



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
July 15, 2014
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor Colina called the meeting to order at 7:32 p.m. and identified the emergency exits.

II. ROLL CALL

Mayor Colina asked Ms. Dietsche to call the roll of the Governing Body.

Present: Mayor Colina, Councilwoman DiPaola, Councilman Knoller, Councilman Paino, Council President Rivers, Councilman Tripodi, Councilman Worthington

Also present were Borough Attorney Ron Gordon, Labor Attorney Charles Shaw, Administrator/Clerk Joseph Kolodziej, former Acting Administrator Les Shenkler and CFO Catherine Henderson.

III. EXCUSED ABSENCE OF GOVERNING BODY MEMBER

- Councilman Worthington for his absence from the Regular Meeting of July 1st, 2014
☞ **Motion** to excuse Councilman Worthington for his absence from the Regular Meeting of July 1st, 2014 was **moved** by Councilman Paino, **seconded** by Councilman Knoller and carried.

IV. PROCLAMATIONS & CITATIONS

- Celebrating the 350th Anniversary of the State of New Jersey – Mayor Colina read a proclamation celebrating the 350th Anniversary of the State of New Jersey.

V. MINUTES FOR APPROVAL

- Regular Meeting of July 1st, 2014
☞ **Motion** to approve the Regular Meeting Minutes of July 1st, 2014 with corrections was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Tripodi, Paino, Rivers, Knoller

ABSTAIN: Worthington

VI. APPOINTMENTS/RESIGNATIONS

- Oath of Office –Administrator/Borough Clerk Joseph Kolodziej – Mayor Colina introduced Administrator/Clerk Joseph Kolodziej and swore him into office, congratulated him and said that the Borough has placed their confidence in him to help move everyone forward. He said there was a genuine optimism and excitement in the air.

VII. CORRESPONDENCE

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

- Letter dated June 16, 2014 from Brian & Michelle Sweeney; Re: Shade tree
- Letter dated June, 2014 from Woodbridge Township Mayor McCormac; Re: NJ Senior Olympics
- Letter dated June 23, 2014 from NJ Society of Professional Engineers President Al Yodakis; Re: 2014 Municipal Engineer Project of the Year Awards Program
- Letter dated June 27th from the NJ League of Municipalities; Re: 17th Annual Elected Officials Hall of Fame

VIII. UNFINISHED BUSINESS

- Thomas Street fencing – Council President Rivers explained that they had received two quotes and when they received the third quote they would move forward. Mr. Shenkler stated that the Open Space program had a grant which would cover 50% of the cost of items related to park security and safety.

IX. NEW BUSINESS – Mayor Colina announced that there was no new business.

X. INTRODUCTION OF ORDINANCES

Mayor Colina announced that Ms. Dietsche would read the following ordinance by title and it would be further considered at a Public Hearing to be held on August 5th, 2014 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the July 18th, 2014 edition of the Ridgewood News by summary. He added that the ordinance was on file in the Clerk's Office and posted on the official bulletin board of the Municipal Building where copies would be available to the General Public at no charge.

First Reading:

1489-14 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF EMERSON, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$221,535 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

☞ **Motion** to introduce Ordinance #1489-14 on first reading was **moved** by Councilman Worthington, **seconded** by Councilman Knoller and carried by a roll call vote of 5-1.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

NO: DiPaola

XI. REPORTS

- Borough Attorney Ron Gordon had no report.

- Borough Administrator/Clerk Joseph Kolodziej reported that Mr. Gordon had reviewed the PBA contract and authorized it to be signed by the Mayor and Police Commissioner. It had already been signed and ratified by the PBA leadership. He recently attended a meeting between the County and Ms. Henderson and seniors on one of the block grants for the senior group. The 2012 audit had indicated there were some paperwork deficiencies. A corrective action plan was put together to satisfy government requirements and keep the grant in place. Ms. Henderson had an excellent suggestion on how to prevent it from recurring and the leadership of the seniors would implement the process. He said he did not anticipate seeing a recurrence of these types of issues. He had also attended a preconstruction meeting for upcoming road projects including Pine Drive, Lozier Avenue, Hasbrouck Avenue, John Street, Highland Avenue and Kenneth Street. The \$323,000 project will have concrete work beginning in mid to late August and the milling and paving to be completed by the end of September. Part of the discussion was about the future work on Kinderkamack Road. They thought it might be best to wait on paving Kenneth Street since part of the plans for next year were to install a storm line. Paving the road and ripping it up didn't make sense. DPW Superintendent Joe Solimando would take a look and see if they could find an equivalent amount of paving space to move that part of the project to and perform repairs on Kenneth Avenue. He discussed a grant to finish High Street. The grant was scheduled to expire in October so they needed to move quickly and had put out requests which were due by the end of July. The timeframe involved curb and concrete work before school began and milling and paving when schools were closed on September 25th and 26th to minimize disruptions to the school. With respect to the senior tax freeze, he noted that checks were going out for anyone who met the deadline of June 2nd. The second round deadline was extended until September 15th so applications could still be submitted by eligible seniors.
- Mr. Shenkler said the High Street proposal was currently being advertised and if the Council acted quickly when the proposals came in, they could award it soon and get the work done. Councilman Paino noted that they may have to schedule a special meeting for this.
- Councilwoman DiPaola said the **Shade Tree Commission** would be meeting the following day and would discuss firming up the bid process and moving projects forward.
- Councilman Tripodi gave the **Emerson Volunteer Ambulance Corps** report for the month of June.
- Councilman Paino gave the **Building Department** report for the month of June.
- Councilman Worthington reported on the **Environmental Commission** and stated that someone had removed plantings from the Joan Martin Memorial Garden by someone. The Governing Body would work with the commission on the cost for replacements.
- Councilman Knoller welcomed Mr. Kolodziej and said he was looking forward to working with him. He also thanked Mr. Shenkler.
- Council President Rivers seconded Councilman Knoller's sentiments and said that both Mr. Kolodziej and Mr. Shenkler had been fantastic for the Borough. He also gave the **Police Department** report for the month of June.
- Mayor Colina had no report.

XII. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried.

Seeing no hands, Mayor Colina 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 Councilwoman DiPaola, **seconded** by Council President Rivers and carried.

XIII. RESOLUTIONS ON CONSENT AGENDA NO. 131-14

Councilwoman DiPaola requested that an item on the Bill List be voted on separately. The consensus was to remove the Bill List from the Consent Agenda for a separate vote and conduct a separate vote on one item within the Bill List.

☞ **Motion** to approve Consent Agenda #131-14 with the removal of Ca #132-14 Bill List was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried by roll call vote of 6-0.

RC: Council members:

YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington

Ca 132-14 Bill List – **Removed for separate vote**

Ca 133-14 Tax Appeal Adjustment

Ca 134-14 Resolution requesting Approval of Items of Revenue and Appropriations NJS 40A:4-87 in the sum of \$12,473.24 - Clean Communities Grant

Ca 135-14 Tax Deduction Adjustments

Ca 136-14 Approve Authorized Signatories

Ca 137-14 Limo License renewal – Metropro Limousine

Ca 138-14 Designate Public Agency Compliance Officer (PACO)

Ca 139-14 Resolution Authorizing Joining National Co-op

Ca 140-14 Approve Block Party Application –Pascack Avenue between Bolling Street & Pershing Street – August 9, 2104

Ca 141-14 Approval to terminate agreement with Jersey Professional Management effective July 31, 2014

☞ **Motion** to approve Ca #132-14 Bill List with the removal of Item #24581 in the amount of \$9,460.00 to Jersey Professional Management was **moved** by Council President Rivers, **seconded** by Councilman Paino and carried by roll call vote of 6-0.

RC: Council members:

YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington

☞ **Motion** to approve Bill List item #24581 in the amount of \$9,460.00 to Jersey Professional Management was **moved** by Council President Rivers, **seconded** by Councilman Paino and carried by roll call vote of 5-0.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

NO: DiPaola

XIV. CLOSED EXECUTIVE SESSION - Resolution No. 142-14

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 142-14 was **moved** by Council President Rivers, **seconded** by Councilman Paino and carried by roll call vote of 6-0.

RC: Council members:

YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington

#14-7/15-24	Personnel: 'Rice Notices' – EVAC	N.J.S.A. 10:4-8
#14-7/15-25	Litigation – Indemnification- Governing Body - Scarpa v. Borough & Borough Clerk Amended Complaint	N.J.S.A. 10:4-7

XV. RECONVENE

☛ **Motion** to reconvene was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried at 9:40 p.m.

Councilman Knoller returned to the Council Chambers.

Mr. Gordon stated that they were coming out of Closed Executive Session where personnel matters were discussed regarding members of the Emerson Volunteer Ambulance Corp duly noticed under the terms of the Rice case.

☛ **Motion** to accept the recommendation of the Ambulance Committee which was charged under the terms of Emerson Code with investigating and making recommendations as to the imposition of discipline. The recommendation of the Ambulance Committee was that two members of the EVAC receive discipline and that these disciplines that would be imposed are conditioned upon receipt of a covenant not to sue or waiver of liability from the person who was the complainant in the matter or their representative. The discipline proposed and recommended by the Ambulance Committee was for a three month suspension for Dave Mason and a three month suspension for Chris Vaporakis to be served non-sequentially with Mr. Mason's suspension taking place first and also the resolution would require that the EVAC revise their rules, regulations, bylaws and protocols regarding operation of its vehicles to include better restraints onto who had the rights to use and the responsibility for the use of their vehicles, controls as to who has the keys and who was operating the vehicles and where the vehicles were at all times was **moved** by Councilman Worthington, **seconded** by Councilman Tripodi and carried by a roll call vote of 4-1.

RC: Council members:

YES: Tripodi, Paino, Rivers, Worthington

NO: DiPaola

ABSTAIN: Knoller

XVI. ADJOURNMENT

With no other business to address, at the request of Mayor Colina, a motion to adjourn was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried at 9:39 p.m.

Respectfully submitted,

Joseph Kolodziej, MPA
Borough Administrator/Clerk

Date: