

**Municipal Building
Park Ridge, NJ
July 7, 2009 – 8:20 p.m.**

A Special Meeting of the Mayor and Council of the Borough of Park Ridge was called to order at the above time, date and place. Mayor Ruschman led those attending in the Pledge of Allegiance.

Roll Call:

Present: Council members Kane, Ciannella, Levinson, Maughan, Viola, Council President Wells and Mayor Ruschman.
Absent: None
Also Present: Robert Mancinelli, Esq., Borough Attorney
Kelley O'Donnell, Borough Clerk
Colleen Ennis, C.F.O

Mayor Ruschman Compliance Statement, as required by Open Public Meeting Act, P. L. 1975, Chapter 231.

RESOLUTIONS

Mayor Ruschman asks for a motion to adopt a resolution entitled **Approving and Accepting the Opinion of the Hearing Officer**.

A Motion was made by Councilmember Maughan and seconded by Council President Wells to confirm. Motion carried unanimously.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-164**

**APPROVING AND ACCEPTING OPINION OF
THE HEARING OFFICER**

WHEREAS, on January 28, 2009, a Preliminary Notice of Disciplinary Action ("PNDA") was served by the Borough of Park Ridge Police Department (the "Department") upon Captain Craig Coughlin (the "Officer"); and

WHEREAS, the PNDA set forth various disciplinary charges and specifications filed by the Department against the Officer, and advised the Officer of his right to a hearing with respect to the same; and

WHEREAS, the Officer requested a hearing with respect to such disciplinary charges and specifications; and

WHEREAS, by Resolution, the Mayor and Council of the Borough of Park Ridge appointed Robert M. Czech, Esq., (the "Hearing Officer") as the Hearing Officer to preside over the hearing on the disciplinary charges and specifications; and

WHEREAS, by Resolution, the Mayor and Council of the Borough of Park Ridge appointed Mark S. Ruderman, Esq., to represent the Borough of Park Ridge at the hearing on the disciplinary charges and specifications; and

WHEREAS, such hearing was conducted on May 8, 2009; and

WHEREAS, after hearing the proofs and evidence presented by the parties, the Hearing Officer issued a written opinion and recommendation on June 20, 2009; and

WHEREAS, after due consideration of the opinion and recommendations of the Hearing Officer, the Borough of Park Ridge wishes, by this Resolution, to memorialize its determination in this matter.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Park Ridge, as follows:

- 1) The June 20, 2009 Opinion and Recommendations of the Hearing Officer, Robert M. Czech, Esq., BE and HEREBY is ACCEPTED and ADOPTED including, without limitation, his conclusions that:
 - a) The actions of Captain Coughlin, as detailed in the June 20, 2009 opinion of the Hearing Officer, did in fact violate the Borough of Park Ridge Police Department Rules and Regulations and provisions of the New Jersey Administrative Code under Section N.J.A.C. 4A:2-2.3 and that the Borough of Park Ridge Police Department's filing of these charges against Captain Coughlin were proper.
 - b) The Borough of Park Ridge has established by a preponderance of the evidence that Captain Coughlin violated the applicable policies, and Rules and Regulations of the Borough of Park Ridge and its Police Department and the provisions of the New Jersey Administrative Code such that the major discipline of termination is warranted.
 - c) The Borough of Park Ridge has established by a preponderance of the evidence that the nature of Captain Coughlin's behavior over the course of the later 2007 and 2008 that the penalty of termination is warranted.

d) In light of the fact that the Borough of Park Ridge presented other case examples where public employees were terminated for participating in similar actions, the Governing Body has determined that the appropriate disciplinary penalty is as follows:

- 2) The employment of the Captain Coughlin BE and HEREBY is TERMINATED effective January 28, 2009.
- 3) The Chief of Police is authorized to promulgate and enter a Final Notice of Disciplinary Action effectuating the foregoing.

BE IT FURTHER RESOLVED that a true copy of this resolution be sent to Police Chief Joseph Madden within ten (10) days of adoption.

Mayor Ruschman asks for a motion to adopt a resolution entitled **Removal of Borough Administrator from Office**

A Motion was made by Council President Wells and seconded by Councilmember Kane to confirm. Motion carried unanimously.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-165**

REMOVAL OF BOROUGH ADMINISTRATOR FROM OFFICE

WHEREAS, on December 17, 2003, Gene Vinci, was appointed the full-time Borough Administrator for the Borough of Park Ridge (the "Borough Administrator"); and

WHEREAS, beginning in 2008 and continuing to the present, the Mayor & Council have notified and discussed with the Borough Administrator issues relating to his job performance relating back to his initial hiring and continuing to the present; and

WHEREAS, pursuant to the Park Ridge Borough Code § 2-35.2(B) (3), the Borough Administrator may be removed by a two-thirds vote of the Mayor and Council, the resolution of removal to become effective three months after its adoption; and

WHEREA, the Mayor and Council may provide, however, that the resolution shall have immediate effect, provided that there shall be paid to the Administrator forthwith any unpaid balance of his salary and his salary for the next three calendar months following adoption of the resolution; and

WHEREAS, the a special meeting of the Mayor & Council was called on this date with proper notice of same being provided to the Borough Administrator hearing with respect to the terms and conditions of the Borough Administrator's continued employment with the Borough of Park Ridge; and

WHEREAS, a discussion of the issues relating to the Borough Administrator's job performance relating back to his initial hiring and continuing to the present took place; and

WHEREAS, after due consideration of the issues and opinion and recommendations of the members of the Mayor & Council, the Borough of Park Ridge wishes, by this Resolution, to memorialize its determination in this matter.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Park Ridge, as follows:

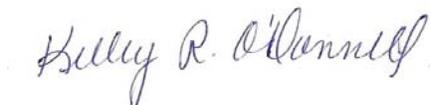
- 4) The Borough Administrator shall be removed from office in accordance with N.J.S.A. 40A:9-138 and the employment of Gene Vinci BE and HEREBY is TERMINATED effective immediately following the adoption of this Resolution.
- 5) The Borough Administrator shall be paid forthwith any unpaid balance of his salary and his salary for the next three (3) calendar months following the adoption of this Resolution.

BE IT FURTHER RESOLVED that a true copy of this resolution be sent to the Borough Clerk within ten (10) days of adoption.

A motion was made by Councilmember Ciannella and seconded by Councilmember Levinson to adjourn the Special Mayor and Council meeting.

Meeting adjourned at 8:25 p.m.

Respectfully submitted



**Kelley R. O'Donnell, RMC
Borough Clerk**