



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
December 19, 2017
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



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, Councilman Worthington

Also present were Councilman-Elect Jim Bayley, Borough Administrator Robert Hoffmann, Borough Attorney Wendy Rubinstein and Borough Clerk Jane Dietsche.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

- Councilman Worthington for his absence from the Regular Meeting of December 5, 2017

☞ **Motion** to excuse the absence of Councilman Worthington from the Regular Meeting of December 5, 2017 was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried unanimously.

- Councilman Lazar and Councilman Worthington for their absence from the Special Meeting of December 13, 2017

☞ **Motion** to excuse the absence of Councilman Lazar and Councilman Worthington from the Special Meeting of December 13, 2017 was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried unanimously.

IV. PROCLAMATIONS & CITATIONS

- Recognizing Keira McGuire and Nora Giannantonio for their volunteer efforts for the Historic Preservation Committee's World War I Centennial Event at the Emerson Public Library

V. APPOINTMENTS/RESIGNATIONS

VI. MINUTES FOR APPROVAL

- Regular and Closed Session Meeting Minutes of December 5, 2017

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of December 5, 2017 was **moved** by Councilman Falotico, **seconded** by Council President Knoller and carried unanimously.

- Special and Closed Session Meeting Minutes of December 13, 2017 – This item was postponed to the next meeting.

VII. CORRESPONDENCE

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

- Letter dated November 20, 2017 from NJ League of Municipalities; Re: 200th Annual Elected Officials Hall of Fame
- Email dated November 20, 2017 from Neile Weissman; Re: GWB Letter of support
- Letter dated November 20, 2017 from NJ League of Municipalities; Re: Budget for Elected Official class application and Newly Elected Officials orientation
- Letter dated December 1, 2017 from Bergen County Municipal Joint Insurance Fund; Re: 2018 Adopted Budgets
- Letter dated November 27, 2017 from Axis Architectural Group; Re: Borough Architectural Services
- Resolution No. 17-124 from the Borough of Teterboro; Re: In opposition to NJAC 5:30 18.1 and 18.2 regarding Employee Compensation Disclosure
- Email dated December 7, 2017 from Neile Weissman; Re: Thank you to Mayor and Council for the GWB Resolution

VIII. FINANCIAL BUSINESS

- Resolution No. 284-17 Bill List

☞ **Motion** to approve Resolution No. 284-17 Bill List was **moved** by Council President Knoller, **seconded** by Councilman Downing and carried by a roll call vote of 6-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing, Worthington

- Resolution No. 285-17 – AUTHORIZE TAX APPEAL SETTLEMENT WITH BURNS & ROE, INC.

☞ **Motion** to approve Resolution No. 285-17 Authorizing Tax Appeal Settlement with Burns & Roe, Inc. was **moved** by Councilman Falotico, **seconded** by Councilman Lazar and carried by a roll call vote of 6-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing, Worthington

- Resolution No. 286-17 AUTHORIZE TAX APPEAL SETTLEMENT WITH R&D INVESTMENT CO., INC.

☞ **Motion** to approve Resolution No. 286-17 Authorizing Tax Appeal Settlement with R&D Investment Co., Inc. was **moved** by Councilman Falotico, **seconded** by Councilman Lazar and carried by a roll call vote of 6-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing, Worthington

IX. UNFINISHED BUSINESS

- Televising Borough Council meetings – Councilwoman DiPaola said she was following up on last week’s presentation by Nick Besink on televising Council meetings and said that there had been an overwhelmingly positive response from residents on Facebook. She said the money would be sell spent and allow them to bring Borough government to the people.

☞ **Motion** to set aside funds in the 2018 budget to televise Council meetings was **moved** by Councilwoman DiPaola, **seconded** by Councilman Worthington and defeated by a roll call vote of 4-1 with one abstention.

RC: Council members:

YES: DiPaola

NO: Falotico, Lazar, Knoller, Downing

ABSTAIN: Worthington

X. NEW BUSINESS

- Review draft of Borough Organizational Chart – Mr. Hoffman distributed a draft organization chart for the Borough and said that it would be reviewed against the codebook and finalized in the near future.
- RESOLUTION 305-17 AUTHORIZING THE PREPARATION OF APPRAISAL REPORTS AND PROFESSIONAL APPRAISAL SERVICES FROM ROBERT MCNERNEY FOR THE FOLLOWING PROPERTIES (the “Properties”):
 1. Block 419, Lots 2 (15 Lincoln Blvd)
 2. Block 419, Lot 3 (9 Lincoln Blvd)
 3. Block 419, Lot 4 (214 Kinderkamack Rd); and
 4. Block 419, Lot 6.01 (190 Kinderkamack)

☞ **Motion** to approve Resolution No. 305-17 was **moved** by Councilman Falotico, **seconded** by Councilman Lazar and carried by a roll call vote of 4-1 with one abstention.

RC: Council members:

YES: Falotico, Lazar, Knoller, Downing

NO: DiPaola

ABSTAIN: Worthington

XI. INTRODUCTION OF ORDINANCES

Mayor Lamatina announced that no ordinances were being introduced.

XII. ADOPTION OF ORDINANCES

Mayor Lamatina announced that no ordinances were being adopted.

XIII. REPORTS

- Mayor and Council

Councilwoman DiPaola said she was disappointed that the Governing Body voted not to televise Council meetings. She thought it would have been a valuable tool for residents. She had also attended the Library Board of Trustees meeting and their budget was on track. They will be purchasing two pieces of new equipment. She wished everyone a Happy Holiday.

Councilman Falotico commended the Recreation Commission and their liaison Councilman Downing all their hard work on the First Annual Winter Wonderland. He said it went very well and everyone had enjoyed it. He thanked DPW Superintendent Perry Solimando and the entire department for decorating the downtown on a shoestring budget. He had attended the December 7th Land Use Board meeting where the members did an excellent job of allowing the property owner to present their plan. The application presented was withdrawn. He had also attended two Personnel Committee meetings with Councilman Downing. He wished everyone a Happy Holiday.

Councilman Lazar gave the Department of Public Works report and noted that they had completed work on the new Building Department on the first floor of Borough Hall. They had repaired a ditch alongside the DPW yard to alleviate flooding on Lincoln Boulevard. They had installed holiday lights and decorations on Kinderkamack Road and had put up and taken down the ice rink for the Winter Wonderland. They held a safety meeting on December 8th, replaced stolen street signs and did a phenomenal job of snow removal during the first snowstorm of the season. They had been participating in safety meetings and the results were positive – the number of injuries was way down compared to past years. He also gave the Building Department report for November and wished everyone a Happy Holiday.

Council President Knoller thanked the Recreation Commission and volunteers, as well as the Police Department and Department of Public Works for making the Winter Wonderland a success. He thanked Councilwoman DiPaola and the Emerson Chamber of Commerce for their participation. He said that it was a great success and he was really looking forward to next year's event. In addition, he had been meeting with Chief Mazzeo on upcoming Appropriate Authority meeting agenda items, the 2018 budget and ordinance changes to extend existing prohibited parking areas and creating new ones throughout the Borough. He gave the November Police report. He had reviewed the current budget report which was about 8% under for expenditures but some items were still outstanding. He anticipated that expenditures might be under 4-5% for the year. He thanked all department heads for spending wisely and monitoring their budgets and thanked Chief Mazzeo for keeping overtime under budget. He and Councilman Downing would be reviewing the Information Technology bid proposals from the recent bid opening. They had received a high-level analysis prepared by Mitch Darer after a recent Technology Committee meeting which they look forward to reviewing. He had attended a recent Land Use Board meeting and commended them for their decision. A sample of Perma-Patch paving material would be sent to the DPW for testing as a result of his visit to the New Jersey State League of Municipalities Convention in November. He would be attending a seminar for newly elected and reelected officials as well as a budget seminar sponsored by the NJSLOM during early 2018. He said they had a very busy year with many accomplishments; 2018 looked to be a very productive year as well. He concluded by wishing everyone a Happy Holiday.

Councilman Downing gave the Emerson Volunteer Ambulance Corps report and said they had helped Westwood during their Holiday Parade and the Winter Wonderland. The Fire Department was driving through town with Santa Claus and thanked them for everything they do. The previous Saturday they put on a movie and pictures with Santa at the Emerson Junior/Senior High School. He said the DPW went above and beyond during the recent snowstorm and the Winter Wonderland event. The new parking ordinance was working out very well.

Dave Rector, Presiding Officer of the Emerson Recreation Commission thanked Councilman Downing for inviting him to the meeting to provide an update on the First Annual Winter Wonderland event. He explained that the objective was to provide Emerson residents with a winter event. He thanked Dave Cannici and Afrim Hoxha for coming up with the idea of a Winter Wonderland. They decided to make it a fundraiser to benefit Project Graduation and the event was a success. It created a strong sense of

community with approximately \$4,500 to \$6,000 raised for Project Graduation. He thanked every member of the Recreation Commission, the Mayor and Council, Borough Administrator Bob Hoffmann, the Police Department, Fire Department, Ambulance Corps, Perry Solimando, Tom Carlos and the entire Department of Public Works, Rich Solimando and the residents who participated. Everyone stepped up to make the event a great success.

Councilman Downing said that Mr. Rector worked on the project 24/7 figuring things out and making sure it came together. The Winter Wonderland would not have taken place without Mr. Rector. It was a monumental undertaking and turned out great because of his leadership. Mayor Lamatina said there were more people at the Christmas Tree Lighting he had ever seen in his years as Mayor since the Winter Wonderland brought people out for the tree lighting. He said it was a great start to the holiday season. Councilman Downing also thanked all the vendors from town, Councilwoman DiPaola, the Chamber of Commerce for getting involved and helping out. He thanked all the residents who dropped off lights and helped decorate. He wished everyone a Happy Holiday.

Councilman Worthington asked Historic Preservation Committee Chair Jill McGuire to report on the committee.

Jill McGuire, Chairperson of the Emerson Historic Preservation Committee reported on their first year and said they did a great job. They were energized and did a lot with no budget. They hosted or participated in quite a few events including the Summer Kickoff, educational events, received donations for their hoped for future museum at the train station. She said the committee's 2018 goals were a central location, continuing with educational events, working with Arcadia Publications on a history of Emerson, historic element. She said they were also very grateful to the DPW as well – everything they did this year involved DPW Superintendent Perry Solimando, who always assisted with a smile. She thanked everyone and said they were happy to be a part of the Borough's government. She thanked Councilman Worthington for being their liaison and wished him the best. Council President Knoller asked Mr. Hoffmann to set aside some time to speak with Ms. McGuire about the committee's needs and allocating them a budget for 2018.

Councilman Worthington complimented Ms. McGuire for doing so much with the Historic Preservation Committee in a very short period of time. He thought they had seen more out of the committee this year than he had seen in his tenure on the Council and complimented them for doing a fantastic job. He also thanked the Recreation Commission and the DPW for the Winter Wonderland and hoped it would continue for years to come. He also said the DPW did a fantastic job decorating the downtown on a small budget. He wished everyone the best of luck moving forward and wished Councilman-Elect Bayley good luck. He concluded by wishing everyone a Happy Holiday.

Mayor Lamatina had attended Congressman Josh Gottheimer's Mayor's Summit the previous Saturday in Westwood Borough Hall. The purpose of the summit was to educate mayors on various grant opportunities available through a program called 1033 Excess Property Grant. It provided opportunities for free properties owned by the federal government. He said that the Borough of Westwood had already received \$347,000 in equipment. Paramus had received \$1.2 million in property. Congressman Gottheimer's Return on Investment Specialist, Jake Griggs, would meet with department heads to discuss what opportunities were available under that program. He emphasized that in these uncertain times regarding taxes, Congressman Gottheimer was trying to get municipalities to bring back money to the area. The Borough was currently enrolled and would be able to submit requests in January.

The sale of the Emerson Golf Course to the County of Bergen closed on December 15, 2017. He had spoken to the County Executive and his staff about Emerson's desire to have some input in what would happen with the course. He also suggested that an informal committee be formed including residents and perhaps a member of the Governing Body to work in an advisory capacity to the County. He wished everyone a Happy Holiday.

- Borough Administrator Robert Hoffmann thanked the Mayor and Council, the volunteers and the staff for all their good work in 2017. There were a lot of accomplishments including Kinderkamack Road improvements to getting grant funding for drainage in the Continental Woods neighborhood, the Vivian Avenue drainage project scheduled for the spring and the Winter Wonderland. He said Emerson was a wonderful place to live in and work in and be a part of. He said that 2018 would be another event filled year with lots of accomplishments and wished everyone a Happy Holiday.
- Borough Clerk Jane Dietsche wished everyone a Happy Holiday.
- Borough Attorney Wendy Rubinstein wished everyone a Happy Holiday and thanked the Mayor and Council and Borough staff for all their assistance with getting the affordable housing settlement agreement put together. She said they were moving on a very good path and thanked them for taking the action to get there. In 2018, a flurry of activities would take place getting the fair share plan together, fairness hearings and getting ordinances updated to reflect the same.

XIV. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilwoman DiPaola, **seconded** by Councilman Downing and carried at 8:21 p.m.

Howard Ablan, 21 Powell Road complimented the Department of Public Works and the Police Department for doing an excellent job. He also discussed flooding concerns on the vacant property on Jordan Road and said that any development would cause major problems.

Martin Solomon, 29 Powell Road said he was showing his support for Mr. Ablan's comments and asked the Governing Body to stop pursuing the sale of the lot on Jordan Road.

Ted L'Estrange, 6 Geoffrey Court, Otisville, NY discussed forced organ harvesting in China.

Ken Hoffman, 61 Emwood Drive asked questions about Resolution No. 305-17 and whether taxpayer money was being spent on litigation related to redevelopment. He also inquired how much money the Borough had spent so far to defend itself from property owners' lawsuits.

Howard Ablan, 21 Powell Road asked what led the Borough to allow overnight parking all year and requested that it be reviewed.

Bill Price, 9 Emwood Drive said he was in favor of overnight parking and thanked the Department of Public Works for all their hard work.

☞ **Motion** to close the meeting to comments from the public was **moved** by Councilman Lazar, **seconded** by Councilman Downing and carried at 8:50 p.m.

XV. RESOLUTIONS ON CONSENT AGENDA NO. 287-17

☞ **Motion** to approve Consent Agenda No. 287-17 was **moved** by Councilman Lazar, **seconded** by Councilman Downing and carried by a roll call vote of 6-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing, Worthington

- CA 288-17 Authorize Drug and Alcohol Testing Agreement for CY 2018
- CA 289-17 Authorization to Enter into a Grant Agreement for Drainage and Road Improvements for Pine Drive in the amount of \$40,000.00
- CA 290-17 Mayor and Council Meeting Dates 2018/Sine Die & Reorganization 2019
- CA 291-17 Borough Closings in Observance of Legal Holidays 2018
- CA 292-17 Award Tree Service and Emergency Call Out Contract to Ace Tree Surgeons
- CA 293-17 Awarding Solid Waste Collection and Disposal Contract to Miele Sanitation for five year period from January 1, 2018 through December 31, 2022
- CA 294-17 Award Recycling Collection and Disposal contract to Miele Sanitation for the five year period from January 1, 2018 through December 31, 2022
- CA 295-17 Award Yard Waste Collection Contract to Gaeta Recycling Sanitation for the five-year period from January 1, 2018 through December 31, 2022
- CA 296-17 Award Cleaning Contract to Tropical Cleaning Services for Borough Facilities
- Ca 297-17 Authorization to issue Request for Qualifications for Municipal Prosecutor for CY 2018
- CA 298-17 Appoint Marc Ramundo, Esq. Acting Prosecutor for Emerson Municipal Court effective immediately
- CA 299-17 Transfer of Funds
- CA 300-17 Award Grant Writing Services to Bruno Associates
- CA 301-17 Authorization to Issue Request for Qualifications for Co-Labor Counsel for CY 2018
- CA 302-17 Authorize Appraisals of New Construction Completed During Cy 2017 and 2018 Bergen County Tax Board Appeals
- CA 303-17 Award Contract for County Road Improvement Program
- CA 304-17 Authorize the Selection of Attorneys to Act as Temporary Borough Prosecutor

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

There was no Closed Executive Session.

XVII. RECONVENE

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

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 Councilman Lazar and carried at 8:53 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk