



MAYOR AND COUNCIL MINUTES

Work Session

Executive (Closed) Session

Tuesday, July 1, 2008

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. Ms. Karen Browne 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 July 1st, 2008 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 has remained continuously posted as the required notices under the Statute.

Roll Call:

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

Also present were Jane Dietsche, Deputy Clerk, substituting for Borough Clerk Carol Dray, Borough Attorney Philip Boggia, and Joseph Scarpa, Business Administrator.

6. OLD BUSINESS

a) Redevelopment – Mayor Lamatina stated that he had met with the Millennium group on June 25th because they wanted to start negotiating a developer's agreement. They asked the Mayor to discuss certain items

with the Governing Body which the Mayor planned to do in Closed Session. A second meeting has been scheduled for July 9th. He notified everyone that September 24th will be the date for the initial hearing before the **Planning Board**. He also announced that Mr. Joseph Sanzari had agreed to serve as the Borough's consultant for Redevelopment on a voluntary basis. Mayor Lamatina stated that Mr. Sanzari works with the Bergen County Economic Development Corporation and will assist the Mayor and Council on an as needed basis without charge. Mayor Lamatina stated that he was looking forward to working with him. Councilman Hoffman asked whether the developer's agreement would hinge on the outcome of the Planning Board meetings in the fall and whether it would include details about indemnification against lawsuits. Mayor Lamatina explained that the Planning Board would need to pass a plan and anticipated getting feedback for a final plan during the month of July. The Mayor also affirmed that the draft agreement included indemnification.

b) Emerson Town/Farmers Market – Councilman Hoffman introduced Karen Browne and Tom Browne from the **Environmental Commission**. Ms. Browne shared an information packet with the Mayor and Council and addressed those in attendance on the concept of a town market. She detailed research done at other town markets which allowed them to put together a plan and begin to solicit vendors. She said that the reason they wanted to do this was to have an area downtown that the local residents could come to and support local artisans, merchants and farmers. It would take place on Sundays from 9 a.m. to 1 p.m. near the train station at Emerson Plaza West. She requested that this section of the street be closed to traffic. Ms. Browne noted that the Commission had the support of the local Stop and Shop which would donate reusable tote bags to the first fifty customers. They had been looking at a variety of vendors, including producers, growers, bakers, florists, craft people and artisans. Because of limited space, she explained that they would have to limit the number of vendors. They planned to ask each vendor for a small monthly fee to ensure that they maintain their space and clean their area after the market closes. This fee would also help pay for local advertising. Ms. Browne said that she had spoken to Police Chief Saudino who assured her that the Police Department would take care of traffic, put up parking signs and speak to residents. Due to concerns for pedestrian safety, Council President Heyer asked Ms. Browne about extra security measures that would be necessary due to passing trains and guardrails coming down. He explained that he feared that a child might wander off when a train is approaching. He wanted to ensure that the Police had sufficient safety devices in place by the tracks. Councilman Bair inquired about the Borough's liability if someone was injured. Mayor Lamatina stated that the market would be a town event and would be covered under the Borough's insurance. Ms. Browne noted that they presently were having difficulty getting a farmer for the market because

of the late start. Mayor Lamatina stated that Marra's was very interested in putting up a stand. Ms. Browne added that a woman employed at the Cookie Cupboard works with people who do craft fairs and had expressed interest. Mayor Lamatina reminded everyone that this would be a temporary location due to redevelopment. He added that the redevelopment plan called for a large plaza in the area where the market would be located and thought that this was a good start in bringing attention to downtown. He and Ms. Browne both remarked that many people were excited about the town market and were looking forward to its opening. Councilman Loffredo expressed several concerns about the market – parking, access to the Emerson Pharmacy, and total space allocated for vendors and customers. Ms. Browne assured the Council that the pharmacy was okay with the market and was considering participating. Councilman Bair asserted the Governing Body reserves the right to rescind their approval if any issues arose. Ms. Browne assured the Council that someone from the Environmental Commission would be present every weekend to monitor the event. Councilman Hoffman assured those present that Karen Browne, Tom Browne and Joan Martin would work very hard to make sure that this was a success. Mayor Lamatina declared that he believed that a market was a very positive step for Emerson and would be the start of getting the town revitalized in a small way. Councilwoman DeSalvo said that she applauded their hard work and recognized that coordinating this project was not an easy job. Councilman Milone asked that sufficient trash containers be in place and expressed concern about people parking at Dunkin Donuts and running across the street. He suggested that they talk to the dry cleaner and ask if market customers might be allowed to use their lot on Sunday morning. But Mayor Lamatina responded that this idea might present liability issues for the dry cleaner.

Mayor Lamatina asked for a motion to approve the road closure on a temporary limited basis from the Emerson Pharmacy to the end of the street.

☞ **Motion** to approve the road closure on a temporary limited basis from the Emerson Pharmacy to the end of the street was **moved** by Councilman Hoffman, **seconded** by Councilman Bair and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Yes

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

Councilman Milone reminded Ms. Browne, Mr. Browne and Ms. Martin to check with the **Ambulance Corps** and the **Fire Department** to ensure

that they were aware that the road would be closed. Mr. Scarpa stated that he would notify Chief Saudino.

7. NEW BUSINESS

Mr. Scarpa explained that the budget was approved and that although Emerson did not get a full restoration of municipal aid, it was restored by about 72%. Chief Financial Officer Catherine Henderson detailed that the loss amounted to \$153,000, resulting in a tax increase of approximately 1.5 points, or a \$77 increase on the average house. In order to finalize the budget, estimated tax bills were planned to ensure adequate cash flow. Mayor Lamatina stated that he believed that the budget prepared in March with a zero percent tax increase was a sound budget, but the revenue figures had changed. Councilman Milone concurred, noting that the State had changed their mind, preventing the Council from approving a budget with a zero percent tax increase. Members of the Governing Body anticipated that price increases as well as fixed costs in many aspects of the economy will affect the budget process in the future. After further discussion, the consensus was to approve the budget and mailing of estimated tax bills.

a) Resolution No.117-08 Amending the 2008 Municipal Budget

☞ **Motion** to approve Resolution No. 117-08 amending the 2008 Municipal Budget was **moved** by Councilman Milone, **seconded** by Councilwoman DeSalvo and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Yes

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

b) Resolution No.118-08 Adoption of the 2008 Municipal Budget

☞ **Motion** to approve Resolution No. 118-08 adopting the 2008 Municipal Budget was **moved** by Councilman Milone, **seconded** by Councilwoman DeSalvo and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Yes

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

c) Resolution No. 119-08 Estimated Tax Billing

☞ **Motion** to approve Resolution No. 119-08 authorizing estimated tax billing was **moved** by Councilman Milone, **seconded** by Councilwoman DeSalvo and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Yes

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

8. ORDINANCES-FIRST READING

1352-08 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 2008

Mayor Lamatina explained that this ordinance only covers non-contractual employees and provides for a 4% increase in their salaries for the year 2008. It does not include the Governing Body, the Police Department or the Department of Public Works.

☞ **Motion** to approve Ordinance No. 1352-08 on first reading was **moved** by Councilman Loffredo, **seconded** by Councilman Hoffman and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Yes

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

Mayor Lamatina announced that Ordinance No. 1352-08 was duly approved on first reading and would be further considered at a Public Hearing to be held on July 22nd, 2008 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Pl., Emerson, N.J and published in the July 4th, 2008 edition of the Ridgewood News. Ordinance No. 1352-08 was on file in the Clerk's Office and posted on the official bulletin board of the Municipal Building.

9. 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 to comments from the public was **moved** by Councilman Loffredo, **seconded** by Councilman Hoffman and carried. Seeing no hands, Mayor Lamatina asked for a motion to close the public portion of the meeting.

☞ **Motion** to close the meeting to comments from the public was **moved** by Councilman Loffredo, **seconded** by Councilman Hoffman and carried.

10. CONSENT AGENDA-Resolution No. 120-08

Councilman Hoffman asked that Resolution #125-08 be removed from the Consent Agenda so that it could be voted on separately since he wished to abstain. The Council was in consensus on his request.

☞ **Motion** to approve the Consent Agenda Resolution #120-08 excluding Resolution #125-08 was **moved** by Councilman Hoffman, **seconded** by Councilman Milone and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Yes

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

Ca #121-08 Approve Person to Person Transfer of Liquor License # 0124-33-006-006 to Emerson F & B, LLC

Ca #122-08 Tax Appeal Settlement – 2007 – Arthur & Donna Magrini - Blk #1017 lot #15 – 149 Munsey Road, Emerson – authorize the reduction of the total property value to \$540,000, resulting in a refund of \$603.23

Ca #123-08 Reimbursement for tax overpayment totaling \$2,349.00 for Block #612, Lot 1, Qualifier #C0114

Ca #124-08 Approval renewal of Liquor License #0214-33-003-004

#125-08 Authorize the Release of the Performance Bond in lieu of a Maintenance Bond for Pascack Valley Shopping Center

Ca #126-08 Opposing S-1337 which Expands the Scope of Negotiations

Ca #127-08 Municipal Representative for Open Space Committee

APPROVED No. 16

Ca #128-08 Endorse a speed enforcement crackdown by the Emerson
Police Department
Ca #129-08 Chapter 159 - Police Pistol Range Study

☞ **Motion** to approve the Resolution #125-08 was **moved** by Councilman Loffredo, **seconded** by Councilman Bair and carried by roll call vote.

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Yes

Heyer-Yes

Loffredo-Yes

Hoffman-Abstain

11. CLOSED SESSION RESOLUTION No. 130-08

☞ **Motion** to close for an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 130-08 was **moved** by Councilwoman DeSalvo, **seconded** by Councilman Milone and carried at 8:15 p.m. by roll call vote.

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Yes

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

#08-7/1-51 Personnel – PBA Collective Bargaining Agreement

#08-7/1-52 Personnel – Court

#08-7/1-53 Personnel – Billing

#08-7/1-54 Real Estate

12. RECONVENE

☞ **Motion** to reconvene was moved, seconded and carried.

☞ **Motion** to hire Lyne Moody as the full time Deputy Court Clerk on the recommendation of the Borough Administrator and the Court Administrator at the salary stipulated in the salary ordinance was **moved** by Councilwoman DeSalvo, **seconded** by Councilman Bair and carried by roll call vote.

APPROVED No. 16

RC: Council members:

DeSalvo-Yes

Bair-Yes

Milone-Yes

Heyer-Yes

Loffredo-Yes

Hoffman-Yes

13. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, Council President Heyer **moved** to adjourn the meeting, **seconded** by Councilman Loffredo and carried at 10:20 p.m.

Jane Dietsche, Dep. Municipal Clerk

July 16, 2008