



**TOWNSHIP OF ROCHELLE PARK
151 WEST PASSAIC STREET
ROCHELLE PARK, NEW JERSEY 07662**

MINUTES – PUBLIC MEETING – September 19, 2012

Call to Order 7:30 PM

According to the Open Public Meetings Act, this meeting of August 15, 2012 was advertised in the notice sent to the “Our Town” and “The Record” and posted on the bulletin board in the Municipal Building on January 5, 2012 and has remained continuously posted as the required notice under the Statute and is being taped. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Roll Call: Comm. R. Davidson
 Comm. J. Ouellette
 Comm. J. Scarpa
 Comm. F. Valenzuela - Absent
 Mayor K. J. Kovalcik

Pledge of Allegiance was led by Roland Jacobsen

Mayor Kovalcik asked that everyone remain standing for a moment of silence remembering those in the military stationed overseas.

A motion was offered by Comm. Ouellette and seconded by Comm. Scarpa to adopt the agenda. Motion carried on a voice vote – all voting “Aye”.

A motion was offered by Comm. Ouellette and seconded by Comm. Scarpa to approve the Minutes of the Public Meeting held August 15, 2012. Motion carried on a voice vote – all voting “Aye”.

Mayor Kovalcik read a letter of resignation from Committeeman Robert Davidson.

Ms. Virginia De Maria
Township of Rochelle Park Municipal Clerk
Rochelle Park, New Jersey
07662

Ms. De Maria,

I am writing this letter to inform you that I am resigning my position as Rochelle Park Township Committeeman. My resignation is effective immediately upon receipt of this letter. Having the opportunity to serve the residents of Rochelle Park, as an elected official these past three years has been an honor I will never forget. I would also like to thank you and the entire Rochelle Park staff for the support and dedication everyone demonstrates every day serving the residents of our community.

Sincerely,

Robert Davidson

Reports:
 Health Department - August 2012
 Municipal Court - August 2012
 Attendance Report - August 2012
 Building Department - August 2012

The Consent Agenda was offered by Comm. Scarpa seconded by Comm. Ouellette and reads:

Resolution #2012 – 160

A Resolution – Payment of Bills – September 2012

Minutes of the Public Meeting held September 19, 2012 cont.

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, that the following bills be turned over to the Treasurer, and if found to be correct, be paid provided there is sufficient funds in the various accounts.

Attest: Virginia De Maria

Resolution #2012 – 161

A Resolution – Adopting the Hazard Mitigation Plan of the County of Bergen

Be It Resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen that the Township hereby adopts the November 7th, 2008 FEMA approved Bergen County Multi-Jurisdictional Local Hazard Mitigation Plan.

Attest: Virginia De Maria

Resolution #2012 - 162

A Resolution – Acknowledging the Annual Report of Audit

Whereas, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

Whereas, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40a: 5-6, and a copy has been received by each member of the governing body; and

Whereas, R.S. 52:27BB-34 authorizes the Local finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

Whereas, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

Whereas, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

Whereas, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

Whereas, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

Whereas, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

Now, therefore, be it resolved, that the Township Committee of the Township of Rochelle Park, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of the resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON SEPTEMBER 19, 2012.

Attest: Virginia De Maria

Resolution #2012 – 163

A Resolution – Authorizing Submission of An Application for Rochelle Park Municipal Alliance Grant – 2013 - \$19,752

Whereas, the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

Whereas, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

Minutes of the Public Meeting held September 19, 2012 cont.

Whereas, the Township Committee has applied for funding to the Governor's Council of Alcoholism and Drug Abuse through the County of Bergen;

Now, therefore, be it resolved by the Township of Rochelle Park, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of an application for the Rochelle Park Municipal Alliance grant for calendar year 2013 in the amount of \$19,752.00.
2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
K. J. Kovalcik, Mayor

I, Virginia De Maria of the Township of Rochelle Park, County of Bergen, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Committee of this 19th day of September, 2012.

Attest: Virginia De Maria

Resolution #2012 – 164

A Resolution – Appointing School Crossing Guards 2012/2013

Be it resolved, by the Township Committee of the Township of Rochelle Park, that the following be and is hereby appointed School Crossing Guard upon the recommendation of the Chief of Police at a salary as provided in the Salary Ordinance of the Township of Rochelle Park, effective , September 5, 2012 to June 28, 2013.

David Mocera
44 Chestnut Street
Rochelle Park, N.J. 07662

Edward Obermaier
12 Schlosser Drive
Rochelle Park, N.J. 07662

Eloise Bolan
360 Concord Drive
Maywood, N.J. 07607

Antionette Borelli
86 Madison Avenue
Rochelle Park, N.J. 07662

William Cottrell
63 Oak Street
Rochelle Park, N.J. 07662

Concetta Covino
39 North Drive
Rochelle Park, NJ 07662

Barbara Trinkleback
41 Meakin Avenue
Rochelle Park, N.J. 07662

Denise Courtney
16 Susquehanna Avenue
Rochelle Park, N.J. 07662

John Weeks
36 Schlosser Drive
Rochelle Park, N.J. 07662

Diane Leone
333 Rochelle Avenue
Rochelle Park, N.J. 07662

Attest: Virginia De Maria

Resolution #2012 – 165

A Resolution – Appointing Wastewater Collection System Operator – Jesse V. D'Amore

Whereas, pursuant to the requirements of law, the Township of Rochelle Park must appoint a Waste Water Collection System Operator; and

Whereas, the Township Administrator has recommended that an individual be appointed for this position instead of continuing with the services of John P. Foster, P.E. who retires effective September 30th, 2012 in order to satisfy the requirements of law and reduce the cost to the Township; and

Whereas the Township Administrator and the DPW Superintendent have conducted a search for a licensed and qualified individual for this position and has determined that Jessie possessed the appropriate license for this position.

Now therefore be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey as follows:

1. Jesse D'Amore, New Jersey be and is hereby appointed to the position of Waste Water Collection System Operator for the Township of Rochelle Park.
2. Jesse D'Amore, shall be required to maintain a C-2 Collection License as a condition of this appointment.
3. Mr. D'Amore shall be compensated at the rate of \$250.00/per month for all services associated with this position which shall include, without being limited to bi-weekly site visits, meeting with Township personnel

Minutes of the Public Meeting held September 19, 2012 cont.

and issuance of necessary reports as required by the appropriate regulatory agencies.

Now therefore be it further resolved, that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within resolution to Jesse D'Amore, 104 Fenner Avenue, Clifton, New Jersey, the Superintendent of the Department of Public Works and the Township Engineer.

Attest: Virginia De Maria

Resolution #2012 – 166

A Resolution – Raffle License #423-12 – Salt Water Anglers of Bergen County

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, State of New Jersey, that the application for Raffle License #423-12 as presented by the SALT WATER ANGLERS OF BERGEN COUNTY ID#427-8-37906 requesting permission to conduct OFF PREMISE RAFFLE on JUNE 18, 2013 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2012 – 167

A Resolution – Raffle License #424-12 – Salt Water Anglers of Bergen County

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, State of New Jersey, that the application for Raffle License #424-12 as presented by the SALT WATER ANGLERS OF BERGEN COUNTY ID#427-8-37906 requesting permission to conduct 50/50 RAFFLES on JANUARY 15, FEBRUARY 19, MARCH 19, APRIL 16, MAY 21, JUNE 19, JULY 17, AUGUST 20, SEPTEMBER 17, OCTOBER 15, NOVEMBER 18, 2012 and DECEMBER 17, 2013 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2012 – 168

A Resolution – Authorizing Participation in Litigation With the New Jersey State League of Municipalities

Whereas, the Township has received a letter from Verizon Communications taking the position that they are no longer responsible for payment of personal property tax pursuant to N.J.S.A.54:4-1; and

Whereas, the Township Attorney has reviewed this position and has requested additional information from Verizon Communications upon which a full analysis may be made as to their position; and

Whereas, the New Jersey State League of Municipalities has provided information to the Township which indicates that there are sixty-eight (68) municipalities in the state of New Jersey which face the same issue and which have received the same or similar communications from Verizon; and WHEREAS, one such Municipality, the Township of Hopewell, has instituted litigation against Verizon regarding this issue and the New Jersey State League of Municipalities is joining that litigation as a “friend of the Court” in an attempt to protect the rights and interests of similarly situated Municipalities throughout the state; and

Whereas, the Township Committee has determined that it would be the best interest of the Municipality to join in that litigation.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey as follows:

1. The Township Administrator has authorized to make an expenditure in the amount of \$220.00 to the New Jersey State League of Municipalities in order to join the aforesaid litigation.
2. The Township shall participate with the New Jersey State League of Municipalities in connection with the filing of a brief or other documents to support the position of the other similarly situated Municipalities.
3. The Township Administrator is hereby authorized and directed to execute any and all documents which will be necessary in order facilitate the provisions of this Resolution.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the Township Attorney, the New Jersey State League of Municipalities and the Township Administrator

Attest: Virginia De Maria

Resolution #2012 – 169

A Resolution – Authorizing Cancellation of Outdated Checks

Whereas, the Chief Financial Officer of the Township of Rochelle Park has identified the following checks to be stale dated and;

Whereas, the Chief Financial Officer has deemed to cancel of record the following checks which are dated prior to January 1, 2012

Whereas, all balances shall be treated as MRNA, as to the treasurers bank statement reconciliation:

Acct. #500 14915		Acct. #500 14896	
Payroll Account Bergen Commercial		Current Account Bergen Commercial	
Check #	Amount	Check #	Amount
1206	\$ 202.47	33729	\$2,700.00
1358	\$1633.29		
1422	\$ 73.89		
377407	\$ 112.83	Account #500 14923	
377408	\$ 14.51	Check#	Amount
377409	\$ 53.38	2716	\$159.43
1847	\$ 142.08	2805	\$500.00
2198	\$ 18.46	2807	<u>\$ 57.25</u>
2200	\$ 176.25		\$716.68
390478	\$ 461.60		
389964	\$ 110.31		
389965	\$ 6.63		
389966	\$1821.78		
2229	\$1648.72		
2248	\$ 359.00		
2274	\$1648.72		
2287	<u>\$ 148.33</u>		
	\$8632.25		

Attest: Virginia De Maria

Resolution #2012 – 170

A Resolution Introduction Ord. #1053-12 – Amending Chapter 16 – First Aid and Emergency Squad

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**AN ORDINANCE TO AMEND CHAPTER 16 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “FIRST AID AND EMERGENCY SQUAD”**” be and it is hereby introduced and passed on first reading September 19, 2012 and that said ordinance be further considered for final passage at a meeting to be held on October 17, 2012 at 7:30 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Resolution #2012 – 171

A Resolution – Appointing Township Administrator – Robert Davidson

Whereas, the position of Township Administrator pursuant to the provisions of N.J.S.A.40A:9-136 as well as Chapter 4 of the Code of the Township of Rochelle Park has been vacant for a substantial period of time.; and

Whereas, the Township Committee has determined that it is in the best interest of the residents and taxpayers of the Township of Rochelle Park to appoint a successor Township Administrator; and

Whereas, after having made that determination, the Township Committee advertised for and received numerous resumes and letters from interested individuals; and

Whereas, the procedure for the appointment and hiring of the Township Administrator was conducted in accordance with the personnel policies and procedures as well as all other ordinances of the Township of Rochelle Park; and

Whereas, one such interested party is ROBERT H. DAVIDSON of Rochelle Park, New Jersey; and

Whereas, the Township Committee has fully evaluated the background and credentials of ROBERT H. DAVIDSON and has determined that he possesses the

Minutes of the Public Meeting held September 19, 2012 cont.

qualities, character, background and education which is required in order to fulfill the requirements of this position; and

Whereas, ROBERT H. DAVIDSON received a Bachelor of Science degree from William Patterson University and served his country as a member of the United State Marines Corp.; and

Whereas, furthermore, he served, with distinction, in the Rochelle Park Police Department and retired in 2003 at the rank of Captain; and

Whereas, in addition, ROBERT H. DAVIDSON has served as a member of the Township Committee since 2009 and has served the Municipality in that position with distinction; and

Whereas, he has, throughout his professional career demonstrated an ability and willingness to serve the Township of Rochelle Park in any way or capacity which may be needed; and

Whereas, ROBERT H. DAVIDSON has recently resigned as a member of the Township Committee; and

Whereas, the Township Committee has determined, after a review of the background and experience of all other applicants that it would be in the best interests of the residents and taxpayers of the Township of Rochelle Park to appoint ROBERT H. DAVIDSON to the position of Township Administrator

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey as follows:

1. Robert H. Davidson of Rochelle Park, New Jersey be and is hereby appointed to the position of Township Administrator for the Township of Rochelle Park.
2. The term of his appointment shall be a period of three (3) years commencing on September 24, 2012 and ending on September 23, 2015.
3. The starting salary for this position shall be \$75,000 shall be prorated for 2012 and the salary for subsequent years shall be determined based upon the applicable salary ordinance.
4. The Township Attorney is hereby authorized and directed to prepare an Employment Contract which will be executed and which will outline the terms, conditions and obligations of this position.
5. Robert H. Davidson shall serve the Township of Rochelle Park pursuant to the provisions of N.J.S.A.40A:9-136, *et seq* as well as Chapter 4 of the Township Code.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the Robert H. Davidson, the Township Attorney and the Personnel Department of the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2012 – 172

A Resolution –Endorsing Community Development Project – Senior Citizens Activities - \$4,478

Be it resolved, that the Township Committee of the Township of Rochelle Park wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$4,478.00 in 2012 Community Development Block Grant funds for Senior Citizen Activities located at 151 W. Passaic Street

Be it further resolved, that the Township Committee hereby authorizes Jay Kovalcik to be a signatory for the aforesaid grant agreement; and

Be it further resolved, that the Township Committee hereby authorizes Virginia De Maria, RMC to sign all County vouchers submitted in connection with the aforesaid project; and

Be it further resolved, that the Township Committee recognizes that the Township of Rochelle Park is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Township Committee is in accordance with HUD requirements.

This resolution was adopted by the Township Committee of the Township of Rochelle Park at a meeting on September 19, 2012.

Attest: Virginia De Maria

Resolution #2012 – 173

A Resolution – Endorsing Community Development Project – Knights of Columbus

Minutes of the Public Meeting held September 19, 2012 cont.

Whereas, a Bergen County Community Development grant of \$25,000 has been proposed by Knights of Columbus – Rochelle Park for resurface and Handicap Stripe parking lot in the township of Rochelle Park, and

Whereas, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

Whereas, the aforesaid project is in the best interest of the people of the Township of Rochelle Park, and

Whereas, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

Now, therefore, be it resolved that the Governing Body of the Township of Rochelle Park hereby confirms endorsement of the aforesaid project, and

Be it further resolved, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Attest: Virginia De Maria

Resolution #2012 – 174

A Resolution – Approving Conclusion of Probationary Term and Conversion to Permanent Status – Officer Todd Starling

Whereas, on September 19, 2012 the Township Committee, upon the recommendation of the Chief of Police, hired Todd Starling as a Police Officer for the Township of Rochelle Park;

Whereas, said Resolution provided for a one (1) year probationary term under the supervision of the Chief of Police;

Whereas, prior to the end of said probationary term, Chief Flannelly was to submit a report with recommendations as to whether said probationary term had been successfully completed together with a recommendation as to conversion of the hiring to a permanent position;

Whereas, Chief Flannelly has, in fact, reported to the Township Committee and recommended that Todd Starling be hired on a permanent basis.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey, as follows:

1. Police Officer Todd Starling is hereby hired on a permanent basis after having successfully completed a one (1) year probationary term pursuant to Township Committee.
2. The conversion of Officer Todd Starling probationary term to permanent hiring shall be deemed effective immediately upon adoption of this Resolution but his hiring shall be effective as of September 19, 2012 and all time periods for determination of salary, seniority, etc. shall be effective as of that date.

Now, therefore, be it further resolved, that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to Chief Robert Flannelly, Officer Todd Starling, the Chief Financial Officer for the Township of Rochelle Park and the Township Attorney.

Attest: Virginia De Maria

Resolution #2012 – 175

A Resolution – Casino Night – Raffle Lic. #425-12 – Knights of Columbus

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, State of New Jersey, that the application for Raffle License #425-12 as presented by the K of C Council #2842 ID#427-6-35240 requesting permission to conduct a Casino Night on November 9, 2012 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2012 – 177

A Resolution – Authorizing Release of Closed Session Minutes – September 12, 2012

Whereas, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.) certain issues may be discussed by the Township Committee in a session which excludes the public; and

Minutes of the Public Meeting held September 19, 2012 cont.

Whereas, the aforementioned law requires that the minutes of said closed sessions be released as soon as practicable after the meeting and so long as the release of the minutes will not be adverse to the interests of the public and/or the Township; and

Whereas, pursuant to statute, the purpose of this Resolution is to disclose the information which was discussed in closed session on September 12, 2012 to the extent that said information can be disclosed without adversely affecting the Township or the public interest.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen and State of New Jersey that the attached closed session minutes may be released to the public in accordance with the requirements of New Jersey State Law; and

Be it further resolved, that any minutes which have not been released pursuant to this Resolution shall be reviewed periodically by the Township Attorney and further recommendation shall be made for the release of additional minutes as the release of same is deemed to be proper.

Attest: Virginia De Maria

CLOSED SESSION MINUTES - September 12, 2012

A motion was made for the Township Committee to go into closed or executive session to discuss matters of personnel, litigation and negotiations. The following represents the minutes of that closed session to the extent that those minutes may be released at this time:

1. Litigation – The Township Attorney provided an update regarding the successful conclusion of the Dilullo-Vogel and Buonanno cases. All claims in both cases have been dismissed against the Township.
2. Shared Services/Personnel – The Township Attorney provided a summary of discussions regarding restructuring of certain Municipal departments and potential shared services agreements.
3. Northern Park, LLC – The Township Attorney provided an update regarding the Township's position in connection with replacement or relocation of a sewer line in the area of the Northern Park development.
4. Administrator - The Township Committee discussed the appointment of a new Township Administrator as well as the terms for the Administrator's contract.

Resolution #2012 – 178

A Resolution Authorizing the Establishment of the 9-1-1 Committee

Be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen that a 9-1-1 Committee be established for the purpose of raising funds for the erection of a 9-1-1 Memorial for the residents of the Township of Rochelle Park.

Be it further resolved that the following personnel be appointed to this committee:

Committee Member – Frank Valenzuela
Joseph Scarpa

Administrator
Chief of Police
Teresa Cravello
Richard Cravello
EMS Captain – Roland Jacobsen
Fire Chief

Additional members to be named at a later day.

Now, therefore, be it resolved by the Township Committee of the Township of Rochelle Park, County of Bergen that effective immediately the 9-1-1 Committee be and is hereby established.

Attest: Virginia De Maria

A motion was offered by Comm. Scarpa and seconded by Comm. Ouellette to adopt the Consent Agenda. Motion carried on a roll call vote – all voting “Aye”.

The following resolution was offered by Comm. Scarpa and seconded by Comm. Ouellette and reads:

Resolution #2012 – 176

A Resolution Introduction Ord. 1054-12 – Bond Ordinance – \$750,000 – Carlock Field

See Attached

Minutes of the Public Meeting held September 19, 2012 cont.

A motion was offered by Comm. Scarpa and seconded by Comm. Ouellette to adopt the above resolution. Motion carried on a voice vote – all voting “Aye”.

The following resolution was offered by Comm. Scarpa and seconded by Comm. Ouellette and reads:

Resolution #2012 – 177 –

A Resolution – Amending Capital Budget

See Attached

A motion was offered by Comm. Scarpa and seconded by Comm. Ouellette to adopt the above resolution. Motion carried on a voice vote – all voting “Aye”.

Committee’s/Administrator’s/Attorney’s Reports

Comm. Ouellette – No report. She thanked Comm. Davidson and looks forward to his next endeavor.

Comm. Scarpa – Thanked Comm. Davidson for his hard work and welcomed him aboard in his new position as Township Administrator.

Virginia De Maria – Administrator - Stated that she had been acting administrator for the past three years and would assist the new administrator through the end of the year. He has a lot of work ahead of him. She had enjoyed the administrator position and was looking toward to working with her replacement.

Comm. Scarpa – Stated that the Municipal Clerk’s position entails many different duties. He thanked Ginny for doing a great job and appreciated her hard work the past three years.

Mayor Kovalcik – Echoed the previous sentiments. He agreed that Ginny had done an excellent job in the absence of a full time administrator. He congratulated Bob Davidson on his new position as Administrator which will begin on Monday, September 24th. He is looking forward to working with him in his new capacity. He stated that they had received resumes from well qualified candidates and Mr. Davidson stood out with his extensive knowledge of the Township and various departments. Kovalcik reported on the success of the eighth annual Summerfest concert held on Tuesday, August 21st. It was well attended by approximately 1300 people. The review’s on The Infernos was excellent. This event, as always, was sponsored by Park Ave. BMW Acura. It is a great town wide event.

A motion was offered by Comm. Scarpa and seconded by Comm. Ouellette to appoint Charles Grieco Jr. as a regular member of the Fire Department. Motion carried on a voice vote – all voting “Aye”.

A motion was offered by Comm. Scarpa and seconded by Comm. Ouellette to open the meeting to the public. Motion carried on a voice vote – all voting “Aye”.

Nancy Baker – 34 Brooks Avenue – Asked if the Township Committee had any information about the housing going in at the end of Terrace Avenue. Attorney Rotolo advised that due to recent changes in state statute, the property has now become traditional condominium units, not senior housing. Ms. Baker stressed her displeasure in the work that United Water was proceeding with on Terrace Avenue. She asked if any improvements made on Terrace Avenue due to this project would be borne by the tax payers. Comm. Scarpa advised that if any improvements were done on the right-of-way, the residents taxes would be impacted. The Committee advised that Construction Code Official Bolan should monitor this project closely. Ms. Baker also was not happy with the amount of traffic in the neighborhood and the parking over yellow curbs. She requested a “No Parking From Here to Corner” sign be placed on Terrace Avenue. The Administrator will speak with Chief Flannelly and DPW Superintendent Jim Schmunk for possible placing of the sign.

Heather Lum – 46 Terrace Ave. – Complained about the work that United Water was doing. She stated that there were temporary pipes and garden hoses running into residential basement windows. They were duct taped in the basement windows. She asked that extra police patrols be added to this area. Comm. Scarpa asked that the Administrator contact a representative of United Water to discuss this unacceptable situation. Ms. Lum also complained that work was beginning at 7:00 AM and not finished until after 9:00 PM. She asked if there was an ordinance in place limiting the hours of work. Noise officer Roland Jacobsen believes the hours are until 10:00 PM. Comm. Scarpa asked that Ms. Lum leave her phone number with Ms. De Maria for follow-up.

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work being done. Pipes along temporaries. Garden hoses attached to temp hoses basement basement windows to water. Duct tape. Extra patrols in the area. Terrible situation. Scarpa united water representative – Gin to give them a call. Meeting. Ordinance re: work – 7am – 9PM jack hammers diesel in windows beeping. Ord in place 7-9 – will check. Roland until 10PM. Police officer every day – no not necessary. Scarpa fought 1986. Clerk phone #.

Christine Mueller – 123 Forest Place – Advised that if the Terrace Avenue building was no longer senior housing, there were not going to be enough parking spaces allocated for this building. She also asked for more information regarding Dynamic Compacting and the possible damage it can do to sewer lines and water run off.

Nancy Baker – 34 Brooks Avenue – Advised that she was in favor of keeping the no parking overnight ordinance in place. Mayor Kovalcik stated that the Township was not looking to dissolve this ordinance. Ms. Baker then gave the history of the property at the end of Terrace Avenue.

Former Committeemen Robert Davidson – Thanked the Township Committee. He also thanked all the employees for an outstanding job.

Antoinette Malone – 245 Howard Avenue – Expressed her concerns regarding Terrace Avenue and the flooding problems associated with the Township. She felt this housing project should not be built. Comm. Scarpa advised this resident that the Township had been fighting this project since 1986. The Committee was even in contempt of court at one time. This project was court ordered and approved by the DEP. Ms. Malone also wants to have Summerville and Hoffman blocked off because when flooding occurs, her property gets damaged from the residents. Comm. Scarpa advised that they would speak with the OEM and the Police about this problem.

A motion was offered by Comm. Scarpa and seconded by Comm. Ouellette to close the meeting to the public. Motion carried on a voice vote – all voting “Aye”.

A motion was offered by Comm. Scarpa and seconded by Comm. Ouellette to open the closed session. Motion carried on a voice vote – all voting “Aye”.

Resolution No. CS-9A 2012

A Resolution Authorizing Closed Session Pursuant to N.J.S.A. 10:4-12

Whereas, N.J.S.A. 10:4-12 allows for a public body to exclude the public from a public meeting in certain circumstances, and

Whereas, the Rochelle Park Township Committee is of the opinion that such circumstances now exist.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, New Jersey that a Closed Session is hereby called at 9 PM on September 19, 2012 to discuss matters as permitted by law:

- _____ Matters, which by express provisions of Federal Law or state statute, shall be rendered confidential.
- _____ Matters in which the release of information would impair a right to receive funds from the Government of the United States.
- _____ Matters, which if disclosed, would constitute an unwarranted invasion of individual privacy.
- _____ Collective bargaining agreements or negotiations therefore with public employees and/or their representatives.
- _____ Matters involving the purchase, lease, or acquisition or real property with public funds, the setting of banking rates, or the investment of public funds where the disclosure could adversely affect the public interest.
- _____ Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law.
- _____ Pending or anticipated Litigation or contract negotiations in which the Township may become a party.
- _____ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as lawyer.
- X _____ Matters involving the employment, appointment, termination or employment, terms and conditions of employment, evaluation, promotions, or disciplinary action of any specific current or prospective public employee(s), unless all the individual(s)

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_____ Deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty or the suspension or loss of a license or permit of a party as a result of the actions of the party.

BE IT FURTHER RESOLVED that the matters so discussed will be disclosed to the public as soon as possible and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel.

Attest: Virginia De Maria

Closed Session:

A motion was offered by Comm. Scarpa and seconded by Comm. Ouellette to close the closed session. Motion carried on a voice vote – all voting “Aye”.

A motion was offered by Comm. Scarpa and seconded by Comm. Ouellette to adjourn the meeting. Motion carried on a voice vote – all present voting “Aye”.

Respectfully submitted,

Virginia De Maria
Municipal Clerk