Costantin explained that a letter had been received from Hot Dog Heaven's attorney requesting that the Council consider amending the current ordinance to permit sidewalk signs. Mayor Setteducati polled the Council for their opinion as to

whether placard signs or sandwich boards should be permitted but the consensus among the members was that they were opposed to the allowing the signs for appearance sake. The Council was not in favor of hiring a part time Property Maintenance officer as suggested by Mayor Setteducati to relieve some of the duties of the new Construction Code Official in lieu of all the new construction projects. Mayor Setteducati stressed equal enforcement of the sign ordinance.

In regard to election signs, Councilman Milone felt the ordinance was ambiguous. Construction signs as well became a topic of discussion with remarks made that they were left too long on a property and should also be set by ordinance. Councilman Hoffman interjected that construction signs are currently limited by ordinance. Councilman Camporeale considered the time limit too long and agreed to review the ordinance at the suggestion of the Mayor. Mayor Setteducati remembered that the election sign ordinance had been discussed previously in 2005 when the Borough Attorney had advised that the current ordinance as written might be unenforceable and the Council had agreed at that time to consider amending the ordinance. The Council briefly discussed both issues and requested that the Borough Administrator collect model ordinances from surrounding municipalities for further consideration of both issues.

3. Volunteer of the Year Nomination

Councilman Hoffman suggested Pat Rizza and Mayor Setteducati suggested Fran Ianora and Jim Bayley as recipients for the Volunteer of the Year Award. The Council decided to take an informal poll between now and the next meeting before presentation of a name to the County all the nominees were worthy candidates.

4. Borough Website

Councilman Hoffman objected to the posting of two Bergen Record articles on the home page of the borough website considering it an inappropriate use of the municipal website. After a comprehensive search, he maintained that he could not find another municipality's website that posted articles of that nature on them. Instead, he found that municipal websites were used exclusively for informational purposes and did not provide political opinions or cover controversial issues and editorials. He requested that the two articles be removed from the website due to inappropriateness and suggested that the governing body impose guidelines for content of material and the procedure for posting items on the website. Mayor Setteducati replied that he had solicited numerous times for volunteers to maintain the borough website and felt that the homepage was an important tool to keep the public informed of current events using unbiased news sources for those who do not attend Mayor and Council meetings. In his opinion, the two councilmen who received summonses from an allegedly disgruntled police officer was something worth posting. Mayor Setteducati added that there was a myriad of information available on the website, including Redevelopment, and anyone could submit an item for posting. Councilman Camporeale was concerned that the homepage, as the front page introduction to the world, with those two articles on it might invoke a negative image of the town and suggested that articles may decrease the value of the real estate in the borough by discouraging new residents. He warned the Council that they should be careful disseminating negative information to the public. Councilman Heyer agreed and

suggested a separate editorial page if the Council so choose to continue posting such articles. Mayor Setteducati agreed to some of the points made and further suggested that the matter be resolved at the next meeting.

Westwood Swim Club Banner request

After a brief discussion, by general consent, the Council denied the request to erect a banner in Emerson soliciting membership for the Westwood Swim Club.

XV. REPORTS

1. Mayor and Council Reports of Boards and Committees (2nd Meeting of the Month)

Mayor Setteducati reported that the **Redevelopment Plan** for the downtown business district was unanimously approved at the last Planning Board meeting and the resolution would be memorialized at the April 6th Planning Board meeting. It would then be considered by the Council for their review and approval. A multitude of possibilities exist for the business and landowners to improve their own properties and those who do not reinvest would make room for people who were looking to improve their properties. The improvements should generate a substantial increase in commercial ratables which Mayor Setteducati estimated to be between 3, 4 & 5 times over the current ratable dramatically impacting the residential tax rate while beautifying the borough. Mayor Setteducati felt the Redevelopment would be the single most important thing to happen to Emerson in a long time and thanked Planning Board Chairman Bair for all his efforts.

Councilman Milone had no report.

Councilwoman Costantin gave the **Building Department** activity report for the month of February.

Councilman Camporeale read the **Finance and Revenue** report. Councilman Camporeale reported that the **Recreation Commission** was putting together a summer basketball league at Ackerman Park and the Friends of Baseball would like to renovate the dugouts at Hillman Field. Since it now appeared that the plan included a second floor for a press box at the dugout on first baseline, Councilman Camporeale inquired if the Council had any objection to the project. It would require building approvals. A site plan was available and the dugout would look exactly like the one at the Benkovic Field, but the plans were not sealed. Mayor Setteducati was concerned that the improvement may interfere with the artificial turf project he anticipated happening funded by projected Redevelopment revenue and other creative measures he was working on. Councilman Camporeale explained that it would not after speaking to the Borough Engineer since artificial turf would be installed within the fences and the dugouts are beyond the fences. He added that no borough money would be used for the improvements to the dugouts, only 'Friends of' funds. Councilman Camporeale did not think that the Building Department had any problem with the project providing that they comply with certain codes specifically because of the stairs leading to the second floor.

Councilman Heyer gave the **Emerson Volunteer Fire Department** activity report.

Councilman Todd congratulated Ryan Fullam for his achievement of placing sixth in the National Wrestling Tournament in Pittsburgh and wished him a successful wrestling career in college. Next, he gave the **Police Department Activity Report** for the month of February. Councilman Todd added that some members of the **Police Department** had attended appreciation breakfasts at Assumption School and Emerson Bible Church. Det. Mazzeo had given drug lectures at the high school on February 13th and 16th.

Councilman Hoffman reported that the **Shade Tree Commission** was beginning their tree easement inventory this Spring recording height, species and condition of all borough trees and the **Environmental Commission** was also continuing their work on the enforcement of screening dumpsters.

2. Office of the Borough Administrator

Mr. Scarpa reported that:

- The borough had met the required quarterly training for the JIF.
- The new Storm water Management report had been filed on time.
- The engineer was proceeding with bid specifications for the Ackerman Road project that would encompass resurfacing the entire road with a completion date in the summer funded by two state grants totaling \$220,000.
- He would post Hazard Waste dates on the borough website.
- The borough had received a \$3,777 grant from the BCUA.
- The Council would consider a resolution at the next meeting to do an emergency to the temporary budget to pay for capital items that must be done.

3. Office of the Municipal Clerk

The Borough Clerk reminded the Council that they would be approving the cancellation of the April 25th meeting and the rescheduling of the June 20th Mayor and Council meeting to June 27th. Ms. Dray also advised that the approval of a new public records request form was included on the Consent Agenda.

4. The Borough Attorney had nothing to report in open.

XVI. 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.

Michael Saudino, 116 Randolph Ave., suggested that the borough consider purchasing the Emerson Golf Club, which was up for sale. He felt that there were many possibilities for the property that would benefit the borough and a letter of intent could begin the process. Mayor Setteducati questioned the profitability of the purchase and Chief Saudino responded with examples of other municipalities who manage the operations of a public golf course.

Tom Fagan, 177 Colonial Rd., questioned Mayor Setteducati as to what he meant by a prior comment made by the Mayor earlier in the meeting in regard to Mr. Fagan's agenda. He and Mayor Setteducati debated the relevancy of Mr. Fagan's reading of an obscene email sent to Councilman Hoffman at the last Mayor and Council meeting and if the Council had decided whether to pursue his suggestion that the matter be further investigated. Mayor Setteducati responded that he did not think it was the Council's duty to look into an anonymous, vile email sent to Councilman Hoffman. Mr. Smith added that since it was an anonymous email and the matter had been investigated by the Police Department and the prosecutor's office without a determination of who sent it, in his opinion, it was not an ethical situation since no one knew who sent it. Mr. Fagan was opposed to the Police Chief's salary listed on the agenda and asked when that had last been done. Mr. Smith replied that salaries were listed annually on the agenda at the approval of the salary ordinance. Mr. Fagan was opposed to the posting of the Record articles and, in his opinion; it had been done for political purposes. Councilman Hoffman agreed that the articles were inappropriate and was in disbelief that his fellow council members were not in agreement with him. Mr. Fagan stated that the articles should be immediately removed from the website. Mr. Fagan had learned that Councilman Milone had been issued a summons for an alleged violation of driving an unregistered vehicle outside the Borough of Emerson. Mayor Setteducati would not respond citing that it had nothing to do with borough business and he was of the opinion that Mr. Fagan's remarks were politically motivated.

Gary Schwinder, 99 Linden Ave., was opposed to the posting of the Record article and editorial on the borough website since, in his opinion, the website should be used to promote all the good things about living in Emerson. Mr. Schwinder was of the opinion that no article that demeaned the borough or was controversial should get any more exposure than in the newspaper where it belonged and it was not necessary to support The Bergen Record by publishing its editorials on the borough website. He was concerned with the policy of posting negative items on the website and wondered who, in the future, would be in charge of what was repeated on the website citing that the current practice could set a dangerous precedent. Mayor Setteducati questioned Mr. Schwinder if he supported the police department's position and whether he did business with the borough. Mr. Schwinder responded that it was his own personal point of view that publishing negative editorials set a dangerous precedent and this evening was the first time he had heard about the articles on the website. He added that he sold promotional products to many borough organizations including the Police Department. Councilman Camporeale interjected that he was opposed to the line of questioning by Mayor Setteducati claiming it had nothing to do with anything. He stated that Mr. Schwinder had presented his opinion in a fair way and it was not the Council's prerogative to question his motives. Mayor Setteducati disagreed claiming Mr. Schwinder's statements were political in nature and that he had his own agenda. Mr. Schwinder countered that he was only a concerned resident who felt that political views had no place on the borough website and was also concerned about who would be making the decisions to post negative things on the website in the future. Mayor Setteducati remarked that Mr. Fagan also had business ties to the borough. Mr. Schwinder wondered why this had become a personal attack on him maintaining that all he had done was reacted as a concerned citizen to a subject he had just learned about that evening. He stated that he was proud

and unashamed of the business he had done with the public school system, the emergency services in Emerson and other communities in Bergen County adding that he felt there had been no reason to have brought it up and he was sorry that it had been. He had spoken from the heart about this and other issues in the past and not on the behalf of anyone else. Councilman Hoffman observed that when anyone spoke in defense of Mayor Setteducati he described their words as eloquent but when someone was critical he considered it a circus or political attack. Mr. Schwinder denied that he was attacking anyone and objected that his personal point of view was characterized as circus as he had never spoken disrespectfully to anyone on the Council. Councilman Heyer stated that the borough had an issue with the posting of these types of articles on the borough website or on a back page and the matter should be addressed at the next meeting and not swept under the carpet. Councilman Hoffman maintained that until then the articles should be immediately removed from the website.

Buzz Giaritta, 76 Hillside Ave., had been hopeful that the tone of the meetings would change but charged that they continued to be embarrassing overshadowing all the good things happening in the borough and pleaded with Mayor Setteducati to stop the political garbage. Mr. Giaritta stated that the borough website should only be promoting the good in Emerson and encouraged the governing body and Police Department to get in a room and settle the matter. Mayor Setteducati maintained that if the room wasn't filled with police officers and their supporters attacking him; then it would stop. Mr. Giaritta countered that it was the responsibility of the Mayor and Council to let the people talk and keep control regardless of the speakers. He requested the Council to consider expanding the Police Committee immediately because of the current situation and suggested that Mayor Setteducati meet with the Police Chief to settle their differences.

Mike Mazzeo, 18 Powell Rd., and a member of the Emerson Police Department, took offense and was tired and embarrassed of the negative characterization of the police department. He supported Chief Saudino describing him as a positive influence in the town who pushed the police department members to be more community-minded adding that the town should show him more respect. He would like to hear more positive things and put the battle behind them

Michael Galasso, 1 Daned Rd., took personal exception to some of Mayor Setteducati's comments and felt he had used the wrong choice of words. Mr. Galasso explained that the chief's \$4,000 salary request increase was prompted by the change in insurance and accused Mayor Setteducati as being the politicizer. Mayor Setteducati explained that his commitment was to the residents and taxpayers and he dedicated 60 hours a week for the borough without taking a dime. Mr. Galasso questioned the formula used by the Mayor to calculate the days worked by a police officer each week and if sick time had been calculated into the Mayor's figure of 2.16 days since not all police officers use their sick time. Mayor Setteducati briefly debated the issue with him but could not give a complete answer since he did not have the information in front of him. Mayor Setteducati offered to provide Mr. Galasso the facts regarding the 2.16 days per week if he would contact him in the ensuing days. Mr. Galasso warned that all the accusations must stop because it was getting dangerous and it made everyone look like clowns. Councilman Todd replied

that he had gone over the budget line for line with the Police Chief. Mayor Setteducati added that they had requested from all the borough departments that their proposed budgets be kept to a minimum and that the Police Chief submitted a budget with a 15.5% increase. Mayor Setteducati also opined that the police budget had increased 51.5% over the last five years. Mr. Galasso remarked that he found Mayor Setteducati offensive because he appeared to be anti-cop but did not know why.

Chief Saudino, Emerson Police Department, agreed that the cop-bashing comments had to stop as his men were consumed with the trashing in the newspaper and he was concerned with their welfare while performing their jobs. Chief Saudino questioned Councilman Todd's memory if he recalled Dr. Fisher's words in a meeting with former Councilman Loffredo when the Chief inquired after the study about sick time in the police department. Councilman Todd did not recall the conversation. Chief Saudino continued stating that Dr. Fisher had replied that 'this department does not have a sick time problem whatsoever. That they are excellent as far as sick time is concerned.' Chief Saudino questioned if the 15.5% budget increase included the 20th officer and the three new cars. Mayor Setteducati disagreed with Chief Saudino's cop-bashing comment and reminded Chief Saudino that he went to bat for the Police Department during his first year in office because he did not want to continue the prior administration's lack of attention to the infrastructure. Chief Saudino explained how police cars were recycled and reminded Mayor Setteducati that he had put a stop to the Mayor's Recall for the good of the borough.

Danielle DiPaola, 93 Union St., claimed that she was disgusted and embarrassed because people came to her business in Oradell to hear the gossip in Emerson. She also pleaded for the conflict to stop.

Michelle Supper, 3 Dawn Dr., supported the nomination of Jim Bayley as the Volunteer of the Year. She agreed that all the controversy and the inflammatory comments from both sides must stop. She suggested that Mayor Setteducati remove himself from the police controversy since it was obvious that he and the Police Chief were like oil and water. She remarked that the residents did not need to know all the dirty laundry only that the machine worked. As the leader, she encouraged Mayor Setteducati to exhibit more self-control under the criticism and communicate more mutual respect. She asked that the Record articles be withdrawn from the website. Ms. Supper inquired as to when the Redevelopment would start and Mayor Setteducati explained the timeline estimating possibly by the summer. Ms. Supper also wondered if there was a relocation plan for renters and Mayor Setteducati replied that the Borough Planner would best be the person to contact about that. The Senior Housing project and the Pascack Valley Shopping Center had both been held up because of permits issues but he anticipated both projects to begin soon.

Seeing no other hands, Councilwoman Costantin moved to close the meeting for comments from the public, seconded by Councilman Milone and carried unanimously.

XVII. CONSENT AGENDA-Resolution No.71-06

Approved with corrections 6/13/06 MINUTES

Councilmen Hoffman requested that Resolution No. 85-06 be pulled and voted on separately.

☛ **Motion** to approve the Consent Agenda without Resolution No. 71-06 was moved by Councilman Milone, seconded by Councilman Heyer and approved unanimously by roll call vote.

RC: Council members

Milone-yes

Costantin-yes

Camporeale-yes

Heyer-yes

Todd-yes

Hoffman-yes

72-06 Approve Bill List

73-06 Approve Investments

74-06 Approve Transfers within the 2005 Municipal Budget

75-06 Approve Off-Premise 50/50 Raffle License #487-06 for Friends of Emerson Junior Baseball, Inc., to be held on June 3, 2006 at 12:00 p.m. at the Ken Benkovic Jr. Memorial Field

76-04 Approve 50/50 Raffle License #488-06 for the Home for the Armenian Aged to be held on August 24, 2006 at 8:30 p.m. at the Home for the Armenian Aged

77-06 Approve Tax Sale reimbursement Certificate #2004-1 for \$43,863.39 for Block 419, Lot 8

78-06 Approve 2006 updates to the Personnel Policies and Procedures in compliance to the JIF

79-06 Award road improvement contract to D&L Paving Contractors, P. O. Box 507, Nutley, NJ 07110 for Chestnut St.

80-06 Approval of re-introduction of legislation to exempt Municipal Clerks from Penalties for Open Public Records Act violations under certain circumstances

81-06 Approve changes to Mayor and Council Annual Meeting Notice

82-06 Establishing a Change Fund

83-06 Approve reduced assessed value of Block 405, Lot 14 from \$1,361,400 to \$1,250,000 for the 2005 tax year

84-06 Approve Official Towers

*85-06 Opposing Senate Bill S1219 and S366-**PULLED**

86-06 Appointment of Deputy Record Custodians

87-06 Adopt formal Borough of Emerson Public Record Request form

***Resolution No. 85-06 Opposing Senate Bill S1219 and S366**

☛ Councilman Camporeale moved to approve Resolution No. 85-06, seconded by Councilwoman Costantin and carried by a 5-1 roll call vote.

RC: Council members

Milone-yes

Costantin-yes

Camporeale-yes

Approved with corrections 6/13/06 MINUTES

Heyer-yes
Todd-yes
Hoffman-no

XVIII. CLOSED SESSION RESOLUTION No. 88-06

☞ **Motion** to close for an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 88-06 was moved by Councilman Camporeale, seconded by Councilman Heyer and carried unanimously

#06-3/28-11 Personnel-Police (2)

#06-3/28-12 Personnel-Fire Official

#06-3/28-13 Personnel-Ambulance Corps

XIX. RECONVENE

☞ **Motion** to reconvene was moved by Councilman Heyer, seconded by Councilman Hoffman was approved unanimously.

XX. CLOSED SESSION ACTIONS

☞ **Motion** to close for an executive session to discuss a matter exempt from the public as an addition to Resolution No 88-06 was moved by Councilman Camporeale, seconded by Councilwoman Costantin and carried unanimously.

#06-3/28 14-Personnel-Auditor's audit of Trust Account

XXI. RECONVENE

Motion to reconvene was moved, seconded and carried unanimously.

XXII. CLOSED SESSION ACTIONS

Resolution No. AO10-06

Motion to hire Ruderman & Glickman to provide advice regarding personnel matters in regard to the Chief of Police at his contract hourly rate of \$150.00 was moved by Councilman Milone, seconded by Councilman Todd.

RC: Council members

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

Resolution No. AO11-06

Approved with corrections 6/13/06 MINUTES

Motion to authorize Gary Higgins to prepare a fully detailed expenditure report on the Community Policing Account by category for the years 2002 through 2006 not to exceed \$3,500 was moved by Councilman Milone, seconded by Councilman Camporeale and carried by roll call vote.

RC: Council members

Milone-yes

Costantin-yes

Camporeale-yes

Heyer-yes

Todd-yes

Hoffman-yes

XXIII. ADJOURNMENT

☞ With no other business to address, **motion** to adjourn was moved by Councilman Heyer, seconded by Councilman Camporeale and carried unanimously at 11:50 p.m.

Carol Dray, RMC

May 10, 2006