



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

MINUTES – PUBLIC MEETING – August 13, 2008

Call to Order 8:00 PM

According to the Open Public Meetings Act, this meeting of August 13, 2008 was advertised in the notice sent to the “Our Town” and “The Record” and posted on the bulletin board in the Municipal Building on July 16, 2008 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. K. J. Kovalcik
Comm. W. Lotz - Absent
Comm. P. Strohmeyer
Comm. F. Valenzuela
Mayor J. Scarpa

Pledge of Allegiance was led by Vincent Cupo

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

A motion was offered by Comm. Valenzuela 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. Valenzuela and seconded by Comm. Kovalcik to approve the Minutes of the Public Meeting of July 16, 2008. Motion carried on a voice vote – all present voting “Aye”.

Reports:

Building Department - July 2008
Health Department - July 2008
Municipal Court - July 2008
Attendance Report - July 2008

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

Resolution #2008 – 161

A Resolution – Payment of Bills – August 2008

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. (see attached)

Attest: Virginia De Maria

Resolution #2008 – 162

A Resolution – Rescinding \$2008-159 A Resolution Authorizing Redemption of Tax Title Lien #2008-0003

Be it resolved by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey that Resolution #2008-159 entitled “A Resolution - Authorizing Redemption of Tax Title Lien #2008-0003” adopted on July 16, 2008 at the Public Meeting held at 151 West Passaic Street is hereby rescinded.

Attest: Virginia De Maria

Resolution 2008 -163

A Resolution – Authorizing Administrative Services Agreement – UHY Advisors

Whereas, the Township of Rochelle Park has previously entered into an agreement with Insurance Design Administrators (IDA), a UHY Advisors Company for

Resolution #2008 – 163 (cont.)

providing prescription drug coverage for employees of the Township of Rochelle Park; and

Whereas, the previous agreement expired on June 30th, 2008 ; and

Whereas, the Township Committee has determined that it would be in the best interest of the Township of Rochelle Park to extend that agreement for an additional one year period and is satisfied with the services provided by this entity; and

Whereas, the Township Administrator has been provided with an Administrative Services Agreement which will provide for an extension of this agreement for a period of one year. This agreement has been reviewed and approved by the Township Administrator but now requires the permission of the Township Committee to execute said agreement..

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. An Administrative Services Agreement with Insurance Design Administrators (IDA), a UHY Advisors Company be and is hereby authorized.
2. The initial term of this agreement shall be one year commencing on July 1st, 2008 and ending on June 30th, 2009 and said agreement shall automatically renew thereafter until terminated in accordance with the terms of the agreement.
3. The Township Administrator and Township Clerk be and are hereby authorized and directed to execute the Administrative Service Agreement in the form reviewed by the Township Administrator and subject to the review and approval of the Township Attorney.

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 Administrator, Township Attorney and Insurance Design Administrators .

Attest: Virginia De Maria

Resolution 2008 – 164

A Resolution – Awarding Contract – Carlock Field –Innovational Construction & Design - \$247,281

Whereas, the Township Committee previously made a determination that renovations were required to Houghton Hall located at Carlock Field; and

Whereas, the Township Committee authorized The Bilow Group, Architects and Planners, LLP of Ridgefield Park, New Jersey to prepare the necessary bid documents and specifications in order to solicit bids for this project; and

Whereas, on June 24th, 2008, pursuant to the necessary legal notices, bids were received in connection with this project; and

Whereas, a total of thirteen bids were received from the twenty packages that were picked up from contractors who expressed an interest in this project; and

Whereas, Innovational Construction & Design, Inc. located at 216 Broadway, Keyport, New Jersey was the apparent low bidder for this project, as follows:

Base Bid:	\$247,281.00
Bid with all alternates	\$262,281.00; and

Whereas, the Township Attorney has received and reviewed the bids submitted by the apparent low bidder, Innovational Construction & Design, Inc. and has determined that two waivable deficiencies exist, as follows:

- a. The contractor's public works registration was out of date; and
- b. A specific list of subcontractors was not provided; and

Whereas, it has been determined that the apparent low bidder previously had a public works registration certificate which expired several weeks prior to the bid's submission and a application for renewal had been submitted at the time of bid and the actual certificate has been issued prior to the award of this contract; and

Whereas, although a specific list of subcontractors was not provided, all subcontractors were disclosed in the bid and copies of their public works contractor registration and business registration was submitted; and

Whereas, the Township Attorney has recommended and the Township Committee concurs that these defects in the bid are non material, waivable and have further determined that the waiver of these defects would not result in a circumvention of the competitive bidding process.

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

Resolution #2008 – 164 (cont.)

1. A contract with Innovational Construction & Design, Inc., 216 Broadway, Keyport, New Jersey for renovations to Houghton Hall be and is hereby authorized.
2. The total amount of this contract shall be \$262,281.00 which includes the base bid as well as all alternates.
3. The contractor described herein shall comply with all of the terms, conditions and obligations of the specifications and shall execute a contract on the form prepared by or reviewed by the Township Attorney.
4. The Township Clerk is hereby authorized and directed to return all bid security to all unsuccessful bidders.
5. The award of this contract is contingent upon the receipt of a certification, from 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 Innovational Construction & Design, Inc., The Bilow Group, the Township Attorney and the Chief Financial Officer for the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2008 – 165

A Resolution – Authorizing Escrow Agreement – COAH

Whereas, the Township of Rochelle Park has adopted a development fee ordinance establishing standards for the collection, maintenance and expenditure of development fees consistent with COAH’s rules; and

Whereas, the ordinance requires that an interest bearing housing trust fund be established for the purpose of receiving these collected development fees; and

Whereas, it is therefore necessary that an escrow agreement be reached between COAH, the Township and Interchange/TD Bank North, the institution at which the trust fund will be held.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey that the Township Administrator be and is hereby authorized and directed to execute an escrow agreement in the form attached to this resolution on behalf of the Township of Rochelle Park; and.

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 Counsel on Affordable Housing, Banisch Associates, Inc. Attn: Mr. Chuck McGroarty, P. P. and the Township Attorney

Attest: Virginia De Maria

Resolution #2008 – 166

A Resolution – Authorizing Settlement of Real Property Tax Appeal – 165 Route 17 North

Address:	165 Route 17 North, Rochelle Park, New Jersey
Taxpayer:	PSAF Development Partners, LP
Tax Block:	34
Tax Lot:	2

Whereas, PSAF Development Partners, LP is the owner of the property described above; and

Whereas, that property was assessed for the tax year 2006 and 2007, as follows:

Land:	\$1,020,600.00
Improvements:	<u>5,279,400.00</u>
Total:	\$6,300,000.00

Whereas, Real Property Tax Appeals were filed in connection with this property for the years 2006 and 2007; and

Whereas, as a result of the foregoing, and based upon the recommendation of the Tax Assessor and Township Attorney, the Real Property Tax Appeal filed in connection with this matter shall be settled as set forth herein.

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

Resolution #2008 – 166 (cont.)

1. The Real Property Tax Assessment for the property described above is amended for the 2006 tax year as follows:

Land:	\$1,020,600.00
Improvements:	<u>5,279,400.00</u>
Total:	\$6,300,000.00

The Real Property Tax Assessment for the property described above is amended for the 2007 tax year as follows:

Land:	\$1,020,600.00
Improvements:	<u>4,779,400.00</u>
Total:	\$5,800,000.00

The Real Property Tax Assessment for the property described above is amended for the 2008 tax year as follows:

Land:	\$1,020,600.00
Improvements:	<u>4,629,400.00</u>
Total:	\$5,650,000.00

2. Prejudgment interest on any refund is waived provided that refund is paid within sixty days of entry of judgment.
3. Any tax refunds shall be made payable to Frank A. Carlet,, Esq. attorney for PSAF Development Partners, LP and forwarded to counsel for the taxpayer, Frank A. Carlet, Esq.. at the following address:

Carlet, Garrison, Klein & Zaretsky, LLP
 1135 Clifton Avenue, Suite 104
 PO Box 2666
 Clifton, New Jersey 07105-6200

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 Tax Assessor for the Township of Rochelle Park, the Tax Collector, the Township Attorney and Frank A. Carlet, Esq.

Attest: Virginia De Maria

Resolution #2008 – 167

A Resolution – Authorizing Settlement of Real Property Tax Appeal – 50 Essex

Street

Address: 50 Essex Street, Rochelle Park, New Jersey 07662
 Taxpayer: Calastro, Gambardella, Rosado, Zimmer
 Tax Block: 3
 Tax Lot: 41

Whereas, Rochelle Park Ramada, LLC is the owner of the property described above; and

Whereas, that property was assessed for the tax year 2006 and 20007, as follows:

Land:	\$ 700,000.00
Improvements:	<u>1,187,000.00</u>
Total:	\$ 1,887,000.00

Whereas, Real Property Tax Appeals were filed in connection with this property for the years 2006 and 2007; and

Whereas, as a result of the foregoing, and based upon the recommendation of the Tax Assessor and Township Attorney, the Real Property Tax Appeal filed in connection with this matter shall be settled as set forth herein.

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

Resolution #2008 – 167 (cont.)

1. The Real Property Tax Assessment for the property described above is amended for the 2006 tax year as follows:

Land:	\$ 700,000.00
Improvements:	<u>1,000,000.00</u>
Total:	\$ 1,700,000.00

The Real Property Tax Assessment for the property described above is amended for the 2007 tax year as follows:

Land:	\$ 700,000.00
Improvements:	<u>800,000.00</u>
Total:	\$ 1,500,000.00

2. Prejudgment interest on any refund is waived provided that refund is paid within sixty days of entry of judgment.
3. Any tax refunds shall be made payable to William Sitar, Esq. attorney for Calastro, Gambardella, Rosado, Zimmer and forwarded to counsel for the taxpayer, William Sitar, Esq. at the following address:

Sitar Law Offices, LLC
 1481 Oak Tree Road
 Iselin, New Jersey 08831

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 Tax Assessor for the Township of Rochelle Park, the Tax Collector, the Township Attorney and William Sitar, Esq.

Attest: Virginia De Maria

Resolution #2008 –168

A Resolution – Authorizing Redemption of Tax Title Lien #20052006-002

Whereas, Roy Riggitano, Tax Collector, has advised that payment will be received in the amount of \$13,939.05 to redeem TTL(s) #20052006-0002 and
 Whereas, Robert Rothman is the holder of Certificate(s) TTL 20052006-0002 and is therefore entitled to payment of \$13,939.05 and;

Now therefore, be it resolved by the Governing Authority of the Township of Rochelle Park, County of Bergen, State of New Jersey that approval to issue a check in the amount of \$13,939.05 payable to the above named lien holder, representing the redemption amount of said Certificate is authorized on July 16, 2008 upon receipt of certified funds.

Attest: Virginia De Maria

Resolution #2008 - 169

A Resolution – Authorizing Redemption of Tax Title Lien #2008-0003

Whereas, Roy Riggitano, Tax Collector, has advised that payment will be received in the amount of \$11,281.15 to redeem TTL(s) #2008-0003, and
 Whereas, U.S. Bank-Cust/SASS Muni V DTR is the holder of Certificate(s) TTL 2008-0003 and is therefore entitled to payment of \$11,281.15 and;

Now therefore, be it resolved by the Governing Authority of the Township of Rochelle Park, County of Bergen, State of New Jersey that approval to issue a check in the amount of \$11,281.15 payable to the above named lien holder, representing the redemption amount of said Certificate is authorized on July 16, 2008 upon receipt of certified funds.

Attest: Virginia De Maria

Resolution #2008 - 170

A Resolution – Authorizing Redemption of Tax Title Lien #20052006-003

Whereas, Roy Riggitano, Tax Collector, has advised that payment will be received in the amount of \$ 7,875.74 to redeem TTL(s) #20052006-0003 and
 Whereas, U.S. Bank-Cust/SASS Muni V DTR is the holder of Certificate(s) TTL 20052006-0003 and is therefore entitled to payment of \$ 7,875.74 and;

Resolution #2008 – 170 (cont.)

Now therefore, be it resolved by the Governing Authority of the Township of Rochelle Park, County of Bergen, State of New Jersey that approval to issue a check in the amount of \$ 7,875.74 payable to the above named lien holder, representing the redemption amount of said Certificate is authorized on July 16, 2008 upon receipt of certified funds.

Attest: Virginia De Maria

Resolution #2008 – 171

A Resolution – Emergency to Temporary Budget Resolution #8 for 2008

Whereas, an emergency condition has arisen with respect to **VARIOUS LINE ITEMS** (see attached) and no adequate provisions have been make in the 2008 temporary budget for the purpose above mentioned, and

Whereas, the total emergency temporary resolution adopted in the year 2008 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, O.L. 1951 as amended) including this resolution total **\$8,317,800.86**.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park (not less than two thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A: 4-20,

1. An emergency temporary appropriations be and the same is hereby made for **the account** listed in the amount of **\$191,000**.

Inside CAP

20-1001	General Administration S/W	10,000.00
20-1201	Municipal Clerk S/W	20,000.00
20-1451	Revenue Administration S/W	10,000.00
20-1551	Legal Services S/W	10,000.00
23-2252	SUI Insurance O/E	10,000.00
25-2552	Aid to Volunteer Fire O/E	5,000.00
25-2651	Fire Prevention S/W	5,000.00
26-3052	Solid Waste Collection O/E	50,000.00
31-1951	Code Enforcement S/W	20,000.00
31-4602	Utilities Gasoline O/E	<u>25,000.00</u>
	Total Inside CAP	\$165,000.00

Outside Cap

44-4022	Township of Saddle Brook O/E	\$25,000.00
44-7758	DDWI O/E	<u>1,000.00</u>
	Total Outside CAP	\$ 26,000.00

Total All \$191,000.00

2. That said emergency temporary appropriations will be provided for in the 2008 budget under the title of: 2008 Municipal Budget

Attest: Virginia De Maria

Resolution #2008 - 172

A Resolution – Authorizing Auction of Personal Property – Police and DPW Vehicles

Whereas, the provisions of New Jersey State Law permit the sale of personal property which is no longer needed for municipal purposes; and

Whereas, the Chief of Police has recommended the sale, at auction, of two police vehicles which are no longer used by the Rochelle Park Police Department; and

Whereas, the Superintendent of the Department of Public Works has recommended the sale, at auction, of one DPW vehicles which is no longer used by the department; and

Whereas, the Township Committee has reviewed the request made by the Chief of Police and concur that it is appropriate to sell, at auction, these vehicles, since they are no longer needed; and

Whereas, the county of Bergen conducts auctions of used vehicles and heavy equipment periodically and has scheduled one such auction to take place on Saturday, September 13, 2008 ; and

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:

1. The Township Committee hereby authorized the sale, at auction, of the following vehicles:
 - a. 1999 Ford Crown Victoria – VIN #2FAFP71W1XX204471
License Plate No. MG41503 – Odometer Reading 100,698

Resolution #2008 – 172 (cont.)

- b. 2001 Ford Crown Victoria – VIN #2FAFP71W71X101806
License Plate No. MG45952 – Odometer Reading 80,481
- c. 2001 GMC PICKUP TRUCK – VIN #1GTK24G61E338121
License Plate No. MG48087 – Odometer Reading 39,600
2. The sale shall take place on September 13, 2008 or such other date designated by the County of Bergen.
3. There shall be no minimum bid price in view of the age and condition of these vehicles but the same shall be sold to the highest bidder.
4. The Township Administrator is hereby authorized and directed to take any action which may be necessary in order to effectuate the provisions of this resolution including, without being limited to, arranging for the transportation of the subject vehicles to the location of the aforesaid sale.

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 Rochelle Park Police Department and the Township Administrator.

Attest: Virginia De Maria

Resolution #2008 – 173

A Resolution – Appointing Municipal Housing Authority – Richard Bolan

Whereas, pursuant to the regulations of the Council on Affordable Housing, the Township of Rochelle Park must appoint a Municipal Housing Liaison; and

Whereas, Richard Bolan, the Township Construction Official/Zoning Officer has successfully completed COAH's training for Municipal Housing Liaisons and is therefore qualified for the appointment; and

Whereas, as a result of the foregoing, the Township Committee has determined that Richard Bolan should be appointed as the Municipal Housing Liaison for the Township of Rochelle Park.

Now therefore be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey that Richard Bolan be and is hereby appointed Municipal Housing Liaison for the Township of Rochelle Park;

And it is further ordered that he shall hold this position commencing on the date of this resolution and shall continue until such time as a replacement is appointed; and

It is further resolved that there shall be no additional payment or remuneration for the services associated with this position.

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 Richard Bolan, the Council of Affordable Housing and the Township's planner, Chuck McGroarty of the firm of Banish Associates.

Attest: Virginia De Maria, Municipal Clerk

Resolution #2008 – 174

A Resolution – Appointing Wastewater Collection System Operator – John P. Foster

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

Whereas, the services associated with this position have been previously performed by Rapid Pump and Meter Service Company of Paterson, New Jersey; and

Whereas, the Township Administrator has recommended that an individual be appointed for this position instead of continuing with the services of Rapid Pump in order to satisfy the requirements of law and reduce the cost to the Township; and

Whereas, the Township Administrator has conducted a search for licensed and qualified individuals for this position and has determined that John P. Foster, P.E. of Dumont, New Jersey possesses the appropriate license for this position; and

Whereas, the Township Administrator has interviewed John P. Foster and based upon the review of his credentials as well as the interview the Township Administrator has recommended the appointment of Mr. Foster to 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. John P. Foster, P.E. of Dumont, New Jersey be and is hereby appointed to the position of Waste Water Collection System Operator for the Township of Rochelle Park.
2. John P. Foster, P.E. shall be required to maintain a C-3 Collection License as a condition of this appointment.

Resolution #2008 – 174 (cont.)

3. Mr. Foster 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 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 John P. Foster, P.E. of Dumont, New Jersey, the Superintendent of the Department of Public Works and the Township Engineer.

Attest: Virginia De Maria

Resolution #2008 – 179

A Resolution – Issuing Raffle License #381-08 to 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 #381-08 as presented by the KNIGHTS OF COLUMBUS #2842 ID#427-6-35240 requesting permission to conduct an Off-Premise Raffle Drawing on November 7, 2008 at 9:00 PM at 235 Rochelle Avenue be approved and the requested license be issued.

Attest: Virginia De Maria

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

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

Resolution #2008 - 175

A Resolution – Hearing & Adoption Ord. 989-08 - 2008 Salary Ordinance – Non Contractual Employees

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 2008**” 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: Virginia De Maria

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

No comments from the public.

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

A motion was offered by Comm. Kovalcik and seconded by Comm. Strohmeyer to adopt the above resolution. Motion carried on a roll call vote – “Aye” – Kovalcik, Strohmeyer, Valenzuela, Scarpa, “Nay” – None, Absent – Lotz.

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

Resolution 2008 - 176

A Resolution – Hearing & Adoption Ord. 990-08 – Amend Sign Ordinance

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 185 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “LAND USE AND DEVELOPMENT REGULATIONS”**” 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: Virginia De Maria

Minutes of Public Meeting held August 13, 2008 cont.

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

No comments from the public.

A motion was offered by Comm. Strohmeyer 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. Strohmeyer and seconded by Comm. Kovalcik to adopt the above resolution. Motion carried on a roll call vote – “Aye” – Kovalcik, Strohmeyer, Valenzuela, Scapa, “Nay” – None, Absent – Lotz.

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

Resolution #2008 – 177

A Resolution – Hearing & Adoption Ord. #991-08 – Issuance of Bond \$1,600,000 Various Improvements

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 MAKING OF VARIOUS IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, 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 \$1,600,000 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**” 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: Virginia De Maria

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

No comments from the public.

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

A motion was offered by Comm. Kovalcik and seconded by Comm. Strohmeyer to adopt the above resolution. Motion carried on a roll call vote – “Aye” – Kovalcik, Strohmeyer, Valenzuela, Scarpa, “Nay” – None, Absent – Lotz.

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

Resolution #2008 – 178

A Resolution - Authorizing Release of Closed Session Minutes of August 6, 2008
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 August 6, 2008 to the extent that said information can be disclosed without adversely affecting the Township of 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

Resolution #2008 – 178 (cont.)

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 – August 6, 2008

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. Police Department Personnel – The Township Administrator reported to the Township Committee concerning the resignation of a police officer and a determination will be made as to replacement of that officer within the near future. The Police Chief also addressed the Township Committee concerning manpower needs within his department.
2. Litigation - Township Attorney reported to the Township Committee concerning the status of the Longo Electrical Mechanical litigation as well as the litigation with New York Prime II Steak House.

Attest: Virginia De Maria

A motion was offered by Comm. Valenzuela and seconded by Comm. Strohmeyer to adopt the above resolution. Motion carried on a roll call vote – all present voting “Aye”.

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

Comm. Kovalcik – Reminded everyone that the 2008 Fourth Annual Ken Kovalcik Summerfest Oldies Concert would be held on Wednesday, August 20th, sponsored by Park Ave BMW. The featured band is “The Happenings”. He thanked Park Avenue/BMW for their continued support.

Comm. Valenzuela - Building Department Report – Year-to-Date Revenue \$110,538.00, Permits 315, Inspections: Building 210, Electric 110, Fire 39, Plumbing 183, Resale 33
Valenzuela advised that 98 Howard Avenue was currently being elevated above the flood zone.

Fire Department July Report – Calls - 24

A motion was offered by Comm. Valenzuela and seconded by Comm. Strohmeyer to appoint Antonio Powell as a regular member of the Rochelle Park Fire Department. Motion carried on a voice vote – all present voting “Aye”.

Comm. Strohmeyer – Advised that she would provide a Library report at the next meeting.

Municipal Court July Report – Cases Disposed - 298

Police July Report – Motor Vehicle Accidents – 48, Total Police Calls - 1054 , Total Summons Issued - 235, Total Patrol Mileage - 6411 , Total Arrests - 19

DPW July Report – Most time spent lawn mowing, secondly repairing catch basins, thirdly maintaining the Lotz Lane sewer pump station. They have also spent numerous hours repairing sidewalks raised by township trees.

Comm. Strohmeyer wished everyone a happy Labor Day and hoped to see them at the Oldies Concert next week.

Mayor Scarpa – Advised that he would continue to monitor the activities of Bergen County regarding the efforts to force the consolidation of the Borough of Maywood and the Township of Rochelle Park. A petition was delivered to the Township Clerk to have the question of forming a consolidation study commission placed on November’s ballot. The petition was rejected due to deficiencies. Mayor Scarpa considers shared services high priority, but does not believe the consolidation of small municipalities is the answer. He would like to see the Township of Rochelle Park remain a small fiscally sound community.

Administrator Mariniello – Advised that milling and paving has begun on Pleasant Avenue, Ward Avenue, Gertrude Avenue, Dorothy Avenue, Bennett Avenue, Howard Avenue and Marion Avenue. He advised residents not to place anything, such as

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sprinkler systems, between the curb and sidewalk as the township will not be liable for any repairs. The administrator reported on the progress of the 2008 budget, and stated that by reducing appropriations by \$70,000 and taking \$50,000 out of surplus, the municipal increase would be 5%. He asked the Township Committee's feelings, they will discuss the matter at the next Work Session.

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

Vincent Cupo – 134 Madison Avenue – Thanked the Township Committee for approving Resolution #2008-151 Authorizing Refund Total Disable Veteran – Vincent Cupo. He advised of a misleading sign placed at the Valero Gas Station on the corner of Essex Street and High Street, falsely indicating that High Street is a one way street. Police Chief Zavinsky will check out the placement of the sign. Mr. Cupo asked that the Health Department be notified that his neighbor may have too many cats.

Eleanor Lucas – 280 W. Passaic Street – Thanked the Township Committee for fixing raised sidewalks due to a town tree. She also asked if the Township had an ordinance in place regarding placing artificial turf at private homes. Comm. Valenzuela will check with Construction Code Official Rich Bolan for the answer.

Christine Muller – 123 Forest Place – Asked whether recently adopted ordinance #987-08 concerning installation of fire lanes at multi family dwellings would impact projects currently before the Planning Board. Attorney Rotolo advised that the new ordinance would impact all unapproved projects. He will contact the Planning and Zoning Boards and advise them of the compliance required of ordinance #987-08.

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

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

Respectfully submitted,

Virginia De Maria
Municipal Clerk