



MINUTES
BOROUGH OF EMERSON
MAYOR AND COUNCIL

June 17, 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 and Acting Administrator Les Shenkler.

III. PROCLAMATIONS & CITATIONS

- Cheyenne Bellerand Day – June 18th, 2014 – This item was postponed.

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

V. CORRESPONDENCE

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

- Letter dated May 16, 2014 from Clerk/Administrator Kelley O'Donnell, Park Ridge; Re: Park Ridge Pistol Range Agreement 2014
- Letter dated May 20, 2014 from JoMarie Sacchinelli, Acting Director, BC Division of Community Transportation; Re: Public Hearing on Transportation Funding for Senior Citizens and Disabled Persons
- Letter dated May 28, 2014 from Anthony & Katherine DePasquale; Re: Vacant lot
- Letter dated April 30, 2014 from Robert LaCosta, President, NJ Building Officials Association, Inc.; Re: Support of 2015 International Residential Code NJ Edition – fire sprinklers
- Letter dated June 2, 2014 from James Tedesco, III, BC Board of Chosen Freeholders; Re: Establishing Bergen County as a Stigma Free Zone
- Letter dated June 4, 2014 from Acting Manager Richard Loveless, Acting Manager, NJDOT: Re: 2014 Municipal Aid Program

VI. MINUTES FOR APPROVAL

- Regular Meeting of May 20, 2014
 - **Motion** to approve the Regular Meeting Minutes of May 20, 2014 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

VII. UNFINISHED BUSINESS

- Casa Maselli – Request for outdoor refreshment stand - Council President Rivers removed this item from the agenda.
- Thomas Street fencing – Council President Rivers said he had spoken with the Borough Engineer about this. The estimate was \$7,000 to \$8,000 to take the fence to 12 feet high with a 30 foot extension. He noted they would need to obtain quotes as it was under the bid threshold and wanted to take next steps at the next Council meeting.

VIII. NEW BUSINESS – There was no new business.

IX. INTRODUCTION OF ORDINANCES

Mayor Colina announced that Ms. Dietsche would read the following ordinances by title and they would be further considered at a Public Hearing to be held on July 1st, 2014 at 7:30 p.m. in the Council Chambers of the Borough Hall, Municipal Place, Emerson, N.J. and published in the June 20th, 2014 edition of the Ridgewood News by summary. He added that these ordinances were 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:

1487-14 AN ORDINANCE OF THE BOROUGH OF EMERSON, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE ACQUISITION OF EASEMENTS OVER AND THROUGH VARIOUS BLOCKS AND LOTS ON THE OFFICIAL TAX MAP OF THE BOROUGH OF EMERSON LOCATED ALONG KINDERKAMACK ROAD FOR ROADWAY IMPROVEMENTS.

☞ **Motion** to introduce Ordinance #1487-14 on first reading was **moved** by Council President Rivers, **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

1488-14 AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 1486-14 TO FIX THE SALARIES, WAGES, COMPENSATION AND OTHER TERMS OF EMPLOYMENT OF CERTAIN POSITIONS OF THE BOROUGH OF EMERSON FOR THE CALENDAR YEAR 2014

☞ **Motion** to introduce Ordinance #1488-14 on first reading was **moved** by Councilman Knoller, **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. ADOPTION OF ORDINANCES

Second Reading and Public Hearing:

1484-14 AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF EMERSON CHAPTER 73 ENTITLED PERSONNEL POLICIES BY ADDING A NEW ARTICLE III TO BE ENTITLED ADMINISTRATIVE CODE OF CONDUCT FOR THE ESTABLISHMENT OF RULES AND GUIDELINES FOR ETHICAL AND CIVIL BUSINESS AND SOCIAL BEHAVIOR FOR EMPLOYEES, BOROUGH OFFICIALS AND ASSOCIATES

☞ **Motion** to open the meeting to comments from the public on Ordinance #1484-14 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 #1484-14.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1484-14 was **moved** by Councilwoman DiPaola, **seconded** by Council President Rivers and carried.

☞ **Motion** to adopt Ordinance #1484-14 on second 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

1486-14 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 #1486-14 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 #1486-14.

☞ **Motion** to close the meeting to comments from the public on Ordinance #1486-14 was **moved** by Council President Rivers, **seconded** by Councilman Knoller and carried.

☞ **Motion** to adopt Ordinance #1486-14 on second reading was moved by Councilman Worthington, seconded by Councilman Knoller and carried by roll call vote of 6-0.

RC: Council members:

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

XI. REPORTS

- Mayor and Council

Councilman Tripodi had no report.

Councilman Paino gave the May **Building Department** report.

Councilman Worthington gave the May **Volunteer Ambulance Corps** report. He said the **Environmental Commission** had dedicated the Joan Martin Memorial Garden in late May and they had done a great job on the garden. He said Ms. Martin's family was present and they were very appreciative.

Councilman Knoller recognized the **Recreation Commission** for the great job they did at the 5th Annual Town Celebration. He said the fireworks were hard to top and it was a great show.

Council President Rivers thanked all the emergency services and the **Recreation Commission** for the nice town event and said he appreciated all the volunteers. He also said it was nice to see new buildings going up and commented that it was a good time for the Borough.

Mayor Colina agreed that he felt positive vibrations in town. He said he had attended the Memorial Day Service and said that the Senior Citizens' group was a strong, vibrant and cohesive organization.

- Acting Borough Administrator Les Shenkler said that Finance Assistant Ron Berg began employment on June 4th and had attended a payroll training class. PSEG's lighting upgrades were moving along. New lamps and fixtures were being installed at no cost to the Borough. Miele Sanitation was working with Mr. Gordon to get emergency permission for disposal of trash in Closter. He said road paving bids came in lower than anticipated. The Borough would go with the cooperative paving program and expected a July start.

Councilwoman DiPaola said the **Shade Tree Commission** was having great difficulty and noted that 130 emergent trees had to come down. They received more money in this year's budget but a portion would have to pay for bid specifications and an attorney, reducing the amount needed to perform the necessary work. She asked for guidance from the Governing Body and Borough Attorney on this issue.

- Deputy Borough Clerk Jane Dietsche had no report.
- Borough Attorney Ron Gordon suggested that a committee meet to identify Shade Tree Commission issues before going back to the Governing Body.

XII. PUBLIC COMMENT

Members of the public are welcome to speak on any topic by coming to the table and stating your name and address for the record. In the interest of time, speakers are limited to five (5) minutes. In consideration of all who may wish to speak, please keep your comments brief and concise.

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

Mike Budres, 93 Pascack Avenue asked questions related to Ordinance #1487-14 and congratulated the winners of the primary election.

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 Tripodi and carried.

XIII. RESOLUTIONS ON CONSENT AGENDA NO. 109-14

☞ **Motion** to approve Consent Agenda #109-14 with the exclusion of Check #24495 to Jersey Professional Management in the amount of \$15,525 on Ca 110-14 Bill List 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 approve Check #24495 to Jersey Professional Management in the amount of \$15,525 on Ca 110-14 Bill List was **moved** by Council President Rivers, **seconded** by Councilman Worthington and carried by roll call vote of 5-1.

RC: Council members:

YES: Tripodi, Paino, Rivers, Knoller, Worthington

NO: DiPaola.

Ca 110-14	Bill List
Ca 111-14	Liquor License Renewals
	<ul style="list-style-type: none">• 0214-33-001-009 123 Lincoln LLC• 0214-44-002-002 Scalco Inc.• 0214-44-007-009 KD Liquors LLC• 0214-33-006-007 Emerson F & B LLC• 0214-33-003-005 Cheng Investments Inc.• 0214-33-004-002 Hackensack Golf Club
Ca 112-14	Approve Community Development Delegate & Alternate
Ca 113-14	2014-2016 Bergen County Snow Plow Agreement
Ca 114-14	Authorize Inclusion in the Bergen County Community Development Program
Ca 115-14	Authorize hiring of Ron Berg as Finance/Tax Office Assistant
Ca 116-14	Authorize Mayor Colina to execute professional services contract with Labor Attorney Charles Shaw
Ca 117-14	Authorize Tax Appeal Settlement with William R. Rossi & Toni Plantamura
Ca 118-14	Authorization of the Borough of Emerson Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, C. 72
Ca 119-14	Tax Deduction Adjustments
Ca 120-14	Award contract for paving of municipal roadways in Emerson through the Pascack Valley Cooperative Purchasing Program to D&L Paving at the low bid price of \$323,874.60
Ca 121-14	Exigency – Solid Waste Disposal

XIV. CLOSED EXECUTIVE SESSION - Resolution No. 122-14

☞ **Motion** to go into an executive session to discuss matters exempt from the public as duly noticed by Resolution No. 122-14 was **moved** by Council President Rivers, **seconded** by Councilman Worthington and carried by roll call vote of 6-0 at 8:20 p.m.

RC: Council members:

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

#14-6/17-21	Litigation - Scarpa v. Emerson	N.J.S.A. 10:4-7
#14-6/17-22	Litigation – Indemnification - Borough Officials	N.J.S.A. 10:4-7
#14-6/17-23	Personnel – Administrator/Clerk	N.J.S.A. 10:4-8

XV. RECONVENE

☞ **Motion** to reconvene was **moved** by Council President Rivers, **seconded** by Councilman Paino and carried at 9:00 p.m.

- Resolution #123-14 Confirmation of the appointment of Joseph C. Kolodziej by the Mayor as the Administrator/Clerk for the Borough of Emerson and appointment as Borough Clerk

☞ **Motion** to confirm Resolution #123-14 the appointment of Joseph C Kolodziej by the Mayor as Borough Administrator/Clerk for the Borough of Emerson and appointment as Borough Clerk 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.

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 Councilman Knoller and carried at 9:02 p.m.

Respectfully submitted,

Jane Dietsche, RMC
Deputy Borough Clerk