



**TOWNSHIP OF ROCHELLE PARK  
151 WEST PASSAIC STREET  
ROCHELLE PARK, NEW JERSEY 07662  
MINUTES – PUBLIC MEETING – SEPTEMBER 16,  
2015**

Call to Order at 7:35 PM

According to the Open Public Meetings Act, this meeting of September 16, 2015 was advertised in the notice sent to the "Our Town", posted on the bulletin board in the Municipal Building on January 12, 2015 and on the Township's web-site 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. Kazimir  
                  Comm. Kovalcik-Absent  
                  Comm. Scarpa-Absent  
                  Comm. Valenzuela  
                  Mayor Ouellette

Pledge of Allegiance was led by Police Chief Flannelly.

Mayor Ouellette asked that everyone remain standing for a moment of silence remembering those who perished on 9-11-01.

A motion was offered by Comm. Valenzuela and seconded by Comm. Kazimir to adopt the agenda. Motion carried on a voice vote – all present voting "Aye".

Approval of the minutes of the Public Meeting August 19, 2015 has been postponed until the next meeting.

**Recognition**

Mayor Ouellette presented a Certificate of Appreciation, on behalf of the Township and the Township Committee, to Pastor Rev. Yeong D. Kim of the Presbyterian Church of Bergen County. Pastor Rev. Yeong and members of the Presbyterian Church donated \$1,200.56 in proceeds from their Annual Church Bazar to the Township's needy residents. She thanked Pastor Rev. Yeong for his continued generosity to the residents of Rochelle Park.

**Reports:**

Health Department   - August 2015  
Building Department - August 2015  
Municipal Court       - August 2015

The Consent Agenda was offered by Comm. Valenzuela and seconded by Comm. Kazimir and reads:

Resolution #2015 – 161

A Resolution – Payment of Bills – September 2015

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.

DOG ACCOUNT

CK 171 NJ Dept. of Health \$10.20

CURRENT, TRUST AND GENERAL CAPITAL ACCOUNTS

Current Fund	\$3,465,897.10
Capital Fund	\$ 75,510.62
Trust Fund	\$ 10,352.19

See attached back-up.

Attest: Elizabeth Kroll

Resolution #2015 – 162

A Resolution – Authorization the Cancellation of Stale 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 April 1, 2014

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
3671	\$195.53	37148	\$74.25
3885	\$393.26	37683	\$380.00
3966	\$212.60	37723	\$669.37
4223	\$144.19	37754	\$29.85
4255	\$339.34	37911	\$5.75
4442	\$192.10	38378	\$673.77
4456	\$103.31	38668	\$10.00
38703	\$110.00	38915	\$80.00
Account # 500 14923			

Trust Account Bergen Commercial	
Check #	Amount
2875	\$60.00

Attest: Elizabeth Kroll

Resolution #2015 – 163

A Resolution - Requesting Permission for the Dedication by Rider - Captain William Tyson Residence Preservation Fund

Whereas, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

Whereas, NJS 40A:5-29 provides for receipt of Donations – Acceptance of Bequests and Gifts by the municipality to provide for the operating costs to administer this act; and,

Whereas, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Captain William Tyson Residence Preservation Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

Now, Therefore, Be It Resolved, by the Governing Body of the Township of Rochelle Park - County of Bergen, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Captain William Tyson Residence Preservation Fund (NJS 40A:5-29)
2. The Clerk of the Township of Rochelle Park, County of Bergen is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Attest: Elizabeth Kroll

Resolution #2015 – 164

A Resolution - Confirming Endorsement of Community Development Projects - Center for Hope and Safety

Whereas, a Bergen County Community Development Grant of \$10,000 proposed by Center for Hope and Safety (formerly Shelter Our Sisters) for the Transitional Housing Director/Counselor staff position in the municipality 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 Rochelle Park, and has been funded from 1987 through 2016; 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 Community Development Program so that implementation of the aforesaid project may be expedited.

Attest: Elizabeth Kroll

Resolution #2015 – 165

A Resolution - Authorizing Lien Redemption Cert #15-006 -Block 38 Lot 105.04

Whereas, Roy Riggitano, Tax Collector, has advised that payment was received in the amount of \$14,714.07 from Capital One Bank to redeem TTL #15-006 and

Whereas, US BK CUST BV001 TRST & CRDTRS., 50 South 16<sup>th</sup> St., Suite 2050, Philadelphia, PA 19102-2513

Be It Resolved, by the Township Committee of the Township of Rochelle Park, Bergen County that the following checks are issued to US BK CUST BV001 & CRDTRS., in the amount of \$14,714.07 from current and \$19,100.00 from trust premium account for a total redemption of \$33,814.07

Attest: Elizabeth Kroll

Resolution #2015 – 166

A Resolution - Appointing School Crossing Guards 2015/2016

Fred LoVerso	Sabah Aboueid	Edna Salcedo
61 Berdan Street	87 Prospect St	241 W. Passaic Street, 11B
Rochelle Park, N.J. 07662	Paramus NJ	Rochelle Park, N.J. 07662

Antionette Borelli	William Cottrell
86 Madison Avenue	63 Oak Street
Rochelle Park, N.J. 07662	Rochelle Park, N.J. 07662

Dave Mocera	Thomas Sudol
44 Chestnut Street	44 Hahn Avenue
Rochelle Park, N.J. 07662	Rochelle Park, N.J. 07662

Diane Leone	John Weeks	Connie Bianco
333 Rochelle Avenue	36 Schlosser Drive	15 Dorothy Ave
Rochelle Park, N.J. 07662	Rochelle Park, N.J. 07662	Rochelle Park, N.J. 07662

Attest: Elizabeth Kroll

Resolution #2015 – 167

A Resolution - To Amend the 2015 Municipal Budget - Charitable Donation

Whereas, NJSA 40A:4-87 provides that the Director of the division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

Whereas, the Director may also approve the insertion of an item of appropriation for equal amount,

Now, Therefore Be It Resolved, That the Township Committee of the Township of Rochelle Park in the County of Bergen, New Jersey, hereby requests the Director of the division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$1,200.56, which is now available as a revenue from:

Miscellaneous Revenues:

Public and Private Programs Offset by Appropriations:

Private Donation \$1,200.56

Be It Further Resolved, that the like sum of \$1,200.56 is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

Private Donation \$1,200.56

Be It Further Resolved, that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

Attest: Elizabeth Kroll

Resolution #2015 – 168

A Resolution-Authorizing Amendment to Resolution #2015-142-Appointing Expert Witness for COAH Litigation

Whereas, the Township Committee of the Township of Rochelle Park entered into the Municipal Shared Services Defense Agreement (“MSSDA”) for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action (“Litigation”) that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”); and

Whereas, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and

Whereas, Dr. Burchell became ill and has been unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

Whereas, as a result, Rutgers University has exercised its right to terminate the Research Agreement as permitted under its terms; and

Whereas, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

Whereas, an Amendment to the MSSDA (“Amendment”) has been prepared to effectuate the modification; and

Whereas, the Township Committee of the Township of Rochelle Park recognizes that the Litigation requires immediate action and may require further expedited actions by its counsel determined to be necessary and appropriate; and

Whereas, the Township Committee of the Township of Rochelle Park has determined that it is in the best interests of the citizens of the Township of Rochelle Park to approve the Amendment, and/or to affirm and ratify the Amendment, and to authorize their designated counsel to take actions on behalf of the municipality with regard to the multiplicity of issues raised and associated with the continued implementation of the MSSDA;

Now, Therefore, Be It Resolved, by the Township Committee of the Township of Rochelle Park, as follows:

1. The terms and conditions of the Amendment to MSSDA attached hereto are hereby approved, and/or ratified and confirmed.
2. The Mayor and Township Clerk or Deputy Clerk, be and are hereby authorized to execute the aforesaid Amendment.
3. The Township Committee of the Township of Rochelle Park hereby authorizes Jeffrey R. Surenian, Esq., to execute an agreement on behalf of the Township of Rochelle Park with Econsult Solutions, Inc.

The Township Committee of the Township of Rochelle Park hereby authorizes Jeffrey R. Surenian, Esq., to execute on behalf of the Township of Rochelle Park with the approval of the Township of Rochelle Park’s designated counsel such other agreement(s) as are advisable to effectuate the purposes of the MSSDA as amended.

4. The Township Committee of the Township of Rochelle Park further authorizes its designated counsel to approve such other changes to the MSSDA as may be necessary to effectuate its purposes, and to take action on behalf of the municipality with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the municipality to appropriate and commit any additional funding for the MSSDA. In the event such changes and actions require the municipality to appropriate and commit any additional funding for the MSSDA, Township of Rochelle Park shall only be responsible for such funding if it authorizes same.
5. If additional monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized by designated counsel without further action from the Township.
6. This Resolution shall take effect immediately.

Attest: Elizabeth Kroll

Resolution #2015 – 169

A Resolution - Authorizing Release of Closed Session Minutes – September 9, 2015

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

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 9, 2015 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.

A motion was offered by Comm. Valenzuela and seconded by Comm. Kazimir to adopt the consent agenda. Motion carried on a voice vote. All present voting "Aye."

Attest: Elizabeth Kroll

#### Committee's/Administrator's/Attorney's Reports

Comm. Valenzuela- Stated that on behalf of Comm. Kovalcik he would like to thank the Township Committee for their assistance in making the 11<sup>th</sup> Annual Summerfest a success. He also wanted to thank the Sommerhalter family for their charitable donation and continued support.

Comm. Kazimir- Commented that the Rochelle Park Library had over 1,200 visitors in the month of August. He stated the Municipal Court collected over \$36,000.00 in fees for the month of August. He thanked Administrator Davidson and the American Legion for their participation hosting the 9-11 ceremonies. He stated both ceremonies were professionally done and well attended.

Administrator Davidson- Stated that he applied for a grant with Bergen County for funding for the Captain William Tyson House. He advised he should be hearing from the County within the upcoming weeks. He stated the Township Committee passed a resolution to accept donations for the home. He commented that many residents have been inquiring as to where they can make a contribution and the creation of this account will allow the Township to accept donations. He advised that the Township received \$54,320.00 for improvements to Matthews Field. He plans to repair the fencing as well as upgrade the park area within the upcoming months.

Mayor Ouellette- Wished former Mayor Wilbur Lotz a very Happy 100<sup>th</sup> Birthday!

A motion was offered by Mayor Ouellette and seconded by Comm. Valenzuela to appoint Matthew Carroll and Tyler DeMott as members of the Rochelle Park Volunteer Fire Department. Motion carried on a voice vote - all present voting "Aye".

A motion was offered by Comm. Kazimir and seconded by Comm. Valenzuela to open the meeting to the public. Motion carried on a voice vote - all present voting "Aye".

Rose Holz-82 Forest Place- Stated that she read in the paper that her neighbor believes her husband is running a repair shop out of their home. She stated that her family has resided in Rochelle Park for over 30 years and she enjoys living here. She understands how important it is to keep her community beautiful and works hard to maintain her property. She stated that her husband is retired and that she and her adult daughter work full-time. She advised that there is no business being run out of her home. She commented that her husband is an antique car collector and enjoys helping out his neighbors by repairing their broken items such as snow blowers or lawn mowers. She stated that she has never spoken to the neighbor who is making these allegations and it is upsetting to her to be under investigation. Administrator Davidson commented that she and her family are not under investigation; however when a resident makes a complaint the appropriate department is advised and they investigate the complaint. He advised there does not

seem to be an issue with this particular complaint. Mayor Ouellette thanked her for coming and sharing her side of the story.

Lynn Houghton-117 West Oldis Street- Stated that she believes the Township Committee is forcing many senior residents out of their homes with significant tax increases. She commented that her taxes went up \$505.00 for 2015. She stated that while she understands the school is in need of repairs she doesn't believe that one school should be such a burden to the taxpayers. She suggested shared services between Midland School and other local school districts. She asked the Township Committee if they were aware of a new sprinkler system. Mayor Ouellette stated that they were not aware of this and asked Mr. Sam Allos, Board of Education Liaison if he could comment on this matter. Mr. Allos stated that no sprinkler system was installed; a new water main pipe to the school was installed as well as an additional pipe for the sprinkler system. Mrs. Houghton stated that many residents are facing hardships and there is very little help for seniors. Mayor Ouellette stated that the Township lost several rateables through tax appeals and she believes the Township is run very tightly. Mrs. Houghton stated that she was not in support of purchasing the Historic Home and further funding for repairs. Municipal Auditor, Frank DiMaria, stated that no increase on this tax bill has come from the purchase of the Historic Home. He stated the purchase was a capital acquisition which has no impact on the tax bill.

Rich Vitale-102 James Street- Stated that a few meetings ago a gentleman had complained about the trailers parked in the lot across from ShopRite. He asked the Township Committee if anyone has looked into what is being done at the Gulf station on West Passaic Street. He commented that the property is in need of repairs. Mayor Ouellette stated an ordinance would need to be in place to allow the DPW to clean up the property. Mr. Vitale also stated that there is a tree on the corner of Powell and James that is deteriorating and he is afraid that it may hurt someone if it falls. Administrator Davidson advised that he and someone from the DPW would look into this situation in the morning.

Sam Allos-Board of Education Liaison- Advised the Township Committee that school is back in session and the first day went smoothly. He thanked parents, students and employees at Midland School for their efforts in preparing the school for opening day. He invited the Township Committee and residents to attend a Ribbon Cutting Ceremony at the school. The date of the ceremony is yet to be determined. He commented that the heating project at the school is ahead of schedule and all of the improvement work is moving along nicely. He stated that the Board of Education has done extensive research into merging with other school districts and it is not an inexpensive or easy thing to do. He stated that at this time merging is impractical. He advised that the 5K run will be held Sunday, September 27<sup>th</sup> at 8:30AM. Comm. Valenzuela thanked the Police, Fire and DPW for their efforts in making this run a great success each year.

Roy Luyster-98 James Street- Asked Administrator Davidson why the Township allowed the Board of Education to hire the current Superintendent of School as he believes the Superintendent does not have an unblemished record at his previous district. Attorney Rotolo advised that by State Law the Township Committee has no control over what decision the School Boards makes. Mayor Ouellette suggested Mr. Luyster attend a Board of Education meeting with his concerns. Mr. Luyster stated that he has been notifying the DPW for approximately two years that the sidewalk in front of his home is in need of repair. He stated that it appears to be an easy and inexpensive fix and he would like something done about it as soon as possible as he has been waiting for a significant amount of time. Administrator Davidson stated that he will address this situation in the morning and speak with the DPW in regards to it as well.

Sam Allos-Board of Education Liaison- Commented that he appreciates the concern in regards to the Superintendent of Schools. He advised that the State mandates that all districts have a Superintendent and that the Board of Education did extensive research when they were interviewing applicants. He commented that the current Superintendent had excellent references and that the Education Commissioner from the State of New Jersey praised his performance. Comm. Valenzuela asked Mr. Allos when the next Board of Education meeting is. Mr. Allos stated two weeks.

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

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

Respectfully submitted,

Elizabeth Kroll  
Municipal Clerk