



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
December 5, 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

Absent: 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

- Excuse the absence of Councilman Worthington from the Regular Meeting of November 21, 2017

☞ **Motion** to excuse the absence of Councilman Worthington from the Regular Meeting of November 21, 2017 was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried unanimously.

IV. PROCLAMATIONS & CITATIONS

Mayor Lamatina announced that there were no proclamations or citations.

V. APPOINTMENTS/RESIGNATIONS

Mayor Lamatina announced that there were no appointments or resignations.

VI. MINUTES FOR APPROVAL

- Regular and Closed Session Meeting Minutes of November 21, 2017

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of November 21, 2017 was **moved** by Councilman Falotico, **seconded** by Council President Knoller and carried unanimously.

VII. FINANCIAL BUSINESS

- Resolution No. 275-17 Transfer of Funds

☞ **Motion** to approve Resolution No. 275-17 Transfer of Funds was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing

VIII. UNFINISHED BUSINESS

- Grant Writer discussion – Mr. Hoffmann explained that this topic would be considered at the next meeting so that upcoming grant application deadlines could be met.

IX. NEW BUSINESS

Mayor Lamatina announced that there was no new business.

X. INTRODUCTION OF ORDINANCES

Mayor Lamatina announced that there were no new ordinances being introduced.

XI. ADOPTION OF ORDINANCES

Second Reading & Public Hearing:

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 open the meeting to comments from the public on Ordinance 1548-17 only was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried unanimously.

Jill McGuire, 154 Linwood Avenue asked about an upcoming variance request to the Land Use Board and shared her concerns about encroachment and protecting residents' properties.

Seeing no more hands, Mayor Lamatina asked for motion to close the meeting to the public on Ordinance 1548-17 only.

☞ **Motion** to close the meeting to comments from the public on Ordinance 1548-17 only was **moved** by Councilman Falotico, **seconded** by Council President Knoller and carried unanimously.

☞ **Motion** to adopt Ordinance 1548-17 on second reading was **moved** by Council President Knoller, **seconded** by Councilman Lazar and carried by a roll call vote of 4-1.

RC: Council members:

YES: Falotico, Lazar, Knoller, Downing

NO: DiPaola

Mayor Lamatina requested amending the agenda to include an item related to the Friends of Emerson Baseball.

☞ **Motion** to amend the agenda to add an item related to the Friends of Emerson Baseball was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing

☞ **Motion** to approve the proposal set forth by Baseball President Ken Benkovic for the work to be done on Hillman Field was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing

Councilman Downing departed the Council Chambers to attend the Fire Department election at 7:47 p.m.

XII. REPORTS

- Borough Administrator Robert Hoffmann reported on the following:
 - The Annual Christmas Tree Lighting was scheduled to take place at 6:00 p.m. on Wednesday, December 6th at Borough Hall. The Emerson Junior/Senior High School Choir would perform holiday carols and a visitor from the North Pole would lead the assembled to the First Annual Winter Wonderland at Hillman and Benkovic Fields. The Winter Wonderland would benefit Project Graduation.
 - Emergency tree work had been performed at Emerson Woods to eliminate potentially hazardous conditions near walking paths.
 - The Borough had gone out to bid for Solid Waste/Recycling/Yard Waste collection services and received three responses. The Governing Body would receive a report next week. The Borough's fees would increase by about 7.5%, significantly less than the increase for other municipalities that went out for bid. The Borough Attorney would review all the bid submissions to ensure that they were complete. He recommended that the Borough make a change to the current schedule. One of the bids received offered the same price to pick up recycling every week throughout town or on an alternating east/west schedule.
 - He had spoken with Bergen County Community Development Director Robert Esposito who informed him that the Borough will be receiving a \$100,000 grant in unprogrammed funds for drainage improvements in the Continental Woods neighborhood. The funds had to be encumbered by May of 2018. The Governing Body would be asked to introduce a Bond Ordinance in January for \$140,000. He anticipated awarding a contract in March. It was necessary to have a shovel in the ground by the end of March, perform significant work in April and pay the contractor with the grant funds in April so that HUD did not take funds away from Bergen County. He asked the Governing Body for consensus to allow the Borough Engineer to start the survey work to improve the drainage for 534 homes so that they would be ready to go out to bid in January. Governing Body consensus was to agree to this request.

XIII. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilwoman DiPaola, **seconded** by Council President Knoller and carried at 7:56 p.m.

Toni Plantamura, owner of the Dairy Queen at 13 Kinderkamack Road said the Kinderkamack Road improvement project continued to negatively impact her business. People were circumventing the area to avoid traffic delays. She said that adding 235 units of affordable housing in the Borough would also increase traffic congestion in the area.

Mike Esqueu, 276 Kinderkamack Road commented on the overlay zone and questioned why the Borough was impacting private homeowners' properties.

Robert Obernauer, 161 Kinderkamack Road said the Kinderkamack Road improvement project had helped correct a major flooding issue on his property. In addition, the no turn on red sign had made it easier for customers to exit his business. He asked the Governing body to consider an ordinance banning the sale of marijuana in the Borough.

☞ **Motion** to close the meeting to comments from the public was **moved** by Councilwoman Lazar, **seconded** by Councilman Falotico and carried at 8:14 p.m.

XIV. RESOLUTIONS ON CONSENT AGENDA NO. 276-17

☞ **Motion** to approve Consent Agenda No. 276-17 was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried by a roll call vote of 4-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller

CA 277-17	Support widening of paths to George Washington Bridge
CA 278-17	Drive Sober or Get Pulled Over 2017 Year End Holiday Crackdown
CA 279-17	Authorizing Disposal of Surplus Property
CA 280-17	Authorization to Enter into a Grant Agreement for Senior Citizen Activities in the amount of \$3,338.00

XV. CLOSED EXECUTIVE SESSION - Resolution No. 281-17

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 281-17 was **moved** by Councilman Falotico, **seconded** by Councilwoman DiPaola and carried by a roll call vote of 4-0 at 8:14 p.m.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller

#17-12/05-55	Tax Appeal Settlements	N.J.S.A. 10:4-7
#17-12/05-56	Property Appraisal	N.J.S.A. 10:4-5
#17-12/05-57	Professional Appointments	N.J.S.A. 10:4-8

XVI. 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 Councilman Lazar, **seconded** by Councilman Falotico and carried at 9:06 p.m.

☞ **Motion** to approve Resolution No. 282-17 Authorizing the Borough to Obtain Appraisal for the property at Block 1001.01, Lot 3.08 Jordan Road was **moved** by Councilman Falotico, **seconded** by Councilman Lazar and carried by a roll call vote of 3-1.

RC: Council members:

YES: Falotico, Lazar, Knoller

NO: DiPaola

XVII. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by Councilman Lazar, **seconded** by Councilman Falotico and carried at 9:08 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk