

8/11/08 Executive Session

Present: Eppinger, Buffalino, Hutchison, Krenzel, Razzano, Trenga, Trzeciak
AJS, Gary Schwartz, Esq.

Pending Litigation

51 Reid Street

Mr. Salerno stated that JIF did not cover this matter. Damages will be between \$20,000 and \$50,000. Dave Himmelman has meeting scheduled for next week and he will brief the Borough Council at the next Council meeting. Mr. Salerno discussed former Borough Attorney Roselli and the possibility of putting a claim against him for professional liability. The ordinance defines the Borough Attorney as an officer of the corporation. If the attorney is brought into the case, it will get back to JIF and there will be some type of coverage afforded. Mr. Roselli would then be covered and JIF would have to get involved. Mr. Salerno stated that we do not want to pay any settlement. The consensus of the Borough Council was to file a malpractice claim against Mr. Roselli. Mr. Salerno stated that he would call Mr. Roselli to advise him of this decision.

Acapulco Tropicana Bar

Mr. Schwartz stated that a recommendation has been made by the Attorney General to have mediation on this matter and asked if the Borough Council would be receptive to this recommendation. Mr. Schwartz has been advised that the owners of Acapulco Tropicana Bar are willing to provide the required licensed security guards but are concerned about the hours of operation. Mr. Schwartz said talk is cheap and would save expense for the Borough. He recommended that a Police Officer be present at the meeting. Mr. Schwartz stated that the owners of the bar are inexperienced in the operation of a bar and their attorney has advised his clients on how to operate. Mr. Schwartz said that he doesn't hurt to talk and it would not be binding. The consensus of the Borough Council was to go into mediation.

Acquisition of Real Property

Property adjacent to Dailey's Pond – Block 30, Lot 23

Mr. Schwartz advised that he is working on the title search for this property.

Matter Requiring Confidentiality

With regard to the Toto property, there was a question as to whether a Certificate of Occupancy is needed. Mr. Schwartz stated that a Certificate of Occupancy is required as stated in the ordinance.

Personnel

Tax Collector

Mr. Salerno discussed the operation of the Office of Tax Collector upon Regina Bacca's retirement. State law requires that a municipality cannot operate without a licensed Tax Collector. Mr. Salerno is looking at hiring an experienced account clerk. Rich Dudas will be taking the course to become a Tax Collector. One option is to bring in a licensed tax collector for five to ten hours a week who will be a mentor to Rich Dudas. Other alternative is to talk to neighboring towns. He would like to advertise for a senior clerk or Deputy Tax Collector.

DPW

Mr. Salerno stated that he had a meeting with the DPW director and linemen. He is having difficulty with getting more linemen. There were seven linemen, but two were fired, one is on medical leave and one is on family leave. Mr. Salerno said that he has negotiated a standby deal. He is doing everything he can. Other option is to start an apprentice program in-house.

Firemen

Mayor Eppinger advised that he, Mr. Salerno and Mr. Tzeciak met with the firemen regarding the turnout gear. The issue will be resolved. Twenty-eight turnout gear have to be replaced. Safety of the firemen comes first.

Councilman Buffalino moved that the Borough Council go back to open session.
Councilwoman Razzano seconded the motion.

Respectfully submitted,

Patricia O'Connor, RMC
Borough Clerk

Approved for release at the regular meeting
held on October 9, 2012