



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
August 13, 2019
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor DiPaola welcomed everyone to the August 13th, 2019 meeting. She announced that it was the first meeting to be video recorded and would be broadcast on the cable public access channels. She read the Sunshine Statement announcing that the meeting of August 13th, 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, Councilman Bayley, Council President Falotico, Councilman Gordon, Councilman Hoffman, Councilman Knoller, Councilwoman McGuire

Also present were Interim Borough Administrator Rich Sheola, Borough Attorney John McCann, Borough Architects Kevin and Rita Settembrino and Borough Clerk Jane Dietsche.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

Mayor DiPaola announced that all members of the Governing Body were present at the last meeting.

IV. PROCLAMATIONS & CITATIONS

Mayor DiPaola announced that there were no proclamations or citations.

V. APPOINTMENTS/RESIGNATIONS

- Shade Tree Commission
 - Resignation of Michael Guarriello as a Regular Member for the five-year term ending 12/31/23 effective immediately

☞ **Motion** to accept the resignation of Michael Guarriello as a Regular Member of the Shade Tree Commission for the five-year term ending 12/31/23 effective immediately was **moved** by Council President Falotico, **seconded** by Councilman Knoller and carried unanimously.

- Beautification Committee

Mayor DiPaola announced she was appointing the following regular members to the Emerson Beautification Committee for the one-year term ending 12/31/19:

- Appointment of Donna Catuogno as a Regular Member for the one-year term ending 12/31/19
- Appointment of Roberta Blake as a Regular Member for the one-year term ending 12/31/19
- Appointment of Karen Mastropaolo as a Regular Member for the one-year term ending 12/31/19

Councilman Hoffman referenced the ordinance which created the Beautification Committee and said that he thought the appointments required Council confirmation.

- Recreation Commission

- Resignation of Presiding Officer Afrim Hoxha effective immediately for the five-year term ending 12/31/20

☞ **Motion** to accept the resignation of Presiding Officer Afrim Hoxha from the Recreation Commission effective immediately for the five-year term ending 12/31/20 was **moved** by Councilwoman McGuire, **seconded** by Councilman Gordon and carried unanimously.

- Resignation of Rich Solimando as Alternate I Member for the five-year term ending 12/31/21

☞ **Motion** to accept the resignation of Rich Solimando as Alternate I Member of the Recreation Commission for the five-year term ending 12/31/21 was **moved** by Councilwoman McGuire, **seconded** by Councilman Gordon and carried unanimously.

VI. MINUTES FOR APPROVAL

- Regular and Closed Session Meeting Minutes of July 16, 2019

Councilman Knoller requested that approval of the minutes be tabled so that amendments he requested be included as it was important for those comments to be on record. He stated that he was not asking for a transcription of those comments.

☞ **Motion** to table the approval of the Regular and Closed Session Meeting Minutes of July 16, 2019 was **moved** by Councilman Knoller, **seconded** by Councilman Bayley and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

VII. CORRESPONDENCE

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

- Letter dated July 24, 2019 from Rachel Sears, Director, Floodplain Management division, FEMA; RE: Floodplain management ordinance
- Notice received from Township of Washington Planning Board dated June 17, 2019; RE: Washington Township Master Plan Reexamination Report Public Hearing July 31, 2019
- Letter dated July 29, 2019 from Diane Guttierrez-Scaccetti, Commissioner, NJDOT; RE: Applications now being accepted for the NJDOT FY 2020 Local Freight Impact Fund
- Email dated July 29, 2019 from Michael Scicutella, RE: Addressing safety of intersection of Kinderkamack Road and Hartland Avenue
- Letter dated July 30, 2019 from Michael Darcy, Executive Director, NJSLOM; RE: Annual Audit Statement
- Letter dated July 29, 2019 from Borough of Haworth; Re: Ordinance 19-09 Amending Chapter XXVI Land Use Regulations
- Letter received August 9, 2019 from Joseph Luppino, Bergen County Treasurer; Re: 2018 Emerson Supplemental PILOT Bill
- Email dated August 10, 2019 from Brian Todd; Re: Borough Hall renovations and budget considerations

VIII. FINANCIAL BUSINESS

- Resolution No. 206-19 Bill List

☞ **Motion** to approve Resolution No. 206-19 Bill List was **moved** by Councilman Knoller, **seconded** by Councilman Hoffman, and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

Mayor DiPaola asked that the order of business be amended to allow a young resident to speak on the banning of single use plastic bags in the Borough.

☞ **Motion** to amend the order of business to allow Miss Danica Rubinstein to speak on banning single use plastic bags was **moved** by Councilman Hoffman, **seconded** by Councilman Knoller and carried unanimously.

- Request from young resident to ban plastic bags

Miss Danica Rubinstein delivered a PowerPoint presentation on the environmental impact of single use plastics bags and requested that the Governing Body consider banning the distribution of this item in the Borough.

At the conclusion of Miss Rubinstein's presentation, Mayor DiPaola presented her with a commendation and asked that her information be shared with the Environmental Commission for their consideration.

IX. UNFINISHED BUSINESS

- Presentation by Borough Architect Kevin Settembrino on potential renovations to Borough Hall

Mayor DiPaola introduced Borough Architects Kevin and Rita Settembrino. She explained that the Police Department needed extra space as they were working in very small quarters. Renovations were also necessary to address handicap accessibility. She asked that they provide their guidance and recommendations to the Governing Body on renovations to Borough Hall or a Police auxiliary building.

Kevin and Rita Settembrino discussed options including demolishing the current building and replacing it with a new freestanding building or renovating the existing structure while incorporating an addition. Topics covered included two previous architectural studies performed, costs per square foot for new construction versus renovation, the mitigation of hazardous materials and handicapped accessibility. They noted that they were looking for feedback from the Governing Body – comments, direction, priorities. Mayor DiPaola said their goal was to add sufficient square footage for the Police Department to meet Department of Correction standards. In addition, she said they wanted to ease access for residents, provide good customer service, ensure the Police Department could run efficiently and keep residents safe for the least expenditure possible. Mr. Settembrino said there was no relief from bringing the structure up to current code for barrier free compliance unless the building was listed with the State Historic Preservation Office.

The Settembrino's initial recommendation was that it would be more prudent to renovate the existing building and construct a free-standing addition adjacent to it. The Police Department would have a separate entrance and administrative functions would remain in the current Borough Hall which would be renovated.

Councilman Knoller said he cared about money and finances and requested a cost comparison that would include bringing the Police Department up to code and provide an adequate and safe work environment for employees and residents when they visited Borough Hall. He stated that the decision should not be just about sentimental feelings for the building; it might make more sense to construct a new building.

Council President Falotico said they were looking for a 50-year plan and noted that the public had to be served during renovations and employees needed an optimum work environment. He stated that the Police Department needed to be updated as well as the rest of the building.

Mr. Settembrino said they could provide the Governing Body with layouts or schematic designs and line item estimates for a renovation of Borough Hall with a two-story addition and basement as well as for a new building. This would allow the Council to make an informed decision based on their priorities.

Councilman Knoller stated that Borough Hall employees worked in inefficient conditions and deserved a comfortable safe place to work; that needed to be addressed as well. He said that from everything he had heard from the previous two architects and Mr. Settembrino, it made more sense to build a new Borough Hall. He wanted the Governing Body to do their due diligence and have as much information as possible to make an informed decision.

Mr. Settembrino said they could work on a more refined options path and outlined a three-part process. The first part was to sit with the administrator and department heads to understand their wants and needs which would generate a program analysis comparing the costs of wants versus needs. After the Governing Body weighted in on this, they would generate schematic plans for a new building versus an addition/renovation of the current structure. Finally, they would have a discussion about the geometry of the plans. Once there was a comfort level with the schematic plans, they would release a line by line estimate on a per option basis for renovation/addition and a new building. Finally, they would provide an estimate for each option, at which point the Governing Body would need to make a decision. Mr. Settembrino estimated that this process would take two to three months.

Councilman Bayley proposed doing the process in two phases; first construct a new building for the Police Department and then a few years later work on renovating Borough Hall as this would control and defer costs down the road.

☞ **Motion** to authorize the Borough Architects to prepare a proposal as outlined during the meeting was **moved** by Councilman Hoffman, **seconded** by Councilman Knoller, and carried by a roll call vote of 5-0:

RC: Council members:

YES: Bayley, Hoffman, Falotico, Knoller, Gordon

ABSTAIN: McGuire

Mayor DiPaola asked if there was Council consensus to open up to the public on this topic. Council consensus was to agree to open to the public.

☞ **Motion** to open the meeting to comments from the public on this topic only was **moved** by Councilman Hoffman, **seconded** by Councilwoman McGuire and carried unanimously.

Karen Browne, 114 Pine Drive opined about the administration's shift in public policy regarding a referendum to determine the options for Borough Hall and said the public should have some say in this. She asked that there be other opportunities for public feedback on this topic.

Councilman Hoffman said they had until December 2019 to find a spot for the Ambulance Corps. He stated that he, Councilman Gordon and Councilwoman McGuire had not been part of the decision to get rid of the current Ambulance Corps building. When he first brought up a referendum on May 6th, 2019 there was no agreement with the redeveloper and there was never any referendum on redevelopment of the downtown. Now they had to find a place for the Ambulance Corps by December to get the \$500,000 from the redeveloper. He said they absolutely wanted the public to be involved. Mayor DiPaola said that the meeting was being televised, she would inform seniors at their monthly meeting and the Borough could do a Reverse 911 message to residents.

Police Chief Michael Mazzeo thanked the Governing Body for having the conversation and outlined the unsafe conditions in the Police Department. He said there should be compromise in finding a solution to this issue.

Brian Downing, 15 Lexington Avenue asked about code compliance and proposed other options to consider including using the property on Locust Avenue to build a new Borough Hall and repurposing the current structure for other uses such as recreation or community services.

☛ **Motion** to close the meeting to comments from the public on this topic only was **moved** by Councilman Knoller, **seconded** by Council President Falotico and carried unanimously.

Councilwoman McGuire noted that she was abstaining due to the fact that she lived adjacent to Borough Hall.

- Discussion re: Request that the Land Use Board review and make recommendations to the Mayor and Council regarding possible amendments to Chapter 248, Article IV of the Borough Code – Mayor DiPaola aid that this item was being tabled as the Land Use Board had not yet submitted their recommendation and would be revisited at an upcoming meeting.
- Locust Avenue parking lot estimate - Mr. Sheola said the Borough had received three estimates from Borough Engineer Dave Atkinson ranging from a basic lot to a more elaborate lot. Contractors could do all the work or some work could be done in house to reduce costs. The goal was to alleviate the stress on commuters when the Kenneth Avenue parking lot was gone. The Governing Body addressed the short time line and lack of planning on this issue by the previous administration and concluded that there was a need to investigate additional options to best accommodate commuters. A decision would be made at the September 3rd meeting.
- Board of Health – vaping ordinance – Mr. Sheola had reached out to his colleagues and noted that Morristown had adopted an ordinance limiting the sale of vaping materials to specific stores so as to avoid exposure to minors. Governing Body consensus was to discourage vaping by anyone, not to distinguish adults from children as recommended by the Board of Health and introduce an ordinance at the next meeting in to add the prohibition of vaping to the Parks and Playgrounds code related to smoking. Further, they would discuss restricting the sale of vaping products to stores that sold such products at the next meeting.
- Update on firehouse flooring repair investigation – Fire Chief Tom Carlos, Assistant Fire Chief Anthony Sottile and Borough Engineer Dave Atkinson were present for this discussion.

Borough Engineer Dave Atkinson provided an update on the facility which included an explanation of causes for the floor sinking. He discussed the four to five-inch-thick concrete floors which did not sufficiently support the increased weight of current fire apparatus and the organic material settling beneath the structure. He would provide the Governing Body with the best solution from a cost perspective and stated that the present building did not present any emergent issues; it was safe for firefighters and the public.

Fire Chief Tom Carlos said this problem had been reviewed by several engineers beginning in 2015. Since that time the floor had sunk an additional 4.5 inches. He asked that this item be prioritized and agreed to an April/May timeline due to the need to keep the firetrucks indoors during freezing winter temperatures.

Mr. Sheola said that bids could be prepared to go out in January for an April construction timeline.

X. NEW BUSINESS

- Cell tower ground lease – Mr. McCann said that based on information provided by Mr. Sheola, it was premature to extend the lease as the current one did not expire until 2024.
- Hartland Avenue/Kinderkamack Road traffic safety – Mayor DiPaola stated that she had received numerous complains from residents since Starbucks opened on Kinderkamack Road. Residents on Hartland Avenue had difficulty making a left turn onto Kinderkamack Road creating a hazardous situation. Mr. Sheola said he had received information from the Police Department on reportable accidents which had occurred since 2013. He noted there was no significant difference between the period before or after Starbucks opened.

Mayor DiPaola directed Mr. Sheola to reach out to the County to request that they perform a traffic pattern study. She added that it was also an enforcement issue and asked the Police Department to be more vigilant. Issuing tickets would be a strong deterrent and change behavior.

Police Chief Mazzeo said he would look at the severity of the accidents that had taken place and have officers assigned to the area. Councilman Gordon asked if a traffic light could be placed at that spot. The Council asked if the private road adjacent to Starbucks could be made one-way.

- Create Senior Outreach Committee – Mayor DiPaola said she anticipated starting a committee that would coordinate snow shoveling for seniors by Boy Scouts and other young people. She also hoped to set up a program where young men and women would reach out to seniors for socialization so they knew they were part of the community and not forgotten. Mr. Sheola said he would follow up with Emerson Schools Superintendent Brian Gatens on this item.

Councilman Knoller said that next year's Community Block Grant funding might be available for senior outreach programs and said he would provide Mayor DiPaola with additional information on the current guidelines for this grant.

- Low-cost lead testing program- Councilwoman McGuire said she had seen a recent article about Old Tappan hosting the distribution of low-cost water testing for lead for residents. She noted that residents were concerned about lead in their water leading her to reach out to Northwest Bergen Regional Health Commission. There would be no cost to the Borough. The test would cost \$65 and results would be obtained in about three weeks. The Board of Health was in support of this initiative.
- Discussion of re-codification of Borough Code – Ms. Dietsche noted that the Emerson Borough Code had not initiated a recodification since 2002 and stated there was a need to review it for inconsistencies, outdated language and other updates. Mr. McCann said it was really important to address this and not put it off any longer. Council consensus was to agree to move forward on this item.

☞ **Motion** to authorize General Code to proceed with recodification of the Borough Codebook was **moved** by Councilman Hoffman, **seconded** by Councilman Gordon, and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

XI. INTRODUCTION OF ORDINANCES

First Reading:

Mayor DiPaola said no ordinances were being introduced.

XII. ADOPTION OF ORDINANCES

Second Reading and Public Hearing:

1596-19 AMEND CHAPTER 264-10 TOWING AND STORAGE FEES

Mr. Sheola said he had been unable to meet with the Borough residents who had expressed opinions on this ordinance. After discussion, Council consensus was to carry consideration of this ordinance until the next meeting.

☞ **Motion** to carry Ordinance No. 1596-19 to the next meeting was **moved** by Councilwoman McGuire, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

1597-19 AN ORDINANCE AMENDING CHAPTER 89 SHADE TREE COMMISSION, SECTION 5: POWERS

☞ **Motion** to open the meeting to comments from the public on this ordinance only was **moved** by Council President Falotico, **seconded** by Councilman Knoller and carried unanimously.

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 Council President Falotico, **seconded** by Councilman Knoller and carried unanimously.

☞ **Motion** to adopt Ordinance No. 1597-19 on second reading was **moved** by Councilman Hoffman, **seconded** by Councilwoman McGuire and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

Mayor DiPaola requested amending the order of business to allow residents to speak at Public Comment.

XIII. PUBLIC COMMENT

☞ **Motion** to amend the order of business to allow Public Comment to take place was **moved** by Councilman Hoffman, **seconded** by Councilman Gordon and carried unanimously.

Stacey Jablin, 130 Highland Avenue commented on the paving of half her road after completion of gas main upgrades by PSE&G. She said it should have been paved curb to curb and opined that all residents on the street were unhappy with the appearance and that it affected the value of her home.

Mayor DiPaola said the project was benefitting the entire town and that attention had to be given to streets that had not been paved in 10-15 years. She added that the Department of Public Works would try to address this issue in the manner in which they saw fit and if they were still not satisfied, they would readdress this topic.

Michele Rossi, 8 Marianna Place and Karen Mikalouskas, 18 Marianna Place discussed the poor condition of a home between their two properties and said that while complaints had been made in the past, nothing had changed and the condition of the property had become progressively worse.

Mayor DiPaola said that the Borough would try to address this as quickly as possible.

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 Councilman Hoffman, **seconded** by Councilwoman McGuire and carried at 10:52 p.m.

XIV. REPORTS

- Mayor and Council

Councilman Bayley said he was pleased they were moving ahead on repairs to the Firehouse and thanked Mr. Sheola, Fire Chief Carlos and Assistant Fire Chief Sottile. The Joint Insurance Fund had contacted every town about offering their facilities for training classes in 2020. In addition, he had participated in meetings of the Personnel Committee.

Councilman Hoffman said the second meeting of the Shade Tree Commission was scheduled for the following evening. They planned to interview four applicants for Shade Tree Inspector. They would consider extending the deadline for Shade Tree Secretary applicants as there had been a glitch in publishing the advertisement. The Environmental Commission would meet in another week when they returned from their summer hiatus.

Councilwoman McGuire had met with Chief Mazzeo about the Street-Smart Campaign; a follow up meeting would take place the next day. She had worked with the Technology Committee, IT Consultant Doug Neumetzger and Gramco Business Communications to bring government to the people. She was happy to play a part in meeting Mayor DiPaola's goal. She had looked at the Emerson train station with Mr. Sheola and hoped that they could place an archive there; Bergen County wanted to help as well. In addition, she was coordinating lead testing for residents with Health Inspector Angela Musella.

Councilman Falotico had attended the Ambulance Corps meeting on August 5th at the Emerson Hotel and gave their monthly report. He said they were looking for volunteers. He had been unable to attend the Library Board of Trustees meeting on August 8th.

Councilman Knoller said the Community Policing Open House and Cop Campout would take place on August 24th. He had spent the night there two years in a row; it was a fun time for families. Registration would end on August 18th. He gave the July monthly report of the Police Department and said residents must be vigilant against burglars. He wished former Recreation Commission Presiding Officer Afrim Hoxha well. He had worked with Mr. Hoxha as the Council liaison for four years and said he had served the Recreation Commission well. He also thanked Rich Solimando for his hard work and said his resignation was another big loss for the commission. He thanked them on behalf of the Council and as a resident.

Councilman Gordon gave the monthly report of the Department of Public Works, stating that the staff had repaired a number of catch basins and all streams and catch basins had been cleaned after recent heavy storms. They had prepared a response to the NJ DEP's recent Stormwater Permit inspection and had moved a sand and gravel pile so as to comply with that requirement. They had also moved equipment out of the Ambulance Corps building.

☞ **Motion** to extend the meeting curfew to 11:45 p.m. was **moved** by Councilwoman McGuire, **seconded** by Councilman Gordon and carried unanimously.

Mayor DiPaola said the Bergen County Senior Picnic would take place on September 5th. The Borough was trying to locate a bus and would provide more information soon on how they would accommodate seniors. The Personnel Committee had met the previous day and selected seven candidates to interview for the position of Borough Administrator on August 22nd. They were discussing scheduling a Special Meeting so as to have three candidates to present to the Governing Body. She said that it was best to have a full time Administrator to address the problems of the Borough.

- Borough Attorney John McCann said he would give his report during Closed Session. He stated redevelopment was moving forward. There was an agreement with the redeveloper to vacate the Ambulance Corps premises by September 13th.
- Borough Administrator Rich Sheola had submitted a memo which is hereto attached to the minutes and reported on the following additional items:
 - He had visited the Emerson train station with Councilwoman McGuire and had identified an area suitable for the Historic Committees archives and displays. He would contact NJ Transit to request an agreement to utilize this space.
 - Neglia Engineering had drawn up the location for two handicapped parking spots at the train station which would be submitted to NJ Transit.
 - He had met with Gaeta Recycling the previous week to go over issues with garden debris pickup. They planned to tighten up their internal process. He added that the meeting had gone a long way to understanding how they operated.

Mayor DiPaola said she strongly urged them to abide by their contract or the Borough would have to address these issues.

- Relocating the Ambulance Corps building had been a long process. They had identified a site at the Department of Public Works property and received a price on a metal building. He wanted to move forward as expeditiously as possible. DPW Superintendent Perry Solimando would make accommodations within his building as a temporary location until a temporary permanent structure was set up for the EVAC.

☞ **Motion** to move ahead with obtaining first quotes and, based on best quotes, to purchase necessary components for a temporary building for the Ambulance Corps was **moved** by Councilman Gordon, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

- He provided information about Transportation Alternative Set Aside Grant Program \$780,000 award and noted that there were benchmarks that had to be reached with a hard end date of May 15, 2021 otherwise there would no reimbursements. There were programs the Borough could go through so some of the costs would be taken care of by New Jersey Transit and the Department of Transportation and not affect the grant amount.
- Borough Clerk Jane Dietsche had no report.

XV. RESOLUTIONS ON CONSENT AGENDA NO. 207-19

Councilman Knoller requested that Consent Agenda Resolution No. 212-19 Confirming resolution authorizing the hiring of Richard Silvia as Construction Code Official/Fire Sub-code Official for the Borough of Emerson effective August 1, 2019 be tabled.

☞ **Motion** to table Consent Agenda Resolution No. 212-19 Confirming resolution authorizing the hiring of Richard Silvia as Construction Code Official/Fire Sub-code Official for the Borough of Emerson effective August 1, 2019 was **moved** by Councilman Knoller, **seconded** by Council President Falotico and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

Councilman Knoller requested that Consent Agenda Resolution No. 215-19 Authorize the re-hiring of Tim Murphy as a full-time employee of the Department of Public Works effective August 19, 2019 be removed from the Consent Agenda for discussion.

☞ **Motion** to remove Consent Agenda Resolution No. 215-19 Authorize the re-hiring of Tim Murphy as a full-time employee of the Department of Public Works effective August 19, 2019 from the Consent Agenda for discussion was **moved** by Councilman Knoller, **seconded** by Councilman Gordon and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

Councilman Knoller asked for clarification on the resignation and rehiring of Tim Murphy as a full-time employee of the Department of Public Works as well as the terms and conditions of his rehiring.

☞ **Motion** to approve Consent Agenda Resolution No. 215-19 Authorize the re-hiring of Tim Murphy as a full-time employee of the Department of Public Works effective August 19, 2019 only was **moved** by Councilman Hoffman, **seconded** by Councilman Gordon and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

☛ **Motion** to approve Consent Agenda Resolution No. 207-19 excluding CA 212-19 and CA 215-19 was **moved** by Councilman Hoffman, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

- CA 208-19 Authorize submittal of Social Affair Permit to the Alcoholic Beverage Commission for 41st Annual Northern New Jersey Golf Classic fundraising event for the American Cancer Society – Hackensack Golf Club, September 16th, 2019, 8:00 AM to 10:00 PM
- CA 209-19 Approve Block Party Application – Union Street between Palisade Avenue and Randolph Avenue, Saturday, September 14th (rain date: Sunday, September 15th) from noon through 10:00 PM
- CA 210-19 Approve Cancellation of Grant Balances
- CA 211-19 Resolution Authorizing the Borough of Emerson, through the Emerson Police Department, to Participate in the Defense Logistics Agency, Law Enforcement Support Office 1033 Program to Enable the Emerson Police Department to request and Acquire Excess Department of Defense Equipment
- CA 212-19 Confirming resolution authorizing the hiring of Richard Silvia as Construction Code Official/Fire Sub-code Official for the Borough of Emerson effective August 1, 2019
- CA 213-19 Approve Block Party Application – Pascack Avenue between Pershing Street and Mitchell Street, Saturday, August 31st (rain date: Sunday, September 1st) from 2:00 PM through 10:00 PM
- CA 214-19 Approve Block Party Application – Highland Avenue between 149 Highland Avenue and the dead-end, Saturday, August 17th from noon through 10:00 PM
- CA 215-19 Authorize the re-hiring of Tim Murphy as a full-time employee of the Department of Public Works effective August 19, 2019

XVI. CLOSED EXECUTIVE SESSION - Resolution No. 216-19

☛ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 216-19 was **moved** by Councilman Knoller, **seconded** by Council President Falotico and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

- 19-8/13-30 Potential Litigation – Update on Redevelopment N.J.S.A. 10:4-7
- 19-8/13-31 Personnel – Recreation N.J.S.A. 10:4-8
- 19-8/13-32 Personnel – Rice Notice: Borough Administrator N.J.S.A. 10:4-8
- 19-8/13-33 Personnel – Rice Notice: Borough Clerk N.J.S.A. 10:4-8

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** by Councilman Knoller, **seconded** by Councilman Gordon and carried unanimously at 12:25 a.m.

☞ **Motion** to extend Mr. Sheola's appointment as Part Time Interim Borough Administrator until no later than October 11, 2019 with the possibility of it ending sooner was **moved** by Councilman Hoffman, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

☞ **Motion** to authorize the Borough Clerk and/or the Borough Administrator to search for a temporary office assistant and, if unsuccessful within two days, to advertise for a temporary office assistant on the New Jersey League of Municipalities website was **moved** by Councilman Hoffman, **seconded** by Councilman Gordon and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

☞ **Motion** to authorize the Borough Attorney John McCann to hire, pursuant to his contract, an attorney to look into the Recreation Commission matter was **moved** by Councilman Hoffman, **seconded** by Councilwoman McGuire and carried by a roll call vote of 6-0:

RC: Council members:

YES: Bayley, Hoffman, McGuire, Falotico, Knoller, Gordon

XVIII. ADJOURNMENT

With no other business to address, at the request of Mayor DiPaola, a motion to adjourn was **moved, seconded** and carried at 12:26 a.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk