



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

**MINUTES – PUBLIC MEETING – December 16, 2009**

Call to Order 7:33 PM

According to the Open Public Meetings Act, this meeting of December 16, 2009 was advertised in the notice sent to the “Our Town” and “The Record” and posted on the bulletin board in the Municipal Building on January 7, 2009 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  
Comm. J. Scarpa  
Comm. P. Strohmeyer  
Mayor F. Valenzuela

Pledge of Allegiance was led by Mr. Wilbur Lotz

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

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

A motion was offered by Comm. Kovalcik and seconded by Comm. Strohmeyer to approve the minutes of the Public Meeting held November 9, 2009 and the Special Meeting held on November 23, 2009. Motion carried on a voice vote - “Aye” - Kovalcik, Scarpa, Strohmeyer, Valenzuela, Nays – None, Abstain – Lotz

Reports:

Building Department - November 2009  
Health Department - November 2009  
Municipal Court - November 2009  
Attendance Report - November 2009

Discussion

Proposals for Replacement of Fire Department Garage Doors

Administrator De Maria explained that quotes were received for the replacement of the Fire Department garage doors. Due to the recent appointment of Chief Financial Officer, Roy Riggitano, who is a Qualified Purchasing Agent, the bid threshold was raised to \$29,000. After review of the quotes, the Township Committee agreed that Ramsey Door submitted the lowest responsible bid.

A motion was offered by Mayor Valenzuela and seconded by Comm. Lotz to approve this purchase not to exceed \$24,540. Motion carried on a roll call vote – all voting “Aye”.

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

Resolution #2009 - 227

A Resolution – Payment of Bills – December 2009

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 #2009 – 228

A Resolution - DPW Change Order #10

Whereas, a Contract has been previously awarded to Mullingar, LLC of Ridgewood, New Jersey for the construction of the Department of Works Garage; and

Whereas, during the course of construction on a project of this scale and scope, it is often required that Change Orders be reviewed and approved due to unforeseen aspects of the project; and

Whereas, the contractor has now submitted Change Orders No. 10 for additional work which was not foreseen at the time that the bid was submitted; and

Whereas, The Bilow Group, the Township Construction Supervisor and Architect has reviewed the within Change Order and has recommended its approval; and

Whereas, the Chief Financial Officer has determined that sufficient funds exist for this purpose.

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. 10 in the amount of \$17,301.49 be and is hereby approved;
2. As a result of the within Change Order, the total Contract price including this Change Order will be \$1,438,692.05;
3. The within Change Order does not exceed the maximum percentage of Change Orders permitted pursuant to the Local Public Contracts Law;
4. The Township Administrator is hereby authorized and directed to execute any approvals, Change Orders, vouchers or invoices which may be required in order to effectuate the provisions of this Resolution.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to Mullingar, LLC, 555 Goffle Road, Ridgewood, New Jersey, 07450, The Bilow Group Architects, the Township Administrator and the Township Attorney.

Attest: Virginia De Maria

Resolution #2009 – 229

A Resolution – DPW Change Order #11

Whereas, a Contract has been previously awarded to Mullingar, LLC of Ridgewood, New Jersey for the construction of the Department of Works Garage; and

Whereas, during the course of construction on a project of this scale and scope, it is often required that Change Orders be reviewed and approved due to unforeseen aspects of the project; and

Whereas, the contractor has now submitted Change Orders No. 11 for additional work which was not foreseen at the time that the bid was submitted; and

Whereas, The Bilow Group, the Township Construction Supervisor and Architect has reviewed the within Change Order and has recommended its approval; and

Whereas, the Chief Financial Officer has determined that sufficient funds exist for this purpose.

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. 11 in the amount of \$42,025.44 be and is hereby approved;
2. As a result of the within Change Order, the total Contract price including this Change Order will be \$1,480,717.40;
3. The within Change Order does not exceed the maximum percentage of Change Orders permitted pursuant to the Local Public Contracts Law;
4. The Township Administrator is hereby authorized and directed to execute any approvals, Change Orders, vouchers or invoices which may be required in order to effectuate the provisions of this Resolution.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to Mullingar, LLC, 555 Goffle Road, Ridgewood, New Jersey, 07450, The Bilow Group Architects, the Township Administrator and the Township Attorney.

Attest: Virginia De Maria

Resolution #2009 – 230

A Resolution - Change Order #2 – 2008 Road Program

Whereas, a contract was previously awarded to Joseph N. Sanzari, Inc. for the 2008 Municipal Road Program; and

Whereas, a total contract price, in accordance with the bid submitted by this contractor was \$175,192.35; and

Minutes of the Public Meeting held December 16, 2009 cont.

Resolution #2009 – 230 (cont.)

Whereas, subsequent to the award of that contract and during the course of constructions, additional items, outside the scope of the original contract, came to light; and

Whereas, the Township of Rochelle Park also deemed it to be in the best interest of the Township to expand the project's scope of work to include two (2) additional streets and;

Whereas, as a result of having made a determination that this additional work was required, the contractor, Joseph M. Sanzari, Inc., submitted a request for Change Order No. 2, summarizing the extras, reductions and supplemental items for the project as follows; and

Extras:	\$25,476.36
Reductions:	\$12,417.07
Supplemental Items:	\$ 1,700.00

Whereas, the Township Engineer has reviewed the proposed Change Order and has approved same; and

Whereas, the Chief Financial Officer for the Township of Rochelle Park has determined that sufficient funds exist for this purpose and has further determined that the amount of the Change Order will not exceed the maximum permitted pursuant to the provisions of the Local Public Contracts Law.

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. 2 for the 2008 Municipal Road Improvement Program is hereby approved.
2. The Change Order shall be for Extras in the amount of \$25,476.36, Reductions in the amount of \$12,417.07, and Supplemental Items in the amount of \$1,700.00 and shall, therefore, result in an amended contract price in the amount of \$189,951.64.
3. The Township Administrator is hereby authorized to execute any documents which may be necessary in order to facilitate this Change Order and make all necessary payments.

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 Joseph M. Sanzari, Inc., 90 West Franklin Street, Hackensack, New Jersey, the Township Engineer and the Township Attorney.

Attest: Virginia De Maria

Resolution #2009 – 231

A Resolution Issuing Raffle License #393-09 American Legion Post #170 – Annual Instant Pull Tabs

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 #393-09 as presented by the AMERICAN LEGION POST #170 ID#427-07-00459 requesting permission to conduct Instant Pull Tabs Raffles for the year 2009 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2009 – 232

A Resolution Issuing Bingo License #394-09 – American Legion Post #170

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, State of New Jersey, that the application for BINGO License #B394-09 as presented by the AMERICAN LEGION POST #170 ID #427-07-00459 requesting permission to conduct BINGO on JANUARY 29, 2010 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2009 – 233

A Resolution Issuing Bingo License #395-09 – PTA Midland School #1

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, State of New Jersey, that the application for BINGO License #B395-09 as presented by the PTA MIDLAND SCHOOL #1 requesting permission to conduct BINGO on APRIL 30, 2010 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2009 – 234

A Resolution Issuing Raffle License #396-09 – PTA Midland School #1

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 #B396-09 as presented by the PTA MIDLAND SCHOOL #1 requesting permission to conduct OFF PREMISE 50/50 RAFFLE on APRIL 30, 2010 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2009 – 235

A Resolution Amending the 2009 Capital Budget (see attached)

Resolution #2009 – 236

A Resolution Authorizing Exemption from Minor Site Plan and Tenant Review – 60 Essex Street

Whereas, pursuant to Local Ordinance, specifically Section 185-104 of the Code of the Township of Rochelle Park, all changes in occupancy of non-residential premises require Minor Site Plan Tenant Review; and

Whereas, this Minor Site Plan Tenant Review is presented to the Planning Board for review and approval; and

Whereas, notwithstanding the requirements of the aforementioned Ordinance the Township Committee has the authority to exempt a particular application from formal Minor Site Plan Tenant Review if, in the opinion of the Township Committee, the proposed new occupancy is the same as the prior occupancy and would create no additional demand upon services, traffic or parking; and

Whereas, an application has now been made in connection with 60 Essex Street; and

Whereas, the proposed new occupant will be the owner of the building who will manage the building from an administrative office on the second floor; and

Whereas, based upon a review of this application the Township Committee has determined that a formal review by the Planning Board would not be necessary in this particular case.

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 exemption is hereby granted to H & M Sixty Development, LLC from formal minor site plan tenant review pursuant to Section 185-104 of the Township Code for premises located at 60 Essex Street.
2. This exemption is based upon the statements, representations and testimony of the owner of the building who is also the proposed tenant at the meeting of the Township Committee which took place on December 9, 2009.
3. The business to be operated at this location will be an administrative office for the owner of the building who shall manage this property from this location and shall be subject to the following conditions:
  - Hours of operation will be 9:00 a.m. through 3:00 p.m., Monday through Friday with occasional weekend use;
  - There shall be no additional signage placed on the building. The Applicant may add a panel to the existing sign at the premises.
  - There will be no retail business of any kind in the space which is the subject of this application.
  - The Applicant testified that there will be no more than three employees at any given time.
  - There shall be no trailer parking or storage trailer parking in and around the property located at 60 Essex Street.
  - No trucks associated with this business shall be parked on the property overnight or for extended periods. The use shall be for administrative, clerical offices only.

Now therefore be it further resolved that the Applicant shall still be required to comply with all other requirements of the Health Department, Building Department, etc. and the sole purpose of this Resolution is to grant an exemption from a formal application before the Planning Board.

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 Applicant, the Building Department of the Township of Rochelle Park, the Township Attorney and the Planning Board of the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2009 – 237

A Resolution Authorizing Cancellation of Tax Balances under \$10.00

Whereas, there exists tax balances less than \$10.00 and;

Whereas, the Tax Collector has recommended cancellation of balances and;

Now, therefore, be it resolved, that the following balances are cancelled as stated below:

BL 43.01 Lot 246	2009 Taxes	Elassar, Michael – 64 Marinus St.	\$6.37
BL 61.01 Lot 1.01 c103	2009 Taxes	Capizzi, Salvatore 175 Rochelle Ave.	\$1.00
BL 80.04 Lot 21	2009 Taxes	Schneider, Alver – 177 W. Oldis St.	\$4.87
B1 80.05 Lt 30	2009 Taxes	Koriaeva 40 Schlosser Dr.	\$2.00

Attest: Virginia De Maria

Resolution #2009 – 238

A Resolution Authorizing 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 July 1, 2009.

Whereas, all balances shall be treated as MRNA, as to the treasurer’s bank statement reconciliation:

TD Bank North Trust Account #51-07032 Payroll

Check #	Amount
Wire	\$1,700.00
1015	251.46
17673	200.00
17680	200.00
34104	84.45
34105	327.72
19187	439.58
19712	484.36
19682	177.48
19902	177.48
20015	436.64
20047	344.72
328909	6.30
328910	131.40
328911	328.09
328912	53.78
328912	6.65
328914	3.35
328915	5.34
328916	42.49
20377	343.77
20422	202.58
30426	419.22
Total	6,366.96

Attest: Virginia De Maria

Resolution #2009 – 239

A Resolution Declaring Liquor License Null and Void – Lic. #0254-36-014-005 – 375 W. Passaic Street

Whereas, New York Prime II, Inc. is the holder of Plenary Retail Consumption Liquor License No. 0245-36-014-005; and

Whereas, the above referenced Licensee operated the Metro Lounge and, subsequently, Blu Restaurant at 375 West Passaic Street in the Township of Rochelle Park for a period of time, however, it now appears that the business premises have not been in operation for many months; and

Whereas, the last time that this license was renewed was for the 2005-2006 term, however, said license expired on June 30, 2006; and

Whereas, the Township Committee denied the application for renewal for the 2006-2007 term but that action is currently being challenged; and

Whereas, the above referenced Licensee filed a renewal for the 2007-2008 license term, however, the Licensee failed to submit the required tax clearance certificate and the license had other deficiencies which the Licensee failed to cure; and

Resolution #2009 -239 (cont.)

Whereas, N.J.S.A. 33:1-25 requires a Licensee to apply for renewal of its license by the May 1st preceding the license renewal term commencing on July 1st, however, N.J.S.A. 33:1-12.13 implicitly permits a late filing with the local issuing authority up to thirty (30) days after commencement of the renewal term; and

Whereas, N.J.S.A. 33:1-12.18 provides an additional sixty (60) day period in which the Director of the Division of Alcoholic Beverage Control can permit the municipality to issue a "new" license if the Director determines, in writing, that the Applicant's failure to apply for renewal for its license was due to circumstances beyond the Licensee's control; and

Whereas, in this case, the Licensee's failure to cure the defects which precluded the renewal of the license were solely within the control of the Licensee and, the failure to correct these deficiencies was tantamount to a failure to file for renewal; and

Whereas, the extended sixty (60) day period expired on September 28, 2007; and

Whereas, after that deadline the Director of the Division of Alcoholic Beverage Control is without jurisdiction to grant a further extension; and

Whereas, as a result of the above referenced Licensee's failure to file a complete application for renewal, the said license has lapsed.

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. Plenary Retail Consumption Liquor License No. 0245-36-014-005 be and is hereby declared null, void and of no legal effect as a result of the Licensee's failure to file a complete and appropriate renewal application.

2. The aforesaid license shall be retired and shall no longer be valid nor shall it be available for issuance.

3. The Township Clerk be and she is hereby directed to notify the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control of the aforesaid action and shall take any and all steps reasonable necessary in order to effectuate the provisions of this Resolution.

Be it further resolved, that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the Township Attorney, the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control, and New York Prime II, Inc., 375 West Passaic Street, Rochelle Park, New Jersey.

Attest: Virginia De Maria

Resolution #2009 – 240

Amend Resolution #2009 – 225 – Tax Lien Redemption

Whereas, the owner of 175 Rochelle Avenue, Unit 314 has paid the Tax Title Lien Certificate #2008-0007;

Whereas, Robert Rothman, 411 Grand Avenue, Englewood, NJ 07631 is the present owner of said certificate and;

Whereas, funds have been deposited into a suspense account and;

Now therefore, be it resolved, that the C.F.O. is hereby authorized to issue a check to Robert Rothman in the amount of \$37,291.60 amended to the amount of \$33,730.05 for the redemption of Tax Title Lien #2008-0007.

Attest: Virginia De Maria

Resolution #2009 – 241

A Resolution Authorizing a Contract w/Creative Outdoor Advertising of America – Recycling Containers

Whereas, Creative Outdoor Advertising of America (COA) provides recycling services to various municipalities by placement of recycling containers; and

Whereas, this company sells advertising space on these containers and, thereby, generates income to the municipalities in which these containers are placed; and

Whereas, the Township Committee has considered a presentation by this company regarding their programs and has determined that this program would benefit the residents and taxpayers of 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 as follows:

1. An agreement with Creative Outdoor Advertising of America be and is hereby authorized.
2. The acting Township Administrator and the Mayor are hereby authorized and directed to execute any agreements which may be necessary in order to effectuate this program.

Resolution #2009 – 241 (cont.)

3. The contract shall be in the form approved by the Township Attorney after the review of same and confirmation, in writing, to the Township Committee, that the agreement is proper and in accordance with all applicable laws and regulations.

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 Creative Outdoor Advertising of America, the Township Attorney and the Department of Public Works.

Attest: Virginia De Maria

Resolution #2009 – 242

A Resolution Mutual Aid Agreement

Whereas, the South Bergen Fire Chiefs’ Association, comprised of 19 towns, has provided man power and equipment for both stand-by and emergencies for over 40 years, and

Whereas, the need has arisen to have such an agreement in writing.

Therefore, be it resolved, that the following towns: CARLSTADT, EAST NEWARK, EAST RUTHERFORD, ELMWOOD PARK, GARFIELD, HASBROUCK HEIGHTS, LITTLE FERRY , LODI, LYNDHURST, MAYWOOD, MOONACHIE, NORTH ARLINGTON, NUTLEY, ROCHELLE PARK, RUTHERFORD, SADDLE BROOK, SECAUCUS, WALLINGTON, WOOD-RIDGE which comprise the South Bergen Chiefs’ Association, now formally agree in writing to supply equipment and man power to each other in case of fire, emergency, and/or stand-by whenever outside assistance is needed. Fire Chiefs shall include a copy of their current alarm card with the submittal of this agreement.

There shall be no cost incurred between towns.

This agreement shall be signed annually by the Municipal Official and the Fire Chief to designate the Municipality’s approval.

Attest: Virginia De Maria

Resolution #2009 – 243

A Resolution Authorizing Transfers within the 2009 Appropriations

Whereas, there are certain appropriations which unexpended balances and certain accounts on which commitments to be entered into which possibly exceed the amount of the original 2009 appropriations; and

Whereas, under Title 40A:4-58 Revised Statutes of New Jersey permission is given to transfer from one budget account into another during the last two months of the fiscal year.

Now, therefore, be it resolved, that the Finance Officer, Roy Riggitano of the Township of Rochelle Park be and is hereby authorized and directed to transfer as follows:

20-1001	FROM:	General Admin S&W	\$ 8,000.00
23-2202	FROM:	Health Insurance O/E	14,000.00
26-3052	FROM:	Solid Waste	15,000.00
31-4302	FROM	Utilities Electric	<u>24,200.00</u>
		Total	\$61,200.00
20-1301	TO:	Financial Admin S&W	500.00
20-1451	TO:	Revenue Admin S&W	3,500.00
23-2252	TO:	SUI Insurance	3,000.00
25-2401	TO:	Police S&W	27,500.00
25-2652	TO:	Fire Prevention O/E	12,000.00
26-3102	TO:	Buildings & Grounds O/E	5,000.00
26-3162	TO:	Vehicle Maintenance O/E	2,500.00
31-4402	TO:	Utilities Telephone	1,200.00
30-4202	TO:	Celebration/Contract Services	<u>6,000.00</u>
			\$61,200.00

Attest: Virginia De Maria

Resolution #2009 – 247

A Resolution Authorizing Repairs to Traffic Light – Rochelle Avenue and Terrace Avenue

Whereas, the traffic lights at the intersection of Rochelle Avenue and Terrace Avenue occasionally require service including changing of bulbs; and

Whereas, the Department of Public Works has now recommended changing from bulbs to LED lights; and

Whereas, the Borough of Paramus has the manpower and equipment necessary in order to perform this service and has agreed to do so for the Township of Rochelle Park; and

Whereas, the Borough of Paramus has provided an estimate for this work in the amount of \$2,026.00; and

Whereas, based upon the recommendation of the Department of Public Works, the Township Committee has determined that utilizing the Borough of Paramus would be the most effective and economical manner in which to perform this service.

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 agreement is hereby authorized with the Borough of Paramus to change the lights at Rochelle Avenue and Terrace Avenue from bulbs to LED lights.
2. The cost incurred in connection with this matter shall not exceed \$2,026.00 without further authorization.
3. This agreement is exempt from the requirements of competitive bidding due to the fact that the amount of the contract does not exceed the applicable bid threshold.
4. This award is contingent upon certification by the Chief Financial Officer 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 the Borough of Paramus, the Department of Public Works and the Chief Financial Officer for the Township of Rochelle Park.

Attest: Virginia De Maria

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

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

Resolution #2009 – 244

A Resolution – Hearing and Adoption – Ord. 1014-09 Bond Ordinance - \$135,000 – West Oldis 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 RESURFACING OF A PORTION OF WEST OLDIS STREET IN, BY AND FOR THE TOWNSHIP OF ROCHELLE PARK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$135,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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. Kovalcik and seconded by Comm. Scarpa to open the hearing to the public. Motion carried on a voice vote – all voting “Aye”.

No comments from the public

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

Minutes of the Public Meeting held December 16, 2009 cont.

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

Resolution #2009 – 245

A Resolution – Authorizing Release of closed Session Minutes of November 9, 2009 and November 23, 2009

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 November 9 and 23, 2009 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

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 - November 9 , 2009

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

1. Administrator Candidates – The Township Committee interview the following applicants for the position of Administrator/CFO

Interviews -

Thomas Meltzer	– 8:15pm – Administrator
William Wahl	- 8:30pm – Admin/CFO
Anthony Bianchi	- 8:45pm – CFO
Margaret Cherone	- 9:00 pm – CFO
Kelly Lombardi	- 9:15pm – CFO

The Township Committee discussed the various candidates for the position of Township Administrator and CFO. An additional round of interviews will be scheduled upon receipt of additional resumes.

CLOSED SESSION MINUTES - November 23 , 2009

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

1. Administrator Candidates – The Township Committee interview the following applicants for the position of Administrator.

8:00 PM – Matthew Kazmierczak

8:30 PM – James Pickering

An additional round of interviews will be scheduled upon receipt of additional resumes.

A motion was offered by Comm. Valenzuela and seconded by Comm. Strohmeier to adopt the above resolution. Motion carried on a roll call vote – “Aye’s” Kovalcik, Scarpa, Strohmeier, Valenzuela Abstain – Lotz

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

Resolution #2009 – 246

A Resolution – Authorizing Release of closed Session Minutes Of December 9, 2009

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 December 9, 2009 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

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 - DECEMBER 9, 2009

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. DPW Garage - The Governing Body received a report from the Township Engineer and the Township Architect regarding the status of issues at the DPW garage. This matter involves the potential for litigation and the discussions were therefore conducted in Closed Session.
2. Administrator Candidates - The Township Committee discussed the various candidates for the position of Township Administrator. An additional round of interviews will be scheduled upon receipt of additional resumes.
3. Litigation - The Township Attorney provided a summary report concerning litigation involving Longo Electrical Mechanical, Inc., Northern Park, LLC, Ronald DePaola and 375 West Passaic Associates.

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

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

Comm. Kovalcik – Thanked the Rochelle Park Recreation Committee for an outstanding tree lighting event. Regarding retiring Committeeman Lotz, Kovalcik stated that he truly enjoyed and valued the number of years they had worked together and wished Comm. Lotz best wishes in the future.

Comm. Scarpa – echoed the sentiments of Comm. Kovalcik regarding the tree lighting ceremony. He thanked the Recreation Committee for their hard work throughout the year. He wished Comm. Lotz all the best on his retirement thanking him for being an active player in Rochelle Park. Scarpa spoke regarding the leasing of two new police cars, he felt there had been a miscommunication at a recent work session regarding the leasing of these cars, Scarpa then apologized to the Municipal Clerk De Maria for his error. After research it was discovered that money was set aside in the 2009 budget for the leasing of these vehicles.

A motion was offered by Comm. Lotz and seconded by Comm. Scarpa to approve the leasing of two police vehicles in 2009. Motion carried on a roll call vote – all voting “Aye”.

Scarpa wished everyone a Merry Christmas and Happy New Year.

Comm. Strohmeyer – Stated that the annual tree lighting ceremony was a great and well attended event, thanks to the Recreation Committee and the Fire Department, who delivered Santa on a fire truck.

Building Department November Report – Revenue \$11,413.00

Minutes of the Public Meeting held December 16, 2009 cont.

Library November Report - Circulated - 1657 items, Loaned – 374, Borrowed - 1238, New Cards Issued - 13, Computer Usage - 200. Strohmeyer advised that long time volunteer Joanna Parker would be retiring after 40 years. She asked that the Township Committee honor her with a plaque at the Reorganization meeting in January. The Committee had no objections. She then acknowledged the passing of library board member Susan Elmer. Ms. Elmer was needed to use a wheelchair and assisted the Township in the choosing of a new municipal building utilizing her expertise testing the handicapped accessibility of various locations. She was very dedicated to Rochelle Park. Strohmeyer wished everyone a Merry Christmas and Happy and Healthy New Year.

Comm. Lotz – DPW November Report – Most time spent doing leaf collection, secondly sweeping, thirdly picking up brush – Total Hours 704. As this is his last meeting, he thanked lead laborer Jim Schmunk and the DPW for all that they had accomplished for the residents of Rochelle Park.

Municipal Court November Report – 287 Cases Disposed

Police Report November – Motor Vehicle Accidents 54, Total Calls 1034, Summonses 319, Mileage 10,028, Arrests 10. Lotz stated that he had been police commissioner for 26 years and had worked with 8 different police chiefs, he wished newly elected Committeeman Bob Davidson good luck. He is also happy that the Township Committee agreed to lease two new vehicles. Comm. Lotz hopes that the new police commissioner or liaison work closely with the Police Chief and Captain.

He wished all a Merry Christmas and Happy and Prosperous New Year.

Mayor Valenzuela – Advised that a new business at 60 Essex Street, Ray’s Pizza, would be holding their grand opening on December 28<sup>th</sup> at 11:00, all are welcome to attend. He advised that the Bank of Rochelle Park would be opening shortly as well. He thanked Acting Administrator De Maria and newly elected Bob Davidson for their hard work over seeing the completion of the new DPW garage. He profusely thanked Mrs. De Maria for stepping up in the absence of an administrator and keeping the town running smoothly. He also thanked the staff of the administration office for their hard work. Valenzuela advised that they are currently reviewing resumes for the Administrator/CFO positions. He was glad that the Township Committee appointed Roy Riggiano as acting CFO, due to his Qualified Purchasing Agent certification, the Township was able to move forward with the purchase of Fire Department garage doors without going out for bid. Valenzuela spoke regarding a recent unfortunate incident which took place on December 9<sup>th</sup> at approximately 8:15 PM where a Township resident took his own life on the steps to the Police Department. He is saddened by this event but is grateful to the Police Department for their intervention. Safety is main a concern, he stated that a police presence will be at all meetings in the future. He then thanked Comm. Lotz for his guidance and years of service to the residents of Rochelle Park. Valenzuela advised that Mr. Lotz would be appointed Township Historian at the upcoming Reorganization Meeting. He wished everyone a Happy Healthy Merry Christmas and a Happy New Year. He thanked the Township Committee for their support in appointing him Mayor in 2009.

Administrator De Maria – Advised the Special Emergency Notes were purchased for the revaluation at a rate of .98, with a closing on December 27<sup>th</sup> in an amount of \$175,000 with TD Bank. She advised that Appraisal Systems was mailing out revaluation letters and scheduling meetings with residents. The meetings would be held in the municipal building, on December 21, 22, 28, 29 and 30<sup>th</sup>, January 4, 6, 7 and 8 between the hours of 9:00 – 5:00. They would be available at night as well if needed. De Maria advised that the municipal complex would be closed on December 24<sup>th</sup> and 25<sup>th</sup> and December 31<sup>st</sup> and garbage pick-up would be December 24<sup>th</sup> and 31<sup>st</sup>. She wished everyone a Merry Christmas and Happy New Year. She then wished Comm. Lotz good luck in the future, he will be missed. De Maria reminded everyone that the annual Reorganization Meeting would be held on Sunday, January 3<sup>rd</sup> at 12:00 PM.

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

Michael Kazmir – 114 Hazley Avenue – Presented Comm. Lotz a plaque from the United Republican Club of Rochelle Park, thanking him for his many years of service to the community and his dedication to the residents of Rochelle Park.

Mrs. Susan Reinhardt – 295 W. Passaic Street – Advised the Township Committee once again that she was unhappy with the bushes located at 256 W. Passaic Street. Mayor Valenzuela advised this resident that he was in receipt of her many voice messages, however due to the derogatory tones, he did not feel that it was appropriate to return her

Minutes of the Public Meeting held December 16, 2009 cont.

many calls. He also advised her that Property Code Official, Rich Bolan as well as Police Chief Zavinsky had both visited this location and determined the property was within the Township code. He advised that no further action would be taken at this location.

Bob Davidson – 86 Lexington Avenue – Thanked Mr. Lotz for his years of dedicated service working with the Police Department. He wished everyone a Happy New Year.

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

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

Respectfully submitted,

Virginia De Maria  
Municipal Clerk