



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

April 4, 2017
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 Mr. Hoffmann to call the roll of the Governing Body.

Present: Mayor Lamatina, Councilwoman DiPaola, Councilman Downing, Councilman Falotico, Council President Knoller, Councilman Lazar, Councilman Worthington

Also present were Borough Administrator Robert S. Hoffmann substituting as Deputy Clerk for Borough Clerk Jane Dietsche who was absent. Also present were Chief Financial Officer Lauren Roehrer, Borough Attorney Wendy Rubinstein and Borough Auditor Gary Higgins.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

Mayor Lamatina announced that no members of the Governing Body were absent from the March 21st Regular Meeting.

IV. PROCLAMATIONS & CITATIONS

- Child Abuse Prevention Month - April 2017
- Recognizing Emerson Junior/Senior High School 2016/2017 Varsity Girls Basketball Team Winning Season
- Recognizing Emerson/Park Ridge Boy's Wrestling Team Winning Season

V. APPOINTMENTS/RESIGNATIONS

- Environmental Commission
 - Resignation of Thomas Sudano as a Regular Member effective immediately
 - Appointment of Courtney Panaretos as a Regular Member for the unexpired term ending 12/31/18

Mayor Lamatina announced that he accepted the resignation of Thomas Sudano as a Regular Member of the Environmental Commission effective immediately.

Motion to appointed Courtney Panaretos as a Regular Member of the Environmental Commission for the unexpired term ending 12/31/18 was **moved, seconded** and carried unanimously.

Councilwoman DiPaola called a Point of Order to ask if Mr. Sudano had been the common member for the Environmental and Land Use Boards. Mayor Lamatina confirmed this and said that he planned to appoint someone at the next meeting.

VI. MINUTES FOR APPROVAL

- Regular and Closed Session Meeting Minutes of March 21, 2017

Mr. Hoffmann called a Point of Order to note an amendment to the Regular Meeting Minutes of March 21, 2017 and requested that the Governing Body approve the minutes with that change.

☞ **Motion** to approve the Regular and Closed Session Regular Meeting Minutes of March 21, 2017 as amended was **moved** by Councilwoman DiPaola, **seconded** by Councilman Falotico and carried unanimously.

VII. FINANCIAL BUSINESS

- Public Hearing – 2017 Municipal Budget

Mr. Hoffmann said the Public Hearing on the 2017 Budget would take place that evening. The Governing Body would not vote on the 2017 Budget that evening because there was an amendment to the 2017 Budget on the agenda. The Public Hearing on the amendment would be voted on at the April 18th Council meeting. If adopted by the Governing Body, the amendment would reduce the budget and tax increase from \$31.00 to \$18.00 or an increase of less than one percent.

Mayor Lamatina applauded the work of the Finance Chair Councilman Worthington and Finance Co-Chair Council President Knoller as well as Mr. Hoffmann, Ms. Roehrer and Mr. Higgins. He said they all worked to get the Budget to the lowest possible increase.

Councilman Worthington thanked Mr. Hoffmann and Ms. Roehrer for all their efforts. Mayor Lamatina noted that the municipal tax increase was \$18.00 per home when the initial increase was \$90.00 when the preliminary budget was prepared. Cuts were made, revenue was found including some PILOTS, and they were as low as they felt they could go for 2017. He said the Borough was very successful in accumulating surplus last year which helped a lot. They would be using 37% of their surplus in the budget which was a low for the past ten to twelve years that he had seen and appreciated that as well. He explained that the use of a lower surplus helped them in their bond ratings. The Borough currently had a AA rating and they were hoping to get to a AAA rating.

Mr. Higgins noted that Mr. Hoffmann and Ms. Roehrer had prepared an excellent budget. It had been submitted to the State and they had received very few comments in response. Among the highlights, he noted were that once the budget was amended, the increase was only \$18.00 for an average home. He also said that two CAPS had to be complied with. The Borough was \$904,000 under the Appropriation CAP. The Tax Levy CAP could have gone up another \$747,000 but it wasn't used. The fact that the Governing Body could live within these budget CAPS, means that the taxpayers are reaping the benefits of not going up to what they could under the statute.

Mayor Lamatina asked Mr. Higgins to review their debt situation. Mr. Higgins explained that the Borough was well below the 3.5% permitted under the statute. As of year-end the outstanding permanent debt was \$5,228,000 which was very low. Mayor Lamatina said they were looking to do some things with Borough Hall so the Governing Body were going to be closely looking at that debt over the next couple years and added that some debt would also be coming off in the next five years. Mr. Higgins said the amount the Borough could have borrowed as of December 31, 2015 was \$43,000,000. The temporary and permanent debt as of that date was \$8,700,000. Technically the Borough could have borrowed almost another \$35,000,000. He said the ratio was .7% and they could go to 3.5% so they were basically at one fifth of what they could borrow up to the statute. He also noted that the debt service was fairly level for the next few years. In addition, the Emerson Woods would come off in 2021. This is \$1,045,000 of debt remaining.

☞ **Motion** to open the meeting to comments from the public for the Public Hearing on the 2017 Municipal Budget was **moved** by Councilman Lazar, **seconded** by Council President Knoller and carried unanimously.

Laura Litchult, owner of Cradles to Crayons, 300 Kinderkamack Road and 19 Emerson Plaza East asked if funding would be allocated for the study referenced at the last meeting.

Seeing no more hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on the 2017 Municipal Budget only.

☞ **Motion** to close the meeting to comments from the public for the Public Hearing on the 2017 Municipal Budget was **moved** by Councilman Lazar, **seconded** by Council President Knoller and carried unanimously.

- Resolution No. 124-17 Amendment to the 2017 Municipal Budget

☞ **Motion** to approve Resolution No. 124-17 Amendment to the 2017 Municipal Budget was **moved** by Councilman Lazar, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing, Worthington

Mayor Lamatina announced that the Public Hearing on the Budget Amendment would take place at the April 18th meeting of the Governing Body. The Governing Body would also vote on the 2017 Budget.

VIII. UNFINISHED BUSINESS

Mayor Lamatina announced that there was no unfinished business.

Mayor Lamatina excused Ms. Roehrer and Mr. Higgins at the conclusion of the budget discussion.

Mr. Hoffmann said that the budget was a team effort. He said that Mr. Higgins and Audit Manager Eric Thomasevich were very helpful. He also said that Ms. Roehrer was wonderful to work with through the whole process and helped make the budget flow very smoothly.

IX. NEW BUSINESS

- Support for Repeal of New Jersey Bail Reform – Councilman Falotico explained that in 2014 the voters approved an overhaul of the bail system. Since it was enacted, there had been more people released who should have been incarcerated and people that had been incarcerated who should not have been. He explained that there were two bills before the State Assembly and Senate and the resolution said that it should be repealed. Mayor Lamatina explained that individual towns did not have the authority to repeal but they could recommend or request repeal by the State Legislature. Mayor Lamatina said this item was included on the Consent Agenda.

X. INTRODUCTION OF ORDINANCES

First Reading:

Mayor Lamatina announced that there were no ordinances being introduced.

XI. ADOPTION OF ORDINANCES

Second Reading & Public Hearing:

Mayor Lamatina announced that there were no ordinances being adopted.

XII. REPORTS

- Borough Administrator Robert Hoffmann reported on the following:
 - The Borough had received three responses to the Request for Proposals for grant writers. Interviews would be completed prior to the next meeting and he anticipated making a recommendation at the April 18th meeting.
 - On Wednesday, April 5th he would be attending the first meeting for Community Development Block Grants. Emerson would be applying for a grant to do drainage work in the Pine Drive/Eagle Drive area. He explained that they were eligible for grant funding from a separate pot of money to redo drainage and repave in that area. They had applied for a grant this year and would follow up with round two so they could continue to move through that whole area to improve drainage and the infrastructure. The Borough would also be applying for senior citizen grants during this cycle.
 - On Thursday, May 4th he would be attending a purchasing conference with the specific intention of reviewing garbage and recycling bid specifications. He explained that the State had come out with some new guidelines so this meeting would be beneficial for the preparation of the Borough's updated bid specifications for solid waste and recycling.
 - Pavonia Avenue drainage repairs had been completed and a recent inspection revealed that the problem was resolved. A resident on Pavonia Avenue who previously had flooding issues said the problem had been eliminated. A collapsed 109-foot section of pipe had been fixed.
 - The next meeting of the Pascack Valley Shared Services group was scheduled for Thursday, April 6th. They would be meeting at the Closter Borough Hall with an aide from Congressman Scott Gottheimer's office to review federal grant funding opportunities and specifically funding to fix flooding issues on Vivian Avenue. In addition, the Pascack Valley Mayors' Association had met with Jake Briggs, an aide for Congressman Gottheimer, several weeks ago for preliminary discussions which would be followed up on at the April 6th meeting.

XIII. PUBLIC COMMENT

☛ **Motion** to open the meeting to comments from the public was **moved** by Councilwoman DiPaola, **seconded** by Council President Knoller and carried.

Ron Kayan, 18 Clinton Street described events related to the fireworks at last year's Town Picnic and a resulting fire call from three fire departments. He said he had heard nothing back from the Governing Body and did not want fireworks launched at the same location again. He said if anything happened, it would be the town's liability and that the town had violated the New Jersey International Fire Code.

Councilwoman DiPaola said they were all concerned last year and that the Recreation Commission and Mr. Hoffmann stated they would look at alternate sites so this problem would not happen again. She noted that the Town Picnic was scheduled for June 17th and asked if an alternate site had been found so they would not be in the same predicament this year. If not, they urgently needed to act so that everyone could have a great time at the Town Picnic. She said it was their obligation to keep all the homes and all people within the Borough safe.

Mr. Hoffmann said he had contacted the Recreation Commission and recommended two alternate locations be inspected – a school and golf course. He said he would follow up the commission. He said he had looked at a third site but the woods were too close.

Mr. Kayan said he would not tolerate the fireworks at the same location again and expected the Governing Body to do the right thing. Mr. Hoffmann said the Governing Body always did the right thing. He said the right thing was done for the launch protocols last June.

Dot Haight, 84 Lincoln Boulevard shared her concerns about firework safety and noted that new protocols were in place and asked if they would be followed. Mr. Hoffmann said they always followed the protocols. She asked about documentation of wind speed and gusts last year and noted that people had been concerned. Mr. Hoffmann said the Fire Inspector looked at real time wind speeds from the National Weather Service and that the information was documented electronically. She asked if an investigation had been conducted. Mayor Lamatina said the State had conducted an investigation and cleared Fire Official Tom Monaghan. Ms. Haight asked for a copy of the document. Mr. Hoffmann said they had asked for a copy from the State of New Jersey but had not received it yet.

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

☛ **Motion** to open the meeting to comments from the public was **moved** by Council President Knoller, **seconded** by Councilman Downing and carried.

XIV. RESOLUTIONS ON CONSENT AGENDA NO. 125-17

Councilwoman DiPaola requested that items CA 127-17 Award Contract for Fencing for Community Garden at Centennial Park to Anchor Fence Contractors in an amount not to exceed \$9000.00 and 131-17 Armenian Home Developer's Agreement be pulled for discussion and separate votes.

☞ **Motion** to approve Consent Agenda No. 125-17 without CA 127-17 and 131-17 was **moved** by Councilman Falotico, **seconded** by Council President Knoller and carried by a roll call vote of 6-0.

RC: Council members:

YES: DiPaola, Falotico, Lazar, Knoller, Downing, Worthington

☞ **Motion** to approve CA 127-17 Award Contract for Fencing for Community Garden at Centennial Park to Anchor Fence Contractors in an amount not to exceed \$9000.00 only was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried by a roll call vote of 5-1.

RC: Council members:

YES: Falotico, Lazar, Knoller, Downing, Worthington

NO: DiPaola

CA 126-17	Award Copier Contract to Atlantic Tomorrow's Office on State Contract #A40467
CA 127-17	Award Contract for Fencing for Community Garden at Centennial Park to Anchor Fence Contractors in an amount not to exceed \$9000.00
CA 128-17	Supporting Changes to Protect Taxpayers Related to PFRS Legislation
CA 129-17	Authorization to Approve Fixed Asset Inventory Consulting Group
CA 130-17	Oppose Bail Reform
CA 131-17	Armenian Home Developer's Agreement

☞ **Motion** to approve CA 131-17 Armenian Home Developer's Agreement only was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried by a roll call vote of 5-0.

RC: Council members:

YES: Falotico, Lazar, Knoller, Downing, Worthington

ABSTAIN: DiPaola

XV. CLOSED EXECUTIVE SESSION - Resolution No. 132-17

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 132-17 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, Falotico, Lazar, Knoller, Downing, Worthington

#17-04/04-15

Update on Affordable Housing

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** by Councilwoman DiPaola, **seconded** by Councilman Downing and carried.

XVII. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by Council President Knoller, **seconded** by Councilman Lazar and carried at 9:07 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk