



MINUTES  
BOROUGH OF EMERSON  
MAYOR AND COUNCIL  
SPECIAL MEETING  
JANUARY 19, 2012  
5:00 P.M.



Borough Hall-Council Chambers  
Emerson, NJ 07630

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Mayor Colina called the meeting to order at 5:00 p.m., and identified the emergency exits. Councilman Knoller led the assembled in the salute to the flag. Mayor Colina asked everyone to remain standing for a moment of silence, prayer and good thought for all elected officials, especially those newly elected in Emerson.

**O.P.M.A. Statement**

Mayor Colina read the Sunshine Statement announcing that the special meeting of January 19, 2012 had been adequately noticed and was in compliance with the provisions of the Open Public Meetings Law. Further, a 48 hour notice had been transmitted to The Record and Ridgewood News; posted on the bulletin board in the Borough Hall, Municipal Place, Emerson, NJ 07630 and has remained continuously posted as the required notices under the Statute.

**ROLL CALL:**

**PRESENT:**

Mayor Colina, Councilwoman DiPaola, Councilwoman Garis, Councilman Knoller, Councilman Rivers, Council President Shaw

**ABSENT:**

Councilman Worthington

Also present were Borough Clerk Carol Dray, Borough Attorney Scott Mooney, Borough Administrator Joseph Scarpa and CFO Catherine Henderson.

III. UNFINISHED BUSINESS

- RFPs - Hillman Field Improvements – Councilman Rivers reported that a Request for Proposals was noticed and had been due that day. The quote received had included an alternate for deep tine aeration. He asked Ms. Henderson for an update on the results. Ms. Henderson reported that the RFP was sent out on January 11<sup>th</sup> to three companies. They received two sets of proposals back. One was from Aqua Turf Construction of Orange, CT. She provided a chart for the Governing Body and listed the totals. Aqua Turf's total base cost was \$20,683.00. The bid alternate for deep tine was \$2,144 for a grand total of \$22,827.00 if they took the whole bid. The second proposal received was from Tri-State Athletic Field Services. The core aeration with back fill was \$16,449.50. The top dressing and over seeding came in at \$17,889 for a total base bid of \$34,338.50. Their alternate bid for deep tine was \$9,447.00 for a grand bid total of \$43,785.50. The third company, Downes Tree Service apparently chose not to bid.

Councilman Rivers said he did call Aqua Turf (also known as MVP Sports Turf) that day to make sure they were talking apples to apples. He remarked that the difference between the two quotes was substantial. The owner of the company confirmed to him that the bid would include the actual material Pro's Choice. His recommendation was to award the quote to Aqua Turf Irrigation/MVP Sports Turf, pending references as well and backup material the owner was required to provide to the Borough as part of the RFP. He added that Aqua Turf Irrigation was one of the companies given to them by the Borough Engineer. He said that in response to Councilwoman DiPaola's question at the last meeting, this was quoting exactly what the Borough Engineer had specified. He thought it was a good find for them and they should move forward as quickly as possible. Aqua Turf's owner said if he was awarded the bid by the Governing Body, he could have it done in the next month. But if he could have access to the field and it was not too wet or frozen, he could have it done in the next couple weeks. Councilman Rivers explained there were currently blankets on the field which the DPW would remove. The work would be done and the field would be recovered and with an April 15<sup>th</sup> target date to play ball.

Councilwoman DiPaola interjected that she had a conversation with Borough Engineer Berge Tombalakian that day who had stated he did not think it was that simple. She explained that Mr. Tombalakian had indicated to them in the past that children should make alternate plans for playing on the field until at least June. He guessed that because it was 32 degrees outside, the field was frozen and the work should not be started until March. In addition it would take six to eight weeks for grass to grow in order to play on the field. She said Mr. Tombalakian also told her that if the field improvement was performed now and blankets were placed on the field, the grass would not grow because it would not have the proper conditions to germinate and would not be what they were looking for. He also said there should be a two year maintenance plan to keep the topsoil from getting over compacted.

Council President Shaw said he was surprised by the engineer's comments. Councilman Rivers inquired why Councilwoman DiPaola did not call and share that information with someone else to clarify the engineer's comments to her prior to the meeting; instead waited until the meeting when the borough was prepared to take action. He said he had talked to people that ran and maintained fields who had indicated it was normal to do a field at this time, and that blankets did work and would allow grass to grow. He said they saw it last year on the field. He did not understand where the engineer was coming from.

Council President Shaw commented he did not understand why the engineer would make that statement when he made a presentation that was time sensitive that allowed them to do it at a certain time. He said the comment made by the borough engineer to Councilwoman DiPaola was completely opposite every other presentation.

Mr. Scarpa reminded the Council that the action of awarding the contract is the focus of the meeting. Councilwoman DiPaola explained that the engineer's comments were not about awarding the bid, but rather the timing of when the work started. Council President Shaw remarked that the timing was the issue and had been the issue for two months and the engineer had come there knowing that. Mr. Scarpa said the company was the low bidder whether they started the next day or in two weeks. He did not think it should stop them from awarding the contract and they could talk to Mr. Tombalakian the next day.

Councilman Rivers questioned why Councilwoman DiPaola did not call anyone with this concern. Councilwoman DiPaola said she did reach out to two council members. Councilman Rivers responded that she did not reach out to him. Councilwoman DiPaola confirmed that she did not. Councilman Rivers stated that he had an issue with that. Councilwoman DiPaola responded that she thought he knew that information.

Council President Shaw asked if they awarded the bid to Aqua Turf Construction and Mr. Tombalakian opined that they could go forward, would they be able to go forward or would they need to vote. Mr. Scarpa said coordinating the start up of the project would be worked out after the vote - they would meet with the contractor and come up with a start date and time frame for completion. He concluded that it would not require a vote.

Councilwoman DiPaola said the information she brought to the table did not change what they voted on, just the timing of when the work would start. Mr. Scarpa said they would check the references and sit down with Aqua Turf Construction and go over the time frame on everything. Council President Shaw asked if the engineer oversaw the project. Mr. Scarpa said he did. Council President Shaw asked if Councilman Rivers sat with the engineer the next day and was independently satisfied, could he go to Mr. Scarpa and ask to get it started. Mr. Scarpa agreed. Council President Shaw said he was satisfied.

☛ **Motion** to award the contract to Aqua Turf Irrigation/MVP Sports Turf including the alternate for a total of \$22,827.00 was **moved** by Councilman Rivers, **seconded** by Council President Shaw and carried by roll call vote.

**RC: Council members:**

**YES: Garis, Rivers, Shaw, Knoller, DiPaola**

Mr. Scarpa said the only obligation pursuant to the specification was that it had to be done by March 30th. The start date was open ended and an item that could be worked out. Councilwoman DiPaola inquired if anyone else had picked up the phone and called the engineer that day. Councilman Rivers responded that he had spoken with Mr. Tombalakian numerous times. Councilwoman DiPaola said she was being yelled at because she called the engineer to ask for information. However, Councilman Rivers countered that was not his frustration.

Mayor Colina commented that this most recent process in trying to push the issue on Hillman Field had been an expeditious process and commended Councilman Rivers for driving it. He said they would become a better team as they proceeded throughout the year. He mentioned proper utilization of resources and asked the Borough Administrator and CFO to pull it all together. He was impressed that they had driven it to this point and said they would learn from any concerns at that evening's meeting and continue to expedite as they talked to Aqua Turf Construction.

Councilwoman Garis said she appreciated all the hard work from everyone and knew the kids of Emerson would appreciate it.

IV. PUBLIC COMMENT

Before opening the meeting for comments from the public, Mayor Colina reminded everyone to turn off their cell phones, keep their comments as brief as possible and try to limit them only to governmental issues of concern to an Emerson resident. He further requested that if a subject matter was addressed and answered, to please refrain from repeating it unless they had something new to contribute. A five-minute rule was in effect for each speaker at the discretion of the Council. Mayor Colina asked that everyone do their part to be civil, to the point and respectful of another's point of view and opinion. He further warned that speaking out without recognition would not be tolerated and a second warning could result in removal from the Council Chambers.

☛ **Motion** to open the meeting for comments from the public was **moved** by Councilwoman DiPaola, **seconded** by Councilman 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 for comments from the public was **moved** by Councilman Rivers, **seconded** by Councilwoman DiPaola and carried.

V. ADJOURNMENT

With no other business to address, at the request of Mayor Colina, a motion to adjourn was **moved** by Councilman Rivers, **seconded** by Councilwoman DiPaola and carried at 5:18 p.m.

Carol Dray, RMC/CMC/CMR  
(Proofed 03/09/12)

February 1, 2012