



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
September 9, 2014
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor Colina called the meeting to order at 7:35 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 and Administrator/Clerk Joseph Kolodziej.

III. PROCLAMATIONS & CITATIONS

- National Assisted Living Week – September 7-13, 2014 – Mayor Colina read a proclamation declaring September 7th through 13th as National Assisted Living Week.

IV. APPOINTMENTS/RESIGNATIONS

- Shade Tree Commission
 - Resignation of Kevin Schaefer effective May 31, 2014
 - ☞ **Motion** to accept the resignation of Kevin Schaefer as a member of the Shade Tree Commission effective May 31, 2014 was **moved** by Councilwoman DiPaola, **seconded** by Councilman Worthington and carried.

V. MINUTES FOR APPROVAL

- Regular Meeting Minutes of August 5, 2014
 - ☞ **Motion** to approve the Regular Meeting Minutes of August 5th, 2014 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 5-0.
 - RC: Council members:**
 - YES: Tripodi, Paino, Rivers, Knoller, Worthington**
 - ABSTAIN: DiPaola**
- Closed Session Meeting Minutes:
 - May 6, 2014
 - June 12, 2014
 - June 17, 2014
 - July 15, 2014
 - August 5, 2014
 - ☞ **Motion** to approve the Closed Session Meeting Minutes of May 6th, June 12th, June 17th, July 15th and August 5th, 2014 was **moved** by Council President Rivers, **seconded** by Councilman Paino and carried by a roll call vote of 6-0.
 - RC: Council members:**
 - YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington**

VI. CORRESPONDENCE

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

- Letter dated July 17th, 2014 from Julie O'Connor, Regional Legislative District Directory, Leave of Humane Voters of NJ; Re: Deer Management Plan
- Letter dated July 18, 2014 from William Dressel, Jr., Executive Director, NJSLOM; Re: NJSLOM Annual Audit
- Letter dated July 25th from Bergen County Executive Kathleen Donovan; Re: 2014 BCCD Grant award for Senior Citizen Activities in the amount of \$5000.
- Letter dated August 6, 2014 from Jane Herndon, Esq., Asst. Commissioner, NJDEP; Re: Ground level ozone
- Letter dated August 6, 2014 from Jeanne Martin, Director, Pascack Valley Meals on Wheels; Re: Roaring 20's Event on October 10th at Ridgewood Country Club
- Letter dated August 6, 2014 from Judith Ross, Sr. Director of Operations, Meadowlands Liberty Convention & Visitor Bureau; Re: Annual Travel & Tourism Conference
- Letter dated August 11, 2014 from Governor Chris Christie; Re: NJDOT FY 2015 State Aid program applications
- Letter dated August 13, 2014 from Janet Leli, NJ Chapter of American Public Works Association; Re: Awards Nomination
- Letter dated August 15, 2014 from NJLOM Executive Director William Dressel, Jr.; Re: 2014 League Conference Resolutions
- Letter received August 19, 2014 from Bergen County Executive Kathleen Donovan; Re: Volunteer of the Year Recognition Ceremony
- Email from Elizabeth Stagg, BC Flood Management Coordinator; Re: Training Session – National Flood Insurance Program's Community Rating System

VII. UNFINISHED BUSINESS

- Framing costs for Historic Photographic Displays – Mr. Kolodziej discussed costs for framing the boards with quotes ranging from \$1,900 to \$7,300. The Governing Body consensus was to send this information to the Historic Preservation Commission for consideration.

VIII. NEW BUSINESS

- Policy for Electronic Message Board – Mr. Kolodziej discussed expanding the availability of the message board to other Emerson groups including the Boy Scouts, religious organizations and the Board of Education. After a brief discussion, Mr. Kolodziej was tasked with incorporating their suggestions into a policy and revisiting this topic at the next meeting.

IX. INTRODUCTION OF ORDINANCES

First Reading:

Mayor Colina announced that Ms. Dietsche would read the following ordinance by title and they would be further considered at a Public Hearing to be held on October 1st, 2014 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the September 12th, 2014 edition of the Ridgewood News by summary. He added that this 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.

1490-14 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 2014

☞ **Motion** to introduce Ordinance No. 1490-14 on first reading was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 5-1.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

NO: DiPaola

X. ADOPTION OF ORDINANCES – No ordinances were adopted.

XI. REPORTS

- Mayor and Council

Councilwoman DiPaola said that the **Shade Tree Commission** would be meeting with the tree services contractor the next day and that the **Board of Health** would be meeting Thursday after a summer break.

Councilman Tripodi had no report.

Councilman Paino gave the **Building Department** report for the month of August.

Councilman Knoller stated that the Personnel Committee had met recently. The Finance Assistant had officially transitioned from provisional to full time employment and commended Mr. Berg for doing a great job as assistant to the CFO, Tax Collector and Tax Assessor. He said a new Court Administrator had been hired and would be working a 35 hour week. He said that they recognized the need for an Administrative Assistant for the **Department of Public Works** and funds would be allocated in the 2015 budget for this. He discussed the vacancy in the **Police Department** due to the retirement of Sergeant Liens and the immediate and future needs in the **Office of the Municipal Clerk and Administrator**. They were also in the process of working to revise the Personnel Policy Manual.

Councilman Worthington reported that the Court Administrator's salary would have no impact on the budget and that the adjustment in the Deputy Clerk's salary would still save the Borough \$75,000 per year.

Council President Rivers said that the **Police Department** Open House was a great success, everyone had a great time and he hoped to see it continue. He introduced Mr. Berg, Chairman of the Fire Department 100th Anniversary Committee who discussed plans for a 9-11 Memorial at the Emerson Firehouse. Mr. Berg described the monument and distributed an illustration to the Governing Body. He anticipated the cost at about \$10,000 and said that the Borough already had \$3,000 in donations from residents. Council President Rivers requested that this item be placed on the next agenda.

- Borough Attorney Ron Gordon had no report.

- Borough Administrator/Clerk Joseph Kolodziej discussed HUD requirements and an associated resolution on the Consent Agenda as well as the purchase of a new DPW pickup truck. He had attended a grant workshop that might allow for reimbursement of half the expenditures for the Hillman Field fence. He noted that High Street work and the cooperative paving project had been completed. Green Sky Recycling had closed and the Borough had been able to find an alternate recycling location. He gave a Kinderkamack Road update and anticipated a commitment letter from the County in about a week. He thanked the Governing Body for instituting the committee structure and thought it had led to greater efficiency.

Councilwoman DiPaola said that she wanted to change her vote from yes to no on restructuring meetings and requested that the statement be reflected on the record.

Mayor Colina discussed the committee idea and said that Mr. Kolodziej was doing a whale of a job.

XII. PUBLIC COMMENT

☞ **Motion** to open the meeting to comments from the public was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried at 8:50 p.m.

Stewart Finkle, 20 Grand Blvd. asked about enforcement of overnight parking regulations for commercial vehicles.

Seeing no more 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 Council President Rivers, **seconded** by Councilman Knoller and carried.

XIII. RESOLUTIONS ON CONSENT AGENDA NO. 158-14

☞ **Motion** to approve Consent Agenda #158-14 items Ca 159-14, 160-14, 162-14, 164-14 and 166-14 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

RC: Council members:

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

☞ **Motion** to approve Ca #161-14 Bill List - September 9th with the removal of item #24723 in the amount of \$3,600 to Jersey Professional Management was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

RC: Council members:

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

☞ **Motion** to approve Ca #161-14 Bill List – September 9th item #24723 only in the amount of \$3,600 to Jersey Professional Management was **moved** by Council President Rivers, **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

☞ **Motion** to approve Ca #163-14 Award Purchase of DPW Pickup Truck in the amount of \$32,000.00 was **moved** by Council President Rivers, **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

☞ **Motion** to approve Ca #165-14 Bill List – September 10th with the removal of item #24772 in the amount of \$23,832.02 to DeCotiis, Fitzpatrick & Cole LLC was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

RC: Council members:

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

☞ **Motion** to approve Ca #165-14 Bill List item #24772 only in the amount of \$23,832.02 to DeCotiis, Fitzpatrick & Cole LLC was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by a roll call vote of 6-0.

RC: Council members:

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

Ca 159-14 A Resolution Authorizing the Borough of Emerson to Execute an Agreement With the County of Bergen to Supersede the Cooperative Agreement Dated July 1, 2000 and Amendments thereto Establishing the Cooperative Agreement Dated July 1, 2000 and Amendments Thereto Establishing the Community Development Program

Ca 160-14 Tax Court Judgment Refund – Block 218, Lot 18 – 6 Linda Place

Ca 161-14 Bill List - September 9, 2014

Ca 162-14 Tax Appeal Adjustments – Bergen County

Ca 163-14 Award Purchase of DPW Pickup Truck in the amount of \$32,000.00

Ca 164-14 Authorize Hiring of Michele O'Donohue as Certified Municipal Court Administrator

Ca 165-14 Bill List - September 10, 2014

Ca 166-14 Authorization of the cleanup and the tax lien against the property located at 50 Palisades Avenue, also known as Block 616, Lot 30 on the official tax map of the Borough of Emerson, Bergen County, New Jersey.

Mr. Kolodziej requested that the next Regular Meeting of the Governing Body be changed from September 30, 2014 to October 1st, 2014.

☞ **Motion** to move the next Regular Meeting of the Governing Body from Tuesday, September 30, 2014 to Wednesday, October 1st 2014 was **moved** by Councilman Knoller, **seconded** by Councilman Paino and carried by a roll call vote of 5-1.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

NO: DiPaola

XIV. CLOSED EXECUTIVE SESSION - Resolution No. 167-14

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 167-14 was **moved** by Councilwoman DiPaola, **seconded** by Councilman Tripodi and carried by roll call vote of 6-0.

RC: Council members:

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

#14-9/9-27	Negotiations: Hillman Field Liability Claim	N.J.S.A. 10:4-7
#14-9/9-28	Negotiations: Property Acquisition/Sale - Palisade Avenue	N.J.S.A. 10:4-7
#14-9/9-29	Litigation – Scarpa v. Emerson	N.J.S.A. 10:4-7

XV. RECONVENE

☞ **Motion** to reconvene was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried at 9:43 p.m.

☞ **Motion** to authorize the Administrator to pay the liability claim for the property damage as a result of an incident or incidents at Hillman Field with no admission of liability was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 6-0.

RC: Council members:

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

☞ **Motion** to authorize the Administrator to contact the Borough's Appraiser Robert McNerney to obtain a property appraisal for a property located on Palisade Avenue and have the Assessor's office provide them with the assessed value and an estimate on the privately owned property was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 5-1.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

NO: DiPaola

☞ **Motion** to authorize the office of Mr. Gordon to resolve one count of the previous Administrator's litigation against the municipality authorizing Mr. Gordon to resolve that case upon receipt of appropriate documentation, Count 4, which authorizes payment to counsel for the prior Borough Administrator totaling a settlement payment in the amount of \$6,930.00 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 5-0.

RC: Council members:

YES: DiPaola, Paino, Rivers, Knoller, Worthington

ABSTAIN: Tripodi

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 9:36 p.m.

Respectfully submitted,

Joseph Kolodziej, MPA
Borough Administrator/Clerk

Date: