



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
November 21, 2017
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



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- I. Mayor Lamatina called the meeting to order at 7:30 p.m. and identified the emergency exits.
- II. ROLL CALL

Mayor Lamatina asked Ms. Dietsche to call the roll of the Governing Body.

Present: Mayor Lamatina, Councilwoman DiPaola, Councilman Downing, Councilman Falotico, Council President Knoller, Councilman Lazar

Absent: Councilman Worthington

Also present were Councilman-Elect Jim Bayley, Borough Administrator Robert Hoffmann, Borough Attorney Wendy Rubinstein and Borough Clerk Jane Dietsche and representatives from the Axis Architectural Group: Architects Joseph Cecco, Piero Gabucci and Steve Lazarus, and Planner Ken Shier.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

- Excuse the absence of Council President Knoller and Councilman Falotico from the Regular Meeting of October 17, 2017

☞ **Motion** to excuse the absence of Council President Knoller and Councilman Falotico from the Regular Meeting of October 17, 2017 was **moved** by Councilwoman DiPaola, **seconded** by Councilman Downing and carried unanimously.

IV. PROCLAMATIONS & CITATIONS

- 100th Birthday Proclamation – Evelyn Aronson

V. APPOINTMENTS/RESIGNATIONS

- Emerson Volunteer Fire Department
 - Appointment of Ryan Smith as a Cadet Member

☞ **Motion** to appoint Ryan Smith as a Cadet Member of the Emerson Volunteer Fire Department was **moved** by Councilman Downing, **seconded** by Councilman Lazar and carried unanimously.

- Appointment of Zachary Miros as a Probationary Member

☞ **Motion** to appoint Zachary Miros as a Probationary Member of the Emerson Volunteer Fire Department was **moved** by Councilman Falotico, **seconded** by Councilman Downing and carried unanimously.

- Appointment of Timothy Murphy as a Probationary Member

☞ **Motion** to appoint Timothy Murphy as a Probationary Member of the Emerson Volunteer Fire Department was **moved** by Councilman Falotico, **seconded** by Councilman Lazar and carried unanimously.

VI. MINUTES FOR APPROVAL

- Regular and Closed Session Meeting Minutes of October 17, 2017

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of October 17, 2017 was **moved** by Councilman Downing, **seconded** by Councilman Lazar and carried unanimously.

VII. CORRESPONDENCE

Mayor Lamatina announced that copies of the correspondence were available in the Office of the Municipal Clerk.

- Letter dated October 6, 2017 from Williams, Re: Notification of Flood Hazard Area Individual Permit will be submitted to NJDEP for RSTM Uprate Project.
- Resolution from Bergenfield; Re: Opposition to the New Rules Regarding Employee Compensation Disclosure Proposed by the Local Finance Board
- Letter dated October 19, 2017 from NJ Bankers; Re: Listing of foreclosure properties service
- Letter dated October 19, 2017 from Board of Chosen Freeholders; Re: Bus Stop relocation on Kinderkamack Road
- NJ Transit Public Hearing Notice received October 25, 2017; Re: Programs developed pursuant to the Senior Citizen and Disabled Resident Transportation Assistance Program.
- Letter dated October 23, 2017 from PERMA Risk Management Services; Re: 2017 Dividend
- Letter dated October 25, 2017 from PERMA Risk Management Services; Re: Public Hearing – 2018 Proposed Budgets
- Public Hearing Notice received November 3, 2017 from BCUA; Re: Proposed Amendment to the Bergen County District Solid Waste Management Program.
- Letter dated October 25, 2017 from the NJ Housing and Mortgage Finance Agency; Re: Request for continued Municipal support of the Special Needs Housing Partnership Loan Program.
- Letter dated November 1, 2017 from the County Executive; Re: Application approval of funding from the Bergen County Division of Community Development.
- Emailed received on November 13, 2017 from Dr. Frank P. Varney; Re: Borough Hall preservation.
- Resolution from Borough of Allendale; Re: Widening of George Washington Bridge's sidewalks.
- Emailed received November 14, 2017 from NJ Transit; Re: Repairs at Penn Station

VIII. FINANCIAL BUSINESS

- Resolution No. 260-17 Bill List

☞ **Motion** to approve Resolution No. 260-17 Bill List was **moved** by Councilman Falotico, **seconded** by Councilman Lazar and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing

IX. UNFINISHED BUSINESS

- Presentation by Architects – DPW, Ambulance Corps, Fire Department 7:45 – 8:15 p.m.

Architects Joseph Cecco, Piero Gabucci and Steve Lazarus, and Planner Ken Shier of Axis Architectural Group gave a preliminary presentation which outlined structural conditions at the Department of Public Works and Fire Department. They also proposed relocating both emergency service facilities, the Ambulance Corps and the Fire Department, to the Department of Public Works property. They suggested repurposing the Fire Department property on Thomas Avenue to address COAH requirements. Their cost projections for new Firehouse and Ambulance Corps structures totaled \$3,565,500. The programming and cost projections for a new Department of Public Works facility totaled \$2,420,000. Governing Body consensus was to address structural repair where possible due to the need to allocate funds for higher priority projects. The Axis Group was scheduled to return in February to address the second part of their study related to Borough Hall and drilling down on concept plans, priorities and recommendations.

X. NEW BUSINESS

- Resolution No. 261-17 Authorize RFQ for Housing Administrative Agent

☞ **Motion** to approve Resolution No. 261-17 Authorize RFQ for Housing Administrative Agent was **moved** by Councilman Falotico, **seconded** by Council President Knoller and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing

- Emerson Chamber of Commerce Presentation - President Frank DiDolci of Unity Bank and Vice-President Laura Litchult of Cradles to Crayons gave a presentation highlighting their mission and vision to revitalize the Emerson Chamber of Commerce. They also emphasized their goal to gain a stronger presence for businesses and the entire community. They asked for Governing Body input and support and hoped to create an open dialogue. Among their short term goals were upgrading their website and social media presence. Long term goals included participating in fundraisers and being a part of annual Borough events. The Governing Body was supportive of their plans and appreciative of their willingness to take the lead.

XI. INTRODUCTION OF ORDINANCES

First Reading:

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 December 5, 2017 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the November 24th, 2017 edition of the Ridgewood News. 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.

1548-17 AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE BOROUGH OF EMERSON TO INCORPORATE TWO OF THE REZONING RECOMMENDATIONS SET FORTH IN THE 2017 MASTER PLAN REEXAMINATION REPORT

☞ Motion to introduce Ordinance No. 1548-17 on first reading was moved by Councilman Falotico, seconded by Council President Knoller and carried by a roll call vote of 4-1.

RC: Council members:

YES: Falotico, Lazar, Knoller, Downing

NO: DiPaola

XII. ADOPTION OF ORDINANCES

Mayor Lamatina announced that no ordinances were being adopted that evening.

XIII. REPORTS

- Mayor and Council

Councilwoman DiPaola followed up on her discussion of televising Council meetings and requested that the Governing Body schedule a brief Special Meeting to allow Mr. Besink to outline his services. Governing Body consensus was to agree to hold a short special meeting. She would follow up to get some dates from Mr. Besink.

Councilman Falotico said he had attending the ribbon cutting ceremony for the Veteran's Housing where he, Council President Knoller, and Councilman Downing were approached by a resident requesting a fence on the property line. He was planning to meet them the following day to discuss their concern. He and Councilman Downing had attended a Board of Chosen Freeholders work session on October 18th where they had discussed the purchase of the Emerson Golf Course. He said they attended to make sure that the purchase was in the best interests of the residents and Borough. He reviewed the Environmental Protection application for the Transcontinental Gas Pipeline which passes through the Borough, mostly along the Oradell Reservoir. They proposed upgrades to increase the amount of pressure. The plans were not yet finalized and he would continue to monitor this to ensure the least impact on the Borough and its residents. He and Councilwoman DiPaola had met with the Axis Architectural Group several times before the evening's presentation. He had been approached by the Emerson Recreation Baseball program. They were looking for funding to upgrade and maintain Hillman Field including putting grass in the infield.

He and Mayor Lamatina had met with New Jersey Transit, the Department of Transportation, the Bergen County Engineer and the Borough Engineer on numerous occasions to discuss the timing of the light sequences on Kinderkamack Road and the preemption of the railroad safety gates. Speed indicators were supposed to be installed but had been done yet because the Westwood Station was too close to Emerson. However, after discussions, they would be installed, possibly by the end of November but first the timing of the lights and the preemption time for the gates needed to be adjusted to reduce traffic backups on Linwood Avenue, Ackerman Avenue and Kinderkamack Road. He noted that they had seen some progress and were planning to do some trial runs with a Borough fire truck to test the timing for tractor trailer sized vehicles. He had helped the Environmental Commission on their recent cleanup at Emerson Woods along Main Street, the high school and Centennial Park. Even though there were a limited number of volunteers, they had collected eight large bags of debris. He thanked members of the Emerson Key Club for their assistance including Alexa DeSantis, Tori Elek, Brianna Galaezza and Radhika Thakkar. He noted that there was landscape debris being dumped in Emerson Woods from a new home being constructed across the street as well as litter. He noted that there was a need for garbage receptacles and well as better enforcement options to curtail dumping in the woods. They were planning an analysis of the bus stops along Kinderkamack Road and hoped that the stop at Highland Avenue could be eliminated. The life expectancy of the storm and sewer drains on the vacant property on Jordan Road were being monitored with Borough Engineer Gary Ascolese to see if anything needed to be done. He congratulated Council President Knoller and Councilman-Elect Jim Bayley for winning the General Election and thanked residents for putting their faith in them. In conclusion, he noted that he had attended the New Jersey League of Municipalities convention and had taken classes to further his knowledge to assist the Borough. He had also met with numerous vendors to network and might be of assistance to the Borough in the future.

Councilman Lazar gave the October report of the Building Department and reported that the Department of Public Works had recycling metal which generated over \$1,000 in funds for the Borough. Construction of the first floor Building Department was nearly complete. Leaf bag distribution had ended. On October 24th a storm caused a power outage resulting in traffic lights to go out on Kinderkamack Road, Ackerman Avenue and Linwood Avenue. Since then, they have looked into purchasing a second portable generator so that if this problem happened again, they would be able to restore the traffic signals. Street signs which had been stolen were being replaced throughout town. The DPW was getting ready for winter by preparing their snow equipment and were waiting for deliver of a smaller snow blower for clearing sidewalks which would also work as a lawnmower.

At the conclusion of Councilman Lazar's report, Councilman Falotico stated that he wanted to update the mandatory background check ordinance to close loopholes and cover all functions within the Borough rather than just Borough sponsored functions.

Council President Knoller said that the October Police Department report would be delayed. The last Community Policing event had taken place for the year – the Pasta Dinner for the Borough’s senior citizens. He thanked Councilman Falotico and Councilman Downing for attending the NJSLOM convention and said they had met with many vendors and made new contacts for items pertaining to the Borough. A vendor which provided cold patch would be sending samples to test out to see if it worked better than traditional cold patch. When he and Councilman-Elect Bayley had walked through town one of the biggest issues brought to their attention was speeding. They had met a vendor who offered solar powered signs which flashed the speed limit and asked if they could be purchased with grant funding. He requested more crossing and speed alerts on Ackerman Avenue, Lincoln Boulevard and Palisade Avenue. He wished everyone a Happy Thanksgiving and hoped that they would enjoy time with family.

Councilman Downing congratulated Council President Knoller on his reelection and Councilman-Elect Bayley on his election to the Council. He announced that Emerson’s Winter Wonderland would take place from December 6th through December 9th and would include ice skating, outdoor shops, pictures with Santa and a gift-wrapping service. The funds would be used to help Project Graduation. He hoped that the event could continue every year and that eventually there would be sufficient funds to help the Recreation Commission as well. He invited everyone to come down and enjoy the event. He said that he had made many contacts at the NJSLOM convention and gathered information about potential grant opportunities. He concluded by wishing everyone a Happy Thanksgiving.

Mayor Lamatina announced that since Councilman Worthington was absent, he had received a request from Council President Knoller to have Historic Preservation Chair Jill McGuire report on her committee.

Historic Preservation Committee Chair Jill McGuire reported that William Newman, a Rutherford historian, historic preservationist and board member of Preservation New Jersey, was a special guest speaker at their November meeting. He spoke on matters related to historic preservation in New Jersey, the significance of WPA architecture and the possibility for grant monies to preserve structures in the community. She said he was a lively speaker and all members found the information he shared very important. They were discussing moving forward with a plan to write a book on Historic Emerson to be published by Arcadia Publishers. She asked what they would need to do to move forward with this project. Ms. Rubinstein said that they might need to request funding based on the cost of publishing the book which might require approval of the Mayor and Council. Ms. McGuire also mentioned vacancies on the committee for 2018 and inquired as to how to assist to ensure that the goal of ensuring that a historic element was included in the Master Plan was reached in the near future. Emerson resident and Vietnam War veteran Jim Tobin had spoken about his war experiences during a recent meeting of the Senior Citizen Club and he was very eloquent and did a phenomenal job. She was so proud and very grateful to him. Mr. Tobin was also helping with the upcoming World War I Centennial event scheduled to take place at the Emerson Library on November 30th and suggested that he would be a great member of the committee. Councilman Lazar thanked Ms. McGuire for all her hard work after taking over the committee and doing such a great job.

Mayor Lamatina congratulated Council President Knoller on his reelection and Councilman-Elect Jim Bayley on his election to the Council. He had visited the new Veteran's Housing on Veteran's Day and informed residents what the Borough was able to do to assist them. He thanked Councilman Downing and his family for helping to decorate the Borough tree for the Winter Wonderland at Van Saun Park. Councilman Downing said the Girl Scouts asked to be included in this event in the future. The Christmas tree lighting would take place at Van Saun Park on November 25th during the event.

- Borough Administrator Robert Hoffmann reported on the following:
 - Three bids were received for garbage/recycling/yard waste services in the Borough. Eighteen packets had been sent out and the bids received would be reviewed and analyzed over the next week or so to provide a recommendation for next year.
 - An unprogrammed funds grant resolution was on the Consent Agenda. Mayor Lamatina had been made aware of it and the Borough acted quickly to apply for funds for drainage work in the Continental Woods neighborhood. Another resolution on the Consent Agenda was for Phase 3 of the grant application for drainage for \$60,000.
 - He was working on a grant application for senior programs and said that the Borough was fortunate to have a wonderful group of seniors. The Community Development program had changed the requirements for the grant since last year. He had met with President Ken Roman and Joseph Giordano to look at potential programs to apply for over the next seven years. They focused on six different stages of wellness and development for seniors. They were wonderful to work with and were able to turn this around on short notice.
 - The following Tuesday, the Borough was scheduled to open bids for tree services and cleaning services. Bids for information technology services would be opened on Wednesday, December 6th.
 - He would be speaking with Councilman Lazar about 23 to 27 parks and municipal easements owned by the Borough. He and DPW Superintendent Perry Solimando had been researching using Clean Communities funds to have different groups take care of some of these sites. It would help beautify areas of town and free up additional manhours for the DPW to work on other projects.
 - He thanked Council President Knoller on his reelection and Councilman-Elect Bayley on his election to the Governing Body. He also thanked Michael Meyers for running and appreciated his willingness to participate in public service. He concluded by wishing everyone a Happy Thanksgiving.
- Borough Clerk Jane Dietsche wished everyone a Happy Thanksgiving.
- Borough Attorney Wendy Rubinstein said her report would be discussed during Closed Session.

XIV. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilwoman DiPaola, **seconded** by Councilman Falotico and carried at 9:35 p.m.

Gary Schwinder, 99 Linden Boulevard spoke about the maintenance of lights in front of businesses and asked who was responsible for the maintenance of the grass along Forest Avenue. He wished everyone a Happy Thanksgiving.

☞ **Motion** to close the meeting to comments from the public was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried at 9:39 p.m.

XV. RESOLUTIONS ON CONSENT AGENDA NO. 262-17

Councilwoman DiPaola requested that CA 271-17 Confirming Resolution Permitting the Sale of Christmas Trees in the Stop and Shop parking lot be pulled for a separate vote.

☞ **Motion** to approve Consent Agenda No. 262-17 without CA 271-17 Confirming Resolution Permitting the Sale of Christmas Trees in the Stop and Shop parking lot was **moved** by Councilman Falotico, **seconded** by Council President Knoller and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing

☞ **Motion** to approve Consent Agenda item CA 271-17 Confirming Resolution Permitting the Sale of Christmas Trees in the Stop and Shop parking lot only was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried by a roll call vote of 4-0.

RC: Council members:

YES: Falotico, Lazar, Knoller, Downing

ABSTAIN: DiPaola

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| CA 263-17 | Confirming Resolution Authorizing Cybersecurity Threat Analysis Study – Palendrome Technologies |
| CA 264-17 | Refund of Tax Overpayments (4th Quarter 2017) |
| CA 265-17 | Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40a:4-87 - Community Development Block Grant - Senior Activities in the amount of \$3,338.00 |
| CA 266-17 | Authorize Borough Administrator to Apply for Grant Funding for Drainage and Paving Improvements in A Low/Moderate Income Benefit Area Known as Continental Woods in the amount of \$100,000 |
| CA 267-17 | Authorize Borough Administrator to Apply for Grant Funding for Drainage and Paving Improvements in A Low/Moderate Income Benefit Area Known as Continental Woods in the amount of \$60,000 |
| CA 268-17 | Approve Cancellation of Completed Funded Capital Improvement Authorizations |
| CA 269-17 | Authorizing Disposal of Surplus Property |
| CA 270-17 | Change Order #1 NJDOT Main Street Linwood Avenue Improvements, Section 3 |
| CA 271-17 | Confirming Resolution Permitting the Sale of Christmas Trees in the Stop and Shop parking lot |
| CA 272-17 | Authorize submission of grant application for Senior Citizen Activities in the amount of \$6,000.00 |

XVI. CLOSED EXECUTIVE SESSION - Resolution No. 273-17

Mayor Lamatina announced that #17-11/21-52 Tax Appeal Settlements was being pulled from the agenda and would be rescheduled to the December 5, 2017 Council meeting.

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 273-17 with the removal of #17-11/21-52 was **moved** by Councilman Falotico, **seconded** by Councilman Lazar and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing

#17-11/21-52	Tax Appeal Settlements	N.J.S.A. 10:4-7
#17-11/21-53	Fire Department Personnel	N.J.S.A. 10:4-8
#17-11/21-54	Affordable Housing Update	N.J.S.A. 10:4-5

XVII. RECONVENE

The Borough of Emerson reserves the right to return to Open Session and, if appropriate, take formal action.

☞ **Motion** to reconvene was **moved** by Council President Knoller, **seconded** by Councilman Downing and carried at 10:50 p.m.

- Consideration of Resolution authorizing settlement of affordable housing litigation

RESOLUTION NO. 274-17 A RESOLUTION AUTHORIZING A SETTLEMENT AGREEMENT BY AND AMONG THE BOROUGH OF EMERSON AND FAIR SHARE HOUSING CENTER TO RESOLVE THE AFFORDABLE HOUSING ISSUES RAISED IN THE BOROUGH'S DECLARATORY JUDGMENT ACTION

☞ **Motion** to approve Resolution No. 274-17 Authorizing a settlement agreement by and among the Borough of Emerson and Fair Share Housing Center to resolve the Affordable Housing issues raised in the Borough's Declaratory Judgment Action was **moved** by Council President Knoller, seconded by Councilman Falotico and carried by a roll call vote of 4-1.

RC: Council members:

YES: Falotico, Lazar, Knoller, Downing

NO: DiPaola

XVIII. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by Councilwoman DiPaola, **seconded** by Council President Knoller and carried at 10:52 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk