



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
September 17, 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, Council President Knoller, Councilwoman Wolf

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 no members of the Governing Body were absent from the last meeting.

IV. PROCLAMATIONS & CITATIONS

Mayor Lamatina announced that there were no proclamations or citations.

V. APPOINTMENTS/RESIGNATIONS

- Board of Health
 - Resignation of Elaine Rizzo effective November 1, 2018

☞ **Motion** to accept the resignation of Board of Health President Elaine Rizzo effective November 1, 2018 was **moved** by Councilwoman Wolf, **seconded** by Councilman Downing and carried unanimously.

VI. MINUTES FOR APPROVAL

Mayor Lamatina announced that there were no minutes for approval.

VII. CORRESPONDENCE

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

- Resolutions from the Borough of Ho-ho-kus and the Township of Saddle Brook; Re: Legislature to Amend OPRA to Rely on Government Records Council as a Defense to Attorneys' Fees or to Abolish the GRC altogether.
- Letters dated August 13-15, 2018 from Superintendent of Schools Brian Gatens, Assemblyman Robert Auth, County Engineer Joseph Femia and Assemblywoman Holly Schepisi; Re: Support for the NJDOT Transportation Alternative Grant Application – Streetscape and Safety Improvements along Kinderkamack Road – Also known as Bergen County Route 503.

- Letters dated August 13-15, 2018 from Superintendent of Schools Brian Gatens, Assemblyman Robert Auth, County Engineer Joseph Femia and Assemblywoman Holly Schepisi; Re: Support for the Safety Improvement Project near the Memorial and Patrick M. Villano Elementary Schools under the Safe Routes to School Program.
- Letter dated August 13, 2018 from Senator Gerald Cardinale; Re: Notification of athletic field spraying of toxic substances.
- Resolution from Borough of Westwood, Township of Washington and Borough of Hillsdale; Re: Opposing Proposed Rate Increases by Suez Water.

VIII. FINANCIAL BUSINESS

- Resolution No. 239-18 Bill List

☞ **Motion** to approve Resolution No. 239-18 Bill List was **moved** by Council President Knoller, **seconded** by Councilman Downing and carried by a roll call vote of 6-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Knoller, Falotico, Downing

IX. UNFINISHED BUSINESS

Mayor Lamatina announced that there were no minutes for approval.

X. NEW BUSINESS

- Discussion of speed calming devices on Lincoln Boulevard, Ackerman Avenue, Linwood Avenue and Main Street – Mayor Lamatina led a discussion of ways to reduce excessive vehicular speed on Borough roads in an effort to improve pedestrian and traffic safety. He referenced a 2009 Engineer’s report which recommended painting crosswalks and installing lights at the corner of High Street and Linwood Avenue. He recommended that this issue be formally revisited by the Borough Engineer and Police Chief and that it be added to the next agenda for further discussion.
- Discussion of an Administrator’s Facebook page – Councilwoman DiPaola led this discussion, and began by noting that she had requested the Borough establish an official Facebook page several times in the past. She explained that residents would like a place to go for news and information without having to navigate through the Borough website. She said it should be strictly informational and without commentary. Among the topics discussed by the Governing Body were the duplication of staff efforts to update multiple platforms, the number of Facebook users compared to those who visit the website and subscribe to the Twitter feed. Additionally, the Borough’s Social Media Policy and how OPRA would apply to the information on the site were discussed. Mayor Lamatina asked Mr. Hoffmann to research this and report back at the next meeting.

Councilwoman DiPaola requested that the public be permitted to provide their feedback on this topic.

☞ **Motion** to open the meeting to comments on this topic only was **moved** by Councilwoman DiPaola, **seconded** by Councilman Downing and carried by a roll call vote of 6-0:

RC: Council members:

YES: DiPaola, Bayley, Wolf, Knoller, Falotico, Downing

Jill McGuire, 154 Linwood Avenue opined that a Borough Facebook page would engage a whole segment of the younger population and agreed that there should be no commentary on the site.

Paul Hulburt, 55 Jefferson Avenue opined that the length of time the Governing Body spent discussing this topic was wasteful. He also stated that if having a Facebook page would get information to one extra resident, it was worth it.

Don Piero, 70 Eagle Drive opined that Facebook was a good idea and that neighboring towns used it without issue.

Ed Bueti, 91 Chestnut Avenue said that Burbio's website drew its information from other websites and then sent an email to users. He said that he posted a lot of information from the Emerson website on the Emersonian page and this would save him a lot of time. He also asked about potential liability if official notices were not posted on the Borough Facebook page.

☞ **Motion** to close the meeting to comments on this topic only 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, Bayley, Wolf, Knoller, Falotico, Downing

- Winter Snow Shoveling Volunteers – Councilwoman DiPaola said that she had tried to do this twice already and suggested matching volunteers with senior citizens or the disabled for shoveling assistance. Mr. Hoffmann noted that he had done this in a previous municipality but as the Boy Scouts aged out, the program did not keep up. He added that this topic would be discussed by the Joint Insurance Fund later that week. Mayor Lamatina asked that Mr. Hoffmann report back on the JIF meeting and the Borough's conclusions at the next meeting.

XI. INTRODUCTION OF ORDINANCES

First Reading:

Mayor Lamatina announced that no ordinances were being introduced that evening.

XII. ADOPTION OF ORDINANCES

Second Reading & Public Hearing:

1568-18 AN ORDINANCE AMENDING CHAPTER 208, PEDDLING AND SOLICITING, OF THE CODE OF THE BOROUGH OF EMERSON

☞ **Motion** to open the meeting to comments from the public on Ordinance No. 1568-18 only was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried at 8:13 p.m.

Seeing no hands, Mayor Lamatina asked for a motion to close the meeting to comments from the public on Ordinance No. 1568-18 only.

☞ **Motion** to close the meeting to comments from the public on Ordinance No. 1568-18 only was **moved** by Council President Knoller, **seconded** by Councilman Falotico and carried.

☞ **Motion** to adopt Ordinance No. 1568-18 on second reading 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, Bayley, Wolf, Knoller, Falotico, Downing

XIII. REPORTS

- Mayor and Council

Councilwoman DiPaola asked to defer her report.

Councilman Bayley gave the September report of the Department of Public Works. He said that sidewalk safety repairs from 2016 and 2017 had been completed with work on the 2018 list to begin in two weeks. He thanked the department for helping set up the ballfields for the Police Department Annual Cop Campout and clean up when the event was finished. All crosswalk and stop lines had been painted and pedestrian crossing signs had been installed for the opening of school. He also detailed tree planting and tree removal work that had been completed. Environmental Commission Chair Tom Browne and Commission member Walter Romanski were working very hard to update recycling information for distribution in the yearly newsletter. He thanked Mr. Hoffmann and Ms. Dietsche for their hard work with the Joint Insurance Fund to encourage employees to attend safety workshops and train employees to keep insurance costs down. He hoped to hear soon from the Police Department on the study of stop signs on Palisade Avenue. He asked everyone in the Borough to use extra caution when driving since schools were now open.

Councilwoman Wolf gave the monthly report of the Volunteer Fire Department. She thanked them for the beautiful 9-11 Tribute as well as their service to the community. She said that Board of Health President Elaine Rizzo would be retiring after twenty three years of service to the Borough and said that it would be a great loss. She wished her happiness in her retirement. On October 16th there would be a Flu Clinic at the Senior Center and a Wellness Fair would take place on October 6th between 8:00 a.m. and 4:00 p.m. which was being organized by an Eagle Scout. It would also have a teddy bear clinic for children as well as an opioid abuse clinic.

Council President Knoller deferred his report.

Councilman Falotico thanked the Department of Public Works for fixing the fencing at Hillman Field. The Borough Engineer was looking at low spots on the fields and hoped to address a drainage issue at home plate. He discussed two recent meetings of the Land Use Board. He had stepped down from a Special Meeting on August 15th as Wendy's was requesting a use variance. He added that Wendy's application was being postponed to October. He reviewed the agenda of the September 6th meeting as well. He provided an update on Kinderkamack Road traffic safety and said that the bus stops on that road had been streamlined.

Councilman Downing gave the monthly reports for the Police Department and Volunteer Ambulance Corps. He had attended a September Recreation Commission meeting where they reviewed the Summer Kickoff. He said it had been a huge success. They had received positive feedback on the Beer Garden and may do it again next year. The Commission was working on fall and winter events as well. The Summer Recreation Camp was discussed as well and they asked to consider using Villano School and getting new equipment.

Mayor Lamatina said a Special Election on a school bond referendum would take place on Tuesday, October 2nd. Milling and paving was scheduled to begin, weather permitting, on select Borough streets. He asked that the public be notified that road resurfacing work was scheduled to begin. He said he had been contacted by residents concerned about potholes and requested that they report any issues to the Borough Clerk and the Department of Public Works would be sent out to do repairs periodically.

- Borough Administrator Robert Hoffmann reported on the following:

- The Annual Bergen County Senior Picnic had been rescheduled to September 26th due to the weather forecast.
- Milling would begin on Wednesday and Thursday with paving taking place the following week. Residents would be notified in advance.
- The Bergen County Clerk would be conducting a ‘Satellite Office’ at the Emerson Public Library on October 16th, 17th and 18th from 10:00 a.m. until 2:00 p.m. The public would be able to renew their passports, obtain senior photo cards and have documents notarized.
- He had testified on September 6th about the proposed Suez Water rate increases. The Board of Public Utilities would make a recommendation in December and the increase would take effect in March of 2019. He said that the proposed increase would be 37% and was not sure if it was justified.
- On September 14th he had attended a mandatory Bergen County Community Development Block Grant seminar so that the Borough could apply for Community Development Block Grants. The grants have to be submitted by Friday, December 7th or the Borough would have to wait another year. He said that they were hoping to do more drainage work in the Continental Woods area and fund senior wellness programs. He noted that the Governing Body would be asked to approve the assistance of Boswell Engineering to do engineering upgrades for the grant application. The County had informed all municipalities that there would be significant changes in the way the grant applications would be prepared. The applications would be due online through a system called Vroom.
- Today was the 19th anniversary of Hurricane Floyd which was a four day event and the 156th anniversary of the Battle of Antietam.

Councilwoman DiPaola asked if other municipalities had written resolutions to Suez about the rate increases. Mr. Hoffmann said that several other Pascack Valley municipalities had done so. He thought that they could use a little bit more of the personal touch about the rate increase. Councilwoman DiPaola requested that the Borough work on this and requested that this item be added to the next agenda.

- Borough Clerk Jane Dietsche had no report.
- Borough Attorney Wendy Rubinstein had no report.

XIV. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilwoman DiPaola, **seconded** by Council President Knoller and carried at 8:29 p.m.

Dan O’Brien, 38 Palisade Avenue asked questions related to a fire call at 590 Old Hook Road two and a half weeks ago. He said the Mayor and Council should reconsider condemnation and the area in need of redevelopment since the City of Garfield recently lost their case.

Seeing no more hands, Mayor Lamatina 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 Downing, **seconded** by Councilman Falotico and carried at 8:32 p.m.

XV. RESOLUTIONS ON CONSENT AGENDA NO. 240-18

Mayor Lamatina announced that Resolution No. 243-18 was being pulled from the agenda because the Borough did not have any items to auction.

☛ **Motion** to approve Consent Agenda No. 240-18 without Resolution No. 243-19 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, Bayley, Wolf, Knoller, Falotico, Downing

- CA 241-18 Authorize the Borough to go out to bid for Salt Shed
- CA 242-18 Renewal of Borough of Emerson and Borough of Old Tappan – Court Shared Services Agreement
- ~~CA 243-18 Authorize Participation in County Auction~~
- CA 244-18 Authorize Street Sweeping Shared Service Agreement
- CA 245-18 Authorize Vehicle Maintenance Shared Service Agreement
- CA 246-18 Approve Block Party Application – Orchard Avenue Saturday, Sept. 29th from 3:00 p.m. to 10:00 p.m.
- CA 247-18 Authorize Cancellation of October 2, 2018 Mayor and Council meeting due to School Board Referendum

XVI. CLOSED EXECUTIVE SESSION - Resolution No. 248-18

☛ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 248-18 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, Wolf, Bayley, Knoller, Falotico, Downing

- #18-09/17-21 Potential Litigation/Contract Enforcement: Hillsdale Letter to Ambulance Corps. N.J.S.A. 10:4-7
- #18-09/17-22 Review of Property Maintenance Enforcement Options for uncared for or abandoned Properties 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.

☛ **Motion** to reconvene was **moved, seconded** and carried.

XVIII. 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 Downing and carried at 9:06 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Borough Clerk