

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 55-24

DATE: 01/16/2024

Council	Motion	Second	Yes	No	Abstain	Absent
Argenzia		X	X			
Rice			X			
McGuire						X
Timmerman	X		X			
Gordon						X
Moore			X			
Mayor DiPaola	---	---				

Carried Defeated Tabled

Approved on Consent Agenda

**AUTHORIZATION TO APPOINT PROFESSIONAL SERVICES CONTRACTS BY
“FAIR AND OPEN PROCESS” IN ACCORDANCE WITH THE “NEW JERSEY
LOCAL UNIT PAY TO PLAY” LAW, N.J.S.A. 19:44A-20.4 et seq., FOR CALENDAR
YEAR 2024**

WHEREAS, the Borough of Emerson has determined that a need exists for the services of various professionals for the Borough of Emerson, County of Bergen, New Jersey for Calendar Year 2024; and,

WHEREAS, the Chief Financial Officer has certified in writing hereon that funds are available as noted below; and,

WHEREAS, the award of these contracts shall be for the contract year beginning January 1, 2024 through December 31, 2024 and is contingent upon availability of funds in the 2024 CY Budget, and in the event of unavailability of such funds, the Borough of Emerson reserves the right to cancel this contract.

WHEREAS, a request for qualifications was published and provided in accordance to the aforementioned law; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A11-1 et seq. requires that a Resolution of appointment for professional services be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Emerson, County of Bergen, as follows:

(1) The Mayor and Borough Clerk are hereby authorized and directed to engage the services of:

POSITION	NAME/ADDRESS	NOT TO EXCEED	ACCOUNT
Architect	Kevin Settembrino Settembrino Architects 37 East Washington Ave. Atlantic Highlands, NJ 07716	\$62,140.00	Capital Accounts

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(2) A notice of this action shall be printed in the **LEGAL NEWSPAPER OF THE BOROUGH** as required by law within ten (10) days of its passage.

(3) The vendors shall supply the Borough of Emerson with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the Professional Service Agreement authorized herein.

(4) The vendors shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Borough from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the Professional Service Agreements authorized herein.

CERTIFICATION

I, Michelle Ryan, Acting Borough Clerk of the Borough of Emerson, in the County of Bergen, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough Council at a Regular Meeting held on the 16th day of January 2024.

IN WITNESS WHEREOF, I, Michelle Ryan, Acting Borough Clerk of the Borough of Emerson, have hereunto set my hand and affixed the seal of said Borough this 16th day of January 2024.



Michelle Ryan
Acting Borough Clerk

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Emerson on January 16, 2024.



Michelle Ryan
Acting Borough Clerk

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 56-24

DATE: 01/16/2024

Council	Motion	Second	Yes	No	Abstain	Absent
Argenzia			X			
Rice	X		X			
McGuire						X
Timmerman		X	X			
Gordon						X
Moore			X			
Mayor DiPaola	---	---				

Carried Defeated Tabled

Approved on Consent Agenda

APPROVAL OF JANUARY 16, 2024 BILL LIST

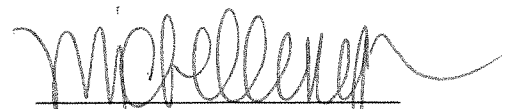
BE IT RESOLVED that the Governing Body of the Borough of Emerson, County of Bergen, State of New Jersey does hereby approve the following Bill List/Check Register:

CURRENT claims in the amount of:	\$266,455.39
RESERVE CURRENT ACCOUNT claims in the amount of:	\$189,142.29
HOUSING TRUST ACCOUNT claims in the amount of:	\$0.00
ANIMAL TRUST ACCOUNT claims in the amount of:	\$0.00
RECREATION TRUST ACCOUNT claims in the amount of:	\$1,529.10
CAPITAL ACCOUNT claims in the amount of:	\$48,884.13
TRUST ACCOUNT claims in the amount of:	\$0.00
CONSTRUCTION ESCROW TRUST ACCOUNT claims in the amount of:	\$2,246.84
TOTAL CLAIMS PAID	\$508,257.75

