



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
May 28, 2013
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor Colina called the meeting to order at 7:37 p.m. and identified the emergency exits.

II. ROLL CALL

Mayor Colina asked Ms. Dray to call the roll of the Governing Body.

Present: Mayor Colina, Councilwoman DiPaola, Councilwoman Garis, Councilman Knoller, Councilman Paino, Council President Rivers, Councilman Worthington

Also present were Borough Attorney Scott Mooney, Borough Administrator Joe Scarpa, CFO/Tax Collector Cathy Henderson and Borough Auditor Gary Higgins.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

- Councilwoman Garis for absence from Regular Meeting of May 14, 2013
- ☞ **Motion** to excuse Councilwoman Garis for absence from the Regular Meeting of May 14, 2013 was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried unanimously.

IV. APPROVAL OF MINUTES

- Regular Meetings of 3/5, 3/19, 4/2, 4/23, 5/14
 - ☞ **Motion** to approve the Regular Meeting Minutes of March 5, 2013 with corrections was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 6-0.
RC: Council members:
YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino
 - ☞ **Motion** to approve the Regular Meeting Minutes of March 19, 2013 with corrections was **moved** by Councilman Knoller, **seconded** by Councilman Paino and carried by roll call vote of 6-0.
RC: Council members:
YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino
 - ☞ **Motion** to approve the Regular Meeting Minutes of April 2, 2013 with corrections was **moved** by Councilman Knoller, **seconded** by Council President Rivers and carried by roll call vote of 6-0.
RC: Council members:
YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

☞ **Motion** to approve the Regular Meeting Minutes of April 23, 2013 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 6-0.

RC: Council members:

YES: Knoller, Worthington, Rivers, Garis, Paino

ABSTAIN: DiPaola

Councilwoman DiPaola described corrections she wanted made to the minutes of May 14, 2013. Mayor Colina asked the Council to listen to the recording and postponed the vote to the next meeting.

IV. PROCLAMATIONS & CITATIONS

- Ruth Scott's 106th birthday – Mayor Colina read a citation in celebration of the 106th birthday of Ms. Ruth Scott; a resident at Emeritus.
- Emergency Medical Services Week Proclamation - Mayor Colina read a proclamation in honor of Emergency Medical Services Week and the Emerson Volunteer Ambulance Corps.
- Hurricane Preparedness Week Proclamation - Mayor Colina read a proclamation recognizing Hurricane Preparedness Week and Office of Emergency Management Coordinator Mark Savino and Deputy Joseph Solimando.

V. APPOINTMENTS/RESIGNATIONS

Historic Preservation Commission:

- Appointment of Mr. Christian Sforza as Alternate I for the unexpired term ending 12/31/14
 - Appointment of Mrs. Marie Castrovillari as Alternate II member for the unexpired term ending 12/31/13
- Mayor Colina announced that he was appointing Mr. Christian Sforza as Alternate I for the unexpired term ending 12/31/14 and Mrs. Marie Castrovillari as Alternate II member for the unexpired term ending 12/31/13.

VI. CORRESPONDENCE

Mayor Colina announced that copies of the correspondence were available in the office of the Borough Clerk.

- Letter dated April 22, 2013 from Carl Saalbach, AIA, PE, Re: Municipal building improvements
- Letter dated April 29, 2013 from A. Kelly, President & CEO 2014 NY/NJ Super Bowl Host Company and W. Hasenbalg, President & CEO, NJ Sports & Exposition Authority; Re: 2014 NY/NJ Super Bowl Host Committees
- Letter dated April 30, 2013 from Senator Gerald Cardinale, Re: \$126,000 Municipal Aid Grant for the improvement of High Street from the NJDOT
- Letter dated May 1, 2013 from Governor Chris Christie; Re: NJDOT Municipal Aid funding for High Street (Section 2) in amount of \$126,000
- Letter dated May 6, 2013 from Senator G. Cardinale, Re: Clean Communities Grant of \$13,299.30
- Letter dated May 9, 2013 from Board of Health President Elaine Rizzo, Re: Ordinance recommendation for residents to pay fines for delinquent dog/cat licenses
- Letter dated May 16, 2013 from BCUA Executive Director Robert Laux; Re: Sewer Connection Fee Rebate Check in the amount of \$234.00
- Letter dated May 20, 2013 from Joe Colucci; Re: storm drains

- Letter received May 22, 2013 from Rudy Pasterczyk, CTTM, BC Dept of Human Services, Div. of Community Transportation; Re: Annual Public Hearing June 13, 2013 on Transportation Funding for Senior Citizens & Persons with Disabilities

VII. UNFINISHED BUSINESS

- Economic Development Initiative - Property Tax Reward Program- Mr. Carmine DeFalco, Managing Director of Fink Credit Inc. described in detail the incentive based program explaining the concept and technology, sponsorship opportunities for larger merchants, and costs to merchants. In turn, a comprehensive question and answer period took place between members of the Council and borough officials and Mr. De Falco. The Council's consensus was to monitor the program implemented by Mr. De Falco's current clients and then follow up by the end of the year. Councilman Worthington emphasized the need for promoting business in town and continuing to work hard exploring other ways to reduce the burden on taxpayers. He thanked Mr. De Falco for attending the meeting and explaining his business concept to the members at his request and invitation.

VIII. NEW BUSINESS

- 2012 Audit – Mr. Higgins explained and discussed the latest audit of the Borough of Emerson. He discussed the surplus and said the Borough was in sound financial condition as of December 31, 2012 adding that he had found no significant deficiencies.

IX. INTRODUCTION OF ORDINANCES

First Reading:

Mayor Colina announced that Ms. Dray would read the following ordinance by title and it would be further considered at a Public Hearing to be held on June 18th, 2013 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the May 31st, 2013 edition of the Ridgewood News by summary. He added that the 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.

1460-13 AMENDING ORDINANCE NO. 1379-09 MINIMUM COURT FEES FOR VIOLATIONS OF THE CODE OF EMERSON

☞ **Motion** to introduce Ordinance #1460-13 on first reading was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried by roll call vote of 6-0.

RC: Council members:

YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

X. ADOPTION OF ORDINANCES

Second Reading and Public Hearing:

1458-13 AN ORDINANCE TO AMEND ORDINANCE NO. 1407-10 OF THE BOROUGH OF EMERSON, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 61, PARKS, PLAYGROUNDS AND RECREATION, DEPARTMENT OF THE CODE OF THE BOROUGH OF EMERSON (FEES)

☞ **Motion** to open the meeting to comments from the public on Ordinance #1458-13 was **moved** by Councilwoman DiPaola, **seconded** by Councilman Knoller and carried unanimously

Brian Todd, 207 Palisade Avenue, asked for details about the ordinances on the agenda.

Seeing no more hands, Mayor Colina asked for a motion to close the meeting to comments on Ordinance #1458-13.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1458-13 was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried unanimously.

☞ **Motion** to adopt Ordinance #1458-13 on second reading was **moved** by Councilman Knoller, **seconded** by Council President Rivers and carried by roll call vote of 6-0.

RC: Council members:

YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

1459-13 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 2013

☞ **Motion** to open the meeting to comments from the public on Ordinance #1459-13 was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried unanimously

Seeing no hands, Mayor Colina asked for a motion to close the meeting to comments on Ordinance #1459-13.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1459-13 was **moved** by Councilwoman DiPaola, **seconded** by Councilman Knoller and carried unanimously.

☞ **Motion** to adopt Ordinance #1459-13 on second reading was **moved** by Councilman Knoller, **seconded** by Councilman Worthington and carried by roll call vote of 6-0.

RC: Council members:

YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

XI. REPORTS

- Mayor and Council

Mayor Colina reported that he had attended a recent Republican Club meeting where he had shared the commentary of a public speaker from a previous meeting and cautioned the Governing Body that he would not allow the Council meetings to turn into political platforms. He had attended the ribbon cutting ceremony for the new Hackensack University Medical Center at Pascack Valley emphasizing that it was good news for Emerson and the surrounding area. The Municipal Building sub-committee had met with the Borough Architect, Mr. Iovino, and a site visit took place at the American Legion. The sub-committee was waiting for the architect's feedback on that particular site and, in addition, Mr. Iovino had presented his whole study proposal for their consideration in anticipation of move forward with the project in the right direction.. Mayor Colina reported that the Memorial Day ceremony had been well attended and had improved over the last ten years.

Council President Rivers had no report.

Councilman Paino had no report.

Councilwoman Garis had no report.

Councilman Knoller said that the **Recreation Commission** was sponsoring fireworks on June 15th and a classic rock band would play. They were soliciting for the fireworks.

Councilwoman DiPaola reported on the **Historical Preservation Commission's** display at Stop and Shop.

Councilman Worthington gave the **Emerson Volunteer Ambulance Corps** report for April 2013. He thanked them for supplying the tents and chairs at the Memorial Day service.

Mayor Colina

Mayor Colina added additional items to his report and discussed a memo received from the borough Tax Assessor, Claire Psota about issuing property tax exemptions for 100% disabled veterans, and asked the Council to review the memo noting that Ms. Henderson would research this item as well. He gave an update on the progress of purchasing a lightning detection system after a meeting with Westwood, Washington Township and the Boards of Education where they were trying to develop a common platform. They were getting close to deciding on a service as they collaborated with neighboring boroughs and wanted to accomplish this quickly.

- Borough Administrator Joe Scarpa reported that the 9-11 mailers went out and they had received their first checks. He asked NJ Transit to make repairs to the railroad crossing at Linwood Avenue. The tax office hotline phone was installed. A Kinderkamack Road meeting took place where they discussed items with the Borough Attorney and Borough Engineer regarding the takings. He was following up with the County about the plan reviews. He drew up a list of deficiencies of the building for the architect reviewing the need for a new building.
- Borough Clerk Carol Dray had no report.
- Borough Attorney Scott Mooney had no report.

XII. PUBLIC COMMENT

Members of the public are welcome to speak on any topic by coming to the table and stating your name and address for the record. In the interest of time, speakers are limited to five (5) minutes. In consideration of all who may wish to speak, please keep your comments brief and concise.

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilwoman DiPaola, **seconded** by Councilman Knoller and carried.

Jay Blau, 24 Mitchell Street and his son Robert Blau pitched their vending machine business to consider installing machines at the Recreation Center and at Borough Hall to better serve the residents and staff.

Seeing no more hands, Mayor Colina 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 Worthington, **seconded** by Councilman Knoller and carried unanimously.

XIII. RESOLUTIONS ON CONSENT AGENDA NO. 109-13

☞ **Motion** to approve Consent Agenda Resolution #109-13 was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by roll call vote of 6-0.

RC: Council members:

YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

- Ca 110-13 Bill List
- Ca 112-13 BCUA Solid Waste Cooperative Marketing Program
- Ca 113-13 Tax Overpayment in the amount of \$2,311.81 – 14 Walnut Ave - Block # 503, Lot 4
- Ca 114-13 Resolution Requesting Permission to Establish a Dedication by Rider for Donations – Acceptance of Bequests & Gifts Trust Fund Required by NJS 40A:5-29 – Emerson 911 Memorial Fund
- Ca 115-13 Tax Deduction Adjustments
- Ca 116-13 Authorize Municipal Contract for Road Resurfacing as Bid through the Pascack Valley Cooperative Pricing Program in amount of \$142,947.43

XIV. CLOSED EXECUTIVE SESSION - Resolution No. 117-13

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 117-13 was **moved** by Councilwoman DiPaola, **seconded** by Councilman Knoller and carried by roll call vote of 6-0.

RC: Council members:

YES: Knoller, DiPaola, Worthington, Rivers, Garis, Paino

#13-5/28-11 Personnel- Professional Service Contracts N.J.S.A. 10:4-8

XV. RECONVENE

☞ **Motion** to reconvene was **moved** by Councilwoman DiPaola, **seconded** by Councilman Knoller and carried.

XVI. ADJOURNMENT

With no other business to address, at the request of Mayor Colina, a motion to adjourn was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried at 9:56 p.m.