



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL
October 1st, 2014
7:30 P.M.
Borough Hall-Council Chambers
Emerson, NJ 07630



I. CALL TO ORDER

Mayor Colina called the meeting to order at 7:30 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, Councilman Tripodi, Councilman Worthington

Council President Rivers arrived at 7:50 p.m.

Also present were Borough Attorney Ron Gordon, CFO Catherine Henderson and Administrator/Clerk Joseph Kolodziej.

III. PROCLAMATIONS & CITATIONS

- Mental Health Awareness Week – October 5-11, 2014 – Mayor Colina was joined by Ms. Starkins and Ms. Kovacs of the Emerson Women’s Club as he read a proclamation declaring October 5th through 11th as Mental Health Awareness Week in the Borough of Emerson.
- Commendation to the Armenian Home for Centennial Park donation – Mayor Colina thanked the Armenian Home for their generous donation to restore plantings at Centennial Park.

IV. APPOINTMENTS/RESIGNATIONS – There were no appointments or resignations.

V. MINUTES FOR APPROVAL

- Regular Meeting Minutes of September 9, 2014
☛ **Motion** to approve the Regular Meeting Minutes of September 9th, 2014 was **moved** by Councilman Knoller, **seconded** by Councilman Paino and carried by a roll call vote of 4-1.
RC: Council members:
YES: Tripodi, Paino, Rivers, Knoller, Worthington
NO: DiPaola
ABSENT: Rivers
- Closed Session Meeting Minutes of September 9, 2014
☛ **Motion** to approve the Closed Session Meeting Minutes of September 9th, 2014 was **moved** by Councilman Knoller, **seconded** by Councilman Paino and carried by a roll call vote of 5-0.
RC: Council members:
YES: DiPaola, Tripodi, Paino, Knoller, Worthington
ABSENT: Rivers

VI. CORRESPONDENCE

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

- Letter dated September 5, 2014 from NJLM Educational Foundation; Re: Fourth Annual Mayor's Book Club
- Letter dated September 12, 2014 from NJSLOM Executive Director William Dressel, Jr.; Re: 2014 Conference Resolutions
- Letter dated September 10, 2014 from AAA North Jersey Manager Stephen Rajczyk; Re: 2014 AAA Community Traffic Safety Awards Luncheon

VII. UNFINISHED BUSINESS

- 9/11 Memorial – This topic was postponed to await the arrival of Council President Rivers.

- Electronic Message Board Policy – Resolution #168-14

The Governing Body discussed allowing non-profit organizations within the Borough to post messages to the electronic message board on Kinderkamack Road. If the number of messages became too lengthy, Mr. Kolodziej said they would revisit the policy.

☛ **Motion** to approve Resolution #168-14 Electronic Message Board Policy was **moved** by Councilman Knoller, **seconded** by Councilman Paino and carried by a roll call vote of 4-1.

RC: Council members:

YES: Tripodi, Paino, Knoller, Worthington

NO: DiPaola

ABSENT: Rivers

- Commercial Vehicle Parking Ordinance – This item was moved to new business.

VIII. NEW BUSINESS

- Commercial Vehicle Parking Ordinance – Mr. Kolodziej discussed updating the ordinance and cited complaints from a resident. He noted they would begin exploring comparable ordinances from other towns. Plans also included reviewing ordinances related to operating businesses out of a Borough residence. He ~~explained~~ wanted to approach these items holistically to see how they affected each other. Discussions would take place among members of the Police Committee and that they wanted to be fair and come up with an equitable solution.

The Governing Body debated how a resident's complaint had been handled with respect to enforcing on-street commercial vehicle parking. Topics covered included past practice, whether the ordinance had been enforced by previous governing bodies, fairness to all residents, legal implications and the obligation to bring forth an equitable solution. The need to amend the ordinance and then enforce it was emphasized. The Governing Body consensus was to have the Police Department survey the town and place flyers on vehicles that were violating the current ordinance.

Mayor Colina said they would make a statement as to next steps by the following Friday so as to address the resident's concerns.

The Council returned to unfinished business topics with the arrival of Council President Rivers.

IX. UNFINISHED BUSINESS

- 9/11 Memorial – Council President Rivers led a discussion on the Fire Department’s plan for a 9-11 Memorial in front of the fire house. There was consensus that this was the best location. Based on concerns that previous donors had been informed in a solicitation for donations that it would be placed in a different spot, Mr. Kolodziej was directed to contact the donors to see if any wanted their money back. If someone requested a return of their donation, the difference would be made up by the Borough.
☞ **Motion** to allow the Emerson Volunteer Fire Department to house the 9-11 Memorial on the grounds of the firehouse was **moved** by Council President Rivers, **seconded** by Councilman Worthington and carried by a roll call vote of 6-0.
RC: Council members:
YES: DiPaola, Tripodi, Paino, Rivers, Knoller, Worthington

X. NEW BUSINESS

- Chestnut Street – Permanent No Parking – Mr. Kolodziej explained that vehicles parked on both sides of Chestnut Street limited access to one lane and created a safety concern. Temporary no parking signs had been placed on one side of the street on a trial basis and they had received positive feedback. An ordinance would be ~~drafted for review~~ amended and put on for first reading.
- Discussion of Grant Writer Services – Mr. Kolodziej said he was going to find out whether the school board had a grant writer and if so, if they would be willing to explore a joint/shared service agreement. Another possibility was to hire an organization for a flat fee and explained the benefits of this option. The Governing Body thought it would be worthwhile to explore their options on this service.
- Voucher Signatures – Resolution #169-14 – Mr. Kolodziej recommended setting a threshold of \$5,400.00 under which the administration would sign vouchers to eliminate a somewhat cumbersome process. Ms. Henderson shared her concerns about this proposal. The discussion led to suggestions of ways to keep the entire Governing Body more informed of budgetary matters and provide greater transparency. Council President Rivers concluded the discussion by stating they should continue with the current process and send everyone monthly budget reports and expand the bill list to see what worked best. The resolution was tabled.
- Monthly Budget Reports – Resolution #170-14 - This item was tabled until the November meeting.

XI. FINANCIAL BUSINESS

- Resolution #171-14 - Bill List – Item #24849 for McNerney & Associates was removed from the Bill List
☞ **Motion** to approve Resolution #171-14 Bill List with the removal of #24849 to McNerney & Associates in the amount of \$2,600.00 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

XII. 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 14th, 2014 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the October 4th, 2014 edition of The Record 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.

1491-14 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 274, VEHICLES AND TRAFFIC; ARTICLE VII, SCHEDULES, SECTION 274-53, SCHEDULE XVII, TIME LIMIT PARKING - **TABLED**

After lengthy discussion and questions regarding the specific days of the week that the ordinance would be in effect, this item was tabled.

XIII. ADOPTION OF ORDINANCES

Second Reading and Public Hearing:

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 open the meeting to comments from the public on Ordinance #1490-14 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried.

Seeing no hands, Mayor Colina asked for a motion to close the meeting to comments from the public on Ordinance #1490-14.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1490-14 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried.

☞ **Motion** to adopt Ordinance #1490-14 on second reading was moved by Councilman Worthington, seconded by Councilman Paino and carried by roll call vote of 5-1.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

NO: DiPaola

XIV. REPORTS

- Mayor and Council

CFO Catherine Henderson had no report.

Councilwoman DiPaola said she was dissatisfied with the way the Governing Body was working with the committee system as well as the lack of meetings. ~~and did not know what was going on.~~

Councilman Tripodi gave the August report for the **Emerson Volunteer Ambulance Corps**. He also reported on fall events sponsored by the **Library Board of Trustees**.

Councilman Paino had no report.

Councilman Knoller had no report.

Council President Rivers gave the August report of the **Emerson Police Department**. He also commented on the changes to the meeting schedule. He said they had hired Mr. Kolodziej and given him the autonomy to make changes but that if it was not working, they would change them back.

- Borough Administrator/Clerk Joseph Kolodziej discussed the 18 boards of historical photographs put together by **Historic Preservation Commission** Chairman Bill Wassmann. He also commented on the changes in place on a trial basis and noted they would be trying new things. He added that it was a process of trial and error where things could be amended or return to their original format. The Personnel Committee was meeting to update the employee handbook. The Police Committee was discussing filling a vacancy in the department as well and Chief Rossi's contract. He requested approval to clean up sections of the website that were inconsistent or outdated.

☞ **Motion** to clean up the borough website for consistency was moved by Councilman Knoller, seconded by Councilman Worthington and carried by roll call vote of 5-1.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

NO: DiPaola

- Deputy Clerk Jane Dietsche had no report.
- Borough Attorney Ron Gordon outlined the statutes governing the Registered Municipal Clerk's requirement to attend meetings of the Governing Body in response to questions posed by Councilwoman DiPaola at the last meeting. He also provided a detailed response to her question regarding whether a vote could be changed after a meeting had adjourned.

XV. PUBLIC COMMENT

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

Stewart Finkle, 20 Grand Boulevard commented on the proposed commercial vehicle parking ordinance and suggested changes to be taken under consideration.

Janice Finkle, 20 Grand Boulevard commented on accountability as it related to the current commercial vehicle parking ordinance and asked the Council to clarify statements made earlier in the meeting.

Ken Hoffman, 61 Emwood Drive stated that it was inappropriate to selectively enforce an ordinance. He also discussed a resident who had done plantings on a paper street. He commended **Shade Tree Commission** Inspector Steve Frassa for all his hard work and said he was doing a tremendous job. In addition he noted that Ace Tree Surgeons was doing an excellent job as a contractor for the Shade Tree Commission.

Seeing no more hands, Mayor Colina asked for a motion to close the meeting to comments from the public.

MIN NO. 19 APPROVED FOR RELEASE & CONTENT 10-14-14

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

XVI. RESOLUTIONS ON CONSENT AGENDA NO. 172-14

☞ **Motion** to approve Consent Agenda #172-14 with the exclusion of Ca 176-14 Block Party Approval 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 173-14 Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for Main Street/Linwood Avenue project
- Ca 174-14 Redeem Tax Sale Certificate – Araya – 348 Main Street
- Ca 175-14 Award Police Car Contract to Winner Ford in the amount of \$35,969.00
- Ca 176-14 Block Party Approval – Residents of Washington Avenue between Colonial Road and Revere Avenue and Lexington Avenue between Washington Avenue and Hancock Street – Saturday, October 18th (rain date: October 25th) – **Pulled for separate vote**
- Ca 177-14 Tax Bill Insert
- Ca 178-14 Change Order – High Street

☞ **Motion** to approve Resolution #176-14 Block Party Approval – Residents of Washington Avenue between Colonial Road and Revere Avenue and Lexington Avenue between Washington Avenue and Hancock Street – Saturday, October 18th (rain date: October 25th) 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, Paino, Rivers, Knoller, Worthington

ABSTAIN: Tripodi

XVII. CLOSED EXECUTIVE SESSION - Resolution No. 179-14

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 179-14 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried by roll call vote of 6-0 at 9:30 p.m.

RC: Council members:

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

- #14-10/1-30 Litigation – Scarpa v. Emerson N.J.S.A. 10:4-7
- #14-10/1-31 Kinderkamack Road Project Appraisals N.J.S.A. 10:4-5
- #14-10/1-32 Contract Discussion– Miele Sanitation N.J.S.A. 10:4-7
- #14-10/1-33 Municipal Court Shared Services- Old Tappan N.J.S.A. 10:4-7

XVIII. RECONVENE

☞ **Motion** to reconvene was **moved** by Council President Rivers, **seconded** by Councilwoman DiPaola and carried at 10:22 p.m.

☞ **Motion** to obtain an appraisal for 184 Kinderkamack Road was **moved** by Councilman Paino, **seconded** by Council President Rivers and carried by roll call vote of 5-1.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

NO: DiPaola

XIX. ADJOURNMENT

With no other business to address, at the request of Mayor Colina, a motion to adjourn was **moved** by Councilwoman DiPaola, **seconded** by Councilman Tripodi and carried at 10:22 p.m.

Respectfully submitted,

Joseph Kolodziej, MPA
Borough Administrator/Clerk

Date: