



MINUTES  
BOROUGH OF EMERSON  
MAYOR AND COUNCIL  
REORGANIZATION  
JANUARY 5, 2016  
7:30 P.M.  
Borough Hall-Council Chambers  
Emerson, NJ 07630



---

**SINE DIE**

**1. CALL TO ORDER**

Mayor Lamatina called the meeting to order at 7:32 p.m. and identified the emergency exits.

**2. SALUTE TO THE FLAG**

**3. MOMENT OF SILENCE**

**4. OPEN PUBLIC MEETINGS STATEMENT**

Mayor Lamatina read the Sunshine Statement announcing that the meeting of January 5th, 2016 had been adequately noticed and was in compliance with the provisions of the Open Public Meetings Law. Further, the meeting was transmitted to the Record and Ridgewood News on December 16th, 2015, posted on the bulletin board in the Borough Hall, Municipal Place, Emerson, NJ 07630 and remained continuously posted as the required notices under the Statute. In addition, a copy of the notice was on file in the Office of the Municipal Clerk and had been available to the public since its approval by the Governing Body.

**5. ROLL CALL OF THE 2015 GOVERNING BODY**

**PRESENT:** Mayor Lamatina, Councilwoman DiPaola, Councilman Knoller, Council President Rivers, Councilman Tripodi, Councilman Worthington

**ABSENT:** Councilman Paino

Also present were Borough Attorney Wendy Rubinstein and Borough Clerk Jane Dietsche.

Borough Administrator Robert S. Hoffmann arrived at 7:38 p.m.

**6. PROCLAMATIONS AND PRESENTATIONS**

- Council President Scott Rivers - Appreciation of Services
- Councilman Steve Paino – Appreciation of Services

**7. UNFINISHED BUSINESS FOR THE YEAR 2015**

- Resignation of Municipal Court Administrator Michele O'Donohue effective January 8, 2016

☞ **Motion** to accept the resignation of Municipal Court Administrator Michele O'Donohue effective January 8, 2016 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried unanimously.

**8. FINANCIAL BUSINESS**

- Ca 338-15 Approve Bill List

☞ **Motion** to approve Resolution No. 338-115 Bill List with the removal of Item #26412 to Rubenstein, Meyerson, Fox in the amount of \$1,800.00 was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Rivers, Knoller, Worthington**

☞ **Motion** to approve Item #26412 only to Rubenstein, Meyerson, Fox in the amount of \$1,800.00 was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by a roll call vote of 4-0.

**RC: Council members:**

**YES: Tripodi, Rivers, Knoller, Worthington**

**ABSTAIN: DiPaola**

**9. MINUTES FOR APPROVAL**

- Regular Meeting Minutes of December 15, 2015
- Closed Session Meeting Minutes of December 15, 2015

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of December 15, 2015 was **moved** by Council President Rivers, **seconded** by Councilman Tripodi and carried unanimously.

**10. RESOLUTIONS - Consent Agenda No. 339-15**

☞ **Motion** to approve Consent Agenda #339-15 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0.

**RC: Council members:**

**YES: DiPaola, Tripodi, Rivers, Knoller, Worthington**

Ca 340-15 Authorize the hiring of Nicholas Guglielmo as DPW Road Department member effective January 19, 2016

Ca 341-15 Confirming resolution for purchase of Neopost USA mail machine

Ca 342-15 Confirming resolution to purchase carpeting for Borough Clerk's Office and Police Department

Ca 343-15 Award 2017 Chassis with Multi-Purpose Dump Body Liquid System and Plow with Two-Way Radio to Deluxe International Trucks of Hackensack in the amount of \$159,900.00

Ca 344-15 Award the Contract for Information Technology Services to Dart Computer Services for CY 2016

MIN No. 1 APPROVED FOR RELEASE & CONTENT 2-2-16

- Ca 345-15 Transfer of funds
- Ca 346-15 Amend Resolution No. 313-15 to authorize the purchase and/or lease of cameras for Police cars and Borough facilities
- Ca 347-15 Approving resolution requesting change in title, text, or amount of appropriation pursuant to NJS 40A:4-85
- Ca 348-15 Award contract for Banking Services to Sussex Bank effective April 1, 2016
- Ca 349-15 Authorize Purchase off of State Contract for New Fire Chief's Vehicle

**11. STANDING COMMITTEES YEAR END REPORTS**

Councilwoman DiPaola commended the Shade Tree Commission for doing a fantastic job. It was the eleventh year they had been certified as a Tree City. They would be asking for more money in 2016 because there were a significant number of trees that needed to be removed to keep the town safe. She also said they did a great job on their Arbor Day memorial plantings at the Arbor Day Ceremony which was held to honor the memory of any past or present resident who had passed away.

Councilman Knoller thanked Council President Rivers, wished him the best of luck and said he would miss him.

Councilman Tripodi thanked Library Director Camille Valentino and the Library Board of Trustees for a job well done. He also thanked the Land Use Board for their dedication and hard work. Finally, he thanked Council President Rivers for his time, effort and dedication.

Council President Rivers thanked everyone and said that the Police Department was doing a fantastic job. He was excited about the evening's promotions. He also thanked the Fire Department for keeping everyone safe and appreciated all that they did. He closed by stating that it had been a great six years and he appreciated the opportunity to serve the Borough.

Councilman Worthington thanked Council President Rivers for always being available and said he appreciated all his hard work.

Mayor Lamatina thanked everyone and thanked Council President Rivers for his help.

**12. SPECIAL SUB-COMMITTEE YEAR END REPORTS**

There were no Special Sub-Committee year end reports.

**13. WITH NO FURTHER BUSINESS FOR THE YEAR 2015, 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.**

**14. MOTION TO CLOSE SINE DIE**

With no other business to address, at the request of Mayor Lamatina, a motion to close the Sine Die portion of the meeting was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried at 7:43 p.m.

**1. CALL TO ORDER MAYOR LAMATINA**

Mayor Lamatina called the meeting to order at 7:44 p.m.

**2. BOROUGH CLERK ANNOUNCES THE RECEIPT OF THE CERTIFICATION OF THE 2015 GENERAL ELECTION RESULTS**

Borough Clerk Jane Dietsche announced she had received the certified results of the 2015 General Election for the Borough of Emerson. The results indicated that Councilman Brian Downing and Councilman John V. Lazar had been elected to three year terms.

**3. SWEARING-IN CEREMONY/OATH OF OFFICE**

Swearing in of  
**COUNCILMAN BRIAN DOWNING**  
By County Executive James Tedesco

Swearing in of  
**COUNCILMAN JOHN LAZAR**  
By County Executive James Tedesco

Swearing in of  
**POLICE LIEUTENANT MICHAEL MCDERMOTT**  
**SERGEANT JOSEPH ALASIO**  
**SERGEANT ROCCO DUARDO**  
**PATROL OFFICER SEAN CROAL**  
By Mayor Louis J. Lamatina

**4. ROLL CALL OF 2016 MAYOR AND COUNCIL**

**PRESENT:** Mayor Lamatina, Councilwoman DiPaola, Councilman Downing, Councilman Knoller, Councilman Lazar, Councilman Tripodi, Councilman Worthington

Also present were Borough Administrator Robert S. Hoffmann, Borough Attorney Wendy Rubinstein and Borough Clerk Jane Dietsche.

**5. Resolution No. 01-16 - 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, 2016 AND ENDING DECEMBER 31, 2016 WITH VOTING AND SEATING ORDER**

Mayor Lamatina announced that the voting and seating order for 2016 would be as follows: Councilwoman DiPaola, Councilman Lazar, Councilman Downing, Councilman Knoller, Councilman Tripodi and Councilman Worthington.

☞ **Motion** to approve Resolution #01-16 Adoption of the Governing Body By-laws was **moved** by Councilman Knoller, **seconded** by Councilman Worthington and carried by roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Lazar, Downing, Knoller, Tripodi, Worthington**

6. NEW COUNCIL MEMBERS' ADDRESS TO THE ASSEMBLAGE

COUNCILMAN BRIAN DOWNING  
COUNCILMAN JOHN LAZAR

7. MAYOR'S ADDRESS TO THE ASSEMBLAGE

Mayor Lamatina gave the State of the Borough Address which is hereto included at the conclusion of the minutes.

8. Resolution No. 02-16 ELECTION OF PRESIDENT OF THE COUNCIL

Mayor Lamatina asked for a motion to open the floor to nominations for President of the Council.

☞ **Motion** to open the floor to nominations for President of the Council was **moved** by Councilwoman DiPaola, **seconded** by Councilman Tripodi and carried unanimously.

Councilman Tripodi nominated Councilman Knoller for Council President for the year 2016. Councilman Worthington seconded that nomination. All were in favor.

☞ **Motion** to appoint Councilman Knoller as Council President for the term ending December 31, 2016 was carried unanimously.

9. Resolution No. 03-16 BOROUGH PROFESSIONAL APPOINTMENTS - Pursuant to N.J.S.A 19:44A-20.4 et seq. "Fair and Open" (Appointment by Mayor on Consent and Advice of Council)

☞ **Motion** to approve Resolution #03-16 Borough Professional Appointments with the removal of Resolution #15-16 was **moved** by Council President Knoller, **seconded** by Councilman Tripodi and carried by roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Lazar, Downing, Knoller, Tripodi, Worthington**

☞ **Motion** to approve Resolution #15-16 only was **moved** by Council President Knoller, **seconded** by Councilman Tripodi and carried by roll call vote of 5-0.

**RC: Council members:**

**YES: Lazar, Downing, Knoller, Tripodi, Worthington**

**ABSTAIN: DiPaola**

PROFESSIONAL	TERM	NAME
04-16 Borough Attorney	1 Year	To be determined
05-16 Labor Attorney	1 Year	Mark Ruderman and Ruderman, Horn & Esmerado, P.C.
06-16 Borough Auditor	1 Year	Gary Higgins and Lerch, Vinci & Higgins, LLP

MIN No. 1 APPROVED FOR RELEASE & CONTENT 2-2-16

07-16 Borough Engineer	1 Year	Dr. Stephen Boswell, Gary Ascolese & Boswell Engineering
08-16 Bond Counsel	1 Year	Steve Rogut and Rogut, McCarthy LLP
09-16 Municipal Judge	3 Years	Francis J. Leddy, Jr.
10-16 Borough Prosecutor	1 Year	Arthur E. Balsamo
11-16 Alternate Prosecutor	1 Year	Christopher Martin and Morrison Mahoney LLP
12-16 Public Defender	1 Year	Jeffrey Carney and Jeffrey T. Carney Law Offices
13-16 Alt. Public Defender	1 Year	Vanessa Sinisi Falkenstern and Law Offices of Stephen P. Sinisi, LLP
14-16 Risk Insurer	1 Year	The Vozza/Johl & Co.
15-16 Tax Appeal Attorney	1 Year	Robert Mancinelli and Rubenstein, Meyerson, Fox, Conte & Bern, P.A.
16-16 Municipal Appraiser	1 Year	Robert McNerney and McNerney & Associates, Inc.
16-16AO Borough Planner	1 Year	Brigitte Bogart, Brigitte Bogart Planning & Design Professionals LLC

**10. Resolution No. 17-16 STANDING COMMITTEE COUNCIL APPOINTMENTS WITH FIRST NAMED COMMITTEE MEMBER AS CHAIR:**

☛ **Motion** to approve Resolution #17-16 Standing Committee Council Appointments was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried by roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Lazar, Downing, Knoller, Tripodi, Worthington**

- |  |                     |
|--|---------------------|
| a) Streets and Municipal Services                                    | Lazar/Downing       |
| b) Finance, Tax & Revenue  | DiPaola/Worthington |
| c) Police, Auxiliary Police, Office of Emergency Management & Courts | Knoller /Tripodi    |
| d) Public Buildings, Grounds Parks & Utilities                       | Worthington/DiPaola |
| e) Real Estate and Land Use  | Tripodi/Lazar       |
| f) Fire Department   | Downing/Knoller     |
| g) Personnel and Human Resources                                     | Knoller/Tripodi     |
| h) Technology  | Knoller/ Tripodi    |
| i) EVAC  | Downing/Worthington |

Other Liaison List for the Calendar Year 2016

d) Board of Health	DiPaola
e) Environmental Commission	Worthington
f) Chamber of Commerce	Lamatina
g) Shade Tree Commission	DiPaola
h) Library Board of Trustees	Tripodi
i) Board of Education	Lamatina
j) Senior Citizens	Lamatina
k) Recreation Commission	Downing
l) Insurance Fund Commissioner	Lazar/Hoffmann
m) Historic Preservation	Worthington
n) Municipal Land Use Board	Tripodi

**13. Resolution No 18-16 COUNCIL APPOINTMENT OF CLASS III LAND USE BOARD MEMBER**

☞ **Motion** to open the floor to nominations for Class III Land Use Board member was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried unanimously.

Councilwoman DiPaola nominated Councilman Tripodi for Class III Land Use Board member. Council President Knoller seconded the motion. All were in favor.

☞ **Motion** to appoint Councilman Tripodi as Class III Land Use Board member was carried unanimously.

**14. INTRODUCTION OF EMERGENCY SERVICES OFFICERS**

Mayor Lamatina introduced the following Emergency Service Officers:

- a) **Emerson Volunteer Fire Department**  
Fire Chief Mark Brackenbury, Assistant Chief Tom Carlos, Senior Captain Mark Savino Sr., Junior Captain Anthony Sottile, Senior Lieutenant Joe Castrovillari, Junior Lieutenant OPEN; President Joseph Solimando, Jr., Vice President Joseph D. Mara, Treasurer Ron Berg, Secretary Kim McKersie
- b) **Emerson Volunteer Ambulance Corps**  
President Mike Davis; Vice President Cindy Giardiello; Treasurer Maureen Howlin; Secretary George Howlin; Captain Dave Mason; 1<sup>st</sup> Lt. Matt Giardiello, 2<sup>nd</sup> Lt. Brian Giblin and 3<sup>rd</sup> Lt. Janine Davis
- c) **Emerson Auxiliary Police-One Year**  
Captain Daniel Clayton, Lieut. John Mahoney, Sgt. William Levine, Sgt. Elizabeth Reilly, Sgt. David Kogut, Sgt. Joseph Ellis, Sgt. Mark Bensen, Ptl. Brian Ciavaglia, Ptl. William Cillo, Ptl. Joseph Kalachian, Ptl. Erik Wegner
- o) **Community Emergency Response Team (CERT)-One Year**  
Christine Malakis, Alan Bernstein, Erik Wegner, Marc Carlo

p) **School Crossing Guards-One Year Year**

Bonnie Kompel, Joe Cannone, Donna Block, William Levine, Sheri Jaeger, John Mahoney, Maria Carpenter, Kevin Mulvenna, Jackie Sloat, Kevin Felici, Lisa Smith, Frank Pesce

**15. Resolution No. 19-16 ANNUAL APPOINTMENT OF OFFICERS AND EMPLOYEES WITH COUNCIL CONFIRMATION**

☞ **Motion** to approve Resolution #19-16 Annual Appointment of Officers and Employees with Council Confirmation was **moved** by Councilwoman DiPaola, **seconded** by Council President Knoller and carried by roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Lazar, Downing, Knoller, Tripodi, Worthington**

	<b>POSITION APPOINTEE</b>	<b>TERM EXPIRES</b>	<b>NAME</b>
a)	Qualified Purchasing Agent	12/2016	Robert S. Hoffmann
b)	Alternate Qualified Purchasing Agent	12/2016	Catherine S. Henderson
c)	Recycling Coordinator	12/2016	Mark Vangieri
d)	Sewer Operator	12/2016	Keith Durie
e)	Zoning Official	12/2016	Nelson Fullam
f)	Dep. OEM Coordinator	12/2016	Perry Solimando
g)	Assessment Search Officer	12/2016	Jane Dietsche

**16. MAYOR'S NOMINATIONS TO BOARDS AND COMMISSIONS with advice and consent of Council.**

• **Board of Health**

- Regular member for the term ending 12/31/18 Cindy Bischoff
- Regular member for the term ending 12/31/18 VACANT

☞ **Motion** to reappoint Cindy Bischoff as a regular member of the Board of Health for the terms ending 12/31/18 was **moved** by Councilwoman DiPaola, **seconded** by Councilman Lazar and carried by roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Lazar, Downing, Knoller, Tripodi, Worthington**

• **Library Board**

- Regular member for the term ending 12/31/20 Marcia DeSalvo
- Regular member for the term ending 12/31/20 Fran Ianora
- Regular member for the term ending 12/31/20 Richard Hodgman
- Regular member for the term ending 12/31/20 Alyssa Matthews
- Mayor's Representative for term ending 12/31/16 Ida Ennis
- BOE Representative for term ending 12/31/16 Brian Gatens

☞ **Motion** to reappoint Marcia DeSalvo, Fran Ianora and Richard Hodgman as regular members of the Library Board of Trustees for the terms ending 12/31/20, appoint Alyssa Matthews as a regular member for the term ending 12/31/20, reappoint Ida Ennis as the Mayor's Representative for the term ending 12/31/16 and reappoint Board of Education Representative Brian Gatens for the term ending 12/31/16 was **moved** by Councilman Tripodi, **seconded** by Council President Knoller and carried by roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Lazar, Downing, Knoller, Tripodi, Worthington**

- **Recreation Commission**

- a. Regular member for the term ending 12/31/20 Wilfredo Ortiz
- b. Regular member for the term ending 12/31/20 Afrim Hoxa

☞ **Motion** to appoint Wilfredo Ortiz as a regular member of the Recreation Commission for the term ending 12/31/20 and reappoint Afrim Hoxa as a regular member for the term ending 12/31/20 was **moved** by Council President Knoller, **seconded** by Councilman Lazar and carried by roll call vote of 5-0.

**RC: Council members:**

**YES: Lazar, Downing, Knoller, Tripodi, Worthington**

**ABSTAIN: DiPaola**

## 17. MAYOR'S APPOINTMENTS

Mayor Lamatina announced the following appointments:

- **Land Use Board**

- a. Class IV member for the term ending 12/31/19 John De Thomasis
- b. Alternate I member for the term ending 12/31/17 Steve Malone
- c. Alternate IV for the term ending 12/31/17 VACANT

- **Environmental Commission**

- a. Regular member for the term ending 12/31/18 Karen Browne
- b. Regular member for the term ending 12/31/18 Stephanie Clark
- c. Student member for the term ending 12/31/16 Jake Salles

- **Shade Tree Commission**

- a. Regular member for the term ending 12/31/20 VACANT
- b. Alternate I member for the term ending 12/31/16 VACANT
- c. Alternate II member for the term ending 12/31/17 VACANT

- **Historic Preservation Commission**

- a. Class C member for the term ending 12/31/19 Anne McElwain
- b. Class C member for the term ending 12/31/19 VACANT
- c. Alternate II member for the term ending 12/31/17 Marie Castrovillari

## 18. NEW BUSINESS:

- a) Resolution #20-16 Adoption of the Temporary 2016 Municipal Budget

☞ **Motion** to approve Resolution #20-16 Adoption of the Temporary 2016 Municipal Budget was **moved** by Councilwoman DiPaola, **seconded** by Councilman Tripodi and carried by roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Lazar, Downing, Knoller, Tripodi, Worthington**

b) Resolution #21-16 Authorize Reissuance of an RFP for Central Business District

The Governing Body discussed requested changes to the draft Request for Proposals related to parking spaces. Councilman Lazar questioned the number of parking spaces required since there was no indication as to the number of units and whether they would be commercial or residential. He explained that the number of spaces would be determined by the number of units and 55 spots should be specifically allocated for commuters. Mayor Lamatina said that redevelopers would propose the number of parking spaces they thought they needed which would be reviewed by the Land Use Board. Governing Body consensus was to require 55 spaces for commuters.

☞ **Motion** to approve Resolution #21-16 Authorize Reissuance of an RFP for the Central Business District with the change to parking requirements was **moved** by Councilman Tripodi, **seconded** by Council President Knoller and carried by roll call vote of 4-2.

**RC: Council members:**

**YES: Lazar, Downing, Knoller, Tripodi**

**NO: DiPaola, Worthington**

## 19. INTRODUCTION OF ORDINANCES

Mayor Lamatina announced that Ms. Dietsche would read the following ordinance by title and it would be further considered at a Public Hearing to be held on January 19, 2016 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the January 8, 2016 edition of the Ridgewood News by summary. He added that this ordinance was on file in the Clerk's Office and posted on the official bulletin board of the Municipal Building where copies would be available to the General Public at no charge.

### First Reading:

#### **1513-16 AN ORDINANCE AMENDING CHAPTER 290, ZONING, OF THE CODE OF THE BOROUGH OF EMERSON, IN ORDER TO REVISE THE RC (RETAIL COMMERCIAL) ZONE TO ADD DRIVE-THRU ESTABLISHMENTS AS CONDITIONAL USES**

Mayor Lamatina explained that this ordinance would allow for drive-thru establishments north of Chestnut Street to the border of the Borough of Westwood, away from the central downtown. Councilwoman DiPaola said they should wait to get Kinderkamack Road improvements done before they added drive-thrus since it could result in a slight traffic increase. She also thought drive thrus were a negative for Emerson and opened up the door for fast food restaurants which she did not think residents wanted in the business district. Councilman Lazar noted that previously other drive-thru businesses had to go before the Land Use Board for approval and felt they should continue requiring individual businesses to go to the Land Use Board. He also referenced littering and felt that drive-thrus encouraged this behavior. Mayor Lamatina explained that the ordinance limited drive-thrus to only several blocks determined appropriate by the Borough Planner; it would in no way be condoned anywhere else. He added that it would encourage people to come and do business in town.

☞ **Motion** to approve Ordinance 1513-16 on first reading was **moved** by Councilman Tripodi, **seconded** by Council President Knoller, and carried by a roll call vote of 4-2.

**RC: Council members:**

**YES: Downing, Knoller, Tripodi, Worthington**

**NO: DiPaola, Lazar**

## 20. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried at 8:52 p.m.

Hilary Sharp, 200 Jordan Road asked about a timeline for resolving flooding concerns in her area.

Todd Rushing, 201 Jordan Road asked about a timeline to resolve flooding concerns in his area.

Ken Hoffman, 61 Emwood Drive congratulated the two new Council members and wished them best of luck. He also asked questions about eminent domain and the RFP voted on that evening.

Marguerite Pellegrino, 152 Hartland Avenue asked about disposing of construction materials.

Gary Schwinder, 99 Linden Avenue congratulated the two new Council members and Council President Knoller on his appointment as President of the Council. He said he was looking forward to working with the Mayor and Council on another productive year.

Seeing no more 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 Councilwoman DiPaola, **seconded** by Council President Knoller and carried at 9:08 p.m.

## 20. Resolution No. 22-16 CONSENT AGENDA

☞ **Motion** to approve Resolution #22-16 Consent Agenda was **moved** by Councilwoman DiPaola, **seconded** by Councilman Tripodi and carried by roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Lazar, Downing, Knoller, Tripodi, Worthington**

- Ca 23-16 Designate Official Newspapers – The Record and Ridgewood News
- Ca 24-16 Approve Cash Management Plan
- Ca 25-16 Approve Official Depositories
- Ca 26-16 Approve Authorized Signatories
- Ca 27-16 Approve Ratification of Public Official Bonds
- Ca 28-16 Establishing Rate of Interest for Delinquent Taxes at 8% of the first \$1,500.00 and 18% on any remaining balance
- Ca 29-16 Authorize Mayor Lamatina to execute agreement of Co-Risk Risk Managers Consultants
- Ca 30-16 Approve Appointment of LOSAP Program Administrators Mark Savino for the Emerson Volunteer Fire Department and George Howlin for the Emerson Volunteer Ambulance Corps
- Ca 31-16 Approve Producers Agreement Bergen County Municipal Benefits Fund
- Ca 32-16 Approve Fee of \$20.00 for Returned Checks for Insufficient Funds
- Ca 33-16 Approve Bond, Treasurer of Library Board of Trustees

MIN No. 1 APPROVED FOR RELEASE & CONTENT 2-2-16

- Ca 34-16 Re-establishment of Petty Cash Funds
- Ca 35-16 Change of Custodians of Petty Cash Fund
- Ca 36-16 Approve No Cash Policy for Payment of Property Taxes
- Ca 37-16 Approve Volunteer Tuition Credit Program
- Ca 38-16 Authorize CFO to pay certain obligations as needed
- Ca 39-16 Approve the appointment of Robert S. Hoffmann as the Qualified Purchasing Agent for the term of January 2016 to December 31, 2016
- Ca 40-16 Mutual Aid – Pascack Valley Fire Departments
- Ca 41-16 Authorize Drug and Alcohol Testing Agreement for 2016
- Ca 42-16 Designate Borough Administrator Robert S. Hoffmann as Public Agency Compliance Officer
- Ca 43-16 Authorize Deputy Borough Clerk Coverage
- Ca 44-16 Authorize Action to Ensure Continuity of Services
- Ca 45-16 Approve Official Towers for the Borough of Emerson-Rich’s Automotive, Bergen Brookside and Emerson Towing
- Ca 46-16 Appoint Tyler Mills as a part time Police Dispatcher
- Ca 47-16 Appoint George Buono Jr. as a part time Police Dispatcher
- Ca 48-16 Appoint Ed Conklin as a Court Security Officer
- Ca 49-16 Reimburse Residents for Property Damage Caused by Municipal Work
- Ca 50-16 Amend Cash Management Plan – Fixed Asset Threshold
- Ca 51-16 Award a One Year Contract for Elevator Inspection Services to NJ Technical Services in the amount of \$5,276.00
- Ca 52-16 Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87 – Municipal Alliance on Alcoholism and Drug Abuse
- Ca 53-16 Approve BMED Fund Commissioner
- Ca 54-16 Approve JIF Fund Commissioner
- Ca 55-16 Appoint Perry Solimando as Acting DPW Superintendent effective January 1, 2016
- Ca 56-16 Accepting donation of firefighting foam and authorizing execution of agreement with the County of Bergen regarding the terms thereof
- Ca 57-16 Appoint Laurel Carnazza as Acting Court Administrator effective December 30, 2015
- Ca 58-16 Appoint Mark Vangieri as Borough Recycling Coordinator
- Ca 59-16 Appoint Keith Durie as Borough Sewer System Operator
- Ca 60-16 Authorize Middlesex Regional Educational Services Commission (MRESC) to provide Technology Consulting Services

21. **ADJOURNMENT**

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by Council President Knoller, **seconded** by Councilman Worthington and carried at 9:12 p.m.

Respectfully submitted,

---

Jane Dietsche, RMC  
Borough Clerk

**State of the Borough Address**  
**Tuesday, January 5, 2016**

Good Evening. Thank you for joining us as we celebrate democracy in action. The Borough of Emerson came into existence 113 years ago in 1903. This is the 112<sup>th</sup> annual reorganization meeting for our fair community. You are participating in a tradition that predates Emerson's incorporation and has its roots in colonial times. Tonight you have just witnessed the peaceful transfer of power with the swearing in of Councilman Brian Downing and Councilman John Lazar. Former Council members Scott Rivers and Steve Paino now resume their roles as residents of the Borough and active participants in our civic process. I want to thank both men for their service to our Borough as elected officials. Our form of government is the envy of many throughout the world due to this peaceful transfer. This is a precious gift from our founding fathers that we must shepherd and protect so that it can be passed along to our heirs. Your participation guarantees that our government works for all.

2016 will build on the progress made in 2015. Our efforts will also carry over into 2017 and beyond. We have begun to make strategic and long term capital investments in our Borough's infrastructure. The goal of the Borough is to upgrade and maintain these assets so that our children and grandchildren will be able to live in Emerson 20 and 40 years from now.

During 2016 the Kinderkamack Road improvement project will move to its next phase. This project has been on the drawing boards for fifty seven (57) years. In the late spring the Borough anticipates that the actual milling, paving, widening of the road and installation of new traffic signals will begin. For a period of time there will be traffic tie ups in Emerson. Please begin to think about alternate routes or carpooling for school. We will have a little managed pain for long term gain. This phase of the project with the County as the Lead Agency and New Jersey Transit as a participant is expected to take nine (9) months to complete. Both Hillsdale and Westwood now have improved central business districts after completing similar projects.

To remain a vibrant and affordable community we must look for ways to increase our ratable base. We must also support our businesses as well as provide housing options so that our seniors and recent college graduates have the opportunity to stay in Emerson if they so choose. Our Central Business District is roughly from the intersection of Linwood Avenue and Kinderkamack Road north to Lincoln Boulevard and Kinderkamack Road. This is an area that has been designated for redevelopment since 2006. The redevelopment of this corridor will:

- Improve our housing stock and options.
- Increase our ratable base and help hold the line on taxes.
- Upgrade the appearance and attractiveness of our Central Business District.
- Provide an additional group of residents who will patronize businesses in Emerson.

In 2016 the Borough intends to join several of our sister municipalities in the Pascack Valley who participate in the Pascack Valley Shared Services Group. This group will be going out to bid for a joint Road Paving project. During calendar year 2015 seven (7) municipalities spent approximately \$3,800,000 on road paving. The municipalities who participated in the bid received better prices (\$73.20) per ton than two nearby municipalities who went out to bid on their own. This is an example of saving money by working together.

On that note the Borough has also identified items and services that make sense to accomplish working in conjunction with the Emerson Board of Education. We look forward to implementing these options that will benefit all of our residents.

One of the Borough's goals for 2016 should be to earn a Sustainability certification from Sustainable Jersey. We have talented residents who can develop and implement a plan that will ultimately lead us to the Silver Sustainable certification. I would like to have our Environmental Commission spear head this effort. Earning the Bronze and Silver certification will in the long run save both the environment and tax dollars. The Borough currently uses many sustainable procedures that have become imbedded in our daily activities. We don't receive credit for our actions.

During calendar year 2015 the Borough began to address long term drainage issues which have adversely affected several areas of our municipality. The maintenance program that our Department of Public Works began in 2015 will continue in 2016. To ensure that the Borough has adequate time and resources devoted to this effort, additional man hours have been allocated to this project for 2016. Starting tomorrow, Wednesday, January 6<sup>th</sup>, the Borough has contracted with the Gaeta Recycling Corporation to pick up newspapers, cardboard and other paper material. This work had been previously done by our DPW staff. Outsourcing the collection of recycling material will free up over 2,900 man hours of DPW staff time in 2016. A significant portion of those hours will be devoted to inspecting, cleaning out, repairing and maintaining our storm water infrastructure. The remaining hours will be used to address a backlog of other projects.

The Governing Body will discuss and analyze the benefits of designing and then installing additional storm water lines to prevent flooding in the future. Grant funding will also be sought for these and other infrastructure projects.

Ultimately, the goal of the Borough is to provide services for our residents at the best possible value. To accomplish this Emerson will strive to be classified by any objective standard as being in the top one percent of all municipalities.

Emerson is a special place because of the volunteers who provide countless thousands of hours of service to their neighbors. Some serve in the Ambulance Corps or Fire Department. Others serve on Commissions, Boards and Committees. Still others serve our youth as coaches. I know that the Council joins me in thanking you for your willingness to provide time and talent for the benefit of all.

Our volunteers are backed up by a professional staff that is always willing to help. Whether it's the Police Department, Clerk's Office, Library or one of our other departments their goal is to assist you.

On behalf of the Governing Body, I want to wish everyone a healthy and happy 2016. Working together we will insure that Emerson remains the "Family Town" for all our residents.

Thank you.

**BY-LAWS OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF EMERSON, NEW JERSEY**

**January 5, 2016**

**ARTICLE I**

Section 1 The Mayor shall take the Chair at the time appointed for meetings of the Council, and shall preside thereat.

Section 2 She/he shall be entitled to speak upon all questions, which are before the Council.

Section 3 She/he shall, on all occasions, preserve order and decorum and may cause the arrest or removal of all persons who interrupt or interfere with the orderly proceedings of the Council.

Section 4 When two or more members of the Council shall request recognition at the same time, she/he shall name the one entitled to the floor.

Section 5 She/he shall decide all questions of order without debate, subject to an appeal to the Council when moved by a member and duly seconded, and she/he may call for the sense of the Council upon any question of order and decorum.

Section 6 In the absence of the Mayor, the President of the Council shall preside and while so doing, she/he shall have the same rights and powers as the Mayor and shall retain her/his Council vote when so doing. In the absence of the Mayor and President of the Council, the members present shall appoint a Chairman Pro Tem, who shall then have the same power, and shall retain her/his vote.

Section 7 The Mayor shall not vote except to give the deciding vote in case of a tie.

**ARTICLE II**

Section 1 The Council, at the annual organization meeting shall elect a President of the Council. The Council President shall hold office for one year and until the next organization meeting. The Council President shall have the right to debate and vote on all questions before the Council and shall retain all her/his rights as a member of the Council.

Section 2 If the Mayor is absent from the Borough for a period of three days or, for any reason, is unable to act, the President of the Council shall perform all the duties of the Mayor during such absence or inability. The Mayor, in case of her/his intended absence from the borough for more than three days at any one time, shall notify the President of such intended absence whereupon the President shall be and become Acting Mayor from the beginning of such absence and continue to act until the Mayor's return.

**ARTICLE III**

Section 1 The Borough Clerk shall perform such duties enjoined on her/him by the laws of the State of New Jersey, and by these by-laws and as may from time to time be directed by the Mayor and Council.

Section 2 She/he shall keep the Minutes and Ordinance books fully indexed and up-to-date, shall keep the Minutes of closed sessions in a secure location until such time as they are made public, shall periodically review the closed session Minutes and shall present them to the Council for vote at the appropriate time when they should be approved by the Council for content and again for release to the public and for inclusion in the Minute book, shall perform all the duties usually devolving upon such officer and such special services as the Mayor and Council may require.

She/he shall also keep the minutes of closed sessions with separate Minutes for each closed session topic.

Section 3 It shall not be necessary for the Borough Clerk to read Minutes of the previous meeting at length if the said Borough Clerk shall have submitted to each of the Council at least four days prior to the next Council meeting a copy of the official minutes.

**ARTICLE IV**

Section 1 Three members of the Council and the Mayor shall constitute a quorum for the transaction of business but a smaller number may meet and adjourn from time to time.

Section 2 In the absence of the Mayor, four members of the Council shall constitute a quorum.

**ARTICLE V:**

***Meetings***

Section 1 Types of Meetings. There shall be two types of meetings of the governing body as follows and as defined herein below:

Regular Meetings: Those meetings scheduled in the Annual Meeting Notice as required by law.

Special Meetings: Those meetings not listed in the Annual Notice and scheduled by the Governing Body as needed and noticed as required by law.

All meetings of the Mayor and Council shall be called to order at 7:30 p.m. and adjourned no later than 11:30 p.m.

Section 2        Reorganization. The date and time of the reorganization meeting shall generally be scheduled at the last meeting of the prior year in consultation with the members elect by vote of a majority of the Governing Body, those members whose terms will end December 31 shall not vote. The following business shall be conducted: swearing in of newly elected officials, adoption of by-laws, adoption of a schedule of meetings for the coming year, election of President of the Council, appointment of professionals, appointment or election of commissioners, standing committees, council liaisons, and, if necessary, special committees, appointment of members of boards and commissions of the borough, appointment and/or re-appointment of employees and other employment matters, the presentation of new business, speeches and ceremonies as allowed by the Mayor, and any other business appropriate to these by-laws and State Statutes.

Section 3        Regular Meetings. Regular Meetings shall generally be held on the first and third Tuesday of each month at the Municipal Building or such other location as published by the Mayor and Council. All Regular Meetings shall follow the agenda, which may be suspended by majority vote of the Council.

1. Call to Order
2. Pledge of Allegiance
3. Moment of Silence or prayer, led by the Mayor.
3. Open Public Meeting Statement, led by the Mayor.
4. Roll Call. The Borough Clerk shall call the roll.
5. Approval of Minutes
6. Presentation of correspondence, petitions, etc. and the reading thereof and referral thereof to the proper committee ordering same filed.
7. Unfinished business and vote on any questions before the Council
8. Ordinance Introduction and Adoption
9. Final passage of ordinances
10. Discussion of New Matters. Any matter may be placed on the agenda for discussion by any member of the Governing Body by presenting a request to the Borough Clerk not less than twenty-four (24) hours prior to the meeting. Notice to the Clerk is not required for matters relating to the reorganization of the Governing Body addressed at the Re-Organization Meeting. A vote on matters presented under New Business shall be conducted after the public comment portion of the meeting
11. Reports of Committees, Liaisons, Officials, Mayor, Clerk, Administrator and Attorney.
12. Opening of the Meeting for public comment for the good and welfare of the Borough.
13. Consent Calendar as defined in Article VI, Section 5 below.
14. Adjournment

Section 4        Sine Die. Generally, on the last Tuesday of the year, the Mayor and Council shall convene a Sine Die Meeting for the purpose of winding up old business, delivering final reports and conducting any additional business related to the reorganization of the Governing Body all in accordance with the law.

Section 5        Meetings or portions thereof shall not be video recorded except in specific instances when approved by a majority vote of the full governing body.

**ARTICLE VI**

***Order of Business and Definitions***

**Section 1** Definitions.

“New Business”: Discussion of new matters to be placed on the Agenda for consideration or vote at a future meeting by a member of the governing body.

Unfinished Business”: Discussion of matters placed on the Agenda at prior meetings and carried to a subsequent meeting.

“Public Hearing” is that portion of the meeting during which the Mayor and Council accept comments from the public and also including the voting on any matters previously agreed to be presented to the Council for vote.

**Section 2** All communications received for the Mayor or any Councilperson that should be properly addressed by the Mayor and Council shall be forwarded to the Mayor and all members of the Council by the Borough Clerk, and handled as official correspondence and listed on the Agenda following receipt of the correspondence.

**Section 3** The regular order of business may be suspended at any time by a majority vote of the Council. In case of a tie vote, the Mayor shall cast the tie-breaking vote.

**Section 4** Rules of Order.

(a) No question or motion shall be put unless seconded, except referring to a report or a question put by the Mayor.

(b) Every Council member or member of the public, when speaking, shall address the Chair and shall not occupy more time than is deemed necessary by the Mayor.

(c) While a member of the public is speaking, no member shall entertain any private discourse or leave his/her seat.

(d) No person not a member of the governing body shall be given the privileges of the floor except by permission of the Mayor or upon the demand of a member of the Council if supported by the votes of a majority of the members of the Council present, except, during the portion of a meeting which has been opened for remarks from the citizens, at which time all members of the public who conduct themselves with decorum shall be heard. Members of the public may speak on any matter relevant to the Borough or other matters. Any individual addressing the Mayor and Council shall be limited to five (5) minutes unless this time is extended by approval of a majority of those members of the Governing Body, including the Mayor, present at the meeting.

**Section 5** A majority vote of those present and voting shall carry all questions, except when by any statutory provision a larger vote is required.

Section 6 All routine and non-controversial resolutions previously sent to Council Members prior to the meeting at which a vote on said resolution is anticipated and upon which no discussion is anticipated shall be included in a single resolution entitled, "Resolutions by Consent."

(a) All resolutions listed on "Resolutions by Consent" shall be adopted by a single roll call vote and no discussion thereon shall be entertained at the time the Resolution by Consent is moved for adoption.

(b) Any Council Member may remove any items listed for consent at any time prior to the adoption of the Resolution by Consent.

(c) In order to provide an orderly method of preparing the Resolution by Consent, Council Members should notify the Borough Clerk by 3:00 p.m. on the day prior to the Council meeting at which the Resolution by Consent is to be adopted, of the matter to be removed from the Consent Calendar.

(d) The Resolution by Consent shall not be utilized with respect to the adoption of ordinances, the awarding of contracts, the adoption of resolutions for Closed Sessions, or other matters as required by law.

## **ARTICLE VII**

### ***Standing Committees***

Section 1 By majority vote, the Council shall elect two members of the Council to each of the following Standing Committees. The first named Council Member shall be the Chair of the committee.

- (1) Streets and Municipal Services
- (2) Finance, Tax and Revenue
- (3) Police, Auxiliary Police, Office of Emergency Management and Courts
- (4) Public Buildings, Grounds, Parks and Utilities
- (5) Real Estate and Land Use
- (6) Fire
- (7) Ambulance
- (8) Human Resources/Personnel
- (9) Technology

Section 2 Purpose, Authority and Duties of Standing Committees:

Standing committees are appointed to expedite and facilitate the work of the Council by supervising and overseeing the area of their purview; however, standing committees are not intended to supplant the authority of the full Council which is responsible for all operations of the borough government.

A standing committee shall:

1. Act as a liaison to its respective department or commission, attend various meetings and review all areas under the purview of each department or board.
2. Have no policy-making authority.
3. Perform such acts as may be assigned to it by the Council.
4. Report and make recommendations to the full Council for its consideration.

Reports. All standing committees shall report to the Mayor and Council on the principal activities and achievements of the committee. The Committee shall also report at the Sine Die meeting a summary of the activities of the previous year.

Section 4 - Other Liaisons to Boards and Commissions

The Mayor may appoint members of the Council to act as liaison to other permanent Boards, Organizations, and Commissions of the Borough, such as the Senior Citizens Center, the Board of Education, etc. Such appointments shall be subject to confirmation by a majority of the Council. The members of the Council must receive the names of those being proposed for appointment forty-eight hours before the meeting when the vote will take place.

Section 5 Special Council Committees

Definition: Special Committees are subcommittees of the Council not to exceed three in number, which are created to perform special duties which may overlap the duties of two or more standing committees or to perform a special or limited purpose other than those embraced in the duties of the standing committees. Special Committees that include citizens shall be considered Advisory Committees. All Special and Advisory Committees shall be established with the consent of the Council.

Creation: The Mayor may create Special Committees as needed. All Special and Advisory Committees shall be established with the consent of the Council. The purpose, duration, size and duties of each Special Committee shall be deemed and set forth on the record at the time of its creation and shall be reviewed periodically. Each Special Committee shall automatically be dissolved at the end of the calendar year in which it was created unless said Committee is created by Ordinance which specifies a longer duration.

All Special Committees shall keep reasonable records of their activities and shall report their progress to the Council upon request and shall make all records available to the public under the Freedom of Information Act. No Special Committee shall be permitted to exclude members of the public from a meeting, which is held on public grounds.

**ARTICLE VIII**

***Ordinances***

Section 1 All ordinances shall be submitted in writing in proper legal form, at a meeting of the Council. The procedure for the passage of all ordinances shall conform to the procedure set forth under the laws of the State of New Jersey. After final passage or adoption of any ordinance, it shall be published as provided by law, together with date of passage or approval or both.

Section 2 No ordinance shall be read at any Council meeting until a copy thereof in its final form shall be delivered to the Mayor and each member of the Council prior to the first reading except for emergent matters.

**ARTICLE IX**

***Bills or Demands***

## MIN No. 1 APPROVED FOR RELEASE & CONTENT 2-2-16

Section 1 All bills for payments are to be submitted on forms provided for by the Chief Financial Officer/Treasurer and all bills for payment shall be fully itemized, and all bills being submitted shall be sworn to by the claimant.

Section 2 Only those bills will be considered which shall have been presented in due form no later than the Friday preceding such Regular Meeting.

Section 3 All bills shall be reviewed by the Chief Financial Officer/Treasurer, submitted to the Commissioner and/or Committee person and then to the Finance Chair and/or Committee for approval, unless by unanimous consent they are considered by the Council without reference to be paid within a reasonable period of time.

### **ARTICLE X**

#### ***Borough Seal***

Section 1 The Seal of the Borough shall be the seal adopted at the time of incorporation of the Borough, and shall be circular in form and shall contain beside a special device the following:

“The Borough of Emerson, New Jersey,  
Incorporated April 8, 1903”

Section 2 The Seal shall be in the custody of the Borough Clerk, and shall be affixed upon instruments by her/him only, when ordered by the resolution of the Council, or as required by law.

### **ARTICLE XI**

#### ***Rules of Procedures***

Section 1 The yeas, nays and abstentions shall be taken and recorded upon the final passage of all ordinances, upon all resolutions and upon all questions involving expenditures of money.

Section 2 All motions and resolutions shall, when requested by the Mayor, be reduced to writing. If required by a member, and when seconded and stated from the chair shall be open for discussion. No motion or resolution can be withdrawn after it shall have been amended or decided, and no matter foreign to the subject under consideration shall be received under color of an amendment.

Section 3 Any member may call for a division of a question if two or more distinct propositions be involved therein either of which may be voted upon its own merits.

Section 4 Any motion to adjourn shall not be in order until all items on the agenda for the meeting have been discussed except that, if the meeting is unduly protracted wherein Section 1 of Article V shall prevail, it may be necessary to recess the meeting for a period not exceeding one week to finish the uncompleted items on the agenda. The Mayor may, without the consent of Council, adjourn the meeting if it becomes disorderly or tumultuous. However, a motion to recess, duly seconded, and carried by a majority of Council shall always be in order.

Section 5 These rules may be altered, amended or added to, at any Regular Meeting of the Council, by a majority vote of the entire Council provided, however, that a copy of the proposed amendment be submitted to each member of the governing body at the previous meeting.

MIN No. 1 APPROVED FOR RELEASE & CONTENT 2-2-16

Section 6 Whenever a question or order not covered in these by-laws shall arise, Roberts Rules of Order shall be the guide for determining all parliamentary questions not herein specifically provided for, a copy of which shall be kept by the Borough Clerk so as to be available for determining all disputed questions.

Section 7 The Council shall, at the Reorganization Meeting, assign the seating arrangement for respective Council Members, which shall be retained throughout the year. The seating arrangement shall establish the voting procedure at said Reorganization Meeting.

**SEATING AND VOTING SEQUENCE**

---

Council Person DiPaola 1	Council Person Lazar 2	Council Person Downing 3	Mayor Louis Lamatina	Council Person Knoller 4	Council Person Tripodi 5	Council Person Worthington 6
-----------------------------------	---------------------------------	-----------------------------------	----------------------------	-----------------------------------	-----------------------------------	---------------------------------------