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Emerson that the following claims have been paid by the Borough Administrator prior to the Bill List Resolution in the following amounts:

CURRENT claims in the amount of:	\$2,022,024.57
RESERVE CURRENT ACCOUNT claims in the amount of:	\$21,177.23
ANIMAL TRUST ACCOUNT claims in the amount of:	\$0.00
STATUTORY ACCOUNT claims in the amount of:	\$488,117.68
RECREATION TRUST ACCOUNT claims in the amount of:	\$1,332.00
CAPITAL ACCOUNT claims in the amount of:	\$0.00
TRUST ACCOUNT claims in the amount of:	\$1,525.00
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	\$5,277.00
CONSTRUCTION ESCROW TRUST ACCOUNT claims in the amount of:	\$0.00
TOTAL CLAIMS PAID	\$2,539,453.48

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Emerson on January 16, 2024.



Michelle Ryan
Acting Borough Clerk

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 57-24

DATE: 01/16/2024

Council	Motion	Second	Yes	No	Abstain	Absent
Argenzia		X	X			
Rice			X			
McGuire						X
Timmerman	X		X			
Gordon						X
Moore			X			
Mayor DiPaola	---	---				

Carried Defeated Tabled

Approved on Consent Agenda

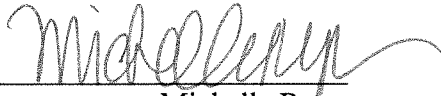
**AUTHORIZATION TO PREPARE AND ADVERTISE BIDS –
EMERSON FIRE HOUSE ELEVATOR PROJECT**

BE IT RESOLVED by the Governing Body of the Borough of Emerson, Bergen County, New Jersey that the Borough Administrator, Borough Engineer, and Borough Architect are hereby authorized to prepare the plans and bid specifications for the Emerson Fire House Elevator Project; and

BE IT FURTHER RESOLVED that the final bid specifications be subject to approval by the Borough Attorney and QPA; and

BE IT FURTHER RESOLVED that the Acting Municipal Clerk is hereby authorized to advertise and receive bids, once final plans and bid specifications have been approved, for said project.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Emerson on January 16, 2024.



 Michelle Ryan
 Acting Borough Clerk

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 58-24

DATE: 01/16/2024

Council	Motion	Second	Yes	No	Abstain	Absent
Argenzia	X					
Rice						
McGuire						X
Timmerman		X				
Gordon						X
Moore						
Mayor DiPaola	---	---				

Carried Defeated Tabled

Approved on Consent Agenda

**AFFIRM APPOINTMENT OF JOSEPH ZAVARDINO AS THE PART-TIME
BUILDING SUBCODE HHS OFFICIAL OF THE BOROUGH OF EMERSON**

WHEREAS, N.J.S.A. 52:27D-126 (b) provides for the appointment of Subcode officials to enforce the Uniform Construction Code; and

WHEREAS, Joseph Zavardino was appointed the Part-Time Building Subcode HHS Official and Fire Subcode Official of the Borough of Emerson for a four-year term beginning on March 22, 2022 via Resolution 53-23 on January 3, 2023; and

WHEREAS, Mr. Zavardino resigned as Fire Subcode Official effective December 31, 2023; and

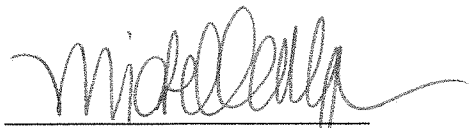
WHEREAS, the Borough of Emerson and Mr. Zavardino wish to memorialize the amendment of his original appointment effective March 22, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Emerson, County of Bergen, New Jersey that Joseph Zavardino is hereby appointed to continue as Part-Time Building Subcode HHS Official of the Borough of Emerson for the remainder of his four-year term; and

BE IT FURTHER RESOLVED that Mr. Zavardino's annual salary shall be \$11,400, effective January 1, 2024, for three hours per week for such services; and

BE IT FURTHER RESOLVED that the Governing Body wishes Joseph Zavardino continued success as he serves the needs of the residents of the Borough of Emerson.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Emerson on January 16, 2024.



 Michelle Ryan
 Acting Borough Clerk

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 59-24

DATE: 01/16/2024

Council	Motion	Second	Yes	No	Abstain	Absent
Argenzia	X					
Rice						
McGuire						X
Timmerman		X				
Gordon						X
Moore						
Mayor DiPaola	---	---				

Carried Defeated Tabled

Approved on Consent Agenda

**APPOINTMENT OF CHARLES BATCH AS TEMPORARY PART-TIME FIRE
SUBCODE HHS INSPECTOR OF THE BOROUGH OF EMERSON**

WHEREAS, N.J.S.A. 52:27D-126 (b) provides for the appointment of Subcode Officials and Inspectors to enforce the Uniform Construction Code; and

WHEREAS, the Borough of Emerson has a vacancy in the position of Fire Subcode Inspector; and

WHEREAS, Charles Batch possesses the necessary qualifications and licensure (NJ DCA Fire Protection Subcode HHS Official License No. 003269) to serve as Fire Subcode Inspector of the Borough of Emerson.

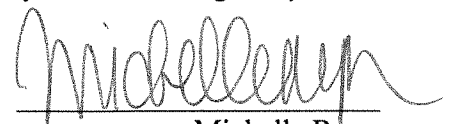
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Emerson, County of Bergen, New Jersey that Charles Batch is hereby temporarily appointed to the position of Part-Time Temporary Fire Subcode HHS Inspector for the period January 1, 2024 through March 1, 2024; and

BE IT FURTHER RESOLVED that Mr. Batch will be compensated at a prorated annual salary of \$9,000 for three hours per week for his services effective January 1, 2024; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be sent to the New Jersey Department of Community Affairs Division of Codes and Standards, the Emerson Construction Code Official, and the Emerson Finance Office; and

BE IT FURTHER RESOLVED that the Governing Body wishes Charles Batch best wishes and success as he serves the needs of the residents of the Borough of Emerson.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Emerson on January 16, 2024.



Michelle Ryan
Acting Borough Clerk

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 60-24

DATE: 01/16/2024

Council	Motion	Second	Yes	No	Abstain	Absent
Argenzia	X					
Rice						
McGuire						X
Timmerman		X				
Gordon						X
Moore						
Mayor DiPaola	---	---				

Carried Defeated Tabled

Approved on Consent Agenda

**APPROVAL OF CHANGE IN CUSTODIAN OF
ADMINISTRATIVE/CLERK PETTY CASH FUND – TRIESSA DESIMONE**

WHEREAS, Jane Dietsche was custodian of the Administrative/Clerk Petty Cash Fund in 2023; and

WHEREAS, Jane Dietsche retired effective December 31, 2023; and

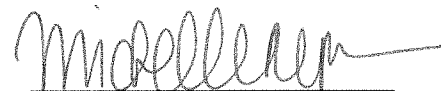
WHEREAS, in accordance with N.J.S.A. 40:5-21, the Borough of Emerson is changing custodians to Triessa DeSimone; and

WHEREAS, Triessa DeSimone is bonded in the amount of \$1,000,000.00 by virtue of a blanket surety bond.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Emerson, County of Bergen hereby authorizes such action and that two copies of this Resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Emerson's Finance Office.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Emerson on January 16, 2024.



Michelle Ryan
Acting Borough Clerk

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 61-24

DATE: 01/16/2024

Council	Motion	Second	Yes	No	Abstain	Absent
Argenzia	X					
Rice						
McGuire						X
Timmerman		X				
Gordon						X
Moore						
Mayor DiPaola	---	---				

Carried Defeated Tabled

Approved on Consent Agenda

**APPROVAL OF CHANGE IN MONETARY AMOUNT FOR
ADMINISTRATIVE/CLERK PETTY CASH FUND**

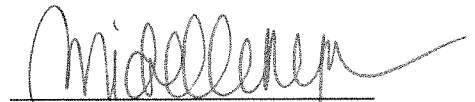
WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund, and,

WHEREAS, it is the desire of the Borough of Emerson, County of Bergen that the petty cash fund for the Administrative/Clerk Petty Cash Fund be increased from \$100.00 to \$200.00.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Emerson, County of Bergen hereby authorizes such action and that two copies of this Resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Emerson's Finance Office.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Emerson on January 16, 2024.



Michelle Ryan
Acting Borough Clerk

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 62-24

DATE: 01/16/2024

Council	Motion	Second	Yes	No	Abstain	Absent
Argenzia	X					
Rice						
McGuire						X
Timmerman		X				
Gordon						X
Moore						
Mayor DiPaola	---	---				

Carried Defeated Tabled

Approved on Consent Agenda

**APPROVAL OF SHARED SERVICES AGREEMENT WITH BERGEN COUNTY
DEPARTMENT OF HEALTH FOR BLOODBORNE PATHOGENS ADMINISTRATIVE
SERVICES FOR THE TERM JANUARY 1, 2024 THROUGH DECEMBER 31, 2025**

WHEREAS, the provisions of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. permit and encourage governing bodies to share services; and

WHEREAS, the Bergen County Department of Health Services (BCDHS) offers Bloodborne Pathogens Compliance Programs, and more specifically a Bloodborne Pathogens Administrative Services Program, in accordance with the provisions of N.J.S.A. 26:3A2-I et seq.; and

WHEREAS, BCDHS has provided a proposal for the provision of Bloodborne Pathogen Administrative Services Program for the term January 1, 2024 through December 31, 2025; and

WHEREAS, the Borough of Emerson desires to contract with BCDHS for the provision of such services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Emerson as follows:

1. Mayor DiPaola is hereby authorized and directed to execute an agreement, subject to review and approval of the Borough Attorney, with the Bergen County Department of Health Services for the provision of the Bloodborne Pathogens Administrative Services Program for the term January 1, 2024 through December 31, 2025 at a rate of \$10.00 per designated person; and
2. The contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5(2); and

BE IT FURTHER RESOLVED that the final bid specifications be subject to approval by the Borough Attorney and QPA; and

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 62-24

DATE: 01/16/2024

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified in accordance with N.J.A.C. 5:30 14:5 that sufficient legally appropriated funds will be available for this purpose, subject to appropriations of funds in the 2024 budget.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Emerson on January 16, 2024.



Michelle Ryan
Acting Borough Clerk

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 63-24

DATE: 01/16/2024

Council	Motion	Second	Yes	No	Abstain	Absent
Argenzia	X					
Rice						
McGuire						X
Timmerman		X				
Gordon						X
Moore						
Mayor DiPaola	---	---				

Carried Defeated Tabled

Approved on Consent Agenda

**AFFIRM CONTINUED MEMBERSHIP IN THE SOMERSET COUNTY
COOPERATIVE PRICING SYSTEM, #2-SOCCP FOR CALENDAR YEAR 2024**

WHEREAS, the Borough of Emerson became a member of the Somerset County Cooperative Pricing System, #2-SOCCP (System), effective December 5, 2023 via Resolution 268-23; and

WHEREAS, such membership expired on December 31, 2023 with automatic renewals unless and until the Borough of Emerson elects to formally withdraw from the system; and

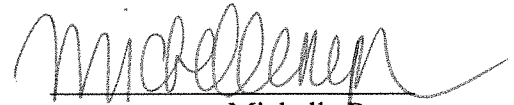
WHEREAS, the Borough's continued participation in the system is advantageous to and in the interest of the taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Emerson, County of Bergen, New Jersey hereby reaffirms membership and participation in the Somerset County Cooperative Pricing System, #2-SOCCP for calendar year 2024; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Melissa A. Kosensky, QPA, CCPO, RPPO, Purchasing Agent, Somerset County Purchasing Division, P.O. Box 3000, 20 Grove St., Somerville, NJ 08876-1262; and

BE IT FURTHER RESOLVED that a copy of this be forwarded to Emerson's Finance Office as well as Department Heads.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Emerson on January 16, 2024.



Michelle Ryan
Acting Borough Clerk

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 64-24

DATE: 01/16/2024

Council	Motion	Second	Yes	No	Abstain	Absent
Argenzia	X					
Rice						
McGuire						X
Timmerman		X				
Gordon						X
Moore						
Mayor DiPaola	---	---				

Carried Defeated Tabled

Approved on Consent Agenda

**AUTHORIZATION TO RE-ISSUE REQUEST FOR QUALIFICATIONS FOR
PROFESSIONAL SERVICES FOR CALENDAR YEAR 2024 –
ALTERNATE PROSECUTOR, PUBLIC DEFENDER, &
ALTERNATE PUBLIC DEFENDER**

WHEREAS, as of January 1, 2006, the ‘New Jersey Local Unit Pay to Play Law’ enacted by the New Jersey State Legislature became effective; and

WHEREAS, pursuant to the local public contracts law, contracts for the provision of professional services are not subject to competitive bidding. However, they are subject to the requirements of the above referenced law if the contract is anticipated to exceed \$17,500; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., a municipality may not award a contract with the value in excess of \$17,500.00 to a business entity that has made a contribution within one (1) year of the date of the contract that is reportable by the recipient pursuant to N.J.S.A. 19:44A-1 et seq to a municipal political party committee in that municipality if a member of that party is serving in elective public office when such contract is awarded or to any candidate committee of any person who is serving in an elective public office of the municipality when that contract is awarded, unless the contract is awarded under a ‘fair and open process’; and

WHEREAS, the Mayor and Council of the Borough of Emerson has determined that it would be in the best interests of the Borough to make certain professional appointments pursuant to a ‘fair and open process’.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Emerson, County of Bergen, State of New Jersey as follows:

1. The Qualified Purchasing Agent is authorized and directed to prepare a Legal Notice and Criteria for Submission of Qualifications for the following positions for Calendar Year 2024:

- Alternate Prosecutor
- Public Defender
- Alternate Public Defender

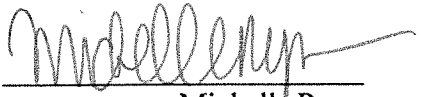
**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 64-24

DATE: 01/16/2024

2. These requests for qualification shall solicit submissions which shall be due at 4:30 p.m. on Thursday, February 1, 2024.
3. Appointments to this professional position shall be considered at the Regular Meeting scheduled for **Tuesday, February 6, 2024.**
4. The criteria for selection shall be as permitted by the aforementioned law and contracts shall be awarded on the basis most advantageous to the Borough of Emerson.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Emerson on January 16, 2024.



Michelle Ryan
Acting Borough Clerk

**BOROUGH OF EMERSON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION**

NO.: 65-24

DATE: 01/16/2024

Council	Motion	Second	Yes	No	Abstain	Absent
Argenzia		X	X			
Rice	X		X			
McGuire						X
Timmerman			X			
Gordon						X
Moore			X			
Mayor DiPaola	---	---				

Carried Defeated Tabled

Approved on Consent Agenda

AUTHORIZATION TO ENTER INTO CLOSED SESSION AND EXCLUDE PUBLIC

WHEREAS, the Open Public Meeting Act, N.J.S.A. 10:4-12, permits the public from a meeting in certain enumerated circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

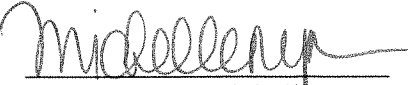
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Emerson, County of Bergen, State of New Jersey as follows:

1. That the public shall be excluded from the meeting and discussion of the herein after specified subject matter:

Closed Session Docket #	Item Title or Description	Statutory Reference
#24-01/16-01	Litigation/Redevelopment Update	N.J.S.A. 10.4-7
#24-01/16-02	Personnel	N.J.S.A. 10.4-8
#24-01/16-03	Contract Negotiations	N.J.S.A. 10.4-4

2. It is anticipated at this time that the above stated subject matter will be made public within a reasonable time, the substance of which will be released after the Mayor and Council or the specific authorized public body has reviewed and specifically accepted the data.
3. This resolution shall take effect immediately.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Emerson on January 16, 2024.


 Michelle Ryan
 Acting Borough Clerk