



MINUTES
REGULAR MEETING/BUDGET HEARING
BOROUGH OF EMERSON
MAYOR AND COUNCIL

April 16, 2019

7:30 P.M.

Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor DiPaola read the Sunshine Statement announcing that the meeting of April 16th, 2019 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 20th, 2018, 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, Council President Falotico, Councilman Gordon, Councilman Hoffman, Councilman Knoller, Councilwoman McGuire

ABSENT: Councilman Bayley

Also present were Interim Administrator Rich Sheola, CFO Lauren Roehrer, Borough Attorney John McCann, Borough Auditor Gary Higgins and Borough Clerk Jane Dietsche.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

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

IV. PROCLAMATIONS & CITATIONS

- Arbor Day Proclamation
- Commendation for Best of Bergen 2019
 - Short Rounds Deli and Catering – Best Deli
 - Rispoli Pastry Shop – Runner-up Best Bakery
 - Pimaan Thai Restaurant – Runner-up Best Thai Restaurant

V. APPOINTMENTS/RESIGNATIONS

- Retirement of Construction Official Michael Sartori effective July 31, 2019

☞ **Motion** to accept the retirement of Construction Official Michael Sartori effective July 31, 2019 was **moved** by Councilwoman McGuire, **seconded** by Council President Falotico with regret and carried unanimously.

VI. MINUTES FOR APPROVAL

- Regular and Closed Session Meeting Minutes of April 2, 2019

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of April 2, 2019 was **moved** by Councilman Hoffman, **seconded** by Council President Falotico and carried unanimously.

VII. CORRESPONDENCE

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

- Resolution from Borough of Westwood; Re: Opposing the Vegetative Management Response Act
- Resolution from Borough of Westwood; Re: Supporting Gateway Project
- Email from Gail D. Kovacs-Felici, President of GFWC Woman's Club of Emerson; Re: Thanking the Governing Body for granting permission for the Women's Club Planting
- Email from Larry Cohen dated April 3, 2019; Re: Pet Store Ordinance
- Letter from Bergen County Historic Preservation Advisory Board dated April 5, 2019; Re: 2019 Bergen County Historic Preservation Award to Councilwoman Jill McGuire
- Letter received on April 12, 2019 from Fr. Paul Cannariato of Assumption Church; Re: Invitation to a Mass for Emerson's First Responders on Saturday, April 13th.

VIII. FINANCIAL BUSINESS

- Resolution No. 133-19 Bill List

Councilman Knoller requested that Item No. 19-00487 in the amount of \$68.53 be pulled from the Consent Agenda for a separate vote.

☞ **Motion** to approve Resolution No. 133-19 Bill List without Item No. 19-00487 in the amount of \$68.53 was **moved** by Council President Falotico, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0:

RC: Council members:

YES: Hoffman, McGuire, Falotico, Knoller, Gordon

☞ **Motion** to approve Resolution No. 133-19 Bill List Item No. 19-00487 only in the amount of \$68.53 was **moved** by Councilman Hoffman, **seconded** by Councilwoman McGuire and carried by a roll call vote of 4-1:

RC: Council members:

YES: Hoffman, McGuire, Falotico, Gordon

NO: Knoller

- 2019 MUNICIPAL BUDGET

CFO Lauren Roehrer and Borough Auditor Gary Higgins were present and participated in this portion of the meeting.

- Resolution No. 141-19 Waiver of Reading in Full of the 2019 Municipal Budget

☞ **Motion** to approve Resolution No. 141-19 Waiver of Reading in Full of the 2019 Municipal Budget was **moved** by Councilman Knoller, **seconded** by Councilman Hoffman and carried by a roll call vote of 5-0:

RC: Council members:

YES: Hoffman, McGuire, Falotico, Knoller, Gordon

- Public Hearing on the 2019 Municipal Budget

Mr. Higgins provided an overview of the 2019 Municipal Budget and explained that this was a self-examination year. He reviewed highlights of the budget, and explained that the Borough was well under the State permitted caps. There would be a \$97.00 increase in annual taxes on the average home for 2019. He said the Borough was doing a good job with what they had and left a lot on the table. He noted that the Borough was required to hold a Public Hearing on the budget and then would need to amend the budget because a line item had been added that exceeded more than 1% of the introduced budget. The budget adoption would be postponed until May 7th so that a Public Hearing could be held for the amendment only. Once concluded, the budget could be voted on for adoption.

☞ **Motion** to open the meeting for a Public Hearing on the 2019 Municipal Budget was **moved** by Councilman Hoffman, **seconded** by Councilman Knoller and carried unanimously.

Former Councilman Brian Todd, 207 Palisade Avenue asked about the budget amendment and inquired about specific line items. He also asked when the Borough would be paying off the debt on Emerson Woods.

Seeing no more hands, Mayor DiPaola asked for motion to close the meeting on the Public Hearing on the 2019 Municipal Budget.

☞ **Motion** to close the meeting on the Public Hearing on the 2019 Municipal Budget was **moved** by Councilman Knoller, **seconded** by Councilman Hoffman and carried unanimously.

Mayor DiPaola noted that the tax increase amounted to \$8.00 per month. They would have preferred no increase but under the guidance of the Finance Committee, Mr. Sheola, Ms. Roehrer, Mr. Higgins and the Governing Body, they had produced a very tight budget they could be proud of. Councilman Hoffman said they had been careful and spent a lot of time on the budget but there were expenses they had no control over such as the Bergen County Utilities Authority fee increase. It was the lowest they could get the budget down to and still provide services to the residents.

Councilman Knoller reminded residents that the school represented 64% of their property taxes, the municipal portion was 28% and the County portion was about 9-10%. He wished that more people would be vocal at the School Board budget hearings.

Mayor DiPaola thanked everyone for doing an excellent job. She noted that it was a fairly new Governing Body and everyone worked very hard and pulled together to get it done. Mr. Sheola said they had a great team and noted that he had been impressed with Ms. Roehrer from day one.

- Resolution No. 134-19 to Amend the 2019 Municipal Budget

☞ **Motion** to approve Resolution No. 134-19 Amend the 2019 Municipal Budget was **moved** by Councilman Knoller, **seconded** by Councilman Gordon and carried by a roll call vote of 5-0:

RC: Council members:

YES: Hoffman, McGuire, Falotico, Knoller, Gordon

Ms. Roehrer and Mr. Higgins departed the Council Chambers at 7:57 p.m.

IX. UNFINISHED BUSINESS

- Discussion of banning hookah lounges and vaping shops – Councilman Hoffman said it appeared that hookah lounges and vape shops were covered under State laws pertaining to indoor air quality and smoking. He asked that Mr. McCann review it because the state law was unclear. Mr. McCann said the cannabis bill did not pass and it would be prudent to wait to see what would happen in the future. He explained that an ordinance should apply to a specific public policy goal and suggested they wait to hear back from the Board of Health.

Councilman Falotico discussed introducing an ordinance prohibiting underage vaping. He noted that it was an issue at the schools as well as a health risk. Governing Body consensus was to request a policy statement from the Board of Health and move forward with an ordinance to prohibit underage vaping at an upcoming meeting.

- Updating pet shop ordinance – Governing Body consensus was to allow this ordinance to stand at this time.
- Video recording of meetings – Councilwoman McGuire said that she, Council President Falotico and Ms. Dietsche had visited the Woodcliff Lake Borough Hall to view the video recording system they used to broadcast Mayor and Council meetings. She noted that it was very similar to the Borough's current recording system. It could be implemented after the budget was approved and upgrades to the sound system were performed. She reviewed various formats that would provide for meetings to be live streamed, posted to YouTube or broadcast on the Borough's cable channel. Mayor DiPaola thanked Councilwoman McGuire for taking the lead on this initiative as their goal was to bring government to the people. She noted that listening to meeting audio was not engaging and residents should understand how and why their tax dollars were being spent. Their goal was to have the first live broadcast of meetings in September.

- Letter and resolution from Land Use Board RE: Proposed Ordinance 1582-19 – Mr. McCann said Borough Planner Caroline Reiter had reviewed the ordinance restricting drive through establishments and reported that it was not consistent with the Master Plan. The Land Use Board had recommended that only drive through eating establishments be prohibited, but drive through banks, pharmacies and the post office be permitted uses. Mr. McCann recommended pulling the ordinance as this would represent a substantive change and modifying it to accept the Land Use Board's recommendations. He said it would need to be reintroduced and re-noticed to bulletproof any challenge.

☞ **Motion** to accept the recommendations of the Land Use Board related to the drive through ordinance as outlined in their letter to the Governing Body was **moved** by Councilman Hoffman, **seconded** by Councilman Gordon and carried by a roll call vote of 3-2:

RC: Council members:

YES: Hoffman, McGuire, Gordon

NO: Falotico, Knoller

- Cell phone and/or tablet policy for Borough Officials – The Governing Body discussed cell phone/tablet policies for Borough Officials including the Mayor, Governing Body, Borough Administrator and department heads. Mr. Sheola presented the results of a survey of 60 municipalities and noted that there was no commonality or demographic pattern to policies assigning cell phones to Governing Body members or other personnel. Mayor DiPaola said her Borough cell phone was getting a lot of use. Council President Falotico said he was not against the Mayor having a cell phone but was against the process that had taken place. Mayor DiPaola questioned other expenses that had not been voted on by the Governing Body. Councilman Hoffman requested that Mr. Sheola review the Employee Handbook and speak to Borough department heads about whether they wanted a phone or other electronic device so this issue could be resolved at the May 7th meeting.

☞ **Motion** to authorize the Borough Administrator to give the Construction Official, Police Chief, DPW Superintendent, Borough Clerk and Administrator the option to utilize a Borough device or receive partial reimbursement for a personal device was **moved** by Council President Falotico, **seconded** by Councilwoman McGuire and carried by a roll call vote of 5-0:

RC: Council members:

YES: Hoffman, McGuire, Falotico, Knoller, Gordon

☞ **Motion** to partially reimbursement the Borough Administrator for the cost of his personal cell phone effective February 18, 2019 was **moved** by Councilman Knoller, **seconded** by Council President Falotico and carried by a roll call vote of 5-0:

RC: Council members:

YES: Hoffman, McGuire, Falotico, Knoller, Gordon

☞ **Motion** to authorize any Councilmember to choose a tablet or phone at the expense of the Borough for Borough use only was **moved** by Council President Falotico, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0:

RC: Council members:

YES: Hoffman, McGuire, Falotico, Knoller, Gordon

Mayor DiPaola asked if any members of the Governing Body were interested in obtaining a Borough issued cell phone or tablet. No one was interested.

☞ **Motion** to not purchase any Borough cellphones or other electronic devices for any Councilmember other than for the Mayor which was already approved was **moved** by Council President Falotico, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0:

RC: Council members:

YES: Hoffman, McGuire, Falotico, Knoller, Gordon

X. NEW BUSINESS

- Discussion of updating towing ordinance – Bergen Brookside Towing had notified the Governing Body that the towing law had been updated by the State of New Jersey, necessitating a revision of the Borough towing ordinance. Governing Body consensus was to prepare a model ordinance for introduction at the May 7th meeting.
- Resolution re: proposed \$1,000 surcharge by Suez – Councilman Hoffmann said Suez Water had proposed a pilot program to replace lead pipes on homeowners’ properties for less than the actual cost. However, a surcharge would be added to the water bills of all customers in Bergen and Hudson Counties. Those without lead pipes would be subsidizing those who did need their pipes replaced. He explained that the Board of Public Utilities was planning to approve this measure on Thursday, April 18th and requested that Mr. Sheola contact the BPUA to request that a decision be postponed until the public had more time to provide input. Mr. Sheola agreed.

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 May 7, 2019 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the April 19th, 2019 edition of the Ridgewood News. She 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.

1591-19 AN ORDINANCE AMENDING CHAPTER 132 UNIFORM CONSTRUCTION CODES, SECTION 3 ‘FEES’

☞ **Motion** to introduce Ordinance No. 1591-19 on first reading was **moved** by Council President Falotico, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0:

RC: Council members:

YES: Hoffman, McGuire, Falotico, Knoller, Gordon

XII. ADOPTION OF ORDINANCES

Second Reading and Public Hearing:

1582-19 AN ORDINANCE AMENDING CHAPTER 290, ZONING, OF THE CODE OF THE BOROUGH OF EMERSON, IN ORDER TO REVISE THE RC (RETAIL COMMERCIAL) ZONE TO REMOVE DRIVE-THRU ESTABLISHMENTS AS CONDITIONAL USES

Mr. McCann stated that the public hearing on this ordinance was being put in abeyance. The ordinance was being tabled to allow for revisions by the Borough Attorney.

☞ **Motion** to table Ordinance 1582-19 to allow for revisions by the Borough Attorney was **moved** by Councilman Hoffman, **seconded** by Councilwoman McGuire and carried by a roll call vote of 3-2:

RC: Council members:

YES: Hoffman, McGuire, Gordon

NO: Falotico, Knoller

1590-19 AN ORDINANCE REINSTATING CHAPTER 89 SHADE TREE COMMISSION IN THE BOROUGH OF EMERSON

☞ **Motion** to open the meeting to comments from the public on this ordinance only was **moved** by Council President Falotico, **seconded** by Councilman Gordon and carried at 8:52 p.m.

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

☞ **Motion** to close the meeting to comments from the public on this ordinance only was **moved** by Councilman Hoffman, **seconded** by Councilman Knoller and carried at 8:52 p.m.

☞ **Motion** to adopt Ordinance No. 1590-19 on second reading was **moved** by Councilman Knoller, **seconded** by Councilman Gordon and carried by a roll call vote of 5-0:

RC: Council members:

YES: Hoffman, McGuire, Falotico, Knoller, Gordon

XIII. REPORTS

- Mayor and Council

Councilman Hoffman reported on the Environmental Commission's plans for Earth Week. They included a planting party at the Community Garden in Centennial Park on April 22nd, a children's story time to be led by Mayor DiPaola at the Emerson Public Library on April 23rd and Walk/Bike to School Day on the 26th. Arbor Day would be celebrated on April 27th and a memorial service would be held for those who had lost loved ones. Earth Week activities would conclude with an Emerson Woods Clean Up on April 28th. He congratulated Councilwoman McGuire on being selected to receive a 2019 Bergen County Historic Preservation Award for Historic Leadership on May 9th at 7:00 p.m. at the Bergen County Administration Building.

Mayor DiPaola asked that a commendation be prepared and presented to Councilwoman McGuire at the May 17th meeting.

Councilwoman McGuire had attended the Recreation Commission's Baseball Opening Day Parade on April 6th and said it drew the entire community together. It was well attended, ran smoothly and everyone did a great job. She provided an update on the Safety Taskforce initiative. She and Chief Mazzeo had met on April 8th and the initial survey had been compiled. She was also in communication with Street Smart New Jersey and their partners, including AAA and Easy Ride and hoped to share information and brochures on pedestrian safety at the Summer Kickoff and the 2nd Annual Chamber of Commerce Car Show. She had taken the Land Use Board on-site training on March 23rd, and online storm water training. The Chamber of Commerce would be hosting their 2nd Annual Car Show on Saturday, June 8th and would also be holding a Pancake Breakfast at Applebee's on October 13th. She had also attended recent meetings of the Personnel and Technology Committees. She had attended the first two weddings officiated by Mayor DiPaola; they were both lovely occasions at Borough Hall. She wished each couple a lifetime filled with happiness, adventure and love.

Council President Falotico said he and Councilman Gordon had attended an April 1st meeting regarding relocating the Ambulance Corps building on Kenneth Avenue. It appeared they would be able to remain at their current location until sometime in June. A follow up meeting would be scheduled with Police, Fire and Ambulance shortly. He also said they were in need of volunteers. He reported on the Library Board of Trustees meeting on April 11th, noting that Library Director Camille Valentino was meeting with an interior designer to maximize space and review layout and design options. The Library audit had begun in early April and would be completed shortly - all was in order. He also discussed the need to relocate the polling location at Memorial Elementary School due to upcoming construction. He gave an update on scheduled Library programs and said they were experiencing issues with cameras installed outside the building. He asked if the technology vendor could take a look at this issue. He noted there was inadequate parking for a dance studio on Palisade Avenue across from the Library and people were using the library's parking lot and parking in the street to pick up their children. He requested that the Zoning Official and Police Department check out the situation. He, Councilwoman McGuire and Ms. Dietsche had visited the Woodcliff Lake Borough Hall as part of the Technology Committee's study of videotaping Council meetings. He also gave the monthly report of the Volunteer Ambulance Corps.

Mayor DiPaola requested that the Borough Engineer measure out the Library parking lot to see if they could maximize the number of parking spaces. She also asked if some of the commuter parking spaces could be eliminated as well as cutting back the lawn to create more library patron parking.

Councilman Knoller had attended a Bergen County Community Development Block Grant meeting. The Borough was eligible to receive funding only if a representative from Emerson attended. The Borough had applied for a \$6,000.00 grant for senior programs and a \$200,000.00 grant for Phase IV drainage improvements in the Continental Woods section of the Borough. At the next Board of Health meeting he would discuss the Borough's goal of prohibiting underage vaping and request that they submit a policy statement to the Governing Body. He had attended a Special Mass for First Responders at Assumption Church and said it was very nice.

Councilman Gordon gave the March monthly report for the Department of Public Works. They had successfully completed the spring cleanup of the baseball fields in preparation for Opening Day. They had purchased a large screen television for the Recreation Center and planted a pine tree that had been donated by the Bergen County Parks from the 2018 Winter Wonderland. A NJDEP stormwater inspection was successfully completed on April 8th. Superintendent Perry Solimando, Foreman Tom Carlos and Recycling Coordinator Liz Morris had attended various training classes.

- Borough Administrator Rich Sheola distributed his monthly report to the Governing Body which is hereto attached. He discussed the draft Salary Ordinance and recommended that ranges be listed instead of exact salary amounts and that a resolution be passed each year with title and salary information for each position. This would allow the Borough flexibility in the hiring process and save the expense of a public notice advertising the salary ordinance twice each year. Governing Body consensus was to move forward with this plan and introduce the ordinance at the next meeting.
- Borough Clerk Jane Dietsche discussed plans to relocate the polling places for Districts 1, 4 and 5 from Memorial Elementary School due to upcoming renovations and construction. She was awaiting approval from the Bergen County Board of Elections to move these three polling districts to the Senior Center.
- Borough Attorney John McCann recommended that the Employee Handbook be updated to include new family leave regulations. He also said there had been no more movement on Cork and Keg's negotiations with the redeveloper related to relocating the business.

- Mayor DiPaola said she had spoken to Dominick Scala, owner of Cork and Keg; he was very distressed about his situation. She said they owed it to him to do as much as possible to help him. Mr. McCann noted that they were operating within the law and Mr. Scala's best deal was between himself and the redeveloper. The Mayor also congratulated Councilwoman McGuire on her Bergen County Historic Preservation Award and said the Governing Body would present her with a commendation at the May 17th meeting. She had attended Baseball Opening Day with Councilman Gordon and Councilwoman McGuire. She had also attended the Easter Egg Hunt. She had attended the First Responders' Mass and thanked Assumption Church and Richard Beahm for coordinating the event. It was a beautiful mass and well received. The reception was catered by Shortrounds. She thanked the first responders for their time and hard work. She attended the monthly meeting of the Emerson Senior Club with Mr. Sheola. She reported that fencing had gone up at the Armenian Home on the grounds where they planned to build. They had received approval several years ago and had been granted an extension recently; no new plans had been filed for the expansion. The gates had been put up to perform PERC tests of ground water. She had received complaints from residents about noise from the work being performed on gas mains by PSE&G. She requested that Mr. Sheola speak to the project manager and inform them that they should abide by the noise ordinance. She had participated in a class on Land Use procedures. She concluded by saying that everything was running smoothly and was happy that everyone was working together.

XIV. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilman Knoller, **seconded** by Council President Falotico and carried at 9:30 p.m.

Dan O'Brien, 38 Palisade Avenue asked about the plans presented by the redeveloper and the reason for the fourth story. He also inquired about the plans to move the Volunteer Ambulance Corps.

Brian Todd, 207 Palisade Avenue discussed the parking issues created by the dance studio on Palisade Avenue. He said Mr. Sheola was doing a great job and opined that improper procedures were followed in purchasing the Mayor's cell phone.

Laura Litchult, owner of Cradles to Crayons, 300 Kinderkamack Road, said she was speaking as a representative of the Chamber of Commerce and the Emerson business community. She asked who was responsible for fixing curbs on Kinderkamack Road. She opined that the developers' negotiations with Cork and Keg were appalling and that Mr. Scala deserved better. She opined that businesses were nervous about future redevelopment on Kinderkamack Road.

Mayor DiPaola said she had sent Mr. McCann to a negotiation on Mr. Scala's behalf to represent the Borough's interest in trying to afford him the best deal possible. She hoped the redeveloper would negotiate in better faith than what the starting point was. She said the Borough had not forgotten about Mr. Scala or the owner of Cozy Kitchen who had reached an agreement. Mr. McCann said it was not a matter of deserving or not deserving; it was an issue of what could be done that was proper. Other than what had been done up to that point, there was nothing more the Borough could do on Mr. Scala's behalf. The best deal unequivocally would be with the redeveloper and that was for Mr. Scala to negotiate. The only thing the Borough could do if that process broke down was to step in and help with the relocation but that was not a great process. There was nothing they could do for him. He said that a lack of options did not mean a lack of empathy.

Ms. Litchult asked that the Governing Body share more information with the Chamber of Commerce so that they could be kept informed of the timeline for redevelopment.

Patricia Hulburt, 55 Jefferson Avenue said there was a lot of information on the Emersonian Facebook page regarding affordable housing and redevelopment on Kinderkamack Road.

Dan O'Brien, 38 Palisade Avenue provided an estimate for the cost of electrical work on an empty building to set it up as a liquor store if Cork and Keg relocated. He opined that the redeveloper's offer was unfair.

Bob Petrow, Chestnut Avenue opined that Emerson was a nice town when he came in and invested in business 40 years ago but was sorry to see a behemoth rising in town. He also asked when the project would start and commented on potential traffic issues.

Seeing no more 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 was **moved** by Council President Falotico, **seconded** by Councilman Knoller and carried at 10:14 p.m.
XV. RESOLUTIONS ON CONSENT AGENDA NO. 135-19

☞ **Motion** to approve Consent Agenda Resolution No. 135-19 was **moved** by Councilman Hoffman, **seconded** by Council President Falotico and carried by a roll call vote of 5-0:
YES: Hoffman, McGuire, Falotico, Knoller, Gordon

CA 136-19	Authorize disposal of surplus property Ford 1998 wagon
CA 137-19	Tax Refund – First Quarter 2019: 10 Main Street in the Amount of \$2,753.68
CA 138-19	Award contract for Dogwood Lane Drainage Improvements Phase 2 to Marini Brothers Construction in the total amount of \$123,683.00
CA 139-19	J Fancy Cleaners – Approve Laundry License Renewal for one-year period May 1, 2019 through April 30, 2020

XVI. CLOSED EXECUTIVE SESSION - Resolution No. 140-19

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 140-19 was **moved** by Council President Falotico, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0:
YES: Hoffman, McGuire, Falotico, Knoller, Gordon

19-4/16-12	Personnel – Rice Notice Interim Borough Administrator	N.J.S.A. 10:4-8
19-4/16-13	Personnel – Construction Official Position	N.J.S.A. 10:4-8
19-4/16-14	Potential Litigation – Recreation Commission	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.

☞ **Motion** to extend the meeting curfew to 11:30 p.m. was **moved, seconded** and carried unanimously.

☞ **Motion** to return to executive session to discuss matters exempt from the public as duly noticed by Resolution No. 140-19 was **moved, seconded** and carried unanimously.

☞ **Motion** to reconvene was **moved, seconded** and carried unanimously.

XVIII. ADJOURNMENT

With no other business to address, at the request of Mayor DiPaola, a motion to adjourn was **moved** by Councilman Knoller, **seconded** by Council President Falotico and carried at 11:32 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk