



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
April 22, 2014
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor Colina called the meeting to order at 7:50 p.m. and identified the emergency exits.

II. ROLL CALL

Mayor Colina asked Ms. Dray to call the roll of the Governing Body.

Present: Mayor Colina, Councilman Knoller, Councilman Paino, Council President Rivers, Councilman Tripodi, Councilman Worthington

Absent: Councilwoman DiPaola

Also present were Borough Attorney Ron Gordon and Acting Administrator Les Shenkler.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

- Councilman Tripodi for absence from Regular Meeting of April 1, 2014 and Special Meeting of April 15th, 2014
☞ **Motion** to excuse Councilman Tripodi for absence from Regular Meeting of April 1, 2014 and Special Meeting of April 15th, 2014 was **moved** by Council President Rivers, **seconded** by Councilman Paino and carried unanimously.
- Councilman Knoller for absence from Regular Meeting of April 1, 2014
☞ **Motion** to excuse Councilman Knoller for absence from Regular Meeting of April 1, 2014 was **moved** by Council President Rivers, **seconded** by Councilman Paino and carried unanimously.

IV. PROCLAMATIONS & CITATIONS

- Honoring Eagle Scouts
 - Nicholas Cariddi
 - Peter Cariddi
 - Justin Mason
 - Harikrishnan Ravikumar
 - Jake Salles
 - Samir Wadhvani
- Arbor Day Proclamation 2014

Mayor Colina read proclamations honoring Eagle Scouts Nicholas Cariddi, Peter Cariddi, Justin Mason, Harikrishnan Ravikumar, Jake Salles and Samir Wadhvani. He also read the Arbor Day Proclamation for 2014.

V. APPOINTMENTS/RESIGNATIONS

- Shade Tree Commission
 - Resignation of Ed Fulloon as a regular member for the unexpired term ending 12/31/14
 - Appointment of Diana Merida as a regular member for the unexpired term ending 12/31/14
 - Appointment of Peter Kraycinovich as a regular member for the unexpired term ending 12/31/16

Mayor Colina announced the following changes to the Shade Tree Commission: The resignation of Ed Fulloon as a regular member for the unexpired term ending December 31, 2014, the appointment of Diana Merida as a regular member for the unexpired term ending December 31, 2014 and the appointment of Peter Kraycinovich as a regular member for the unexpired term ending December 31, 2016.

- Resignation – Finance Office Assistant
 - Kathy Caplan effective May 2, 2014
 - ☞ **Motion** to accept the resignation of Finance Office Assistant Kathy Caplan effective May 2, 2014 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried unanimously.
- Board of Heath - Local Registrar
 - Appointment of Florence Mammolitti as Local Registrar, Office of Vital Statistics for the unexpired term ending December 31, 2016
 - ☞ **Motion** appoint Florence Mammolitti as Local Registrar, Office of Vital Statistics for the unexpired term ending December 31, 2016 effective April 28th, 2014 was **moved** by Councilman Paino, **seconded** by Council President Rivers and carried by a roll call vote of 5-0.
 - RC: Council members:**
 - YES: Tripodi, Paino, Rivers, Knoller, Worthington.**

VI. APPROVAL OF MINUTES

- Special Meeting of April 15, 2014
 - ☞ **Motion** to approve the Special Meeting minutes of April 15, 2014 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0
 - RC: Council members:**
 - YES: Tripodi, Paino, Rivers, Knoller, Worthington.**

VII. CORRESPONDENCE

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

- Letter dated March 31, 2014 from Dominic Santanna, ISO Insurance Solutions; Re: Public Protection Classification Survey
- Letter dated March 28, 2014 from Bill Suser, Tri-Tech Construction Co.; Re: Demolition of property at 200 Kinderkamack Road
- Letter dated April 4, 2014 from John Ruth, Jr., Supervisor, EEO Monitoring Program, Dept of Treasury; Re: Emerson in compliance
- Letter dated March 20, 2014 from Borough Auditor Gary Higgins; Re: LOSAP
- Letter dated April 4, 2014 from Sarah Menchise, Outreach Coordinator, Hackensack River keeper; Re: 6th Annual Mayor's Cup Challenge

- Letter dated April 2, 2014 from John Rosenow, Chief Executive, Arbor Day Foundation; Re: Recognizing Emerson for earning 2013 Tree City USA
- Letter dated April 10, 2014 from Melvin Solomon, Esq.; Re: Casa Maselli II

VIII. FINANCIAL BUSINESS

- Resolution No. 84-14 Award State and County Contracts for 2014
☞ **Motion** to approve Resolution #84-14 Award State and County Contracts for 2014 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0
RC: Council members:
YES: Tripodi, Paino, Rivers, Knoller, Worthington

Borough Auditor Gary Higgins noted there was a budget amendment and the public hearing on this item would take place at the May 6th meeting.

- Resolution No. 85-14 Waiver to Reading the Budget in Full
☞ **Motion** to approve Resolution #85-14 Waiver to Reading the Budget in Full was **moved** by Councilman Paino, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0
RC: Council members:
YES: Tripodi, Paino, Rivers, Knoller, Worthington

- 2014 Municipal Budget-Public Hearing
☞ **Motion** to open the meeting to comments from the public on the 2014 Municipal Budget was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried unanimously.

Seeing no hands, Mayor Colina asked for a motion to close the meeting to comments on the 2014 Municipal Budget.

☞ **Motion** to close the meeting to comments from the public on the 2014 Municipal Budget was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried unanimously.

- Resolution No. 86-14 Amending of the 2014 Municipal Budget
☞ **Motion** to approve Resolution #86-14 Amending the 2014 Municipal Budget was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0.
RC: Council members:
YES: Tripodi, Paino, Rivers, Knoller, Worthington

IX. UNFINISHED BUSINESS – There was no unfinished business.

X. NEW BUSINESS

- Bonding for Road Paving Improvement Projects – Mr. Shenkler said the cooperative bonding program would go out for bids in May and they had combined it with the County. More information would be included at the next meeting.

- Pine Drive – Drainage – Councilman Paino sought authorization that with the road paving specifications would include an option for the drainage of Pine in conjunction with the road paving. Councilman Knoller said that it came up because the road is scheduled to be paved and needed drains so they would not have to do the same work twice. Mr. Shenkler said there was between \$66,000 and \$75,000 left over from the previous allocation according to Mr. Tombalakian, Borough Engineer.
- Establish Administrative Code for Basic Office Etiquette – Mr. Shenkler said that there had been issues where the office became inundated with residents and others who interrupted the flow of business. He had put together a list of etiquette items he wanted the Council to review regarding confidential areas and privileged information. Ms. Dray said there should be an orderly process when people requested something, whether it would be formally through OPRA or other methods. She added that it should be a written policy that all employees would have available when they encountered a unnatural demands on someone's time and help with the positive operational flow of the workplace. Council President Rivers concurred stating it was a matter of course of how business would be monitored and treat others. He thought there would be no legal issue with this item and asked that it be put on the next agenda.

XI. INTRODUCTION OF ORDINANCES

First Reading:

Mayor Colina announced that Ms. Dray would read the following ordinance by title and it would be further considered at a Public Hearing to be held on May 6th, 2014 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the April 25th, 2014 edition of the Ridgewood News by summary. 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.

1476-14 AN ORDINANCE AMENDING CHAPTER 264 ENTITLED TOWING FO TO THE REVISED GENERAL ORDINANCES OF THE CODE OF THE BOROUGH OF EMERSON

☞ **Motion** to introduce Ordinance 1476-14 on first reading was **moved** by Council President Rivers, **seconded** by Councilman Worthington and carried by a roll call vote of 4-0

RC: Council members:

YES: Tripodi, Rivers, Knoller, Worthington

ABSTAIN: Paino

XII. ADOPTION OF ORDINANCES – No ordinances were adopted this evening.

XIII. REPORTS

- Acting Borough Administrator Les Shenkler brought everyone up to date on the search for a new Administrator/Clerk. Mr. Gordon asked if they were willing to accept the applicants' submissions as long as they were postmarked by the previous day. Mr. Shenkler said that was the thought but if they got in a strong contender after the postmarked deadline, he thought they would take a look and consider it.

He had met with PSE&G and they were ready to do some installations around Emerson Plaza East. They were going to do a test on Kenneth Avenue with LED lamps and electric induction lamps. He said they were going to replace the lights on Pine Drive with electric induction lamps. The only thing the Borough would have to pay for was the operating cost. He discussed the decorative fixtures on Kinderkamack Road and suggested, as a temporary venue, that PSEG come back with a recommendation for putting a light pole in the area where the lights are broken until they were ready to do the overall Kinderkamack Road streetscape.

The position of Registrar would be filled temporarily with a Registrar from the Township of Washington and work out of the first floor Tax office. He said there was an extra desk and computer there allowing for no additional expense to get someone set up. He noted that the Registrar needed an area that was confidential, as well as the ability to interface with the public and it was the best space in Borough Hall to utilize. He said there was also a vault for storage of vital records and it would be easy for the public to find during evening hours.

The Open Space grant paperwork was ready to be distributed. He said it had to be used for a park or park-like area. It could be used for restoration of ball fields, backstops, replacing playground equipment or anything that would fit into a park and had very little restrictions.

Councilman Paino asked about coverage in the Clerk's office after Ms. Dray retires. Mr. Shenkler said that he and the Deputy Clerk would be there but that they would miss Ms. Dray as she was a terrific, knowledgeable and conscientious employee. He also noted that Ms. Henderson's time in the Finance Office was limited and there were bills to pay, payroll to make and a lot of tedious functions that were necessary. He requested that a bill list be submitted every two weeks instead of once a month and that Emerson was one of the few communities that did not do that currently. There was no objection to his request.

- Borough Attorney Ron Gordon had no report.
- Borough Clerk Carol Dray had no report.
- Mayor and Council

Councilman Worthington gave the March **Volunteer Ambulance Corps** report. The **Environmental Commission** would be holding their annual Emerson Woods cleanup on Saturday.

Councilman Knoller said the **Recreation Commission** had scheduled the Summer Kickoff Firework Show for June 14th. Fundraising would begin and there would be no cost to taxpayers. They also met with Dr. Nisonoff of the **Board of Education** about the school turf project. He hoped the field renovation would move forward. He also met with Dr. Nisonoff and **Environmental Commission** Chair Tom Browne about projects they could do together with the Borough and the school – one of the ideas was a new path from the Continental Woods area to the high school. They would need to work with the owners of the easement, United Water and the BCUA to see what they could do and if there was money available. It would provide a safe and more direct route for children from that area of town to get to sidewalks and the crossing guards. They also met and discussed Sustainable Jersey which the **Environmental Commission** was taking the lead on. Councilman Worthington said a resolution was on the Consent

Agenda which was the first step in the process. The next step would be for the town to get certified. This would allow Emerson to gain access to grants for projects like the one Councilman Knoller just discussed. He noted that the resolution on the agenda would include cooperation with the Board of Education.

Councilman Knoller said that students and the school wanted a garden but there was an issue with insects. He said that Mr. Browne had indicated there was space available at Centennial Park for some planting beds. The Borough would have to approve the school using that as a garden and outdoor classroom.

Council President Rivers said there was a short meeting about Emerson Plaza East and the Appropriate Authority of the **Police Department**. Currently 30 of the 36 parking tags for the area had been sold. It was now open to non-residents. He said it was a positive thing for the Borough and provided positive cash flow. He said many residents appreciated having a reserved spots. He also noted that as calls in the **Police Department** had gone up they were on track to have an all time low of overtime and thanked Chief Rossi for doing an excellent job. The **Emerson Volunteer Fire Department** held their Easter Egg Hunt and it was one of the most highly attended that anyone could remember.

Councilman Tripodi attended his first **Library Board** meeting and said they were a wonderful group of people. He said it was a real bright spot for Emerson and he was very proud of the facility and the people running it were doing a fantastic job.

Councilman Paine gave the March **Building Department** report. He commended the Finance Department for budgeting for updating the infrastructure and setting aside funds for Kinderkamack Road. He said it was now in the hands of the county.

Mayor Colina said the Opening Day Baseball Ceremony took place April 12th where girls' softball and boys' baseball marched up Main Street to Ken Benkovic Field. He noted that Arbor Day was coming up.

Councilman Paine Knoller thanked Ms. Dray for all her help in his time on the Council. He said anytime he needed anything, she was able to provide it. He said she was a wonderful help to him and he would miss her and thanked her.

Councilman Worthington reported on the **Land Use Board** and said the new developer came forward for 200 Kinderkamack Road, the old gas station in the middle of town that had been an eyesore for a long time. The redevelopment of the lot was approved and moving forward.

XIV. PUBLIC COMMENT

Members of the public are welcome to speak on any topic by coming to the table and stating your name and address for the record. In the interest of time, speakers are limited to five (5) minutes. In consideration of all who may wish to speak, please keep your comments brief and concise.

☞ **Motion** to open the meeting to comments from the public was **moved** by Council President Rivers, **seconded** by Councilman Tripodi and carried at 8:50 p.m.

Phyllis Weinberger, 110 Longview Drive expressed concerns about the Hackensack Golf Club. Mayor Colina said he would reach out to her and the golf club.

Alice Reilly, 125 Thomas Street was concerned with foul balls from Hillman Park and damages to her car window. Council President Rivers said they would look into it and get back to her after they explored their options and what they would need to do from a liability standpoint. Mayor Colina said he would join Council President Rivers in investigating the matter.

Ken Hoffman, 61 Emwood Drive commented on the tree management plan from the Hackensack Golf Club but had not reviewed it yet. The Shade Tress Commission decision would be forwarded as a recommendation to the Land Use Board.

John Holter, 117 Grand Boulevard discussed a concern about his neighbor's bushes and his line of site to the street. Mayor Colina said he would follow up with Construction Official Mike Sartori.

Catherine Henderson, CFO thanked the Council for their cooperation during her illness. She discussed options for a temporary replacement for an assistant that was leaving and requested to be part of the discussion of her replacement as the department head. Mayor Colina said he would have a conversation with Mr. Shenkler and a direct conversation with her regarding what rumors she had heard and deal with it appropriately.

Seeing no more hands, Mayor Colina 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 Rivers, **seconded** by Councilman Knoller and carried at 9:20 p.m.

XV. RESOLUTIONS ON CONSENT AGENDA NO. 87-14

☞ **Motion** to approve Consent Agenda #87-14 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 5-0.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

Ca 88-14	Approve Bill List
Ca 89-14	Approve J. Fancy Cleaners Coin Operated Laundry License Renewal
Ca 90-14	Approve Ranch Cleaners Operated Laundry License Renewal
Ca 91-14	Redeem Tax Sale Certificate – Kevin M Egan - Block #616 Lot #3 – 109 Linwood Avenue
Ca 92-14	Endorse JIF/MEL Commitment to Health and Safety
Ca 93-14	Sustainable Jersey Municipal Certification

XVI. CLOSED EXECUTIVE SESSION - Resolution No. 94-14

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 94-14 was **moved** by Council President Rivers, **seconded** by Councilman Paino and carried by roll call vote of 5-0.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

#14-4/22-12	Personnel - Finance Assistant	N.J.S.A. 10:4-8
#14-4/22-13	Litigation – Indemnification - Scarpa v. Borough Amended Complaint	N.J.S.A. 10:4-7

XVII. RECONVENE

☞ **Motion** to reconvene was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried.

☛ **Motion** to authorize the Acting Administrator to advertise for a permanent Finance Assistant and authorize him to hire immediate temporary finance personnel while the search was underway was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 5-0.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

XVIII. ADJOURNMENT

With no other business to address, at the request of Mayor Colina, a motion to adjourn was **moved** by Council President Rivers, **seconded** by Councilman Tripodi and carried at 10:26 p.m.

Carol Dray, RMC CMC CMR