



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
February 18, 2020
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor DiPaola called the meeting to order and welcomed everyone to the February 18, 2020 Regular Meeting of the Emerson Governing Body. She said the meeting was being videotaped and could be viewed from a link on the Borough website as well as on Verizon FIOS Channel 36 and Cablevision Channel 77. She read the Sunshine Statement announcing that the meeting of February 18th, 2020 had been adequately noticed and was in compliance with the provisions of the Open Public Meetings Law. Further, the meeting notice was transmitted to the Record and Ridgewood News on December 19th, 2019, posted on the bulletin board in the Borough Hall, Municipal Place, Emerson, NJ 07630 and 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.

II. ROLL CALL

Present: Mayor DiPaola, Councilwoman Argenzia, Councilman Bayley, Councilwoman Dinallo, Councilman Gordon, Council President Hoffman, Councilwoman McGuire

Also present were Borough Administrator Robert Hermansen, Special Counsel Redevelopment Richard Malagiere, substituting for Borough Attorney John McCann, and Borough Clerk Jane Dietsche.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

Mayor DiPaola announced that no members of the Governing Body were absent from the previous meeting.

IV. PROCLAMATIONS & CITATIONS

- Library Lovers' Month – February 2020

V. APPOINTMENTS/RESIGNATIONS

- COUNCIL APPOINTMENT
 - Appointment of Elaine Palombit as a Regular Member of the Board of Health for the three-year term ending 12/31/22

☞ **Motion** to appoint Elaine Palombit as a Regular Member of the Board of Health for the three-year term ending 12/31/22 was **moved** by Councilwoman Argenzia, **seconded** by Councilman Gordon and carried unanimously.

VI. MINUTES FOR APPROVAL

- Regular and Closed Session Meeting Minutes of February 4, 2020

☞ **Motion** to approve the Regular Meeting Minutes as amended and the Closed Session Meeting Minutes of February 4, 2020 was **moved** by Councilwoman McGuire, **seconded** by Councilman Gordon and carried unanimously.

VII. CORRESPONDENCE

Mayor DiPaola announced that copies of the correspondence were available in the office of the Municipal Clerk.

- Resolution dated January 14, 2020; Re: Supporting B.C. Chief's Association Mutual Aid Plan and Rapid Deployment Force
- Letter dated January 27, 2020 from Township of Fredon; Re: School Board Elections
- Letter dated February 6, 2020 from Laine Rankin, Director, Division of Local Aid Economic and Economic Development; Re: New round of Transportation Alternatives set aside Design Assistance Program
- Letter dated February 7, 2020 from BCUA Executive Director Robert Laux; Re: Sewer Connection Fee Municipal Incentive Rebate Program
- Email dated February 11, 2020 from Mark Conlon; Re: Kudos to Borough employees
- Letter dated February 11, 2020 from Boswell Engineering; RE: Final Inspection – State Aid Main Street – Linwood Avenue Improvements Sections 4 & 5

VIII. FINANCIAL BUSINESS

- Resolution No. 61-20 Bill List

☞ **Motion** to approve Resolution No. 61-20 Bill List was **moved** by Councilman Bayley, **seconded** by Councilman Gordon and carried unanimously.

IX. UNFINISHED BUSINESS

Mayor DiPaola announced that there was no unfinished business.

X. NEW BUSINESS

- Discussion of Open Space Tax – Mr. Hermansen discussed the reasons why an Open Space Tax was very productive for municipalities. He said it could be used to purchase property to keep it open space so there was less development. It could also be used for historical programs and properties. It would represent a temporary tax increase but in the long run would save money by eliminating the need to finance. The tax would allow the Borough to establish a reserve fund and would actually save the taxpayer money in the long run. It would allow the Borough to go out for more matching grants as well because of the reserve which would be on hand. He said it would be another tool in the tool box to keep taxes lower and allow the Borough to do more with the money it had.

He recommended a start of ½ cent which would represent a \$22 increase for the average homeowner. It would accrue to about \$60,000 in reserve each year. The benefit would be that if a property in the Borough became available, the open space money could be used to finance it instead of having to bond. Mayor DiPaola said that a non-binding referendum would need to be placed on the November ballot so they could gauge residents' opinion on whether to pay more in taxes to save money down the road. Mr. Hermansen said that in the long run, it would benefit every resident in Emerson. In addition, the Mayor and Council would have to accept it and it would not take effect until the following year.

- Discussion of reexamination of Historic Preservation Element - Councilwoman McGuire followed up on her discussion from the January 21st meeting. She had done some research on the recommendation of Mr. Hermansen and the Governing Body. She had attended a meeting of the Historic Preservation Committee and spoken to them about this; they were very receptive to the Governing Body moving forward with an Historic Preservation Element. In the past year the committee had filed two resolutions in support of identifying historic resources to alert the Borough that they were being considered for planning, alteration or possible demolition. The reason those resolutions were filed was because there was no Historic Preservation Element. If one existed, they would have been identified in the Master Plan and by the Land Use Board and the Borough would have been aware of those resources in the Master Plan.

She also noted that she serves on the Land Use Board and at the last meeting during Good and Welfare she let the board know they were considering adding an Historic Preservation Element to the Master Plan. Borough Planner Caroline Reiter was willing to assist in this effort and offered to reach out to the County. Councilwoman McGuire said that Emerson was far behind nearby communities and listed nearby municipalities which had added an Historic Preservation Element as far back as 2004. She hoped the Governing Body would be receptive to beginning this process. She said she would like to sit down with Mayor DiPaola, Council President Hoffman and Mr. Hermansen. She added that Council President Hoffman was very historically minded and had written on the history of the Borough – this document would be included in the element. She thought a lot of the work could be done in-house before meeting with the Planner. She said the Governing Body would have to send the request to the Land Use Board and noted that the Land Use Board had recently set up their own Master Plan Subcommittee. The members could work on this with Ms. Reiter who was already working on a separate reexamination on non-residential zones.

Mayor DiPaola asked what the associated costs would be. Councilwoman McGuire said there would be a cost involved but they would look at what could be done in-house; she thought a lot of work could be done with the Historic Preservation Committee. The survey done by the County in 1982 which was updated in 2019 would be part of the Historic Preservation Element. Mr. Hermansen recommended that a committee be set up and they could determine the potential costs, bring it before the Land Use Board and keep the Governing Body informed.

☞ **Motion** to create a Historic Element Master Plan Review Committee was **moved** by Council President Hoffman, **seconded** by Councilwoman McGuire and carried unanimously.

Mayor DiPaola appointed Councilwoman McGuire, Council President Hoffman and Councilwoman Dinallo to serve on the Historic Element Master Plan Review Committee and stated that she would serve as a substitute if a member was absent.

XI. INTRODUCTION OF ORDINANCES

First Reading:

Mayor DiPaola 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 March 3rd, 2020 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. These ordinances were 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.

1608-20 AN ORDINANCE TO AMEND CHAPTER 150 FIRE PREVENTION SECTIONS 7 PERMIT FEES AND SECTION 9 VIOLATIONS AND PENALTIES

☞ **Motion** to introduce Ordinance 1608-20 on first reading was **moved** by Councilman Gordon, **seconded** by Councilwoman McGuire and carried by a roll call vote of 6-0:

Roll call:

YES: Bayley, McGuire, Dinallo, Hoffman, Gordon, Argenzia

XII. ADOPTION OF ORDINANCES

Second Reading and Public Hearing:

1606-20 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF EMERSON, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$385,935 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

☞ **Motion** to open the meeting to comments from the public on Ordinance 1606-20 only was **moved** by Council President Hoffman, **seconded** by Councilwoman Argenzia and carried unanimously at 7:57 p.m.

Seeing no hands, Mayor DiPaola asked for a motion to close the meeting to comments from the public.

☞ **Motion** to close the meeting to comments from the public on Ordinance 1606-20 only was **moved** by Councilwoman Argenzia, **seconded** by Council President Hoffman and carried unanimously.

☞ **Motion** to adopt Ordinance 1606-20 on second reading was **moved** by Councilwoman Argenzia, **seconded** by Council President Hoffman and carried by a roll call vote of 6-0.

Roll call:

YES: Bayley, McGuire, Dinallo, Hoffman, Gordon, Argenzia

1607-20 AN ORDINANCE TO AMEND CHAPTER 266, ARTICLE II OF THE BOROUGH CODE – TREE PRESERVATION AND WOODLANDS MANAGEMENT

☞ **Motion** to open the meeting to comments from the public on Ordinance 1607-20 only was **moved** by Council President Hoffman, **seconded** by Councilwoman Argenzia and carried unanimously at 7:58 p.m.

Seeing no hands, Mayor DiPaola asked for a motion to close the meeting to comments from the public.

☞ **Motion** to close the meeting to comments from the public on Ordinance 1607-20 only was **moved** by Council President Hoffman, **seconded** by Councilman Bayley and carried unanimously.

☞ **Motion** to adopt Ordinance 1607-20 on second reading was **moved** by Council President Hoffman, **seconded** by Councilwoman McGuire and carried by a roll call vote of 6-0.

Roll call:

YES: Bayley, McGuire, Dinallo, Hoffman, Gordon, Argenzia

XIII. REPORTS

- Mayor and Council

Councilman Bayley said he was very pleased that Fire Chief A.J. Sottile, Assistant Chief Tom Carlos and Mr. Hermansen were working together to fix the firehouse floor. He thanked Mr. Hermansen for hitting the ground running and said he appreciated all his hard work.

Councilwoman McGuire reported that the Recreation Commission would be hosting a 4th and 5th grade dance at the Villano School gymnasium on April 3rd from 7:00 p.m. until 9:00 p.m. The Summer Kickoff would take place on Saturday, June 13th with a rain date of Sunday, June 14th. There would be free food and drinks, a bouncy house, disc jockey, beer garden, band, sports competitions and demonstrations, gift certificate giveaways and fireworks to close out the evening.

She also reported that the Land Use Board had held an initial informal workshop with Borough Planner Caroline Reiter to review permitted uses in non-residential areas not located in the redevelopment zone; no formal action was taken. The Master Plan Subcommittee would further research this topic with the goal being to ensure that the Borough's zoning was up to date with current business trends.

She had met with Borough Engineer Dave Atkinson and Mr. Hermansen to review some of the Borough's hotspot pedestrian intersections with the goal of increasing pedestrian safety. They had received five years of data on pedestrian and bicyclist crashes; key hotspots included intersections on Kinderkamack Road as well as at Old Hook Road by Shop Rite. They had also discussed the Memorial School pedestrian route via Haines Street. The Borough would be looking for local aid grants for sidewalk installation. PSE&G would be contacted about the intersection at Pascack Road and Grand Avenue to relocate the stop sign which had been improperly placed after they concluded their road work. PSE&G would be asked to relocate the sign to a more appropriate location. She also noted that they were discussing scheduling a presentation at Borough Hall about springtime safety.

Councilwoman Dinallo said she had attended the Board of Education meeting where proclamations were presented to Nick Babin for outstanding wrestler in the County tournament and Logan Mazzeo for his 100th varsity wrestling win. The Villano View Club, a writing club consisting of 5th and 6th graders, showed a PowerPoint presentation informing their peers of what was going on in the school. She said people could view what they were doing by going on thevillanoview.org. She had attended the February 13th meeting of the Chamber of Commerce where they had approved their bylaws. Each month their website would feature a different business appropriate to the time of year. Members of the Chamber asked to be notified about new businesses opening in town. She added that Mayor DiPaola reached out to them the next day and invited them to attend the next meeting of the Land Use Board. She had also attended the recent meeting about historic preservation at the Oradell Borough Hall with Councilwoman McGuire. She said they stressed that they needed to have something in place in order to move forward.

Council President Hoffman said the Shade Tree Commission had discussed tree planting in the spring. He noted that the price of trees had gone up and that they would be planting about ten trees in the spring. All members of the commission were new and planned to plant more trees in the fall. Between those two planting periods, they would be looking for a way to reduce costs. They were also planning the Arbor Day Celebration. They would reach out to the schools and had a lot of different ideas. They were currently looking for a location and deciding how to do the memorial commemoration.

Councilman Gordon gave the monthly report of the Department of Public Works including their monthly metal recycling total and noted that the staff had taken two tool box training sessions – Winter Driving Tips and Securing Material in Pickup and Dump Trucks and Roll Off Containers. The DPW was continuing construction of the new Ambulance Corps building although progress had been hampered by poor weather. The Cindy Avenue pump station had been clogged; he requested that residents not flush wipes down the toilet. In addition, they were in the process of collecting data for the annual NJDEP Tonnage Grant Application.

Councilwoman Argenzia gave the monthly report of the Volunteer Ambulance Corps. They were asking to use the Recreation Center for future training sessions. Cindy Bischoff had been appointed Board of Health President, Susan Gibbons had been appointed Vice President and Elaine Palombit had been selected as a new member. She also reported that the Swiftreach message had been helpful in bringing residents in to register their pets for 2020. The Board of Health was looking into using the Senior Center for educational programs. She also discussed an application by a business to store and pasteurize breast milk in the Borough. The business would be governed by the State. She said the board was also discussing adopting an ordinance banning the sale of vape products. The State had banned flavored vapes and the board was discussing passing a stricter ordinance for review by the Governing Body. Mayor DiPaola suggested that the Board of Health use the Emerson Public Library for classes so as to make the library more visible to residents who did not frequent it.

Mayor DiPaola reported on the following:

- She had met with PSE&G to discuss their project in town. They informed her they would start paving around the schools during spring break and outlined the upcoming schedule of work throughout the Borough. There was a link on the Borough website that residents could access to determine when work was being done on their street. Per last year's recommendation from DPW Superintendent Perry Solimando, Borough Engineer and PSE&G, it had been decided that if a street was smooth, it would not be paved curb to curb as they were doing what was best for the Borough. She added that the color difference from paving from the center line to the curb would fade over time. There were a lot of streets in the Borough that had not been paved in a very long time and if those streets had work done, asphalt would be saved so those streets would be smooth on both sides. She added that anyone with concerns should reach out to PSEG or the Borough and provided their customer service hotline number 1-833-661-6100.
- She had begun holding office hours from 5 p.m. to 6 p.m. on meeting days. So far, she had spoken with three residents and hopefully had solved some problems.
- The Police Department was advertising for part-time crossing guards.
- Shredding Day would take place on Saturday, May 9th from 9 a.m. to 1 p.m. at Borough Hall.
- Borough Hall was being lit up for various occasions. It had been lit in red for Heart Health Awareness Day and purple for the last week for the passing of the 19th Amendment. It would be lit up in the future for different events.
- There had been a very positive response to the Governing Body's decision to renovate Borough Hall. The Borough Architect was in the process of working on a cost analysis as they moved forward.
- She referenced articles on redevelopment published in the paper stating that the Borough had lost up to \$500,000 and noted that nothing on that had been decided yet and it was still in play.
- One member of the Chamber of Commerce had felt left out of the Borough Planner's analysis of the non-residential areas of the Master Plan. She said the Council and Land Use Board meetings were open to the public and the Planner was the professional who was suggesting permitted uses. She noted that Amazon was taking over the world and a lot of brick and mortar storefronts were empty. The Governing Body had asked the Borough Planner to recommend to the Land Use Board what types of businesses she believed were appropriate to enhance the downtown and commercial spaces in town. She added that anyone was welcome to come to meetings and give their suggestions; they will have a voice and the Governing Body and Land Use Board would listen.

- HIP was a luxury bus service for commuters travelling to New York City. The Borough was working with HIP and the neighboring towns of Oradell, Westwood and Hillsdale to put this service in place for commuters. It was currently operating successfully in Montvale, Woodcliff Lake and several other municipalities.
- She had given the Senior Club an update at their recent meeting. Emerson Schools Superintendent Brian Gatens was also present and discussed the status of renovations to Borough schools. Mr. Gatens noted they were very pleased with the School Resource Officer and thanked the Borough for their cooperation. He said the SRO was doing a fine job. The SRO not only kept the schools safe but reinforced the relationship between the students and the Police Department.
- She had travelled to Washington D.C. at the request of a sitting Congressman and toured the White House and Capital building. There was a mayoral summit where representatives from Homeland Security, the Department of Defense, the Department of Health and Human Services provided information on federal grant opportunities and other programs.
- Borough Administrator Rob Hermansen reported on the following:
 - He had gone through the budget books with CFO Lauren Roehrer and asked that the Governing Body review the information prepared for them.
 - The Borough would be reintroducing budget meetings and planned to call in each department for a Special Budget Meeting.
 - The electronic sign would be fixed soon.
 - The library would be applying for a grant to have solar panels installed on the roof. He thanked Mayor DiPaola, Councilman Gordon and Library Director Camille Valentino for their input in finding grant opportunities to save money for the Borough.
 - Spring sports registration was now open.
 - He highly recommended that all elected officials attend the 2020 Bergen JIF Elected Officials' Seminar.
 - He and Ms. Roehrer, DPW Superintendent Perry Solimando and DPW Foreman Tom Carlos had met with a representative from Boswell Engineering about the GIS mapping grant and its implementation. The Borough would be able to map its sewer lines and storm drains. It would be a more efficient and productive process and allow access via a tablet rather than paper maps.
 - He would be attending the Pascack Valley Administrators' meeting the following day and would be discussing working as a consortium to hire a company which would collect outstanding court fees and fines.
 - There had been a pedestrian safety meeting with Councilwoman McGuire and Borough Engineer Dave Atkinson. He thanked Councilwoman McGuire for the great information and ideas. They were looking at better striping on crosswalks on Linwood Avenue and other areas including Palisade Avenue. He had also reached out to County Engineer Joseph Femia about some areas on Kinderkamack Road. They had also discussed an area on Soldier Hill Road where a couple homes did not have curbing. The County was going to look into this to potentially redirect some of the water coming off the road. The County would also look into putting up signage at the bus stop in the area of Stop and Shop.

- He anticipated that the Ambulance Corps building was scheduled to be constructed on Thursday. Weather issues had slowed things down.
 - The Consent Agenda included a resolution for repair of the firehouse floor. It included a three to four month timeline so that work would be completed by October 1st. He thanked the Fire Department for working with them and being so understanding. Councilman Bayley thanked Mr. Hermansen for his hard work.
- Borough Clerk Jane Dietsche had no report.
 - Special Counsel Richard Malagiere, substituting for Borough Attorney John McCann, had no report.

XIV. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilwoman McGuire, **seconded** by Councilwoman Argenzia and carried unanimously at 8:50 p.m.

Maria Rainey and Nina Bianco, representing the Emerson/Oradell Rotary Club spoke about the organization and opportunities to get involved. They said it was the world's largest service organization and discussed local initiatives and events.

☞ **Motion** to close the meeting to comments from the public was **moved** by Council President Hoffman, **seconded** by Councilman Gordon and carried unanimously at 8:59 p.m.

XV. RESOLUTIONS ON CONSENT AGENDA

☞ **Motion** to approve Consent Agenda Resolutions No. 62-20 through 70-20 was **moved** by Councilwoman McGuire, **seconded** by Councilman Bayley and carried by a roll call vote of 6-0:

Roll call:

YES: Bayley, McGuire, Dinallo, Hoffman, Gordon, Argenzia

- CA 62-20 Authorize Neglia Engineering to Proceed with Additional Design Work for Repair of Fire House Floor
- CA 63-20 Appoint Joseph Gobin as Fire Inspector
- CA 64-20 Amend Resolution No. 55-20 confirming Richard Silvia as a Salaried Employee as the Construction Official/Fire Sub-Code Official and Building Inspector
- CA 65-20 Authorize Purchase of 2020 Police Interceptor Utility, All Wheel Drive Base Vehicle for Police Department
- CA 66-20 Authorize Renewal of VFOS Insurance Policy for Emerson Volunteers
- CA 67-20 Authorizing Tonnage Grant Application to New Jersey Department of Environmental Protection and Annul Resolution No. 49-20
- CA 68-20 Authorize Mayor DiPaola to Execute Agreement of Co-Risk Managers Consultants-Vozza Agency/Johl & Co.
- CA 69-20 Authorization to Enter into an Agreement with the County of Bergen County for 2019 Open Space Matching Grant – Hillman Park Backstops Replacement
- CA 70-20 Authorization to go out to bid for Electrical Services

Councilwoman Argenzia said she wanted to thank Sergeant Randy Velez, Assistant Fire Chief Tom Carlos and DPW employee Marty Mahon for helping a friend retrieve a cell phone which fell down a sewer drain. She said they were so nice and her friend was so happy. Mayor DiPaola said they would do that for anyone who needed their assistance.

XVI. CLOSED EXECUTIVE SESSION – Resolution No. 71-20

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 71-20 was **moved** by Council President Hoffman, **seconded** by Councilman Gordon and carried by a roll call vote of 6-0:

Roll call:

YES: Bayley, McGuire, Dinallo, Hoffman, Gordon, Argenzia

#20-2/18-09 Potential Litigation – Redevelopment Update N.J.S.A. 10-4-7

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, seconded** and carried unanimously.

Mayor DiPaola thanked Borough Administrator Rob Hermansen and Borough Clerk Jane Dietsche for being a great team and getting things done. She said there wasn't anything that happened that they were not on top of.

XVIII. ADJOURNMENT

With no other business to address, at the request of Mayor DiPaola, a motion to adjourn was **moved, seconded** and carried at 9:41 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk