



MINUTES  
BOROUGH OF EMERSON  
MAYOR AND COUNCIL  
September 4th, 2012  
7:30 P.M.  
Borough Hall-Council Chambers  
Emerson, NJ 07630



Mayor Colina called the meeting to order at 7:37 p.m., and identified the emergency exits. Police Chief Donald Rossi led the assembled in the salute to the flag. Mayor Colina requested a moment of silence in recognition of National Assisted Living Week; that all can continue to live fruitful and happy lives and receive the care they deserved.

**O.P.M.A. Statement**

Mayor Colina read the Sunshine Statement announcing that the meeting of September 4th, 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, Councilwoman Garis, Councilman Knoller, Councilman Rivers, Councilman Worthington

**ABSENT:**

Council President Shaw arrived at 7:51.

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

Mayor Colina expressed his sentiments about the Special Meeting of August 31<sup>st</sup>. He explained that coming into the meeting there had been a high level of frustration and he wanted to use this opportunity to apologize for his uncharacteristic behavior and if he had offended any of his fellow Governing Body members or had made any of the public or staff members uncomfortable. He commented that he and the Council could have been better prepared for the meeting committing to all that he would continue to run meetings with awareness to the most productive and fair way possible.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

- Councilman Worthington for absence from Regular Meeting of August 21, 2012 and Special Meeting of August 31<sup>st</sup>, 2012
  - Councilman Knoller for absence from Special Meeting of August 31<sup>st</sup>, 2012
- ☞ **Motion** to excuse Councilman Worthington for absence from Regular Meeting of August 21, 2012 and Special Meeting of August 31<sup>st</sup>, 2012 and Councilman Knoller for absence from Special Meeting of August 31<sup>st</sup>, 2012 was **moved** by Councilman Rivers, **seconded** by Councilwoman Garis and carried unanimously

IV. PROCLAMATIONS & CITATIONS

- National Assisted Living Week® 2012 -“Art for the Ages”

Mayor Colina said he planned to visit assisted living facilities in Emerson and presenting them with copies of the proclamations and read it to the assembled.

V. APPOINTMENTS/RESIGNATIONS

- Resignation of Library Board member Carol Costantin effective immediately  
☞ **Motion** to accept the resignation of Library Board member Carol Costantin effective immediately was **moved** by Councilwoman Garis, **seconded** by Councilman Worthington and carried by roll call vote of 5-0:

**RC: Council members:**

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

- Appointment of Library Board member Richard Hodgman for the unexpired term ending 12/31/15

☞ **Motion** to appoint Richard Hodgman to the Library Board for the unexpired term ending 12/31/15 effective immediately was **moved** by Councilwoman Garis, **seconded** by Councilman Worthington and carried by roll call vote of 5-0:

**RC: Council members:**

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

Mayor Colina invited Library Board members and Councilwoman Garis to the dais to swear in Mr. Hodgman.

- Resignation of Shade Tree Commission member Joe Solimando effective August 31, 2012

Mayor Colina accepted the resignation of Mr. Solimando from the Shade Tree Commission effective August 31, 2012.

VI. UNFINISHED BUSINESS

- Broadway – Park Designation – Councilman Rivers provided an update stating that letters had been sent to landowners adjacent to the property that had or potentially had property on Broadway and had observed some progress being made. He wanted everyone to understand that he wanted to designate the area as a park as quickly as possible because he thought the Environmental Commission had done a very nice job of getting a lot of things moving and groups involved who wanted to step in and help make it a nice park for the entire community to enjoy. And to make it safe for kids crossing certain areas of town. His desire was for more discussion relative to the designation - Green Acres, a park, or a trail suggesting that the designation be further researched by committee. He wanted to hear from the public and then vote to designate it as a park and refer it to the Land Use Board for review and recommendation as to whether a designation was appropriate to the Master Plan. If the Land Use Board did not respond Council would designate it as a park. There would then be further investigations with a few previous Council members to be able to be part of a committee to decide how to move forward and provide recommendations.
- Ackerman Park Crosswalk – Mayor Colina said they would hold this to the next meeting due to Mr. Scarpa’s absence.

- Emerson Volunteer Ambulance Corps proposed revisions to Bylaws/Standard Operating Procedures – Councilwoman Garis said this would be tabled because not everyone had the opportunity to review it. She thought they were ready to move forward with a vote on the by-laws.

☞ **Motion** to approve the revisions to the Emerson Volunteer Ambulance Corps' Bylaws was **moved** by Councilwoman Garis, **seconded** by Councilman Worthington and carried by roll call vote of 5-0:

**RC: Council members:**

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

VII. NEW BUSINESS - None

VIII. INTRODUCTION OF ORDINANCES - None

IX. REPORTS

- Borough Administrator – Mr. Scarpa was absent.

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.

Ms. Dray announced that Council President Shaw arrived at 7:51.

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

Tom Browne, 114 Pine Drive said he would distribute an update on what the Environmental Commission had been undertaking. He said there was a time constraint to their decision tonight because on November 4<sup>th</sup> 40 – 60 volunteers would be coming to clear invasive species, start trail construction and clean out trash on Broadway. They needed a trail plot to protect the Borough from liability. There were many benefits to designating it as open space – fulfilling the 2009 referendum, funds were available from the State for new trail construction, and it would help protect that area from future development.

Councilman Rivers said he agreed wholeheartedly. He said that at the last regular meeting Mr. Scarpa was supposed to reach out to the engineers to get that information. Since he was not present he did not want that to slow down progress. He said he would follow up with the Borough Engineer the next day and report back to the Governing Body and Mr. Browne. He hoped to have something back from the Land Use Board by the next Council meeting.

Mr. Mooney suggested that the Borough Planner be also informed. Councilman Rivers said he hoped Councilwoman DiPaola would do that as part of her work as the liaison to the Land Use Board. She agreed.

Ken Hoffman, 61 Emwood Drive explained the designation process through the Land Use Board and said even if they did not give their recommendation in a certain period of time, the Governing Body could move forward. He recommended having Mr. Scarpa look into doing a Recreational Open Space Inventory since the State did not want them to take funding to preserve a piece of property so that they could develop another park somewhere else. He commented that anything in that inventory could not be developed.

Councilman Rivers said he would still like to take a vote to send it to the Land Use Board. Ms. Dray said by general consensus they could forward it to the Land Use Board... Mayor Colina asked if anyone objected to that. There were no objections.

Ms. Maureen Howlin, 35 Furman Drive, EVAC President, provided an update stating that the cameras had been removed. Councilwoman DiPaola asked if the apps on the telephones and the network wiring were removed. Ms. Howlin confirmed that said they were.

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 Rivers, **seconded** by Councilman Worthington and carried.

XI. RESOLUTIONS ON CONSENT AGENDA NO. 159-12

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 #159-12 was **moved** by Councilman Worthington, **seconded** by Councilman Rivers and carried by roll call vote of 5-0:

**RC: Council members:**

**YES:** Garis, Rivers, Shaw, Knoller, DiPaola

Ca 160-12 Approval to submit a grant application and execute a grant contract with NJDOT Local Aid Resolution - High Street Section 2

Ca 161-12 Award County of Bergen Commercial Grounds Equipment Contract for the purchase of a Rayco 18" Chipper Contract to Cherry Valley Tractor Sales, Marlton, NJ for \$55,529.00

Councilman Rivers confirmed that there was a general consensus to send a letter to the Land Use Board requesting their review and response about the designation for Broadway. Councilman Rivers asked Ms. Dray to draft the letter and he would review it.

XII. CLOSED EXECUTIVE SESSION - Resolution No. 162-12

#12-9/04-20 Real Estate – Tax Appeals N.J.S.A. 10:4-5

There was no discussion under Closed Executive Session for the above captioned discussion.

XIII. ADJOURNMENT

With no other business to address, at the request of Mayor Colina, a motion to adjourn was **moved** by Councilman Rivers, **seconded** by Council President Shaw and carried at 8:01 p.m.