



**BOROUGH OF EMERSON  
Mayor and Council  
SINE DIE/REORGANIZATION MINUTES  
Monday, January 5, 2009  
Municipal Building  
Council Chambers-7:30 PM  
Emerson, NJ 07630**

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**SINE DIE**

Mayor Lamatina called the Sine Die/Reorganization Meeting of January 5, 2009 to order at 7:37 p.m. Mayor Lamatina asked Mr. Ortiz to lead the Salute to the Flag with a moment of silence in memory of the legendary Emerson football coach Mr. Ennis.

Mayor Lamatina read the Sunshine Statement announcing that the meeting of January 5, 2009 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. In addition, a copy of this notice is on file in the office of the Borough Clerk and has been available to the public since its approval and adoption by the Governing Body.

**Roll Call:**

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

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

**UNFINISHED BUSINESS FOR THE YEAR 2008**

a) **Approval of Minutes**

Regular Meeting - October 21, 2008

Regular Meeting – November 17, 2008

Regular Meeting/Work Session – December 2, 2008

Mayor Lamatina asked if any of the minutes required correction. Hearing no response, the Minutes of the October 21, 2008, November 17, 2008 and December 2, 2008 meetings were approved.

b) **Resolutions**

**217-08 Transfer of Municipal Funds in the 2008 Budget**

☞ **Motion** to approve Resolution #217-08 was **moved** by Council President Heyer, **seconded** by Councilman Loffredo and carried by roll call vote.

**RC: Council members:**

**Bair-Yes**

**Heyer-Yes**

**Loffredo-Yes**

**Hoffman-Yes**

**Mayor Lamatina announced that the motion was carried 4-0.**

**218-08 Approve Cancellation of Grant Receivable Balances**

☞ **Motion** to approve Resolution #218-08 was **moved** by Councilman Hoffman, **seconded** by Council President Heyer and carried by roll call vote.

**RC: Council members:**

**Bair-Yes**

**Heyer-Yes**

**Loffredo-Yes**

**Hoffman-Yes**

**Mayor Lamatina announced that the motion was carried 4-0.**

**219-08 Bill List**

☞ **Motion** to approve Resolution #219-08 was **moved** by Councilman Hoffman, **seconded** by Councilman Loffredo and carried by roll call vote.

**RC: Council members:**

**Bair-Yes**

**Heyer-Yes**

**Loffredo-Yes**

**Hoffman-Yes**

**Mayor Lamatina announced that the motion was carried 4-0.**

c) **Standing Committee and Special Committee Reports – No reports**

With no further business in the year 2008, Mayor Lamatina stated “All standing committees and special committees’ are dissolved and all individual appointments are terminated and relieved of their offices and duties, and indeterminate appointments dissolved.”

☛ **Motion** to close the Sine Die was **moved** by Council President Heyer, **seconded** by Councilman Loffredo and carried.

### **REORGANIZATION**

Borough Clerk Carol Dray began the 2009 Reorganization Meeting by announcing the Receipt of Certificates of Election for John Lazar and Thomas Browne Jr. from the County Board of Elections. Mr. Lazar and Mr. Browne were sworn in by County Executive Dennis McNerney and County Freeholder Chairman Tomas Padilla respectively. The County Executive then presented the new Council members with Certificates of Commendation. Mayor Lamatina thanked the County and the Mr. McNerney for their actions in support of the reopening of the former Pascack Valley Hospital and expressed appreciation to them for attending the meeting. He then called to order the first meeting of the Mayor and Council of the Borough of Emerson for the year 2009.

#### **Roll Call:**

Mayor Louis J. Lamatina-Present  
Councilman Steven Bair-Present  
Councilman Thomas Browne-Present  
Councilman Christopher Heyer-Present  
Councilman Kenneth Hoffman-Present  
Councilman Anthony Loffredo-Present

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

The Mayor concluded his address to the assemblage by pledging to work with everyone on the Council, as he had done in the past, in moving forward in a positive manner and requested everyone’s support.

Councilman Browne addressed the group by thanking the voters who elected him, and said that he would represent everyone in town. He also stated that he looked forward to working with everyone on the Council. Councilman Lazar also thanked the voters who had put their trust in him and said that he would perform his duties to the best of his abilities. He added that he would work very hard with the Mayor and Council to make sure Emerson would be a place that everyone could be proud of.

**12. Resolution No. 01-09 ADOPTION OF GOVERNING BODY BY-LAWS  
HERETO ATTACHED SHALL BE THE BY-LAWS FOR THE CONDUCT  
OF BUSINESS OF THE MAYOR AND COUNCIL FOR THE BOROUGH OF  
EMERSON FOR THE YEAR BEGINNING JANUARY 1, 2009 AND  
ENDING DECEMBER 31, 2009 WITH VOTING AND SEATING ORDER**

☞ **Motion** to adopt as amended the rules and by-laws for the conduct of business by the Mayor and Council of the Borough of Emerson was **moved** by Councilman Bair, **seconded** by Councilman Loffredo and carried by roll call vote.

**RC: Council members:**

**Lazar-Yes**

**Browne-Yes**

**Bair-Yes**

**Hoffman-Yes**

**Heyer-Yes**

**Loffredo-Yes**

**Resolution No. 02-09 ELECTION OF COUNCIL PRESIDENT**

☞ **Motion** to open the floor for nominations was **moved** by Councilman Bair, **seconded** by Councilman Loffredo and carried.

Councilman Loffredo nominated Councilman Bair.

Councilman Lazar nominated Councilman Hoffman.

Councilman Bair thanked Councilman Loffredo but declined the nomination.

With no more nominations, the motion to close for nominations was moved, seconded and carried.

Councilman Kenneth Hoffman was unanimously appointed by the Governing Body as the Council President for the year 2009.

**Resolution No. 03-09 through BOROUGH PROFESSIONAL  
APPOINTMENTS - Pursuant to New Jersey Local Unit Pay-to-Play Law,  
N.J.S.A. 19-44A-20.4. Alternate Course**

Mayor Lamatina noted that he would announce the professional appointments and request Council confirmation by one roll call vote. Councilman Bair had a comment on Maser's appointment as Borough Engineer. He stated that he was prepared to vote yes on their appointment but requested that they appear before the Council at the next meeting in January to explain some of the errors that occurred on the projects in 2008 with assurances that exceptional care would be taken in 2009 to avoid errors that could be costly to the Borough. The Mayor responded by stating that he had spoken with Engineering Supervisor Andy Hippolit who would be coming in to discuss the matter in full. He added that, in his opinion, many of the mistakes were due to contractor errors; he wanted to see if those mistakes could be reduced also. He finished by noting

that he had received a lot of glowing testimonials about Maser Consulting and Borough Engineer Paul Niehoff from many Borough officials.

Mayor Lamatina announced the following appointments:

<b>PROFESSIONAL</b>	<b>TERM</b>	<b>NAME</b>
04-09 Borough Attorney	1 Year	Philip Boggia, Esq.
05-09 Borough Auditor	1 Year	Gary Higgins
06-09 Borough Engineer	1 Year	Maser Consulting, P.E
07-09 Bond Counsel	1 Year	John Hudak, Esq.
08-09 Borough Prosecutor	1 Year	Arthur Balsamo, Esq.
09-09 Alternate Prosecutor	1 Year	Christopher Martin, Esq.
10-09 Public Defender	1 Year	Dawn O'Connor, Esq.
11-09 Alt. Public Defender	1 Year	Jeff Carney, Esq.
12-09 Borough Planner	1 Year	Joseph Burgis
13-09 Risk Managers	1 Year	The Vozza Agency/Johl & Company
14-09 Borough Architect	1 Year	The Bilow Group

☞ **Motion** to approve the aforementioned Borough Professional Appointments was **moved** by Council President Hoffman, **seconded** by Councilman Lazar and carried by roll call vote of 6-0.

**RC: Council members:**

**Lazar-Yes**

**Browne-Yes**

**Bair-Yes**

**Hoffman-Yes**

**Heyer-Yes**

**Loffredo-Yes**

**15. Resolution No. 15-09** Standing Committee Council Appointments for Committee Chairmen, the first named Council Member shall be Chair of the Committee:

- a) Streets and Municipal Services: Bair/Lazar
- b) Finance, Tax & Revenue Lazar/Bair
- c) Police, Auxiliary Police, Office of Emergency Management & Courts: Loffredo/Heyer
- d) Public Buildings, Grounds Parks & Utilities Browne/Hoffman
- e) Real Estate Zoning and Planning Heyer/Loffredo
- f) Fire Department Hoffman/Browne

☞ **Motion** to approve the aforementioned Standing Committee Council Appointments for Committee Chairmen was **moved** by Councilman Lazar, **seconded** by Councilman Heyer and carried by roll call vote of 6-0.

**RC: Council members:**

**Lazar-Yes**  
**Browne-Yes**  
**Bair-Yes**  
**Hoffman-Yes**  
**Heyer-Yes**  
**Loffredo-Yes**

Other Liaison List for the Calendar Year 2009

a) Board of Health	<u>Hoffman</u>
b) Environmental Commission	<u>Browne</u>
c) Chamber of Commerce	<u>Mayor Lamatina</u>
d) Shade Tree Commission	<u>Hoffman</u>
e) Library Board of Trustees	<u>Browne</u>
f) Board of Education	<u>Bair</u>
g) Senior Citizens	<u>Mayor Lamatina</u>
h) Volunteer Ambulance	<u>Hoffman</u>
i) Recreation Commission	<u>Loffredo</u>
j) Insurance Fund Commissioner	<u>Heyer</u>
k) Historic Preservation	<u>Lazar</u>
l) Zoning Board	<u>Bair</u>

☞ **Motion** to approve the aforementioned Liaison list for the Calendar Year 2009 was **moved** by Council President Hoffman, **seconded** by Councilman Lazar and carried by roll call vote.

**RC: Council members:**

**Lazar-Yes**  
**Browne-Yes**  
**Bair-Yes**  
**Hoffman-Yes**  
**Heyer-Yes**  
**Loffredo-Yes**

**16. Election of Class III representative to the Planning Board by Borough Council**

☞ **Motion** to open the meeting to nominations for the election of the Class II representative to the Planning Board was **moved** by Councilman Bair and **seconded** by Council President Hoffman.

Council President Hoffman nominated Councilman Bair as the Class III representative to the Planning Board.

With no more nominations, the motion to close the floor for nominations was moved, seconded and carried.

**Resolution No. 16-09** to approve the appointment of Councilman Bair as the Class III Planning Board member was **moved** by Councilman Heyer, **seconded** by Councilman Browne and carried by roll call vote of 6-0.

**RC: Council members:**

**Lazar-Yes**  
**Browne-Yes**  
**Bair-Yes**  
**Hoffman-Yes**  
**Heyer-Yes**  
**Loffredo-Yes**

**16. INTRODUCTION and OATH OF OFFICE FOR EMERGENCY SERVICES OFFICERS**

- a) Emerson Volunteer Fire Department  
Chief Mark F. Savino, Asst. Chief John Holter, Sr. Capt. Joe Castrovillieri, Jr. Capt. Daniel O'Brien, Sr. Lt. Mark Brackenbury, Jr. Lt. Michael Budres
- b) Emerson Volunteer Ambulance Corps  
President Maureen Howlin, Vice President George Howlin, Secretary Melissa Hagberg, Treasurer Mike Budres, Captain Larry Hagberg, 1<sup>st</sup> Lt. Dave Mason, 2<sup>nd</sup> Lt. Andrew Bevilacqua, 3<sup>rd</sup> Lt. Charlene Buonomo

**APPOINTMENT and OATH OF OFFICE FOR OTHER COMMUNITY SERVICES OFFICERS**

- c) Emerson Auxiliary Police-One Year  
Captain Louis Rizzo, Lieut. John Mahoney, Sgt. William Levine, Sgt. Elizabeth Reilly, Sgt. David Kogut, Ptl. Dan Clayton, Ptl. Turbit Zoeller III, Ptl. Nicholas Servedio, Ptl. Joseph Ellis
- d) Community Emergency Response Team (CERT)-One Year  
Leslie Solimando, Fran Sottile, Bob Sottile, George Schomberg, Lucy Solimando, Kathy Buda, Carlos Colina, Gladys DeMarco, Owen Peacock, Dan Peacock, Debbie Sansone, Loraine Vandervalk, Marino Loukeris
- e) School Crossing Guards-One Year  
Full time: Bonnie Kompel, Patricia Cannone, Donna Block, Joseph Harriman, Ed Helm, William Levine, Sue McDonald, Sheri Jaeger, John Mahoney  
Part time: Joe Romanowicz, Dick Talley, Joe Ellis, Christine St. Angelo, Diane Sanchez

☛ **Motion** to approve by one roll call vote the above mentioned officers was **moved** by Councilman Loffredo, **seconded** by Councilman Lazar and carried by roll call vote of 6-0.

**RC: Council members:**

- Lazar-Yes**
- Browne-Yes**
- Bair-Yes**
- Hoffman-Yes**
- Heyer-Yes**
- Loffredo-Yes**

**17. Resolution No. 17-09 ANNUAL APPOINTMENT OF CERTAIN OFFICERS AND MUNICIPAL EMPLOYEES WITH COUNCIL CONFIRMATION**

<b>POSITION</b>	<b>TERM EXPIRES</b>	<b>APPOINTEE</b>
a) Recycling Coordinator	One Year	Joseph Scarpa
b) Zoning Official/Sign Insp.	One Year	Michael Sartori
c) Dep. OEM Coordinator	One Year	Sgt. Allen Solimando
d) Assessment Search Officer	One Year	Barbara Kozay
e) Public Agency Compliance Officer (PACO)	One Year	Joseph Scarpa
h) Fire Inspectors	12/31/11	Thomas Monahan, Jr.
h) Police & Fire Surgeon	One Year	Dr. Michael Macri

☞ **Motion** to approve by one roll call vote the above mentioned officers was **moved** by Councilman Bair, **seconded** by Council President Hoffman and carried by roll call vote of 6-0.

**RC: Council members:**

- Lazar-Yes**
- Browne-Yes**
- Bair-Yes**
- Hoffman-Yes**
- Heyer-Yes**
- Loffredo-Yes**

**18. MAYOR’S NOMINATIONS TO BOARDS AND COMMISSIONS with advice and consent of Council.**

**a) Zoning Board of Adjustment**

Regular member for the term ending 12/31/12	Bernie Silverberg
Regular member for the term ending 12/31/12	Brian Lacey
Regular member for the term ending 12/31/12	John Zielinski
Alternate I for the term ending 12/31/10	(Vacant)
Alternate II for the term ending 12/31/09	(Vacant)

☞ **Motion** to approve by one roll call vote the above mentioned officers was **moved** by Councilman Loffredo, **seconded** by Council President Hoffman and carried by roll call vote 6-0.

**RC: Council members:**

**Lazar-Yes**  
**Browne-Yes**  
**Bair-Yes**  
**Hoffman-Yes**  
**Heyer-Yes**  
**Loffredo-Yes**

**b) Board of Health**

Regular member for the term ending 12/31/11 Elaine Rizzo  
Regular member for the term ending 12/31/11 Barbara Andrews, R.N.

☞ **Motion** to approve by one roll call vote Elaine Rizzo and Barbara Andrews, R.N. as members of the Board of Health was **moved** by Council President Hoffman, **seconded** by Councilman Lazar and carried by roll call vote of 6-0.

**RC: Council members:**

**Lazar-Yes**  
**Browne-Yes**  
**Bair-Yes**  
**Hoffman-Yes**  
**Heyer-Yes**  
**Loffredo-Yes**

**c) Library Board**

Regular member for the term ending 12/31/13 Marcia DeSalvo  
Regular member for the term ending 12/31/13 Elizabeth Craig  
Mayor's alternate for the term ending 12/31/09 Jeanine Lamatina

Council President Hoffman asked that the selection of Marcia DeSalvo be pulled from the one roll call vote and voted on separately.

☞ **Motion** to vote separately and appoint Marcia DeSalvo as a regular member of the Library Board was **moved** by Councilman Bair, **seconded** by Council President Hoffman and carried by roll call vote of 4-0.

**RC: Council members:**

**Lazar-Abstain**  
**Browne-Yes**  
**Bair-Yes**  
**Hoffman-Abstain**  
**Heyer-Yes**  
**Loffredo-Yes**

☞ **Motion** to approve by one roll call vote the confirmation of Elizabeth Craig and Jeanine Lamatina as members of the Library Board was **moved** by Council President Hoffman, **seconded** by Councilman Lazar and carried by roll call vote.

**RC: Council members:**

- Lazar-Yes**
- Browne-Yes**
- Bair-Yes**
- Hoffman-Yes**
- Heyer-Yes**
- Loffredo-Yes**

Mayor Lamatina issued the oath of office to those above that were present in the Council Chambers.

**19. MAYOR’S APPOINTMENTS**

<u>Board</u>	<u>Expiration</u>	<u>Appointee</u>
<b>a). Planning</b>		
Class I	12/31/10	Louis J. Lamatina
Class II	12/31/09	Brian Lacey
Class IV	12/31/12	Tom Callagee
Class IV	12/31/12	Mark Orecchio
Alternate I	unexp 12/31/09	Christopher Leins
Alternate II	12/31/10	Gary Goursky
<b>b) Environmental Commission</b>		
Regular member for the term ending 12/31/11		Michelle Pierce
Regular member for the term ending 12/31/11		Vacant
Student member for the term ending 12/31/09		Lauren Lamatina
Environmental Commission Chairperson 1 year		Joan Martin
<b>e) Recreation Commission</b>		
Regular member for the term ending 12/31/13		Len Fabiano
Regular member for the unexpired term ending 12/31/09		Mark Micucci
<b>f) Shade Tree</b>		
Regular member for the term ending 12/31/13		Diana Frassa

Mayor Lamatina issued the oath of office to those above that were present in the Council Chambers and thanked everyone for their commitment.

**20. NEW BUSINESS:**

- a) Resolution No. 18-09 Adoption of the 2009 Municipal Temporary Budget

☞ **Motion** to approve Resolution #18-09 was **moved** by Councilman Loffredo, **seconded** by Councilman Heyer and carried by roll call vote of 6-0.

**RC: Council members:**

**Lazar-Yes**  
**Browne-Yes**  
**Bair-Yes**  
**Hoffman-Yes**  
**Heyer-Yes**  
**Loffredo-Yes**

**21. 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 Councilman Loffredo, **seconded** by Councilman Lazar and carried.

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

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

**22. Resolution No. 19-09 CONSENT AGENDA**

☞ **Motion** to approve the Consent Agenda Resolution No. 19-09 was **moved** by Councilman Bair, **seconded** by Council President Hoffman and carried by roll call vote of 6-0.

**RC: Council members:**

**Lazar-Yes**  
**Browne-Yes**  
**Bair-Yes**  
**Hoffman-Yes**  
**Heyer-Yes**  
**Loffredo - Yes**

- Ca 04-09 Appoint Borough Attorney-Philip Boggia, Esq., of Durkin & Boggia, Esq.
- Ca 05-09 Appoint Borough Auditor- Gary Higgins-Lerch, Vinci & Higgins, C. P. A.
- Ca 06-09 Appoint Borough Engineer – Paul Niehoff – Maser Consulting, P. E.
- Ca 07-09 Appoint Bond Counsel-John Hudak- Nowell Amoroso Klein Bierman., P.A.
- Ca 08-09 Appoint Borough Prosecutor-Arthur Balsamo, Esq.

APPROVED 02-17-09

- Ca 09-09 Appoint Alt. Borough Prosecutor-Christopher Martin, Esq.
- Ca 10-09 Appoint Public Defender-Dawn O'Connor, Esq.
- Ca 11-09 Appoint Alt. Public Defender-Jeff Carney
- Ca 12-09 Appoint Borough Planner-Joseph Burgis-
- Ca 13-09 Appoint Insurance Risk Managers- The Vozza Agency/Johl & Company
- Ca 14-09 Appoint Borough Architect-The Bilow Group
- Ca-20-09 Designate Official Newspapers
- Ca 21-09 Approve Cash Management Plan
- Ca 22-09 Approve Official Depositories of Municipal Funds
- Ca 23-09 Approve Authorized Signatories
- Ca 24-09 Approve Ratification of Bonds
- Ca 25-09 Fix Rate of interest charged for non-payment of taxes @ 8% of the first \$1,500 and 18% on any remaining balance
- Ca 26-09 Authorize Mayor to execute agreement of Co-Risk Risk Managers Consultants-Vozza/Johl & Company
- Ca 27-09 Approve Appointment of LOSAP Program Administrators Daniel O'Brien for the Emerson Volunteer Fire Department and George Howlin for the Emerson Volunteer Ambulance Corps
- Ca 28-09 Approve Producer's Agreement Bergen County Municipal Benefits Fund
- Ca 29-09 Approve Fee of \$20.00 for Returned Checks for Insufficient Funds
- Ca 30-09 Approve Bond, Treasurer of Library Board of Trustees
- Ca 31-09 Re-establishment of Petty Cash Funds
- Ca 32-09 Approve No Cash Policy for Payment of Property Taxes
- Ca 33-09 Approve Bergen Brookside Towing, Rich's Automotive and Emerson Towing
- Ca 34-09 Designate Joseph Scarpa as the Public Agency Compliance Officer for the year ending December 31, 2009

### **23. ADJOURNMENT**

With no other business to address, at the request of Mayor Lamatina, Councilman Heyer to adjourn the meeting, **seconded** by Councilman Loffredo and carried at 8:35 p.m.

Carol Dray, RMC, CMC

January 26, 2009

(Proofed 2/1/09, cd)