



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
April 3, 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, Councilwoman Wolf

Absent: Council President Knoller

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

Mayor Lamatina announced that there were no proclamations or citations.

V. APPOINTMENTS/RESIGNATIONS

- Volunteer Ambulance Corps
 - Matt Giardiello – reapplication after brief resignation period
 - Matthew Hart – new member

☞ **Motion** to reappoint Matt Giardiello as a Probationary Member of the Volunteer Ambulance Corps was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried unanimously.

☞ **Motion** to appoint Matthew Hart as a Probationary Member of the Volunteer Ambulance Corps was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried unanimously.

- Historic Preservation Committee
 - Vacancy of appointment based on Borough ordinance

☞ **Motion** to vacate the Historic Preservation Committee appointment of Class A member Vince Benanti was **moved** by Council Falotico **seconded** by Councilman Bayley and carried by a roll call vote of 5-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Falotico Downing

VI. MINUTES FOR APPROVAL

- Regular and Closed Session Meeting Minutes of March 20, 2018

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of March 20, 2018 was **moved** by Councilman Falotico, **seconded** by Councilwoman Wolf and carried unanimously.

VII. FINANCIAL BUSINESS

- Resolution No. 118-18 Temporary Capital Budget

☞ **Motion** to approve Resolution No. 118-18 Temporary Capital Budget was **moved** by Councilman Falotico, **seconded** by Councilman Downing and carried by a roll call vote of 5-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Falotico Downing

VIII. UNFINISHED BUSINESS

Mayor Lamatina announced that there was no unfinished business.

IX. NEW BUSINESS

- Policy Decision – Wi-Fi Access – Mr. Hoffmann distributed a document with draft wording for access to public Wi-Fi network at Borough Hall explaining that he was doing his due diligence based on cybersecurity requirements. This topic would be addressed again at the April 17th meeting.
- Discussion – Hiring Art Appraiser/Art Historian to determine historic value of murals – Mr. Hoffmann asked the Governing Body to consider hiring an art appraiser or art historian to determine if the murals in the basement of Borough Hall had any historic or monetary value. It would help decide if the murals should be protected going forward or if there was flexibility in the future for whatever the Governing Body decided. The consensus of the Governing Body was that there should be no fee paid for art appraisers or art historians. This item would be addressed again at the April 17th meeting.
- Discussion – Open Space Grant Applications – Deadline June 18th – Mr. Hoffmann explained that this was a 50% matching grant which could be used for recreation, farmland preservation or historic preservation. The deadline to submit a declaration of intent was April 24th. A Public Hearing was required and would be scheduled for the June 12th meeting; the hearing had to be advertised fifteen days in advance. He asked the Governing Body to think about which open space areas they would like to include in the application and said that last year funding was awarded for the Broadway walking path. Among his suggestions were to improve Ackerman Park and perform additional improvements on the Broadway walking path.

X. INTRODUCTION OF ORDINANCES

First Reading:

Mayor Lamatina announced that Ms. Dietsche would read the following ordinances by title and they would be further considered at a Public Hearing to be held on April 17, 2018 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the April 6, 2018 edition of the Ridgewood News. He added that 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.

1555-18 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF EMERSON, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$745,510 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 introduce Bond Ordinance No. 1555-18 on first reading was **moved** by Councilman Falotico, **seconded** by Council Downing and carried by a roll call vote of 5-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Falotico, Downing

1556-18 AN ORDINANCE AMENDING CHAPTER 77, POLICE DEPARTMENT

☞ **Motion** to introduce Ordinance No. 1556-18 on first reading was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried by a roll call vote of 5-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Falotico, Downing

XI. ADOPTION OF ORDINANCES

Second Reading & Public Hearing:

1552-18 CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

☞ **Motion** to open the meeting to comments from the public on Ordinance No. 1552-18 only was **moved** by Councilwoman DiPaola, **seconded** by Councilman Falotico and carried at 7:57 p.m.

Seeing no hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on Ordinance No. 1552-18 only.

☞ **Motion** to close the meeting to comments from the public on Ordinance No. 1552-18 only was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried at 7:58 p.m.

☞ **Motion** to adopt Ordinance No. 1552-18 on second reading was **moved** by Councilman Falotico, **seconded** by Councilman Bayley and carried by a roll call vote of 5-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Falotico, Downing

1553-18 AN ORDINANCE AMENDING CHAPTER 274 OF THE CODE OF EMERSON ENTITLED VEHICLES AND TRAFFIC ARTICLE VII, SCHEDULE XX§ 274-56 TITLED SCHEDULE XX: BUS STOPS

☞ **Motion** to open the meeting to comments from the public on Ordinance No. 1553-18 only was **moved** by Councilman Downing, **seconded** by Councilwoman DiPaola and carried unanimously.

Seeing no hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on Ordinance No. 1553-18 only.

☞ **Motion** to close the meeting to comments from the public on Ordinance No. 1553-18 only was **moved** by Councilman Downing, **seconded** by Councilwoman DiPaola and carried at 7:59 p.m.

☞ **Motion** to adopt Ordinance No. 1553-18 on second reading was **moved** by Councilwoman DiPaola, **seconded** by Councilman Downing and carried by a roll call vote of 5-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Falotico, Downing

1554-18 AN ORDINANCE AMENDING CHAPTER 61, PARKS, PLAYGROUNDS AND RECREATION, DEPARTMENT OF, SECTION 8.1, MANDATORY BACKGROUND CHECKS, OF THE CODE OF THE BOROUGH OF EMERSON, BERGEN COUNTY, NEW JERSEY

☞ **Motion** to open the meeting to comments from the public on Ordinance No. 1554-18 only was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried unanimously.

Seeing no hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on Ordinance No. 1554-18 only.

☞ **Motion** to close the meeting to comments from the public on Ordinance No. 1554-18 only was **moved** by Councilman Bayley, **seconded** by Councilman Falotico and carried unanimously.

☞ **Motion** to adopt Ordinance No. 1554-18 on second reading was **moved** by Councilman Falotico, **seconded** by Councilman Downing and carried by a roll call vote of 5-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Falotico, Downing

XII. REPORTS

- Borough Administrator Robert Hoffmann reported on the following:
 - The Fairness Hearing originally scheduled for March 23rd had been continued to April 12th.
 - The accident policy for the Volunteer Ambulance Corps and Fire Department renewed each March and explained that the CFO was not authorized to pay this bill off cycle. He asked that the Governing Body consider voting to authorize the off-cycle payment of this bill.

☞ **Motion** to amend the agenda to include authorizing payment for the annual renewal of the Emergency Services Accident Policy was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried by a roll call vote of 5-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Falotico, Downing

☞ **Motion** to authorize payment for the annual renewal of the Emergency Services Accident Policy in an amount not to exceed \$5,300.00 was **moved** by Councilman Falotico, **seconded** by Councilman Downing and carried by a roll call vote of 5-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Falotico, Downing

XIII. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilman Falotico, **seconded** by Councilman Downing and carried at 8:05 p.m.

Jill McGuire, Chair of the Historic Preservation Committee informed the Governing Body that a certificate of eligibility had been obtained for Emerson Borough Hall by the New Jersey Historic Preservation Office which would make available the possibility of benefits that could assist with the cost if the Borough decided to renovate Borough Hall. She noted that Borough Hall had been deemed the first and only Emerson property to be identified by the New Jersey Historic Office as an historic property. She said this certificate was a prerequisite to apply for the funds from the New Jersey Historic Trust as well as several County preservation programs.

Don Pierro, 70 Eagle Drive said he had toured Borough Hall and agreed that more space and updated facilities were required, especially for the Police Department. He reviewed portions of the 2014 architectural report by Arcari and Iovino and compared it to the Axis Architectural Group's report, opining that they had differing opinions and cost calculations. He recommended that the Governing Body review all available data before making a decision.

Tony DiSciullo opined that the Borough Hall was built better than current construction and suggested that documents be scanned to reduce the space needed for record storage.

Dan O'Brien, 38 Palisade Avenue discussed the status of his resignation from the Volunteer Fire Department and returned his turnout gear to Police Chief Mike Mazzeo.

Jill McGuire, 154 Linwood Avenue asked the status of the Borough's intention to include an Historic Element in the Master Plan.

Robert Obernauer, 161 Kinderkamack Road opined that since Borough Hall was owned by taxpayers, the State should not tell the Borough what it could do with the building. He opined that the Governing Body should listen to the Borough Architects as they were professionals. He suggested that Borough Hall be converted to office space to provide income to the town.

Mike Myers, 38 Allison Way said that Emerson was part of cinema history as the original voice of Hal in 2001 A Space Odyssey was performed by Martin Balsam who is buried at Cedar Park Cemetery. They decided not to use Mr. Balsam's voice however. He asked about the swamp across from the cemetery and if anything was happening at that location since it might affect Emerson.

Tony DiSciullo said that grant money from the Federal, State and County governments could offset the cost of renovating the current Borough Hall.

☞ **Motion** to close the meeting to comments from the public was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried at 9:00 p.m.

XIV. RESOLUTIONS ON CONSENT AGENDA NO. 119-18

☞ **Motion** to approve Consent Agenda No. 119-18 was **moved** by Councilman Falotico, **seconded** by Councilman Downing and carried by a roll call vote of 5-0:
YES: DiPaola, Bayley, Wolf, Falotico, Downing

- CA 120-18 Approve Cancellation of Grant Balances
- CA 121-18 Property Tax Exemptions for a 100% Disabled Veteran; Block 313, Lot 15, 9 Emwood Drive
- CA 122-18 Authorize plans and specifications for Main Street/Linwood Avenue Sections 4 and 5

XV. CLOSED EXECUTIVE SESSION - Resolution No. 123-18

Mayor Lamatina stated that Closed Executive Session item #18-04/04/12 was being pulled from the agenda.

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 123-18 was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Bayley, Wolf, Falotico, Downing

- #18-04/03-11 Contract Negotiations- Vivian Avenue Drainage Project N.J.S.A. 10:4-7
- ~~#18-04/03-12 Contract Negotiations- New Jersey Transit Bills N.J.S.A. 10:4-7~~

XVI. 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.

XVII. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by Councilwoman DiPaola, **seconded** by Councilman Downing and carried at 9:22 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk