



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
July 10, 2012
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



Mayor Colina called the meeting to order at 7:38 p.m., and identified the emergency exits. Sergeant Michael Mazzeo led the assembled in the salute to the flag. He asked everyone to remain standing for a moment of silence, good thought and prayer for the loss of Specialist Jonathon Batista, a resident of Kinnelon and graduate of Rutherford High School as well as beloved Emerson resident Eleanor Galasso, wife of Michael Gallaso, an Emerson Police Department veteran.

O.P.M.A. Statement

Mayor Colina read the Sunshine Statement announcing that the meeting of July 10, 2012 had been adequately noticed and was in compliance with the provisions of the Open Public Meetings Law. Further, that the meeting was included in the Annual Meeting Notice Resolution transmitted to the Bergen Record and Ridgewood News on December 21, 2011; 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 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.

ROLL CALL:

PRESENT:

Mayor Colina, Councilwoman DiPaola, Councilman Knoller, Councilman Rivers, Council President Shaw

ABSENT:

Councilwoman Garis, Councilman Worthington

Also present were Carol Dray, Municipal Clerk, Borough Attorney Scott Mooney and Borough Administrator Joseph Scarpa.

III. PROCLAMATIONS & CITATIONS - None

IV. APPOINTMENTS/RESIGNATIONS

- Swearing in Ceremony - Emerson Police Lieutenant Michael Mazzeo – Mayor Colina invited Lieutenant Mazzeo and his family to the dais to be sworn in. The Mayor commented upon the successes over the course of the year for the Emerson Police Department with this promotion being one of them. He noted they had honored Police Officer Kalyoussef, Detective McDermott, and he mentioned the cop card rally which demonstrated the effects and benefits of community policing. He noted that Rachel Rhee had taken over Chief Rossi's job for the day which was a wonderful event and he thought affected her life. He gave kudos from Officer Velez for leading the charge on that. He said that recent exhaustive interview process led to selecting Mr. Mazzeo as the new Lieutenant. He said that the quality of all the candidates stood out and a recurring theme was that the Emerson Police Department was the best in Bergen County. He added that at the January Reorganizational Meeting he asked everyone to continue to raise the bar and emphasized that the Police Department had raised the bar and continued to do so and congratulated all of them as well

as Lieutenant Mazzeo and his family. He said they looked forward to further accomplishments and distinguished service to the community.

The Mayor swore Lieutenant Mazzeo in while his wife stood by and his children held the Bible. Chief Rossi said that Mayor Colina was right – the day was a great day for Emerson and the Emerson Police Department. He said Lieutenant Mazzeo stood before the assembled because he possessed characteristics that were a testament to his abilities. He said he had the dedication and devotion and integrity to be successful in life. He welcomed him and congratulated him and said that he and Captain Buono were very happy to have him on their team.

Lieutenant Mazzeo thanked the Mayor and Council and everyone for making the decision to have faith in him that he would give 100% and it meant a lot to him. He said he knew it was a tough decision and promised that he would give everything he had to make sure they would be able to look back and realize they chose the right person for Emerson. He thanked his friends and colleagues, members of the Emerson Police Department, Chief Rossi, and Captain Buono and said it was nice to be recognized for his hard work but having his support present made the night special for him. He also thanked his friends and family especially his wife Kim, daughter Jackie, son Nicholas for their support and hoped they were as proud of him as he was of them.

V. CORRESPONDENCE

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

- Letter dated June 15, 2012 from Jill Dunican; Re: Use of Emerson Golf course property by Emerson Soccer Board
- Letter & Poem from Rachel Rhee and family; Re: Thank you for Chief for a Day experience
- Letter dated June 11, 2012 from Assemblywomen Valerie Vainieri & Connie Wagner; Re: Affordable Housing
- Letter dated June, 2012 from NJSLOM President Arthur Ondish; Re: 15th Annual Elected Officials' Hall of Fame
- Letter dated June 7, 2012 from Stacy Russo, Murphy, Russo & McFadden, LLC; Re: Workers Compensation reports
- Letter dated June 18, 2012 from Director Maggie Peters, BC Economic Development Corporation; Re: Summary of services
- Letter dated June 26, 2012 from NJ Chapter, American Public Works Assoc. Administrator Janet Leli; Re: Awards Nominations 2012
- Letter dated June 29, 2012 from Senator Loretta Weinberg; Re: Senate Bills S1451-S1452
- Letter dated July 2, 2012 from Bergen County Administrator Edward Trawinski, Re: NJ-DOT County Minor Bridge Inspection Program

VI. UNFINISHED BUSINESS

- Emerson Woods Drainage Ditch - Michael Cantania –Conservation Resources – Mr. Scarpa said that Mr. Cantania was not present to discuss this item.

- 9-11 Memorial Committee Update – Mr. Scarpa said a few of the members met recently and had discussed the design and changing the location of the memorial. Due to timing issues, it would probably not be ready for September 2012. He drafted a brochure that would be mailed to solicit funds because the design selected would cost \$35,000. Mayor Colina said the vendor had exhibited flexibility on the price after he had shared his sticker shock and the design could be modified. He added the committee would be charged with that decision but attendance had been less than expected. He emphasized that they needed more participation from the committee members despite an e-mail he had sent. He explained that another meeting was planned as well as some fundraising and emphasized that he wanted to do it the right way and did not want to rush the project. Councilman Rivers offered to become a committee member if participation at the meetings did not increase. Mayor Colina also stated that if the committee did not come together the Council might need to intercede; however, he did not want to see that happen. Mayor Colina added that he would follow-up with an e-mail to the Committee members to gauge their continued interest and involvement. On a personal side, his thoughts and focus had been on the 9-11 10th anniversary event itself and the memorial, while important and significant; he believed the committee should drive.

VII. NEW BUSINESS

- Review of Chapter 290: Ordinance No. 1305-06 Central Business District and Chapter 36 Ordinance No. 1381-09 Site Plan Review § 236-5 Issuance of Building Permits and Certificates of Occupancy – Mr. Scarpa suggested changing the ordinance back to the way it was prior to 2009. He said what was in effect in 2006 was not happening - increased density was given with the intention of one developer coming and buying up all the land on Kinderkamack Road from Ackerman Avenue to Lincoln Boulevard. He did not know if there was a need for that density and the shared parking issue was also a problem. Mayor Colina commented that he wanted to see greater speed on addressing issues on all parts. He said once there was a plan, he wanted to establish some time bound smart objectives and push them. He said he would meet with Mr. Scarpa the next day to devise a plan, communicating updates electronically.
- Amending Chapter 274 of the Code of Emerson entitled Vehicles and Traffic that would allow parking of four (4) vehicles on the north side of Demarest Avenue – Mr. Scarpa explained that Chief Rossi had requested the change. Construction Official Mike Sartori had recommended a two hour parking limit. Councilman Rivers commented that it would be good for the town and asked that it be drafted for the next meeting.

VIII. INTRODUCTION OF ORDINANCES

Mayor Colina announced that Ms. Dray would read the following ordinances by title and they would be further considered at a Public Hearing to be held on August 7th, 2012 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the July 13th, 2012 edition of the Ridgewood News by summary. He added that the ordinances were 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:

1446-12 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 2012

☞ **Motion** to approve Ordinance 1446-12 on first reading was **moved** by Council President Shaw, **seconded** by Councilwoman DiPaola and carried by roll call vote of 4-0:

RC: Council members:

YES: Rivers, Shaw, Knoller, DiPaola

1447-12 AN ORDINANCE AMENDING CHAPTER 232 OF THE CODE OF THE BOROUGH OF EMERSON ENTITLED “SIGNS AND AWNINGS” §232-3 TITLED PERMITTED SIGNS ADDING A PROVISION TO LIMIT SIZE AND NUMBER OF SIGNS PERMITTED ON A SINGLE PROPERTY OR PARCEL OF LAND

☞ **Motion** to approve Ordinance 1447-12 on first reading was **moved** by Councilwoman DiPaola, **seconded** by Council President Shaw and carried by roll call vote of 4-0:

RC: Council members:

YES: Rivers, Shaw, Knoller, DiPaola

Second Reading & Public Hearing:

1445-12 AN ORDINANCE AMENDING CHAPTER 266 ENTITLED TREES AND SHRUBBERY ARTICLE II ENTITLED TREE PRESERVATION AND WOODLANDS MANAGEMENT § 266-21 REPLACEMENT OF TREES

☞ **Motion** to open the meeting to comments from the public on Ordinance #1445-12 was **moved** by Councilman Rivers, **seconded** by Councilwoman DiPaola and carried.

Seeing no hands, Mayor Colina asked for a motion to close the meeting to comments from the public on this ordinance only.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1445-12 was **moved** by Councilman Rivers, **seconded** by Councilwoman DiPaola and carried.

☞ **Motion** to adopt Ordinance #1445-12 on second reading was **moved** by Councilman Rivers, **seconded** by Council President Shaw and carried by roll call vote of 4-0:

RC: Council members:

YES: Rivers, Shaw, Knoller, DiPaola

IX. REPORTS

- Borough Administrator – Mr. Scarpa reported on savings from joint electricity purchasing which would save \$20,000 by joining the co-op. Revisions to the garbage pickup schedule would save \$20,000. Road paving was completed and the parking lots were scheduled on Saturday at the Fire House and Borough Hall. He said the bid opening for the Senior Center kitchen renovation had one bidder who came in lower than the \$41,000 grant amount obtained. He said the company had done work for the Borough in the past. He said they could wait until next month or if there were no objections, they could vote on it so they could get it started. Mr. Mooney said there were potentially one or two problems with the bid and advised the Council to postpone the awarding of the contract until the next August meeting.
- Borough Clerk Carol Dray and Borough Attorney Scott Mooney had no reports.

- Mayor and Council

Councilwoman DiPaola had no report.

Councilman Knoller said he was going to discuss changes to the Personnel Policy sent by Mr. Scarpa but he wanted to get clarifications from Labor Attorney Ron Gordon first.

Mayor Colina said he had a number of comments, questions and clarifications he was looking for in regard to the Personnel Policy. He asked that the Human Resource Committee keep working on it and continue to address the issues and get it to where it was fair and consistent document.

Mayor Colina said he and Mr. Scarpa had met with the Borough Auditor to discuss the 2011 Audit. Suggestions on accounting practices and tracking expenses had been made and improving issues related to the Recreation Commission.

Councilman Rivers gave the June reports of the **Police Department** and the **Volunteer Fire Department**. He said that a maintenance plan was never provided from the contractor that worked on Hillman Field or by the Hillman Field Subcommittee. They were starting to lose the field, so they received bids under the threshold from a local group. They moved forward and the field was improving. He had met with the **Environmental Commission** about the Broadway paper street to walk the area. They noted where violations existed and he had tried to meet with several residents. Mr. Scarpa had met with the risk managers who said they needed an official plan by professional engineers to protect the Borough from litigation. He said they were staying on top of it and moving forward quite diligently.

Council President Shaw had no report.

Mayor Colina gave the June report of the **Volunteer Ambulance Corps**. He said his understanding was that Fuchs Ambulance Corps would headquarter in the downstairs conference room at Borough Hall but they were in the first floor conference room where meetings frequently took place. He asked that they be reminded about that agreement. Mr. Scarpa commented that there was no air conditioning in the basement and said they would hopefully be out of the building that week.

He also introduced Mr. Thomas Lahey to the assembled. The Mayor explained that Mr. Lahey was an Emerson resident and honor student who would be attending Catholic University in the fall and planned to pursue a future in politics. He had offered to volunteer his time to the Borough was willing to help in any area. He noted that Mr. Lahey would help the senior citizens enter contact information in the SwiftReach notification form on the Borough website and help the Borough set up a Twitter account. The Mayor said they appreciated Mr. Lahey's offer and help.

Mayor Colina also discussed issues related to bamboo growing in the Borough. He said that he and Mr. Sartori would be examining an issue brought up by an Emerson resident and mentioned an ordinance passed by Smithtown, New York because of this.

X. 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 Council President Shaw, **seconded** by Councilman Rivers and carried.

Seeing no 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 Council President Shaw, **seconded** by Councilwoman DiPaola and carried.

XI. RESOLUTIONS ON CONSENT AGENDA NO. 126-12

Matters listed below are considered routine and will be enacted by one motion to the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item be removed for consideration.

☞ **Motion** to approve Consent Agenda #126-12 was **moved** by Councilman Rivers, **seconded** by Councilwoman DiPaola and carried by roll call vote:

RC: Council members:

YES: Rivers, Shaw, Knoller, DiPaola

- Ca 127-12 Approve Bill List
- Ca 128-12 Approve Mayor & Council Regular Meetings of May 1, May 15, June 12, 2012
- Ca 129-12 Authorize Redemption of Tax Sale Certificate – Deitchman
- Ca 130-12 Approve Renewal of Plenary Consumption Liquor License-Gregory T's
- Ca 131-12 Authorization to Issue Certificate of Exemption to Joseph D. Mara as member of Emerson Volunteer Fire Dept.
- Ca 132-12 Authorization to Issue Certificate of Exemption to Ronald S. Berg as member of Emerson Volunteer Fire Dept.
- Ca 133-12 Block Party Approval - Residents of Union Street between Randolph and Palisade Avenue – August 4, 2012 (Rain date August 5, 2012)
- Ca 134-12 Authorize SwiftReach Option B – One time set up fee of \$250.00; Annual pricing of \$1,200.00 for three year agreement
- Ca 135-12 Authorize Mayor Colina to sign amended solid waste agreement
- Ca 136-12 Awarding the Contract for the 2013 Chassis with Hook Lift, Chipper Box, Contractor Box and Snow Plow or Approved Equal to Deluxe International Trucks, Inc. for \$148,475.00

XII. CLOSED EXECUTIVE SESSION - Resolution No. 137-12

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 137-12 was **moved** by Council President Shaw, **seconded** by Councilman Knoller and carried by roll call vote of 4-0.

RC: Council members:

YES: Rivers, Shaw, Knoller, DiPaola

#12-07/10-19 Personnel – Creating new borough position N.J.S.A. 10:4-8

XIII. RECONVENE

☛ **Motion** to reconvene was **moved** by Councilman Rivers, **seconded** by Council President Shaw and carried.

☛ **Motion** to authorize the Borough Attorney to draft an amendment to the Historic Preservation Commission ordinance to incorporate language from the state statute on the position of Local historian was **moved** by Councilman Rivers, **seconded** by Council President Shaw and carried by roll call vote 4-0:

RC: Council members:

YES: Rivers, Shaw, Knoller, DiPaola

XII. ADJOURNMENT

With no other business to address, at the request of Mayor Colina, a motion to adjourn was **moved** by Councilwoman DiPaola, **seconded** by Councilman Knoller and carried at 8:57 p.m.

Carol Dray, RMC/CMC/CMR
(Proofed 080212)

July 13, 2012