



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
February 20, 2018
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



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, Councilman Bayley, Councilwoman DiPaola, Councilman Downing, Councilman Falotico, Council President Knoller, Councilwoman Wolf

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

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

Mayor Lamatina announced that there were no excused absences that evening.

IV. PROCLAMATIONS & CITATIONS

- Dave Mason - Recognition of Services to the Emerson Volunteer Ambulance Corps

V. APPOINTMENTS/RESIGNATIONS

- Municipal Court
 - Resolution No. 82-18 AWARD PROFESSIONAL SERVICES CONTRACT USING THE "FAIR AND OPEN PROCESS" IN ACCORDANCE WITH THE "NEW JERSEY LOCAL UNIT PAY TO PLAY" LAW, N.J.S.A. 19:44A-20.4 et seq., FOR ACTING/SECOND ALTERNATE PROSECUTOR FOR THE CALENDAR YEAR 2018 – MARK RAMUNDO, ESQ.

☞ **Motion** to approve Resolution No. 82-18 Award Professional Services Contract Using the 'Fair and Open Process' in Accordance with the "New Jersey Local Unit Pay to Play Law", N.J.S.A. 19:44A-20.4 et seq., For Acting/Second Alternate Prosecutor for the Calendar Year 2018 – Mark Ramundo, Esq. was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried by a roll call vote of 6-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Knoller, Falotico, Downing

- Resolution No. 83-18 AWARD PROFESSIONAL SERVICES CONTRACT USING THE “FAIR AND OPEN PROCESS” IN ACCORDANCE WITH THE “NEW JERSEY LOCAL UNIT PAY TO PLAY” LAW, N.J.S.A. 19:44A-20.4 et seq., FOR FIRST ALTERNATE PROSECUTOR FOR THE CALENDAR YEAR 2018 – ELSBETH J. CRUSIUS, ESQ.

☞ **Motion** to approve Resolution No. 83-18 Award Professional Services Contract Using the ‘Fair and Open Process’ in Accordance with the “New Jersey Local Unit Pay to Play Law”, N.J.S.A. 19:44A-20.4 et seq., for First Alternate Prosecutor for the Calendar Year 2018 – Elsbeth J. Crusius, Esq. was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried by a roll call vote of 5-0:

RC: Council members:

YES: Bayley, Wolf, Knoller, Falotico, Downing

ABSTAIN: DiPaola

VI. MINUTES FOR APPROVAL

- Regular and Closed Session Meeting Minutes of February 6, 2018

☞ **Motion** to approve the Regular Meeting Minutes as amended and the Closed Session Meeting Minutes of February 6, 2018 was **moved** by Councilman Falotico, **seconded** by Council President Knoller and carried unanimously.

VII. CORRESPONDENCE

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

- Email dated January 25, 2018 from Scott Rudder; Re: Cannabis Education for Local Officials - February 20, 2018, 8:30am – 12:00pm
- Letter dated January 25, 2018, from Lerch, Vinci & Higgins, LLC; Re: Audit of Financial Statements
- Letter dated January 29, 2018 from Jacobs and Bell; Re: Home for the Armenian Aged, Inc, request for an extension of time for construction.
- Letter dated January 19, 2018 from Board of Chosen Freeholders; Re: Official County Map & Map of Bergen County Road Right-of-Way Widths
- Letter dated January 31, 2018 from Bergen County Board of Social Services; Re: Announcement of new Director, Adina Yacoub
- Letter dated January 15, 2018 from U.S. Senator Cory Booker; Re: Commitment to working together to help deliver results for the community

VIII. FINANCIAL BUSINESS

- Resolution No. 84-18 Bill List

☞ **Motion** to approve Resolution No. 84-18 Bill List was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried by a roll call vote of 6-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Knoller, Falotico, Downing

IX. UNFINISHED BUSINESS

- Borough Municipal Complex – Report by Liaison – Councilwoman DiPaola provided an update on the status of meetings with the architect and said they had several different concept plans – two would provide for the preservation of Borough Hall; the other two did not. The plan was to have been presented that evening and she inquired as to who had requested the postponement. The consensus of the Council was that they wanted to have as much information as possible before moving forward. Councilwoman DiPaola suggested that all residents within 200 or 300 feet be noticed since they would be most impacted by the process. She also stated that putting the project on a non-binding referendum vote was important so that residents could make their opinions known to the Governing Body.

X. NEW BUSINESS

- Municipal beautification – Councilwoman DiPaola requested that a budget be allocated for holiday decorations. She also suggested that a beautification committee be put together to work on seasonally themed decorations to enhance downtown. Mr. Hoffmann agreed and said he would make up a list and budget to discuss with Councilwoman DiPaola. He also said he would work on ways to beautify municipal parks and Borough easements.

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 March 6, 2018 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the February 23rd, 2018 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.

1551-18 AN ORDINANCE AMENDING CHAPTER 274: VEHICLES AND TRAFFIC OF THE CODE OF THE BOROUGH OF EMERSON

☞ Motion to introduce Ordinance No. 1551-18 on first reading was moved by Council President Knoller, seconded by Councilman Falotico and carried by a roll call vote of 6-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Knoller, Falotico, Downing

XII. ADOPTION OF ORDINANCES

Second Reading & Public Hearing:

1550-18 AN ORDINANCE REPEALING SECTION THREE OF CHAPTER 170 HUNTING AND FIREARMS, OF THE CODE OF THE BOROUGH OF EMERSON

☞ **Motion** to open the meeting to comments from the public on Ordinance No. 1550-18 only was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried at 8:11 p.m.

Seeing no hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on Ordinance No. 1550-18 only.

☞ **Motion** to close the meeting to comments from the public on Ordinance No. 1550-18 only was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried at 8:12 p.m.

☞ **Motion** to adopt Ordinance No. 1550-18 on second reading was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried by a roll call vote of 6-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Knoller, Falotico, Downing

XIII. REPORTS

- Mayor and Council

Councilwoman DiPaola said the Emerson Public Library was doing well. They had great programs for adults and children which were listed in pamphlets available to the public. She discussed a problem with the interlibrary delivery system and said the Bergen County Cooperative Library System would be going out to bid again to find a new vendor.

Councilman Bayley thanked DPW Superintendent Perry Solimando and the members of the department for doing a great job clearing snow after two recent storms. The Environmental Commission would be planting at Centennial Park and perhaps the train station. He asked people to report any issues directly to Borough Hall instead of just posting them on social media so that complaints could be resolved quickly.

Councilwoman Wolf said she and Councilman Bayley had been meeting with members of the Fire Department to get up to speed as their liaisons. Emerson was lucky to have them. The organization was looking for new recruits. A beefsteak dinner was being organized and those interested should reach out to the department. She congratulated Fire Chief Tom Carlos' son Tom on becoming a Cadet member. She had attended the February 8th Board of Health meeting and said the members were a dedicated and experienced team. A health fair was scheduled for the fall which would tie in with the Mayor's Wellness Campaign.

Council President Knoller said he and Councilman Downing had met with Police Chief Mazzeo to discuss Facebook and other issues. He suggested that residents contact the Police desk so that matters could be addressed in a timelier manner. Work had begun on the 2018 budget. They were reviewing Capital items, some of which would fall under grant programs, and trying to keep costs down with the goal of providing a fiscally sound budget. The Chamber of Commerce was planning a fall car show and reaching out to local businesses. He commended them for their efforts. The Ordinance Committee was looking at where parking restrictions should be enacted. He was planning to attend a budgeting seminar for elected officials on Saturday, February 24th. He congratulated Captain Dave Mason for 20 years of service to the Volunteer Ambulance Corps.

Councilman Falotico said he had been privileged to attend the Volunteer Ambulance Corps holiday party and thanked them for their dedication and volunteerism. He had attended three meetings with the architects and two meetings of the Personnel Committee. He had attended the Land Use Board reorganization meeting and their meeting of February 1st where there had been a six-month review of Starbucks. He had met with New Jersey Transit on January 24th and said he was not happy with their progress on an outstanding issue – they were supposed to speed up actuators on the train line. A follow up meeting would be scheduled. On February 2nd he had met with the County Engineer about outstanding bills. As a result of conversations on other topics during that meeting, two no turn on red signs had been removed the same day and the timing of lights was adjusted.

Councilman Downing congratulated Captain Dave Mason on his twenty years of service to the Volunteer Ambulance Corps. He also gave the monthly EVAC and Police reports. He announced that Afrim Hoxha had become the new Presiding Officer of the Recreation Commission and that the Summer Kickoff had been discussed at their most recent meeting.

Mayor Lamatina said he had reached out to Emerson School Superintendent Brian Gatens after the recent school shooting in Florida. A recent safety survey of the facility had gone very well. Any questions or concerns related to school safety and security should be directed to Superintendent Gatens. Mayor Lamatina also announced that the Borough would be receiving \$215,000.00 in grant funding to complete the paving of Main Street and Linwood Avenue from Emerson Jr./Sr. High School to Old Hook Road.

- Borough Administrator Robert Hoffmann reported on the following:
 - He noted that the Borough had applied for \$165,000 in grant funding for the paving of Main Street/Linwood Avenue but was able to obtain a total of \$215,000 of reallocated funds for shovel ready projects due to municipalities that had returned unused funds.
 - A contract would be awarded to Zuccaro & Sons Contracting to start work on drainage improvements in Continental Woods. The Borough had received two grants, one for \$40,000.00 and the other for \$100,000.00. This work would solve drainage issues that dated back to the 1970's and 1980's.
 - The property at 109 Linwood Avenue had obtained permits and restoration was in progress.
 - The County of Bergen was updating the official County map for the first time since 1968. He outlined areas of concern: The County wanted widening and improvements on Kinderkamack Road, Old Hook Road and Soldier Hill Road to be at 50 feet. However, municipalities would be required to obtain easements and arrange for the moving of utility poles. A public hearing would take place the following evening at the Bergen County Freeholders' meeting. He was going to draft a letter related to this matter. Mayor Lamatina requested that Borough Engineer Gary Ascolese attend the meeting to voice Emerson's concerns.
 - He thanked the staff of the Bergen County Department of Community Development for expediting the Continental Woods grant funded project and related paperwork.
- Borough Clerk Jane Dietsche had no report.
- Borough Attorney Wendy Rubinstein provided an update on ongoing litigation related to Just Pups.

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 8:45 p.m.

Don Piero, 70 Eagle Drive shared his opinion regarding the Borough Hall project, saying that salvaging the current building was environmentally advantageous, more economically feasible than new construction and was an important piece of Emerson's history.

Jill McGuire, 154 Linwood Avenue, Chair of the Historic Preservation Committee, gave a report on the committee's mission so as to update the newest members of the Governing Body.

Chuck Wurf, 58 Kinderkamack Road asked questions about the county map and who would be responsible for costs incurred.

Toni Plantamura, owner of the Emerson Dairy Queen commented on the passing of a recent ordinance and opined that it was government overreach.

Lorraine McQueeney, 115 Grand Boulevard read a statement and asked for clarification of the Borough's affordable housing obligation.

Brian Gordon, 112 Linwood Avenue commented on the condition of a property across the street from his home. He also commented on traffic issues on Linwood Avenue and opined on related safety issues.

Pauline Wurf, 58 Kinderkamack Road asked about the Borough's affordable housing obligation.

Pat Hullburt, 55 Jefferson Avenue asked about the Borough's affordable housing obligation and commented on eminent domain. She opined that it was ridiculous to take people's property.

Mike Myers, 38 Allison Way opined that redevelopment should have been slowed down and asked about hearing dates.

Dan O'Brien, 38 Palisade Avenue commended residents who spoke about Block 419 and asked members of the Governing Body about events that had taken place at the December 5, 2017 meeting of the Volunteer Fire Department.

Theresa Cannata, 132 Clinton Street asked if the Governing Body worked for the people and commented on traffic downtown. She opined that the town would be ruined by new housing.

Kenneth Hoffman, 61 Emwood Drive asked questions related to demolishing or renovating Borough Hall and requested that a referendum be put before the residents on this topic.

Laura Litchel, 300 Kinderkamack Road, Owner of Cradles to Crayons and Vice President of the Emerson Chamber of Commerce shared her concerns about the proposed new County map and how it would affect businesses and business owners.

Denise Brower, 116 Linwood Avenue opined that the traffic light at Linwood Avenue and Kinderkamack Road was not timed properly and asked who she could follow up with on this matter. She also commented on the conditions of the property across the street from her home.

Robert Obernauer, 161 Kinderkamack Road commented on traffic concerns on Linwood Avenue related to entering his gas station and plans he would be submitting to the Land Use Board at their next meeting. He opined that the Central Business District overlay had increased real estate values

Jill McGuire, 154 Linwood Avenue said she was speaking as a resident and discussed traffic concerns and aggressive drivers on her street. She said she was against added density on Linwood Avenue.

Brian Gordon, 112 Linwood Avenue commented on conditions at the property across the street from his home. He asked about the parking lot at the strip mall across from Block 419 and inquired as to when the blight at that location would be addressed.

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 at 11:25 p.m.

☞ **Motion** to extend the meeting curfew to midnight was **moved** by Councilman Falotico, **seconded** by Councilman Downing and carried unanimously.

☞ **Motion** to return to Closed Session was **moved, seconded** and carried.

☞ **Motion** to reconvene was **moved, seconded** and carried at 11:35 p.m.

☞ **Motion** to approve Resolution No. 97-18 Accept the Retirement of Sgt. Stephen Clark Effective June 1, 2018 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, Bayley, Wolf, Knoller, Falotico, Downing

The Governing Body authorized a consensus on recommendations of the Borough Administrator regarding the terms of employment of a Property Maintenance Officer as noted in a February 20, 2018 memoranda. A confirming resolution would be placed on the next meeting agenda.

XVIII. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by, **seconded** and carried unanimously at 11:40 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk