



**TOWNSHIP OF ROCHELLE PARK
151 WEST PASSAIC STREET
ROCHELLE PARK, NEW JERSEY 07662
MINUTES- PUBLIC MEETING – JULY 20, 2016
This meeting will begin at 6:30 PM**

Call to Order at 6:30 PM

According to the Open Public Meetings Act, this meeting of July 20, 2016 was sent to the “The Record”, published on January 7, 2016, posted on the Township web-site and posted on the bulletin board in the Municipal Building and has remained continuously posted as the required notice under the Statute and is being recorded. 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. Hauser
 Comm. Kovalcik
 Comm. Scarpa-Absent
 Comm. Valenzuela
 Mayor Kazimir

Pledge of Allegiance was led by the Township Committee.

Mayor Kazimir asked that everyone remain standing for a moment of silence remembering those Law Enforcement lives that have been lost and those who lost their lives in the recent Paris terror attack.

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

Comm. Scarpa entered the meeting.

A motion was offered by Comm. Hauser and seconded by Comm. Valenzuela to open close session. Motion carried on a voice vote – all voting “Aye”

The following resolution was offered by Comm. Hauser and seconded by Comm. Valenzuela and reads:

Resolution #CS-7 2016

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 6: 35 PM, July 20, 2016 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) 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: Elizabeth Kroll

Closed Session

- Police Interviews - 6:30 PM - Christopher Freeman-Saldivia
- 6:45 PM - Brian Gallina
- 7:00 PM - Nicholas Mercoun

A motion was offered by Comm. Hauser and seconded by Comm. Scarpa to close the closed session. Motion carried on a voice vote-all voting "Aye"

A motion was offered by Comm. Hauser and seconded by Comm. Valenzuela to approve the minutes of the Public Meeting held on June 15, 2016. Motion carried on a voice vote – "Ayes" Hauser, Kovalcik, Valenzuela, Kazimir "Abstained" Scarpa

Reports:

- Health Department - June 2016
- Building Department - June 2016

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

Resolution- # 2016 - 143

A Resolution- Payment of Bills 2016 - July

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 184 NJ Dept. of Health \$6.00

CURRENT, TRUST AND GENERAL CAPITAL ACCOUNTS

Current Fund	\$2,563,895.15
Capital Fund	\$ 102,738.40
Trust Fund	\$ 31,462.36

See attached back-up.

Attest: Elizabeth Kroll

Resolution- # 2016 - 144

A Resolution- Authorizing Agreement to Renew Membership in the South Bergen Municipal Joint Insurance Fund

Whereas, the South Bergen Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq., and;

Whereas, the Township of Rochelle park is currently a member of said Fund, and;

Whereas, effective December 31, 2016, said membership will expire unless earlier renewed, and;

Whereas, the Township Committee of the Township of Rochelle Park has resolved to renew said membership;

Now Therefore, it is agreed as follows:

1. The Township of Rochelle Park hereby renews its membership in the South Bergen Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2017 and ending December 31, 2019.
2. The Township of Rochelle Park hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the South Bergen Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance

- with the Applicable Statutes and administrative regulations as if each and everyone of said documents were re-executed contemporaneously herewith.
3. The Township of Rochelle Park agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
 4. In consideration of the continuing membership of the Township of Rochelle Park in the South Bergen Municipal Joint Insurance Fund agrees, subject to the continued approval of the Commissioner of Insurance to accept the renewal of the Township of Rochelle Park.
 5. Executed the 20th day of July, 2016 as the lawful and binding act and deed of the Township of Rochelle Park, which execution has been duly authorized by public vote of the governing body.

Attest: Elizabeth Kroll

Resolution- # 2016 - 145

A Resolution- Authorizing Tax Court Judgment Refund - 175 Rochelle Avenue

NOW BE IT RESOLVED, by the Township Committee of the Township of Rochelle Park that the Tax Collector is hereby authorized to issue a check in the amount of \$2,099.20 payable to "Spiotti & Esposito PC" as a result of a **Tax Court Judgment** covering the year **2013**, for the property: 175 Rochelle Avenue, Unit #324, Rochelle Park, N.J. 07662.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to furnish copies of the Resolution to the following:

1. Chief Financial Officer
2. Tax Collector

Attest: Elizabeth Kroll

Resolution- # 2016 - 146

A Resolution- Authorizing Escrow Refund - The Grooming Shoppe, Inc.

Whereas, escrow and current fund application fees were received and deposited on behalf of The Grooming Shoppe, Inc. and;

Whereas, Block 24.02 Lot 34 known as 201B Rochelle Ave., Rochelle Park, N.J. has paid an Escrow fee in the amount of \$2,750.00 and;

Whereas, The Grooming Shoppe, Inc. has completed the application, fees have been paid and balance of the escrow is \$2,250.00;

Now Therefore Be It Resolved, that a refund check in the amount of \$2,250.00 from Escrow Account be made payable to "The Grooming Shoppe, Inc.", 201B Rochelle Ave., Rochelle Park, NJ 07662.

Attest: Elizabeth Kroll

Resolution- # 2016 - 147

A Resolution- Authorizing Settlement of Real Property Tax Appeal - Route 17

Whereas, real property tax appeals have been filed in connection with the property described in this resolution; and

Whereas, appeals have been filed for numerous years, as detailed herein; and

Whereas, these matters have been reviewed and analyzed by the Township Attorney, Tax Assessor and Tax Appeal Appraiser, Robert McNerney; and

Whereas, multiple settlement discussions, meetings and court appearances have occurred and, as a result of the foregoing, a recommendation for a settlement has been made by the Township Attorney, Tax Assessor and Appraiser; and

Whereas, it has been determined that the settlement described herein is in the best interest of the Municipality and the Township Committee has authorized this settlement; and

Whereas, the proposed settlement has been reviewed by the Chief Financial Officer who has determined that sufficient are available for all required refunds that will be made as a result of this settlement.

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 settlement of the real property tax appeals described in this resolution is hereby authorized.
2. The property owner, tax map identification, street address and docket numbers are as follows;

PROPERTY OWNER: Paddington Place Property, LLC
ADDRESS: Route 17

LOT: 7.01
BLOCK: 16
TAX COURT DOCKET NOS: 004849-2013
002727-2014
005518-2015
002396-2016

3. The terms, conditions and obligations of these settlements are as set forth on the attached Stipulations of Settlement which are specifically incorporated herein by reference.
4. The Township Attorney is hereby authorized and directed to execute the attached Stipulations of Settlement and process same for the entry of Tax Court Judgments.
5. The Tax Assessor is directed to amend Municipal records to reflect these settlements and the Tax Collector/Chief Financial Officer are hereby directed to prepare the required refunds and refund resolution.
6. The refund checks, when prepared, should be made payable to the office of the attorney for the Plaintiff/Taxpayer as described in the attached Stipulation of Settlement.

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 Office of the Tax Assessor, Office of the Tax Collector, the Chief Financial Officer and the Township Attorney.

Attest: Elizabeth Kroll

Resolution- # 2016 - 148

A Resolution- Authorizing Creation of Cash Drawer – Library

Be It Resolved, by the Township Committee of the Township of Rochelle Park that Roy Riggitano, CFO has hereby authorized issuance of a check in the amount of \$60.00 payable to Julia Perrotta, to create a cash drawer for “Julia Perrotta, Library Director”.

Be It Further Resolved, that the Township Clerk is hereby authorized to furnish copies of this Resolution to the following:

1. CFO/Tax Collector
2. Assistant to the CFO/Deputy Tax Collector

Attest: Elizabeth Kroll

Resolution- # 2016 - 149

A Resolution- Introduction #1103-16 - Amending Chapter 160 - Property Maintenance

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 150 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “PROPERTY MAINTENANCE”” be and it is hereby introduced and passed on first reading and that said ordinance be further considered for final passage at a meeting to be held on August 17, 2016 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: Elizabeth Kroll

Resolution # 2016-150

A Resolution- Authorizing Change Order No. 1 – Rochelle Park Ambulance Corps Building

Whereas, the Township Committee previously awarded a Contract to MBT Contracting, LLC for the installation of a resinous floor finish at the Rochelle Park Ambulance Corps building; and

Whereas, subsequent to the receipt of bids, it was determined, by the project architect, that the existing floor drains at the Ambulance Corps building had to be replaced; and

Whereas, as a result of having made this determination, the project architect contacted MBT Contracting, LLC regarding this additional work and a quote was submitted in the amount of \$4,350.00 to complete the same; and

Whereas, the project architect has, therefore, recommended that the Township Committee approve a change order to accommodate to authorize this additional work

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. Change Order No. 1 to the Contract between the Contract and MBT Contracting, LLC for the resinous floor finish at the Rochelle Park Ambulance Corps building be and is hereby approved.
2. This change order is in the amount of \$4,350.00.
3. This shall include removal of portions of the existing floor slab, installation of a new floor drain assembly and pouring a new concrete floor slab prior to installation of the new floor finish.
4. This award is contingent on certification by the Chief Financial Officer that sufficient funds are available for this purpose.

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 MBT Contracting, LLC, the Chief Financial Officer of the Township of Rochelle Park, the Township Attorney and the Rochelle Park Ambulance Corps.

Attest: Elizabeth Kroll

A motion was offered by Comm. Valenzuela and seconded by Comm. Kazimir to adopt the consent agenda. Motion carried on a roll call vote - "Aye" Hauser, Kovalcik, Scarpa, Valenzuela, Kazimir

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

Resolution #2016-151

A Resolution - Hearing & Adoption Ord. #1102 - 16 - Amending Bond Ordinance #1083-15

Be It Resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled "BOND ORDINANCE TO AMEND SECTIONS 4.I AND 10 OF THE BOND ORDINANCE (ORD. NO. 1083-15) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF ROCHELLE PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$600,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED MAY 20, 2015" be and it is hereby passed upon second and final reading and that the Municipal Clerk be and she is hereby authorized and directed to advertise the same according to law.

Attest: Elizabeth Kroll

A motion was offered by Comm. Valenzuela and seconded by Comm. Scarpa to open the hearing to the public. Motion carried on a voice vote – all voting "Aye".

No members of the public spoke.

A motion was offered by Comm. Valenzuela and seconded by Comm. Kovalcik to close the hearing to the public. Motion carried on a voice vote – all voting "Aye".

A motion was offered by Comm. Valenzuela and seconded by Comm. Scarpa to adopt the above resolution. Motion carried on a roll call vote – "Ayes" Kovalcik, Valenzuela, Scarpa, Kazimir "Nays" Hauser.

Committee's/Administrator's/Attorney/Clerk's Reports

Comm. Hauser-References the upcoming library events and he hopes everyone will attend as there are many interesting programs.

Comm. Valenzuela-Explained that Resolution # 2016-149 - Amending Chapter 160 - Property Maintenance, is being amended so that members of the Fire Prevention Bureau can handle property maintenance issues as part of their daily routine. He advised that this will allow for code violations to be observed more frequently and violations to be issued. Valenzuela advised that the Township received a generous donation from Pastor Kim of the Presbyterian Church on Rochelle Avenue. He advised that Pastor Kim donated the proceeds from their garage sale in the amount of \$1,380.86 to help Township residents in need. Comm. Valenzuela advised that this donation would be used to help families in need of financial assistance. Valenzuela advised that it has become increasingly important that everyone support law enforcement officers in light of recent events. He congratulated David DeNicola on graduating Marine Basic Training. He advised that Mr. DeNicola would be coming home briefly in September and suggested that the Township Committee invite him to a Township Meeting to acknowledge his accomplishments.

Comm. Scarpa-Stated that he would like to offer his thoughts and prayers to members of law enforcement across the country at this difficult time. He then stated that he had received paperwork from the Volunteer Fire Department for the removal of two members, Ryan Thompson and Carlos Sandoval, due to non-participation.

Comm. Kovalcik-Commented that he would like to recognize the Rochelle Park Police Departments efforts in keeping our community safe. He stated that in June the Rochelle Park Police responded to just fewer than 1,000 calls. He advised that the police issued 300 summonses, responded to 71 ambulance calls, made 19 arrests and responded to 66 motor vehicle accidents. He advised that several members of the Rochelle Park Police Department were recently recognized for their involvement with a local task force in capturing a bank robbery suspect. He thanked the officers for their dedication to the residents of Rochelle Park. Kovalcik advised that earlier in the evening the Township Committee conducted interviews for the position of Police Officer. He commented that each individual who interviewed was exceptional and it was a hard decision to make. A motion was offered by Comm. Kovalcik and Seconded by Comm. Scarpa to offer a conditional offer of employment to Christopher Freeman-Saldivia and Brian Gallina pending successful background check, beginning at Step One of the Police salary guide. Motion carried on a roll call vote – “Ayes” Hauser, Kovalcik, Valenzuela, Scarpa, Kazimir. Kovalcik then reminded everyone that Tuesday, August 16th is the 12th Annual Summerfest Oldies Concert sponsored by Park Avenue Acura and BMW. He stated that the concert begins at 7:30PM and the New York Bee-Gees will be performing. The concert is held behind Midland School located on Rochelle Avenue.

Mayor Kazimir-Stated that the Ambulance Corp. responded to 70 calls in June. He commented that they have been doing a great job responding to calls and have recently had an increase in the number of volunteers.

Municipal Clerk Kroll-No Report.

Administrator Davidson-No Report.

Attorney Rotolo-No Report.

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

Robert Califano- 33 Harvey Avenue- Stated that he and several other residents of Harvey Avenue have concerns over commuter parking on the street. He stated that often times residents have to park three or more blocks away from their own homes as commuters take up spaces near Passaic Street to catch the bus into the city. He commented that on several occasions he has witnessed emergency vehicles not being able to pass and also unsafe driving conditions caused by parking on both sides of the street. He asked the Township Committee to consider passing an ordinance for timed parking on Harvey Avenue. Mayor Kazimir stated that he would speak with Police Chief Flannelly and they would come up with suggestions as to how to alleviate the parking problems in that area. Comm. Valenzuela stated that this is also an issue on High Street as many commuters

will park on the side streets in that area as well. Mayor Kazimir stated that he will have the Police Chief look into that area as well.

Linda Boniface-33 Parkway- Stated that she believes the Township Committee should put a referendum on the ballot for residents to vote on whether or not taxpayer's money should be utilized for improvements on the Captain Tyson Home. She stated that back in 2010 Comm. Scarpa voted to have a question put on the ballot about widening of Route 17. She asked why he would go to referendum back then but not now. Comm. Scarpa stated that he was attempting to send a message to Bergen County as that was their project and that the Township would have lost over 30 million in rateables if the project moved forward. Comm. Hauser stated that he has a plan to propose a question for referendum at the next meeting regarding 49 E. Passaic Street.

Jerry Cronin-175 Rochelle Avenue- Stated that at the last Public Meeting he asked several questions about the Fire Prevention Ordinance that was being amended and adopted. Mayor Kazimir asked Darryl DeMott, Fire Prevention Chief, to speak with Mr. Cronin and address his concerns regarding this ordinance.

Bill Coleman-58 Schlosser Drive- Asked for an update regarding the back taxes at Sage Day School. Mayor Kazimir stated that Sage Day will be taxed as far back as allowed by law which is one year. He stated that they will be added to the tax rolls as of October 2016. Mr. Coleman asked if any Committee member had a copy of the lease agreement. Mayor Kazimir advised that the Tax Assessor has a copy of the lease. Mr. Coleman then asked what was discussed at a recent meeting between the Administrator and representatives of the billboard company. Mayor Kazimir stated that options were discussed as to how the Township could best utilize their eight second advertising turn. Mr. Coleman stated that he hoped that the Township didn't agree to a one time buy-out as he believes the revenue from the billboards could earn the Township significant revenue. Mayor Kazimir assured him that the Township is currently seeking the best way to utilize their turns and that they are not interested in relinquishing their eight second space. Mr. Coleman then asked the Township Committee how they plan to replace the \$65,000 that was already spent out of bond ordinance #1083-15, on the Captain Tyson Home. Attorney Rotolo stated that the bond ordinance was amended to include class "C" structures and that by amending the ordinance the funds were able to be spent on the Tyson Home. Mr. Coleman asked about an issue between the zoning board and the building department. He stated that he believes there is a communication issue between the zoning board and the building department. Attorney Rotolo stated that whenever there is a clarity issue Construction Code Official, Nick Melfi and the building department staff is always inclined to contact the appropriate board and not make decisions on their own. Comm. Scarpa stated that there are professionals who handle these matters and that the Township Committee has had no involvement in regards to any planning or zoning matter. Mr. Coleman asked about the property across the street from the Municipal Building, he stated he read in the newspaper that the Planning Board will be discussing utilizing the property for a redevelopment zone. The Township Committee confirmed that this property would be taken under consideration for a redevelopment zone.

Diane Verhasselt-40 Forest Place- Stated that she was advised of a meeting that took place in 2008 where the Township Administrator and Tax Assessor met with the Board of Education regarding Windsor Court Condominiums and the potential influx of children that would possibly attend Midland School. She stated that she believes at this meeting the Township Administrator at the time and the Tax Assessor stated that Sage Day School was paying approximately \$33,000 in annual taxes. She asked if this was true and if so why they ever stopped paying their taxes to the Township. She stated that she doesn't believe the Tax Assessor is doing his job. Mayor Kazimir stated that there are checks and balances in place and if this conversation had taken place he would like to see minutes from the Board of Education Meeting.

Jerry Cronin-175 Rochelle Avenue- Stated in response to Mrs. Verhasselt's comments; Windsor Court currently has three children attending Midland School. He stated that in 2002 he was a member of the parish council when Sacred Heart School was closed. He stated that it took several years to find a tenant for the space that Sage Day school currently occupies. He clarified that the church does not own the property, the Archdiocese in Newark does.

Bill Coleman-58 Schlosser Drive- Stated that he had approached the Township Administrator three years ago about Sage Day School running a for profit school out of

the property they lease from Sacred Heart Church. He stated that nothing was ever done after their conversation. Administrator Davidson stated that he does recall the conversation and he did at the time inform the proper individual of the matter and the issue was not ignored by the Township.

Robert Cannici-Stated that he would like clarification in regards to the cleaning of Sprout Brook. He stated that he had read an article a few years ago that Assemblyman Eustace and Senator Gordon were able to gain funding to clean and dredge the Sprout Brook. He commented that the Township has been hit hard by flooding over the years and doesn't want another storm to affect the residents. Administrator Davidson stated that the Township has not received any funding thus far through the Assemblymen and Senators efforts. Administrator Davidson stated that he has applied for a grant to assist in the cleanup of Sprout Brook. Administrator Davidson stated that there were some issues with permits and the DEP, but that the Township Engineer, Ken Job, is in the process of doing what needs to be done. He stated that he can provide Mr. Cannici with the engineer's reports if he would like to review them. Administrator Davidson commented that he has not heard from Assemblyman Eustace after reaching out to him several times in regards to this issue.

Comm. Scarpa stated it was a pleasure seeing the former Mayor, Robert Cannici, this evening. He stated that Mr. Cannici was on the Township Committee from 1980-2001 and served as Mayor twice during his term in office.

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

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

Respectfully submitted,

Elizabeth Kroll
Municipal Clerk