



MINUTES  
BOROUGH OF EMERSON  
MAYOR AND COUNCIL  
December 6, 2016  
7:30 P.M.  
Borough Hall-Council Chambers  
Emerson, NJ 07630



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I. CALL TO ORDER

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, Council President Knoller, Councilman Lazar, Councilman Tripodi, Councilman Worthington, Councilman-elect Falotico

Also present were Borough Administrator Robert S. Hoffmann, Borough Attorney Wendy Rubinstein, Borough Engineer Gary Ascolese and Borough Clerk Jane Dietsche.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

Mayor Lamatina announced that there were no members of the Governing Body were absent from the November 22<sup>nd</sup> meeting.

IV. PROCLAMATIONS & CITATIONS

- Honoring Chief Donald Rossi's 38 Years of Service to the Emerson Police Department

V. APPOINTMENTS/RESIGNATIONS

- Environmental Commission
  - Appointment of Josh Sales as Student Member for the unexpired term ending 12/31/16

Mayor Lamatina announced that he was appointing Josh Sales as the Student Member of the Environmental Commission for the unexpired term ending 12/31/16.

VI. MINUTES FOR APPROVAL

- Regular Meeting Minutes of October 18, 2016

☞ **Motion** to table the Regular Meeting Minutes of October 18, 2016 was **moved** by Councilwoman DiPaola. There was no second.

☞ **Motion** to approve the Regular Meeting Minutes of October 18, 2016 was **moved** by Council President Knoller, **seconded** by Councilman Tripodi and carried unanimously.

- Regular Meeting Minutes of November 22, 2016
- Closed Session Meeting Minutes of November 22, 2016

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of November 22, 2016 was **moved** by Council President Knoller, **seconded** by Councilman Tripodi and carried unanimously.

#### VII. FINANCIAL BUSINESS

Mayor Lamatina announced that there was no financial business.

#### VIII. UNFINISHED BUSINESS

- Architectural Presentations:
  - Settembrino Architects 7:45 p.m. to 8:15 p.m.
  - T. R. Ryback Architects 8:20-8:50
  - Cecco Architects - 8:55 p.m. to 9:15 p.m.
  - Arcari & Iovino Architects P.C. 9:20 p.m. to 9:50 p.m.

Mr. Hoffmann explained that four architectural firms were invited back to give a more in depth presentation before the Governing Body. Each firm was asked to present on the following:

- Expanding the footprint of the existing Borough Hall as well as renovating the facility to include the Ambulance Corps., Police and Municipal Court
- A Community Center/Administrative Office Building on the two Locust Avenue properties
- Commuter parking configurations at either the Locust Avenue properties and/or the current Borough Hall location
- Something not listed above that they wanted to present to the Governing Body

Each firm outlined a number of scenarios related to building on and/or renovating the current Municipal Building or relocating it. Other topics covered included options for the Locust Avenue properties and addressing commuter parking needs. Also discussed were structural repairs needed at the Fire Department and repair or replacement of the salt shed at the Department of Public Works. Costs, timelines and the need to address residents' concerns were covered.

- Discussion of purchase of 129 Kinderkamack Road – Ms. Rubinstein explained that the Borough had purchased the easement at this location as part of the Kinderkamack Road widening. The contract included an option to purchase the property. The Borough would need to advise if they were exercising the option by the end of the year. The purchase price would be \$395,000; the closing did not have to take place until 2017. The appraised value was \$450,000 and the purchase price for the property would be reduced by \$55,000, the amount paid for the easement. The Governing Body debated whether the acquisition of this property was necessary and if purchased, what the Borough would do with it. Options included turning it into a park or using it for commuter parking. Councilman Lazar was opposed to the purchase of the property on the grounds that it was fiscally irresponsible. Several members of the Governing Body were opposed to the purchase on the grounds agreed that it was fiscally irresponsible. In addition they noted that there was a lack of clear vision for its purpose, the small number of parking spaces the space would allow, and a preference to use the funds for another purpose. There was general agreement that it was an eyesore and a less than ideal spot for a park due to its location adjacent to Kinderkamack Road and the railroad tracks. Mayor Lamatina asked Mr. Ascolese to sketch out the number of parking spots that could be placed there

before the next meeting. Mr. Hoffmann explained that the purchase could be funded through bonding.

- Approval of Affordable Housing Paper – Mr. Hoffmann presented a draft paper on the history of Affordable Housing in New Jersey and its impact on the Borough. Mayor Lamatina emphasized that it indicated to the judge that they were serious about development. The Governing Body requested that a brief, easy to read summary be included with the report for those residents not familiar with the specifics of this topic. Governing Body consensus was to approve the report and place it on the Borough website.

#### IX. NEW BUSINESS

Mayor Lamatina announced that there was no new business.

#### X. INTRODUCTION OF ORDINANCES

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 20th, 2016 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published by title in the December 9, 2016 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.

##### First Reading:

**1535-16** AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EMERSON AMENDING THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-7

☞ **Motion** to introduce Ordinance #1535-16 on first reading was **moved** by Council President Knoller, **seconded** by Councilman Downing and carried by a roll call vote of 5-1.

**RC: Council members:**

**YES: Lazar, Downing, Knoller, Tripodi, Worthington**

**NO: DiPaola**

Mayor Lamatina announced that Ordinance No. 1536-16 was being pulled from the agenda.

~~**1536-16** AN ORDINANCE TO AMEND CHAPTER 27. ENVIRONMENTAL COMMISSION. REPEAL CHAPTER 89. SHADE TREE COMMISSION AND REPEAL CHAPTER 266 TREES AND SHRUBBERY OF THE 1966 CODE OF THE BOROUGH OF EMERSON **PULLED**~~

#### XI. ADOPTION OF ORDINANCES

Mayor Lamatina announced that there were no ordinances being adopted.

## XII. REPORTS

- Borough Administrator Robert Hoffmann reported on the following:
  - He thanked the Governing Body for sharing their condolences with Tax Assessor Claire Psota whose husband recently passed away.
  - DPW employees Len Boros and Bob Pavese would be retiring at the end of the year. Interviews were being conducted for their replacements. In addition, Construction Department Technical Assistant Micheline Perlman was retiring at the end of the year after eleven years with the Borough.
  - Library Director Camille Valentino would be taking a medical leave for several weeks and was scheduled to return in mid-January.
  - The Borough had received a Technology Assessment report which evaluated current technology and recommended changes moving forward. He asked the Governing Body to review it.
  - On the Consent Agenda were resolutions to reject the joint bids with the Borough of Oradell for garbage and recycling. Oradell was scheduled to reject the bids at their December 13<sup>th</sup> meeting. The bids would have led to increased expenditures and were not cost effective. The current garbage and waste contractors, Miele Sanitation and Gaeta Recycling, had agreed to serve the Borough for CY 2017 at the same cost as 2016.
  - Bergen County's Engineering Department had notified the Borough that New Jersey Transit did not own a bus shelter located on Kinderkamack Road and they needed permission to remove it to install sidewalks. He said he would give them permission to remove the shelter and store it at the DPW. It would then be installed as a bus shelter for commuters on Emerson Plaza West.
  - Sidewalks being installed on Kinderkamack Road did not have the decorative pattern required per the 2006 redevelopment ordinance. Talks were underway to clarify the cost to rectify this oversight and make everything uniform. Mr. Hoffmann said he was asking the Governing Body for authority to go to the County and the contractor to say that Emerson wanted the four foot sidewalk that was in the plan but it should include the scoring pattern with pavers on the sides. He noted there would be an additional charge but the County should pay all or part of that cost. However, there would be some cost to the Borough. He noted that the sidewalks already poured would remain as they were. Only the remaining sidewalks not yet poured should be scored to conform to the March 2006 plan. Emerson would have to pay for the pavers as had been agreed on originally.

☛ **Motion** to authorize the Borough Administrator to go to the County and contractor to negotiate the cost to add the scoring pattern to sidewalks not yet poured was **moved** by Council President Knoller, **seconded** by Councilman Downing and carried unanimously.

Mr. Hoffmann thanked Mr. Ascolese for his help with the analysis for the cost of the project in the area from Linwood Avenue to Lincoln Boulevard. Because of his help, the Governing Body and the Borough would be able to save a substantial amount of money just on this project. Mayor Lamatina noted that the redeveloper had agreed to pay for the work that was the Borough's responsibility from Lincoln Boulevard to Linwood Avenue. Councilwoman DiPaola asked when the Governing Body had voted to say they wanted to take that portion of work out of the County contract. Mayor Lamatina explained that this was done in June of 2016 when JMF agreed to pay for the work and signed the redeveloper's agreement. He added that the County would not have been paying for the work; it would have been the Borough's responsibility.

Councilwoman DiPaola noted that everyone was optimistic, but asked what would happen if the redevelopment project did not happen. She said the Borough had come this far with a developer in the past and noted that, to her knowledge, JMF had not purchased any of the properties yet. It would take a long time for the courts and JMF to argue over how much they would pay for the properties. She added that the Borough ~~have had~~ told the County ~~they not to do the work the Borough was paying for~~ ~~did not have to pay for the~~ ~~but there would be an area that was not just done.~~ She asked what would occur if it never happened. She also asked if someone would have to be called in at a later date and it would be unfinished for all that time. ~~streetscape in that area but may have an area that is not done and would be unfinished for all of that time.~~

Mayor Lamatina said the other option would be for resident to pay. Councilwoman DiPaola said she understood that, but the residents were paying for that from the beginning – it was not a new cost, it was already worked on with the money set aside for the last year and half in order to do the Kinderkamack Road project.

Mr. Hoffmann said the Borough had the opportunity to save some money. If, by the end of the summer, it became clear that they would have to look at other options, they could talk to New Prince Construction and ask to have this placed back in the contract or rebid on it.

Mayor Lamatina stated they needed to move the redevelopment along – that was the key to redevelopment happening in conjunction with the road. He said the ordinance passed on first reading that evening and if they did not pay, the residents would pay. He thought it was better that someone else paid. Councilman Worthington noted that the Borough had set aside funds for this and it represented approximately \$300,000. He asked if for some reason, the redevelopment did not happen and the Borough had to go back and do it themselves, was there any risk that the Borough would have to pay more than they already set aside. Mr. Hoffmann explained that they would still have the funds they saved set aside. Mayor Lamatina said their options were to do the work now and then having it redeveloped and destroyed. He didn't understand why they would want to do the streetscape from Linwood Avenue to Lincoln Boulevard now. The sidewalk and curb that were there now would remain for the present time.

☞ **Motion** to extend the meeting curfew to 11:45 p.m. was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried unanimously.

- Suez Water would be turning off the water on Friday evening, December 9<sup>th</sup> to fix a water leak in front of the Emerson Hotel to minimize the inconvenience to the residents and businesses in the area. If there was a problem, there would be a crew on standby for Saturday evening.

### XIII. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilman Downing, **seconded** by Councilman Tripodi and carried at 11:27 p.m.

Jill McGuire, 154 Linwood Avenue, expressed concerns about architectural plans for Borough Hall and noted that it was located in a residential area. She said the front of the building was a focal point and meeting spot for residents. She was also opposed to four story development on Kinderkamack Road.

William Price, 9 Emwood Drive was opposed to four story development on Kinderkamack Road.

Ed Bueti, 91 Chestnut asked about having a parking deck located below grade and placing affordable housing at the back of the building.

Todd Slepian, 59 Jefferson Avenue said he did not want emergency services located adjacent to his home.

Seeing no more hands, Mayor Lamatina 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 Downing, **seconded** by Councilman Tripodi and carried at 11:45 p.m.

☞ **Motion** to extend the meeting curfew to 11:50 p.m. was **moved** by Councilman Downing, **seconded** by Councilman Worthington and carried unanimously.

XIV. RESOLUTIONS ON CONSENT AGENDA NO. 250-16

Mayor Lamatina announced that Ca No. 252-16 Authorize Renewal of Shared Service Agreement with the County of Bergen for TV Inspection Services for CY 2017 and 2018 was being pulled from the Consent Agenda.

Councilwoman DiPaola requested that Ca No. Ca 257-16 Resolution of the Borough of Emerson Authorizing the Land Use Board to Recommend Additional Revisions and/or Amendments to the Redevelopment Plan Pursuant to the New Jersey Local Redevelopment and Housing Law be pulled for a separate vote.

☞ **Motion** to approve Consent Agenda No. 250-16 excluding Ca 252-16 and Ca 257-16 was **moved** by Councilman Downing, **seconded** by Council President Knoller and carried by a roll call vote of 6-0.

**RC: Council members:**

**YES: DiPaola, Lazar, Downing, Knoller, Tripodi, Worthington**

☞ **Motion** to approve Consent Agenda item No. 257-16 only was **moved** by Councilman Downing, **seconded** by Council President Knoller and carried by a roll call vote of 5-1.

**RC: Council members:**

**YES: Lazar, Downing, Knoller, Tripodi, Worthington**

**NO: DiPaola**

- Ca 251-16 Refund of Tax Overpayments (4th Quarter 2016)
- ~~Ca 252-16 Authorize renewal of Shared Service Agreement with the County of Bergen for TV Inspection Services for CY 2017 and 2018~~ **PULLED**
- Ca 253-16 Authorize the Borough Administrator to hire a Full Time Technical Assistant for the Construction Office
- Ca 254-16 Reject Bids Received for Solid Waste & Recyclable Collection and Disposal – Joint Bid – Borough of Oradell as Lead Agency
- Ca 255-16 Authorize the extension of the Recycling Collection and Disposal Contract (paper and cardboard) with Gaeta Recycling Co., Inc. for CY 2017
- Ca 256-16 Authorize the extension of the Solid Waste and Recycling (cans and bottles) Collection and Disposal Contract with Miele Sanitation for CY 2017
- Ca 257-16 Resolution Of The Borough Of Emerson Authorizing The Land Use Board To Recommend Additional Revisions and/or Amendments To The Redevelopment Plan Pursuant To The New Jersey Local Redevelopment And Housing Law

XV. 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 11:46 p.m.

Respectfully submitted,

Jane Dietsche, RMC  
Borough Clerk