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## Infighting colors Emerson politics

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Emerson is a one-party town these days, but nevertheless a house divided.

The all-Republican governing body has, over the past year, been confronted by lawsuits, harassment claims, censures and contentious meetings. And there are petition-tampering accusations involving the party, as well.

It is a different kind of Republican fracture than that on the national scene, far less ideological and more of a personality clash. And whether Democrats can use the disarray to regain control in next month's council elections remains to be seen.

The major players are the mayor, council members and local Republican Party leaders.

Councilman Stephen Paino, one of the more reserved council members, who is up for reelection on Nov. 5, said there were some big egos on the council, which detracts from its accomplishments, including settling contracts with Department of Public Works employees, hiring police officers and installing a regional lightning-detection system.

"I think it makes us look terrible. It makes us look dysfunctional," Paino said of the infighting.

Councilwoman Danielle DiPaola is among the more outspoken members, often casting the only vote against proposals that have wide support, openly arguing with the borough attorney and mayor, and occasionally accusing other council members of impropriety. This often has led to heated back-and-forth arguments, head-shaking and eye rolls from council members — and gavel-smashing from Mayor Carlos Colina. DiPaola was censured last month after releasing what some council members considered was a confidential personnel document — a description that DiPaola vehemently denies — and this month stepped down, for the second time, from a council committee, because she butted heads with the group's members.

DiPaola is up for reelection in less than a month. She said the censure and opposition against her occurred because she questions everything, from finances to recordkeeping to procedure.

To her, scrutinizing borough activity should be the hallmark of all elected officials. "I really don't care if people like me or not, as long as I'm doing my job," DiPaola said.

Colina seems to be most at odds with DiPaola. He often defends himself against her claims that he is not following procedure or is conducting borough work in secrecy. He has addressed her dismissively at meetings as "woman," which he said he did out of frustration.

"She continues to make things up to make people believe what she's doing is right, and it's all not true," Colina said.

Councilwoman Elizabeth Garis, the other woman on the council, who frequently sides with DiPaola, said she thinks DiPaola is criticized for actions that others have taken without drawing criticism or censure.

"We need someone questioning everything," Garis said.

The councilmen contend that it is not that she raises questions, but that in their view, she is accusatory in her remarks, which leads to confrontation.

"I think the trouble is, if you don't agree with Councilwoman DiPaola and do what she says, then she has a problem with it," Councilman Chris Knoller said.

But the verbal clashes — especially those between the mayor and DiPaola — are not the only source of contention on the council. Behind the scenes is the question of what happened to Administrator Joseph Scarpa, who has held that position for more than a decade.

The council voted over the summer not to extend Scarpa's contract. He also has a pending complaint against the borough, for what he said was its failure to clear his name publicly after a harassment grievance filed against him and DiPaola by the borough clerk proved unfounded in an independent report. The council will not discuss why Scarpa won't return next year — members say it is a confidential personnel issue — and the mayor holds that his decision not to renominate Scarpa is "not personal."

Scarpa filed criminal harassment charges against Colina last year, which were dropped in the spring.

"I think it's laughable that they think I'm not in the best interest of the borough," Scarpa said.

Linda Stamato, co-director of Rutgers University's Center for Negotiation and Conflict Resolution, said these conflicts are far from unique. Officials are in the public eye, and personal conflicts and litigation can cause them to constantly defend themselves, she said.

The relationship between DiPaola and the mayor, both elected in November 2010, soured about a year ago, both said.

"I accused him of holding the ideas of one person inside Borough Hall above any other opinion, above any other person on the governing body," DiPaola said.

Colina was upset by DiPaola's continuing to investigate Emerson Volunteer Ambulance Corps' donations that go toward equipment and clothing. DiPaola said they were being misused and that the questioning was her duty.

Knoller, who is also a corps volunteer, said no funds were misused. Colina said an investigation found no wrongdoing. He said he felt compelled to ask DiPaola to step down from a committee involved with the volunteer corps.

"I feel that she took that as a personal insult," Colina said.

Tension in the borough rose in April, when DiPaola filed a complaint against the borough clerk over what she called a discrepancy with council nominating petitions for the June Republican primary.

But while the complaint was against a borough employee, much of the concern about what happened to the petitions is tied to the borough's Republican Club. Garis and DiPaola claim that political newcomer Keith Smith's name had been added to Garis' petitions without her knowledge after they were signed by enrolled voters.

The club's president, Ron Griffin, who is also running for a council seat, said the club voted in April to have Garis and Paino — both of whom are council incumbents — and Smith on the ballot. There was "no dissension" among club members, who include the mayor and council members, in not renominate DiPaola, he said.

Griffin said he had no idea what happened to the petitions.

"Was it true that the intention was to make sure that Danielle was not nominated? That's an absolute positive fact," Griffin said.

Griffin said there weren't always issues between him and DiPaola. He said he supported her initial campaign in 2010, but after her election, he maintained, he saw the Emerson meetings become too much of a "battlefield."

"In my mind, we found out, after watching her, we made a mistake," Griffin said.

DiPaola received the most votes in the June Republican primary for one of the two full three-year council seats, followed by Griffin. The two Republicans are facing two Democrats for the two seats. Paino is running against a third Democrat to complete a vacated term.

Garis, DiPaola's friend, was unsure if she wanted to run with Smith and Paino and went out in April to collect signatures on her own. DiPaola helped her.

After noticing the signature discrepancy, DiPaola asked Borough Clerk Carol Dray to invalidate Smith's candidacy. When Dray did not immediately do so, DiPaola sued Dray, as well as Garis and Smith, in Superior Court in April, seeking to force Dray to recuse

herself from making the decision because Dray had accused DiPaola and Scarpa of harassment. They were exonerated.

DiPaola attached a copy of that grievance to her lawsuit. Making it public led to DiPaola's censure and to the borough's payment of \$3,000 for Dray's legal fees in the recusal suit, which was withdrawn in June.

As for the petitions, Dray eventually invalidated both candidacies – not because of the alleged doctoring, but because they were notarized with an outdated stamp, meaning neither Garis nor Smith can be elected this year.

To the ire of Garis and DiPaola, the council never addressed the petition issue. The council president, Scott Rivers, said he thought the council had no authority to do so.

Garis said the Bergen County Prosecutor's Office has asked her about the issue. The Prosecutor's Office said it does not confirm or deny the existence of investigations.

While Rivers, Knoller and Colina are skeptical of what lies ahead should DiPaola remain on the council, DiPaola said that she would continue to examine everything.

"I'm not here to be popular," she said. "I'm here to do the right thing."

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