



**TOWNSHIP OF ROCHELLE PARK  
151 WEST PASSAIC STREET  
ROCHELLE PARK, NEW JERSEY 07662  
MINUTES – PUBLIC MEETING – MAY 18, 2016  
MEETING TO BEGIN AT 8:00 PM**

Call to Order at 8:01 PM

According to the Open Public Meetings Act, this meeting of May 18, 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  
                  Comm. Valenzuela-Absent  
                  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 in the military stationed overseas.

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

A motion was offered by Comm. Scarpa and seconded by Comm. Kovalcik to approve the minutes of the Public Meeting held on April 20, 2016. Motion carried on a voice vote – all present voting “Aye.”

Proclamations

National Police Week & Peace Officer’s Memorial Day - May 15-21, 2016  
ALS Awareness Month - June, 2016

Mayor Kazimir presented the National Police Week Proclamation and the ALS Awareness Month Proclamation. He stated that recognizing Police Officers and their efforts is important and he thanked them for their service. He stated that the ALS walk would be held in the County park in June and encouraged residents to attend.

At the Work Session held on May 11, 2016 the following resolution was adopted - all present voting “Aye”

Resolution #2016 – 116

A Resolution - Authorizing NJ Transit Purchase and Installation of Bus Shelter

Whereas, NJ Transit has funds for the purchase of bus shelters throughout the State of New Jersey; and

Whereas, the governing body of a municipality in New Jersey or the Board of Chosen Freeholders of a county may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

Whereas, the Township of Rochelle Park, in the interest of promoting public transportation, conservation of energy, traffic safety, and for the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction.

Now, Therefore, be it resolved, that the application is hereby made by the Township of Rochelle Park to the New Jersey Transit Corporation for the purchase and installation of 1 (one) bus shelter as set forth in Exhibit A, made a part hereof.

Further, be it resolved that the \_\_\_\_\_ and the

Mayor

\_\_\_\_\_ be authorized to execute an agreement or agreements with NJ

Municipal Clerk

Resolution # 2016-116 cont.

Transit to arrange for the purchase and installation of the shelter.

Attest: Elizabeth Kroll

Reports:

- Health Department - April 2016
- Building Department - April 2016
- Municipal Court - April 2016

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

Resolution #2016 – 117

A Resolution- Payment of Bills May 2016

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 182 NJ Dept. of Health \$19.20

CURRENT, TRUST AND GENERAL CAPITAL ACCOUNTS

Current Fund	\$2,389,476.90
Capital Fund	\$ 8,062.01
Trust Fund	\$ 3,672.29

See attached back-up.

Attest: Elizabeth Kroll

Resolution #2016 – 118

A Resolution - Authorizing Contract for Professional Services - Robert McNerney

Whereas, ROBERT MC NERNEY, Inc. has been authorized to prepare appraisal reports in order to assist in the defense of real property tax appeals; and

Whereas, the Township Attorney has recommended the preparation of an appraisal report in connection in connection with the following matter:

Valley National Bank –vs- Township of Rochelle Park

Block 86 Lot 1.01

Property Address: 405 Rochelle Ave; and

Whereas, the Township Committee has determined that it will be necessary in order to authorize the preparation of such report in connection with this matter

Now Therefore Be It Resolved by the Township Committee of the Township of Rochelle Park, County of Bergen and State of New Jersey as follows:

- I. A Contract is hereby authorized with ROBERT MC NERNEY of Glen Rock, New Jersey for the preparation of an appraisal report and assistance in connection with the defense of the above referenced real property tax appeal. .
- II. The fee for the report shall be in an amount not to exceed \$4,000.00 together with \$100.00 per hour for attendance at conferences and Court appearances.
- III. The award of this contract is contingent upon certification by the Chief Financial Officer of the Township of Rochelle Park that sufficient funds exist 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 ROBERT MC NERNEY., the Township Attorney and the office of the Chief Financial Officer for the Township of Rochelle Park.

Attest: Elizabeth Kroll

Resolution #2016 – 119

A Resolution - Authorizing Tax Court Judgment Refund - RP 340 Associates

Resolved, by the Mayor and Council of the Township of Rochelle Park that the Tax Collector is hereby authorized to issue a check in the amount of \$54,038.46 payable to “Lasser Hochman, LLC, Trust Account” as a result of a Tax Court Judgment covering the years 2012 thru 2015, for the property: RP 340 Associates, 340 W. Passaic St., Rochelle Park, NJ 07662.

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

1. Chief Financial Officer
2. Tax Collector

Attest: Elizabeth Kroll

Resolution #2016 – 120

A Resolution - Authorizing Tax Court Judgment Refund - RP Corporate Center

Resolved, by the Mayor and Council of the Township of Rochelle Park that the Tax Collector is hereby authorized to issue a check in the amount of \$47,604.34 payable to “Lasser Hochman, LLC, Trust Account” as a result of a Tax Court Judgment covering the years 2012 thru 2015, for the property: RP Corporate Center, 336 W. Passaic St., Rochelle Park, NJ 07662.

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

1. Chief Financial Officer
2. Tax Collector

Attest: Elizabeth Kroll

Resolution #2016 – 121

A Resolution - Authorizing Tax Court Judgment Refund – LBL Associates

Resolved, by the Mayor and Council of the Township of Rochelle Park that the Tax Collector is hereby authorized to issue a check in the amount of \$74,445.82 payable to “Lasser Hochman, LLC, Trust Account” as a result of a Tax Court Judgment covering the years 2012 thru 2015, for the property: LBL Associates, 350 W. Passaic St., Rochelle Park, NJ 07662.

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

1. Chief Financial Officer
2. Tax Collector

Attest: Elizabeth Kroll

Resolution #2016 – 122

A Resolution -Authorizing Tax Court Judgment Refund - AT&T Corp.

Resolved, by the Mayor and Council of the Township of Rochelle Park that the Tax Collector is hereby authorized to issue a check in the amount of \$48,817.71 payable to “McCarter & English, LLP, Attorneys for AT&T Corp.” as a result of a Tax Court Judgment covering the years 2014 and 2015, for the property: AT&T Corp., 75 W. Passaic St., Rochelle Park, NJ 07662.

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

1. Chief Financial Officer
2. Tax Collector

Attest: Elizabeth Kroll

Resolution #2016 – 123

A Resolution -Authorizing Appointment - Board of Adjustment - Guy Cirello

Be It Resolved, by the Township Committee of the Township of Rochelle Park that Guy Cirello, 104 Central Avenue, Rochelle Park, NJ 07662, is hereby appointed as a member of the Board of Adjust as Alternate 1, for a two year term effective June 1, 2016 - December 31, 2017.

Attest: Elizabeth Kroll

Resolution #2016 – 124

A Resolution -Authorizing Participation in Bergen County Auction

Whereas, the Township of Rochelle Park has identified certain surplus property, no longer needed for public use, a list of which is attached to this resolution; and

Whereas, the Township of Rochelle Park wishes to sell the above referenced surplus pursuant to N.J.S.A. 40A:11-36; and

Whereas, the Township of Rochelle Park is a member of the Bergen County Cooperative Pricing System #11BECCP, established pursuant to N.J.S.A. 40A:11-11; and

Whereas, the County of Bergen has awarded a contract for auctioneering services to Caspert Management Co., Inc., and made same available to the members of the Bergen County Cooperative Pricing System #11BECCP; and

Whereas, it is in the best interest of the Township of Rochelle Park to have the municipality's property listed and offered for sale in the same auction as the County of Bergen's surplus property; and

Whereas, the Township of Rochelle Park seeks to utilize the services of Caspert Management Co., Inc. pursuant to the cooperative pricing system agreement, Contract No. 13-74, to have municipality's surplus property offered for sale in the same auction as the County of Bergen's surplus property; and

Whereas, in authorizing the auction of said property in conjunction with the County of Bergen, the municipality recognizes that it is separately contracting with the vendor, and shall hold harmless and indemnify the County of Bergen for any liability that may result from said auction; and

Now Therefore Be It Resolved by the Township of Rochelle Park that it hereby authorizes the award of a contract to Caspert Management Co., Inc. for auctioneering services, in accordance with the terms of the Bergen County Cooperative Pricing System #11BECCP Contract #13-74, to effectuate the sale of the Township of Rochelle Park's surplus property at auction together with property being offered for sale by the County of Bergen;

Be It Further Resolved that the Purchasing Agent and all other necessary officials and employees be authorized and directed to take such further actions and sign such documents as are necessary to effectuate the purpose of this resolution.

Be It Further Resolved that copies of this resolution be forwarded to Caspert Management Co., Inc. and the County of Bergen.

Summary:

Vendor: Caspert Management Co., Inc.  
Bergen County Cooperative Pricing System #11BECCP Contract #13-74  
Brief Description: Auctioneer Services  
Terms: Vendor to receive commission of 15% of proceeds

Attest: Elizabeth Kroll

Resolution #2016 – 125

A Resolution - Introduction Ord. #1099 -16 - Salary Ordinance Non Contractual

Be It Resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled "AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE SALARY OR RATE OF COMPENSATION OF VARIOUS MUNICIPAL EMPLOYEES OF THE TOWNSHIP OF ROCHELLE PARK AND TO ESTABLISH A METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEAR 2016" be and it is hereby introduced and passed on first reading May 18, 2016 and that said ordinance be further considered for final passage at a meeting to be held on June 15, 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 – 126

A Resolution - Introduction Ord. #1101 -16 Amendment - Fire Prevention

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 102 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “FIRE PREVENTION” 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 June 15, 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 – 128

A Resolution - Authorizing Release of Closed Session Minutes - April 13, 2016

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 April 13, 2016 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.

CLOSED SESSION MINUTES - April 13, 2016

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. Potential Litigation – The Township Planner, Township Administrator and Township Attorney provided a summary of the ongoing discussions with the owners of property located at 120 West Passaic Street regarding potential development of that location. These discussions were conducted in closed session since they involve negotiations, possible property acquisition and potential litigation.

Attest: Elizabeth Kroll

Resolution #2016 – 129

A Resolution -Authorizing Release of Closed Session Minutes - May 11, 2016

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 May 11, 2016 to the extent that said information can be disclosed without adversely affecting the Township or the public interest.

Resolution # 2016-129 cont.

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.

**CLOSED SESSION MINUTES - May 11, 2016**

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. **Ambulance Corp. Personnel** – The Township Administrator and the Mayor provided a report to the Township Committee regarding the staffing and volunteer needs of the Rochelle Park Ambulance Corp. including a discussion of possible alternatives for arranging coverage.
2. **Potential Real Estate Litigation** - The Township conducted a discussion regarding the property located at 120 West Passaic Street together with possible redevelopment and zoning options for that property.

Attest: Elizabeth Kroll

A motion was offered by Comm. Hauser and seconded by Comm. Scarpa to adopt the Consent Agenda. Motion carried on a roll call vote – “Ayes” Hauser, Kovalcik, Scarpa, Kazimir. “Absent” Valenzuela.

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

**Resolution #2016 – 127**

**A Resolution - Hearing & Adoption Ord. 1100 - 16 - Road Improvement Chestnut Street**

Be It Resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF CHESTNUT STREET (FROM ROCHELLE AVENUE TO WESTERLY TERMINUS) IN, BY AND FOR THE TOWNSHIP OF ROCHELLE PARK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$220,000 TO PAY THE COST THEREOF, 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**” 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. Scarpa and seconded by Comm. Hauser to open the hearing to the public. Motion carried on a voice vote - all present voting “Aye”.

No members of the public spoke.

A motion was offered by Comm. Scarpa and seconded by Comm. Kovalcik to close the hearing to the public. Motion carried on a voice vote - all present voting “Aye”.

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

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

Comm. Hauser- Stated that he attended the Library Board Meeting this past week. He stated there are some wonderful Children's Programs coming to the library in June.

Comm. Kovalcik- Advised that the Police Department has had a busy month. He stated that there have been over 1932 calls, 52 motor vehicle stops and 294 summonses written. He stated that this evening was the L.E.A.D. graduation for fifth grade students at Midland School. It was a wonderful program for the children of Rochelle Park.

Comm. Scarpa- Congratulated the 48 graduates of the L.E.A.D program. He thanked the Board of Education and the Police Department for their efforts in providing this program to the children of Rochelle Park. He encouraged everyone to participate in the ALS walk in the Bergen County Park in June. He commented that the number of viewers for the Memorial Day Parade has declined over the years and he hopes that residents come out this year as the Parade is a wonderful way to honor our Nations heroes. He stated that there is a ceremony before the Parade at the monument on Rochelle Avenue.

Mayor Kazimir- Advised that the Rochelle Park Police Department was challenged by the Paramus Police Department to a softball game on Sunday at Carlock Field. He urged residents to attend the game and support the Police Department. He stated that the Township Committee is seeking ways to expand Ambulance Service to residents and improve response time.

Administrator Davidson- No Report.

Attorney Rotolo- No Report.

Municipal Clerk Kroll- No Report.

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

Linda Boniface- 33 Parkway- Asked the Township Committee if the United Way housing on Central Avenue would cost taxpayers any money. Mayor Kazimir stated that this project would not have a financial impact on residents. She asked the Township Committee why the property at 49 E. Passaic Street was marked out. Administrator Davidson stated that the markings were for electrical work being done. She asked how much the electrical work is costing. Administrator Davidson stated he would have a figure for the next meeting.

Sam Allos- Board of Education Liaison- Stated that the Schools Annual Budget was passed and the budget was under by 2.5% from last year. He stated that more funding will be made available for education and curriculum. He commented that funds were able to be saved by collaborating with Maywood. He thanked the Rochelle Park Police Department and the Township Committee for attending the L.E.A.D. graduation. He stated that there will be many outdoor projects happening at the school this summer and that by utilizing school staff as opposed to contractors the Board was able to save money.

Bill Coleman- 58 Schlosser Drive- Asked the Township Committee about collecting revenue for the billboards. He asked why there aren't more paid ads generating income instead of advertising for Township OEM and Fire Departments. Mayor Kazimir stated that the billboard issue is currently being looked into by Attorney Rotolo. Mr. Coleman asked about Sage Day school and the repayment of back taxes as they are a for profit school operating out of a non-profit church. Attorney Rotolo asked Mr. Coleman if he paid taxes when he leased space from the Church. Mr. Coleman stated that he paid an extra fee to the church to avoid any issues with taxes. Mayor Kazimir stated that the issue is being addressed by the Townships Tax Assessor, Jamie Tighe and a determination would be made as to Sage Day Schools obligation to the Township. Mr. Coleman stated that he hopes Sage Day would incur charges from the day their lease began. Comm. Scarpa asked that Mr. Tighe be present at the next Work Session to discuss this issue further.

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

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

Resolution #CS-5A 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 8:35 PM on May 18, 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 of 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.

Closed Session

Resolution #CS-5A 2016

Personnel - Ambulance Corp

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

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

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

Respectfully submitted,

Elizabeth Kroll  
Municipal Clerk