



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
May 19, 2020
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



This meeting of the Mayor and Council of the Borough of Emerson will be held via the teleconferencing app GoToMeeting on May 19th, 2020 at 7:30 p.m. due to the COVID-19 State of Emergency.

Mayor and Council Regular Meeting - May 19, 2020
Tue, May 19, 2020 7:30 PM - 11:30 PM (EDT)

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I. CALL TO ORDER

Mayor DiPaola called the meeting to order and welcomed everyone to the May 19th, 2020 Regular Meeting of the Emerson Governing Body. She said the meeting was being held by teleconference due to the COVID-19 virus outbreak. She noted that the meeting was being videotaped and could be viewed from a link on the Borough website as well as on Verizon FIOS Channel 36 and Cablevision Channel 77. She read the Sunshine Statement announcing that the meeting of May 19th, 2020 had been adequately noticed and was in compliance with the provisions of the Open Public Meetings Law. Further, notice of this was sent to the Record and Ridgewood News on December 19, 2019 and noticed to said newspapers; posted at the entrances to Borough Hall, on the bulletin board in the Municipal Building and has remained continuously posted as required under the Statute.

Access was provided to the general public via teleconferencing on the GoToMeeting application and a link and phone number to access the meeting was posted for the public.

II. ROLL CALL

Present: Mayor DiPaola, Councilwoman Argenzia, Councilwoman Dinallo, Councilman Gordon, Council President Hoffman, Councilwoman McGuire

Absent: Councilman Bayley

Also present were Borough Administrator Robert Hermansen, Borough Attorney John McCann (via teleconference) and Borough Clerk Jane Dietsche

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

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

IV. PROCLAMATIONS & CITATIONS

- National Public Works Week – May 17-23

V. APPOINTMENTS/RESIGNATION

- Library Board of Trustees
 - Resignation of Ida Ennis as the Mayor's Representative effective June 2020 for the one-year term ending 12/31/20
 - Resignation of Marcia DeSalvo as a Regular Member effective May 31, 2020 for the five-year term ending 12/31/20

☞ **Motion** to accept the resignations of Ida Ennis as the Mayor's Representative effective June 2020 for the one-year term ending 12/31/20 and the resignation of Marcia DeSalvo as a Regular Member effective May 31, 2020 for the five-year term ending 12/31/20 was **moved** by Council President Hoffman, **seconded** by Councilman Gordon and carried by a roll call vote of 5-0:

Roll call:

YES: McGuire, Dinallo, Hoffman, Gordon, Argenzia

- Appointment of Richard V. Bazzano as a Probationary Member of the Fire Department effective immediately

☞ **Motion** to appoint Richard V. Bazzano as a Probationary Member of the Emerson Volunteer Fire Department effective immediately was **moved** by Councilman Gordon, **seconded** by Councilwoman Argenzia and carried unanimously.

VI. MINUTES FOR APPROVAL

- Regular and Closed Session Meeting Minutes of May 5, 2020

☞ **Motion** to approve the Regular and Closed Session Meeting Minutes of May 5th, 2020 was **moved** by Council President Hoffman, **seconded** by Councilwoman Dinallo and carried by a roll call vote of 5-0:

Roll call:

YES: McGuire, Dinallo, Hoffman, Gordon, Argenzia

- Special Meeting Minutes of May 11, 2020

☞ **Motion** to approve the Special Meeting Minutes of May 11th, 2020 was **moved** by Councilman Gordon, **seconded** by Councilwoman Argenzia and carried by a roll call vote of 5-0:

Roll call:

YES: McGuire, Dinallo, Hoffman, Gordon, Argenzia

- Review and approve release of select Closed Session Meeting Minutes from 2012 and 2013 per attorney review

☞ **Motion** to approve the release to the public of select Closed Session Meeting Minutes from 2012 and 2013 was **moved** by Council President Hoffman, **seconded** by Councilwoman Dinallo and carried by a roll call vote of 5-0:

Roll call:

YES: McGuire, Dinallo, Hoffman, Gordon, Argenzia

VII. CORRESPONDENCE

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

- Letter dated April 13, 2020 from NJDOT; Re: Applications being accepted for the NJDOT Fiscal Year 2021 State Aid programs.
- Letter dated April 14, 2020 from Rev. Paul A. Cannariato of Assumption Church; Re: Cancellation of the Carnival due to the COVID-19 virus.
- Various emails dated April 22, 2020 through today from NJ Department of Community Affairs, NJ DEP and Bergen County Health Department; Re: Coronavirus (COVID-19) Updates.
- Ordinance adopted April 22, 2020 from the Borough of Closter; Re: Amending Chapter 200 of Closter Borough Code – Affordable Housing Overlay.

VIII. FINANCIAL BUSINESS

- Resolution No. 105-20 Bill List

☞ **Motion** to approve Resolution No. 105-20 Bill List was **moved** by Council President Hoffman, **seconded** by Councilman Gordon and carried by a roll call vote of 5-0:

Roll call:

YES: McGuire, Dinallo, Hoffman, Gordon, Argenzia

IX. UNFINISHED BUSINESS

Mayor DiPaola announced that there was no unfinished business.

X. NEW BUSINESS

- Discussion of extending deadline to renew food establishment licenses from June 30th to July 31, 2020 – Mayor DiPaola discussed extending the deadline for the renewal of food establishment licenses due to the Covid-19 pandemic, noting that the State had extended deadlines for other licenses. Mr. McCann said the ordinance would need to be amended to allow an extension. This ordinance was scheduled to be introduced on June 9th.

- Cancellation of July 7th Council meeting due to Primary Election being rescheduled to July 7th - Mayor DiPaola said the Governor had changed the date of the Primary Election from June 2nd to July 7th so the meeting for July 7th would need to be cancelled.

☞ **Motion** to cancel the July 7th Regular Meeting was **moved** by Councilwoman McGuire, **seconded** by Councilwoman Dinallo and carried by a roll call vote of 5-0:

Roll call:

YES: McGuire, Dinallo, Hoffman, Gordon, Argenzia

XI. INTRODUCTION OF ORDINANCES

First Reading:

Mayor DiPaola announced that no ordinances were being introduced.

XII. ADOPTION OF ORDINANCES

Second Reading and Public Hearing:

Mayor DiPaola announced that no ordinances were being adopted.

XIII. REPORTS

- Mayor and Council

Council President Hoffman said the Shade Tree Commission had held an excellent meeting. There was a lot of discussion and they were successful in sharing their concerns and getting on the same page. About 13-15 trees were scheduled to be planted on Friday; it was the first time in five years that trees were being planted throughout town. Another 13-15 trees would be planted in the fall. The Arbor Day tree had been planted at Longview Park.

Councilman Gordon gave the monthly report of the Department of Public Works, noting that the crew was continuing to work split shifts because of the coronavirus outbreak. They were sanitizing Borough Hall, the Public Library, Recreation Center, Senior Center, bus stops and trash receptacles on a regular basis. They were also working on the spring clean-up of parks and fields. The staff had attended training on bloodborne pathogens and safe patient lifting for emergency responders. The Annual Tonnage Grant application had been submitted to the NJDEP.

Councilwoman Dinallo thanked the Department of Public Works for preparing the Community Garden plots and said they looked wonderful. M&T Bank continued to process PPE applications to help businesses and personal customers. Cork and Keg was in the process of moving and selling equipment. Cradles to Crayons was providing childcare to families of essential workers. Several businesses were open for curbside pickup – information was available on the Borough website. Mayor DiPaola said the list would be evolving as the Governor reopened businesses. She asked that residents try local before going to big box stores. The Board of Education was continuing at-home learning; per the Governor's order, this practice would remain in place for the remainder of the school year. The Board of Education was planning special events for the Class of 2020, including some surprises.

Councilwoman Argenzia said the Volunteer Ambulance Corps Installation Dinner would take place on February 5, 2021 at Seasons. They were planning a food drive and were still waiting for more work to be done on their new building. Mr. Hermansen said that deliveries had been delayed due to the coronavirus pandemic. The Board of Health had held their first meeting since the Covid-19 outbreak and discussed the virus. Northwest Bergen Regional Health Commission had given their report. Health Officer Angela Musella would be retiring but the commission promised no interruption of service. They had completed the process of going over their by-laws.

Councilwoman McGuire said the Recreation Commission had cancelled the June 13th Summer Kickoff due to the Covid-19 pandemic but, assuming they could maintain the safety of residents while maintaining social distancing, they had tentatively rescheduled the event for Saturday, August 29th with a rain date of Sunday, August 30th. They would be holding their May 20th meeting via GoToMeeting. Crosswalks were scheduled to be freshly striped at some time in the future to ensure pedestrian safety. She thanked the Borough staff and volunteers for keeping the Borough going during this time. She reminded everyone to shop local and hoped that residents were enjoying the warm spring weather. She asked that people take time this weekend to remember our veterans and service members who courageously laid down their lives to keep the nation safe and protect our freedom.

- Borough Clerk Jane Dietsche had no report.
- Borough Administrator Robert Hermansen reported on the following:
 - He and Fire Chief AJ Sottile had reached out to Borough Engineer Dave Atkinson to see if replacement of the firehouse floor was on schedule and were waiting to hear back. They would continue to reach out so as to stay on schedule. Councilwoman McGuire had requested that Mr. Hermansen follow up on an item Mr. Atkinson had been asked about in March regarding safe street solutions. He had sent an email to Mr. Atkinson requesting that they meet to discuss this item.
 - The Borough would not be submitting an Open Space Grant application this year. The Governing Body decided they did not want to spend funds over the next two years or move forward based on the Covid-19 health situation. He would continue to evaluate options to make things better for residents and put plans forward for next year.
 - He wished Sharon and John McCann a happy 30th anniversary.
 - The new phone system equipment had been delivered and would be installed. It would represent a cost savings.
 - Discussions were taking place about reopening Borough and bringing all employees back. The Department of Public Works would be returning to full time schedules but implementing staggered shifts, breaks and lunch hours to maintain proper social distancing.
 - They were looking to bring the Police Department back for full shifts and hoped that would take place on June 1st.
 - Borough buildings continued to be sanitized. All employees had been asked to be tested for the Covid-19 virus.

- The Building Department was open and doing work related to non-essential construction as directed by the Governor. Inspections would need take place while maintaining social distancing. Mayor DiPaola said the department had no backlog and things were running smoothly but asked residents to be patient.
- He asked everyone to keep looking at Governor Murphy's Executive Orders as they continued to see more of the State opening to non-essential business.
- He noted that he and Mayor DiPaola had been on a conference call with the Governor. Mayor DiPaola had made a profound statement during the call and a lot of other participants had agreed with her comments. Mayor DiPaola had been adamant that the Borough was going to have a live Memorial Day ceremony as well as streaming it for those who could not attend could participate. Post Commander John Hogan was extremely thankful for the opportunity to remember those who had lost their lives.

Mayor DiPaola said guidance from the Governor's Office was that no live ceremonies should take place, only a virtual ceremony. She said it was completely asinine that there were people waiting in line for beach badges in Belmar with no face masks on, standing close to each other and commented that this activity was permitted, but they were not being allowed to have a live Memorial Day ceremony. She decided to hold a live event with only ten people in attendance, maintaining social distancing so they were abiding by the Governor's orders to some degree. But she added that it was very important that they maintain as much normalcy as possible especially for seniors who had been shut in for so long during the Covid-19 outbreak. If they could comfort them in some way because so many of our American Legion members and veterans in Emerson were very sad on Memorial Day and it was important to remember our war dead. She said it was non-negotiable for her that they would just have a virtual ceremony and not let them come out and express their feelings but doing it safely. Council President Hoffman said that generation often felt forgotten so it was nice to remember them this year as well. Mayor DiPaola said that Memorial Day was a ceremony in honor of service men and women who gave the ultimate sacrifice.

- He discussed the road program and said that years ago when PSE&G performed work on pipes, they only fixed the trench area and ten percent of the area around it. Several years ago, the Governing Body had passed an ordinance that required that roads be paved curb to curb after road work was completed. However, that rule had been relaxed to allow the utility to pave only the side of the street that had been trenched. Residents had expressed concerns about this process and the current Governing Body wanted to make the program better. Mr. Hermansen was proposing a new plan that would ensure that all roads that have not been paved in at least five years be paved curb to curb. If PSE&G paved one half, the other side would be added to the road program to share services and pass that savings on to taxpayers. The contractor for PSEG would pave the other side to get the best pricing for the road paving program. He said this would only apply to the PSE&G Energy Strong Program.

- He thanked Health Officer Angela Musella for her years of service and dedication and said she would be greatly missed and hoped she would enjoy her retirement.

Mayor DiPaola reported on the following:

- She discussed a tragedy which had taken place over the weekend and asked that everyone respect the family's privacy and keep them in their thoughts and prayers. She asked that God rest the young man's soul.
- A Memorial Day ceremony would be held on May 25th at 11:00 a.m. while maintaining social distancing. All members of the clergy had been invited but only Father Paul of the Church of the Assumption would be able to attend and would be giving the Invocation and Benediction. Wreaths would be placed by members of the Governing Body on behalf of all institutions. Veterans were welcome to attend but she asked that they remain in their vehicles so they would stay safe. A flyer would be placed on the website with all details about live streaming it via GoToMeeting.
- There had not been any new reported cases of Covid-19 in four days. There were a few cases at the long-term care facilities. Things were starting to look very good but they remained concerned with what was going on in them. They did not take lightly the loss of life in those facilities. They were still trying to help and reaching out during this crisis.

Mr. McCann said they were seeing press reports highlighting some of the problems in long term care facilities that Emerson had first mentioned about a month ago; they referenced the same CMS guidelines that were the impetus for the Borough's investigation. He had a discussion with the State Attorney General about what Emerson was doing and had been told that he would be put in touch with the person running this at the State but had not heard back yet. They had some cooperation from the facilities; some questions had been answered, some had not. They were hoping to wrap up their investigation and issue a report before June 9th.

Mr. Hermansen said he had been reaching out to the administrators at long-term care facilities so as to keep an open dialog. OEM Coordinator Lt. Savino was doing so as well. Councilwoman McGuire had put together some great questions that he forwarded to the Borough Attorney for review before they were forwarded to the administrators. He said the administrators of these facilities were receptive and thanked them thinking of them and shared their concern. They wanted to help the facilities going forward and the facilities wanted the Borough's assistance. Once concern they had was how the number of cases were being reported and thought some of them were being reported twice. The Borough was trying to figure out better ways and better information so they were better prepared going forward.

- Fifty-six seniors received supplies courtesy of the Stephanie Morgan Foundation. Short Rounds had delivered care packages to seniors and veterans at the Veterans' home. She thanked the Stephanie Morgan Foundation for helping the residents of Emerson. There had been an outpouring of help from generous Emerson residents and others including The Eric Ayala Foundation. She asked those in need of assistance to contact their religious leader. Mr. Hermansen said they could also call the Mayor, himself or the Board of Education. All requests would be kept confidential.
 - She reminded residents that the deadline to pay second quarter tax payments had been extended to June 1st but if they were not paid by that date, the penalty would revert to May 1st.
- Borough Attorney John McCann had no report.

XIV. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilman Gordon, **seconded** by Councilwoman Argenzia and carried unanimously.

Hearing no requests from the public, 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 Hoffman, **seconded** by Councilman Gordon and carried unanimously.

XV. RESOLUTIONS ON CONSENT AGENDA

☞ **Motion** to approve Consent Agenda Resolutions No. 106-20 through 111-20 was **moved** by Council President Hoffman, **seconded** by Councilwoman Argenzia and carried by a roll call vote of 5-0:

Roll call:

YES: McGuire, Dinallo, Hoffman, Gordon, Argenzia

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| CA 106-20 | Authorize Mayor to sign the Solid Waste Service Agreement with Bergen County Utilities Authority |
| CA 107-20 | Resolution Authorizing the Submission of a FY 2021 Municipal Aid Grant Application and Execution of a Grant Contract with the New Jersey Department of Transportation for Roadway Improvements to Various Roadways |
| CA 108-20 | State Tax Appeal Refund |
| CA 109-20 | Amend Resolution 63-20 Appointment of Fire Inspector, Joseph Gobin, to include salary amount of \$4,500.00 |
| CA 110-20 | Resolution Adopting Surplus Policy |
| CA 111-20 | Resolution Authorizing Not to Exceed Limitations for Neglia Engineering for the Professional Design, Bidding and Construction Management of Roadway Improvements to Rudolph Way and Dawn Drive |

~~XVI. CLOSED EXECUTIVE SESSION — Resolution No. 112-20~~

Mayor DiPaola announced that there would be no Closed Session.

~~#20-5/19-16 — Potential Litigation — Redevelopment Update — 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.~~

XVIII. ADJOURNMENT

With no other business to address, at the request of Mayor DiPaola, a motion to adjourn was **moved, seconded** and carried at 8:54 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk