



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
September 19, 2017
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. Mayor Lamatina called the meeting to order at 7:32 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 the Borough Administrator Robert Hoffmann substituting as Deputy Clerk for Borough Clerk Jane Dietsche who was absent and Borough Attorney Wendy Rubinstein.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

Mayor Lamatina announced that there were no absences.

IV. PROCLAMATIONS & CITATIONS

Mayor Lamatina announced that there were no proclamations or citations.

V. APPOINTMENTS/RESIGNATIONS

Mayor Lamatina announced that there were no appointments or resignations.

VI. MINUTES FOR APPROVAL

- Regular and Closed Session Meeting Minutes of September 5, 2017

☛ **Motion** to approve the Regular and Closed Session Meeting Minutes of September 5, 2017 was **moved** by Councilman Falotico, **seconded** by Councilman Lazar and carried unanimously.

VII. CORRESPONDENCE

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

- Letter received August 1, 2017 from Larry Herrighty, NJDEP; Re: "Be a Good Neighbor- Be Bear Aware"
- Letter dated August 11, 2017 from Michael Russo, Director, Local Aid & Economic Development, NJDOT; Re: Denial of funding for Emerson Downtown Redevelopment Project Phase 2 and Phase 3 - Transportation Alternatives Program
- Letter dated August 15, 2017 from East Hanover Mayor Joseph Pannullo and Bridgeton City Mayor Albert Kelly; Re: Mayors Committee on Life Sciences
- Letter dated August 22, 2017 from Joshua Cohen, Regional Director, Anti-Defamation League; Re: Mayors' Compact to Combat Hate, Extremism and Bigotry
- Email dated August 28, 2017 from Vince Donato; Re: Smokers
- Email dated August 30, 2017 from Lisa Wigutow and Robert Seigman; Re: Bus stop on Emerson Plaza West

- Letter dated September 1, 2017 from American Red Cross; Re: How to help those affected by Hurricane Harvey
- Letter dated September 6, 2017 from Christopher Porrino, New Jersey Attorney General; Re: Safe Care Cam Program
- Letter dated September 11, 2017 from Robert E. Laux, Executive Director of the Bergen County Utilities Authority; Re: 217 BCUA Environmental Awareness Challenge Grant
- Notice of Public Hearing dated September 8, 2017 from the Borough of Harrington Park; Re: Application to Planning Board for final subdivision approval to construct 177 units of Independent Living Age Restricted housing and Assisted Living dwelling units
- Resolution dated September 12, 2017 from the Borough of Hasbrouck Heights; Re: Opposing concept and implementation of new rules proposed by Local Finance board regarding Employee Compensation disclosure
- Resolution dated September 12, 2017 from the Borough of Tenafly; Re: Opposing concept and implementation of new rules proposed by Local Finance board regarding Employee Compensation disclosure
- Letter dated September 12, 2017 from Robert Obernauer; Re: traffic flow at Valero gas station
- Resolutions received September 14, 2017 from Ann Fay, Executive Director, Bergen County League of Municipalities; Re: Second Resolution Opposing Proposed Amendments to the Open Public Records Act and the Open Public Meetings Act
- Resolutions received September 14, 2017 from Ann Fay, Executive Director, Bergen County League of Municipalities; Re: Second Resolution Opposing Proposed Amendments to the Open Public Records Act and the Open Public Meetings Act
- Email dated September 14, 2017 from Charles Thompson, Brain Injury Alliance of New Jersey; Re: 2017 Brain Injury Alliance Fall Family Conference

VIII. FINANCIAL BUSINESS

- Resolution No. 233-17 Bill List
 - ☞ **Motion** to approve Resolution No. 233-17 Bill List was **moved** by Councilman Downing, **seconded** by Councilman Falotico and carried by a roll call vote of 6-0.
 - RC: Council members:**
 - YES: DiPaola, Falotico, Lazar, Knoller, Downing, Worthington**

IX. UNFINISHED BUSINESS

- ~~Discussion of Habitat for Humanity rehabilitation housing contract~~ – **PULLED**
- Discussion of grant writers – Mayor Lamatina stated there had been meeting with representatives from Bruno Associates that evening prior to the council meeting. They had discussed working on a Firehouse Subs grant at a rate of \$50 per hour not to exceed \$1,000. He explained the different types of grants that Bruno Associates recommended for the Borough. He said that the Governing Body would have an opportunity to speak with other towns that have used this grant writing service to verify Bruno Associates success with the grants. A draft resolution was distributed for review and consideration for addition to the Consent Agenda.

X. NEW BUSINESS

- Best Practices Checklist - Mr. Hoffmann discussed the Best Practices Checklist and explained that the Borough had achieved a score of 84% which qualifies for 100% of State aid. He noted that the State required that this be discussed at a council meeting and the deadline to submit was October 20th.

• ~~New conference room on 2nd floor of Borough Hall~~ - **PULLED**

XI. INTRODUCTION OF ORDINANCES

First Reading:

Mayor Lamatina stated that no ordinances were being introduced.

XII. ADOPTION OF ORDINANCES

Second Reading & Public Hearing:

1541-17 AN ORDINANCE TO FIX THE SALARIES, WAGES, COMPENSATION AND OTHER TERMS OF EMPLOYMENT OF CERTAIN EMPLOYEES OF THE BOROUGH OF EMERSON FOR THE CALENDAR YEAR 2017

☞ **Motion** to open the meeting to comments from the public on Ordinance 1541-17 only was **moved** by Councilman Falotico, **seconded** by Councilwoman DiPaola and carried unanimously.

Seeing no hands, Mayor Lamatina asked for motion to close the meeting to the public on Ordinance 1541-17 only.

☞ **Motion** to close the meeting to comments from the public on Ordinance 1541-17 only was **moved** by Councilman Falotico, **seconded** by Councilwoman DiPaola and carried unanimously.

☞ **Motion** to adopt Ordinance 1541-17 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, Falotico, Lazar, Knoller, Downing, Worthington

1545-17 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 1545-17 only was **moved** by Councilman Lazar, **seconded** by Councilman Falotico and carried unanimously.

Seeing no hands, Mayor Lamatina asked for motion to close the meeting to the public on Ordinance 1545-17 only.

☞ **Motion** to close the meeting to comments from the public on Ordinance 1545-17 only was **moved** by Councilman Lazar, **seconded** by Councilman Falotico and carried unanimously.

☞ **Motion** to adopt Ordinance 1545-17 on second reading 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

1546-17 AN ORDINANCE AMENDING CHAPTER 200 PARKS, PLAYGROUNDS AND RECREATION AREAS, ARTICLE I PARK REGULATIONS, OF THE CODE OF THE BOROUGH OF EMERSON

☞ **Motion** to open the meeting to comments from the public on Ordinance 1546-17 only was **moved** by Councilman Falotico, **seconded** by Council President Knoller and carried unanimously.

Seeing no hands, Mayor Lamatina asked for motion to close the meeting to the public on Ordinance 1546-17 only.

☞ **Motion** to close the meeting to comments from the public on Ordinance 1546-17 only was **moved** by Councilman President Knoller, **seconded** by Councilman Falotico and carried unanimously.

☞ **Motion** to adopt Ordinance 1546-17 on second reading was **moved** by Councilman Falotico, **seconded** by Councilman Downing and carried by a roll call vote of 6-0.

RC: Council members:

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

XIII. REPORTS

- Mayor and Council

Councilwoman DiPaola had no report

Councilman Falotico said he had attended a Land Use Board meeting on September 7th and two Personnel Committee meetings with Councilman Downing. He spoke about the meeting with New Jersey Transit regarding the railroad crossing at Kinderkamack Road. He explained that they were going to have to continue to monitor the crossing and follow up with NJ Transit, Senator Cardinale, Assemblyman Auth and Assemblywoman Schepisi regarding the train still blocking Kinderkamack Road. He spoke about how the construction in Westwood was causing increased traffic volume on Ackerman Avenue, Lincoln Boulevard and Kinderkamack Road. He explained that they have extended the time required to do a traffic count which is necessary to assess the new signals. Borough Engineer Gary Ascolese did address many of these pressing issues of interest to residents at the last Land Use Board meeting and will be monitoring the situation for the next few months. He encouraged the residents to go to the Borough website to listen to the recording of the September 7th meeting of the Land Use Board where they can get a lot of answers to their questions.

He thanked the Police Department and crossing guards for keeping our children safe especially this time of year when school is open. He asked that residents drive more carefully and pay more attention in and around the schools. He also thanked the Department of Public Works for their commitment to the residents in keeping the Borough's streets and parks clean and safe. He thanked Mr. Hoffmann for his part in getting the paving done well before the start of school. He also thanked Council President Knoller and Councilman Downing for their hard work and assistance with the 2017 salary ordinance. He also wished Emerson's High School sport teams good luck throughout the season.

Mayor Lamatina commented that he did not believe that the right turn on red issue was final. He spoke about how a lot of questions were answered by Mr. Ascolese and safety was the goal along with moving traffic. He discussed the timing of the red lights and how it was a work in progress.

Councilman Lazar gave the monthly reports for the Building Department and Department of Public Works. The new first floor construction department office on the first floor was being worked on. He said leaf bags would be distributed starting Tuesday, October 10th from 8am to noon Monday to Saturday and end on November 9th. He spoke about stolen street signs and how the Police were keeping an eye out for that. He also discussed the new property maintenance employee.

Council President Knoller gave a community involvement report for the Police Department that he did not read last time. He spoke about how successful the Cop Camp Out was on August 26th and commended Chief Mazzeo and all officers on another great event. He praised the Emerson Police Department for receiving an award from the State of New Jersey Office of the Attorney General for their demonstrated commitment and outstanding achievement for the precinct. He gave the Police Department report for the months of August and September.

Councilman Downing had no report.

Councilman Worthington reported on the Historic Preservation Committee. He spoke about the Emerson School Days 1965 display in the library. Councilwoman DiPaola commented that it was a beautiful display of pictures. He discussed some sub-committees including the Historic Element and what they could do with it as it related to the Master Plan. He also spoke about upcoming events coordinated by the committee. He said after the past two reports they started to recognize the type of work that Chairperson Jill McGuire and her team were doing and are looking forward to the future.

Mayor Lamatina had a discussion about potentially renting the train station and making it into a site for Historic Preservation Committee. He spoke about how the police were enforcing the no left turn onto Kinderkamack Road from Emerson Plaza East. He also discussed some street signs that were incorrect and said that DPW Superintendent Perry Solimando would take care of it.

- Borough Administrator Robert Hoffmann reported on the following:
 - He had spoken with Mr. Robert Seigman that morning about the bus stops at Emerson Plaza West. He was very complimentary of the Kinderkamack Road project.
 - Habitat for Humanity was in the Borough this week working on the homes of six senior citizens. They had also worked on the Broadway Walking Path.
 - The Garbage and Recycling bid opening has been changed to Tuesday, November 21st at 10 a.m. and the pre-bidders conference would take place on Tuesday, November 7th at 2 p.m.
 - He met with Borough Engineer Gary Ascolese and County Engineering Inspector John D'Elia on Thursday, September 7th to speak with Mr. Obernauer and observe traffic pattern concerns at the Valero gas station on Kinderkamack Road. He noted they had discussed potential solutions and possible implementation of changes.
 - There was a resolution on the Consent Agenda for the final payment of the Municipal Road Paving Program. There would be a \$43,236.44 reduction in the amount that was anticipated.
 - On September 15th he received a call from the Bergen County Road Supervisor about paving Soldier Hill Road from Forest Avenue to Kinderkamack Road in both Emerson and Oradell in 2018. He also told him some of the concerns have been addressed and a new contract and resolution from the County has been forwarded.
 - He spoke about a spreadsheet that showed having the successful bidder take possession of the recycling at the curbside would give us a better pickup price per household address.

- Borough Clerk Jane Dietsche was absent.
- Borough Attorney stated that they continue to work on our COAH settlement negotiations.

XIV. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Council President Knoller, **seconded** by Councilwoman DiPaola and carried at 8:38 p.m.

Seeing no 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 Council President Knoller, **seconded** by Councilwoman DiPaola and carried at 8:38 p.m.

XV. RESOLUTIONS ON CONSENT AGENDA NO. 234-17

☞ **Motion** to change CA 240-17 Authorize Mayor to Sign Habitat for Humanity contract to CA 240-17 Award Grant Writing Services Contract to Bruno Associates, Inc. was **moved** by Councilman Lazar, **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 Consent Agenda No. 234-17 was **moved** by Councilman Lazar, **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

CA 235-17	Form of Resolution Requesting Change in Title, Text, or Amount of Appropriation Pursuant To NJS 40a:4-85
CA 236-17	Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87
CA 237-17	Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Main Street - Linwood Avenue (Section 5) project
CA 238-17	Change Order #1 2017 Municipal Road Program
CA 239-17	Acknowledgment of 2017 Best Practices Inventory
CA 240-17	Authorize Mayor Lamatina to sign Habitat for Humanity contract
CA 240-17	Award Grant Writing Services Contract To Bruno Associates, Inc.
CA 241-17	Salary Resolution

XVI. CLOSED EXECUTIVE SESSION - Resolution No. 242-17

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 242-17 was **moved** by Council President Knoller, **seconded** by Councilman Lazar and carried by a roll call vote of 6-0.

RC: Council members:

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

#17-09/19-45	Fire Department - Personnel	N.J.S.A. 10:4-8
#17-09/19-46	Contract Negotiations – DPW	N.J.S.A. 10:4-4
#17-09/19-47	Police Department – Personnel	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 Lazar, **seconded** by Councilwoman DiPaola and carried at 10:09 p.m.

XVIII. ADJOURNMENT

With no other business to address, at the request of Mayor Lamatina, a motion to adjourn was **moved** by Councilman Worthington, **seconded** by Councilman Downing and carried at 10:09 p.m.

Respectfully submitted,

Coleen Goddel, RMC
Deputy Clerk