



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

MINUTES – PUBLIC MEETING – December 17, 2008

Call to Order

According to the Open Public Meetings Act, this meeting of December 17, 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 December 15, 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
Comm. P. Strohmeyer
Comm. F. Valenzuela
Mayor J. Scarpa

Pledge of Allegiance was led by Mr. James Schmunk

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. Strohmeyer to approve the amended agenda adding Resolution #2008-245. Motion carried on a voice vote – all voting “Aye”.

A motion was offered by Comm. Lotz and seconded by Comm. Strohmeyer to approve of the Minutes of the Public Meeting held November 12, 2008. Motion carried on a voice vote – “Ayes” Kovalcik, Lotz, Strohmeyer, Scarpa, “Abstain” Valenzuela

Chuck McGroarty, Banisch Associates, Municipal Planner discussed with the Township Committee the Spending Plan required to accompany the Housing Element and Fair Share Plan which the Planning Board adopted on November 20, 2008 for submission to COAH to satisfy Rochelle Park requirements. Mr. McGroarty discussed the spending plan, indicating the breakdown of the allocation of funds to be used toward Rochelle Park’s affordable housing obligations. The funds could possibly be utilized for rehabilitation of existing dwellings, group homes or accessory apartments. He reminded the Committee that this plan can be revised at any time. He then spoke in detail of the Housing Element explaining the Township’s third round obligations. Mr. McGroarty explained that over the next 2 years, how Rochelle Park’s COAH obligations would be calculated, on new homes and new jobs. The Housing Element and Fair Share Plan and the Spending Plan must be submitted to COAH by December 31, 2008 to fulfill the Third Round Requirements. The Township Committee agreed to discuss the Spending Plan again at the work session in January 2009.

The Township Committee asked Mr. McGroarty to prepare a list of pros and cons of combining the Planning and Zoning Boards as apposed to keeping separate boards for the Committee’s consideration in the future.

Reports:

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

Appointment and Swearing-In – Firemen

A motion was offered by Comm. Valenzuela and seconded by Comm. Lotz to appoint Richard Cravello and Ryan Rumsey to the fire department. Motion carried on a roll call vote – all voting “Aye”.

Comm. Valenzuela swore in Ryan Rumsey while his mother held the bible. He also then swore in Richard Cravello while his wife held the bible, he was surrounded by his family.

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

Resolution #2008 – 230

A Resolution – Payment of Bills – December 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 – 231

A Resolution Issuing Raffle Lic. #386-08 – American Legion

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 #386-08 as presented by the **AMERICAN LEGION POST #170 ID. #427-07-00459** requesting permission to conduct 50/50 Raffle on January 23, 2009 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2008 – 232

A Resolution Issuing Raffle Lic. #387-08 – American Legion

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 #387-08 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 #2008 – 233

A Resolution Issuing Raffle Lic. #385-08 – Ducks Unlimited

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 #385-08 as presented by **the DUCKS UNLIMITED – 240-8-32040** requesting permission to conduct On Premise Raffle on February 8, 2009 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2008 – 234

A Resolution – Approving Transfers within the 2008 Budget 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 2008 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, Michael Mariniello of the Township of Rochelle Park be and is hereby authorized and directed to transfer as follows:

<u>Inside CAP</u>			
20-1101	TO:	Mayor & Council S/W	\$ 200.00
20-1301	TO:	Financial Admin S/W	100.00
20-1501	TO:	Tax Assessment Admin S/W	200.00
26-3102	TO:	Buildings & Grounds O/E	15,000.00
26-3152	TO:	Vehicle Maintenance O/E	10,000.00
31-4462	TO:	Utilities/Gas	<u>15,000.00</u>
Total			\$40,500.00

Resolution #2008 – 234 (cont.)

Inside CAP

21-1851	FROM:	Zoning Board S/W	\$ 5,000.00
25-2401	FROM:	Police S/W	10,000.00
26-2901	FROM:	Streets & Roads S/W	5,000.00
26-2902	FROM:	Streets & Roads O/E	<u>10,500.00</u>
		Total	\$40,500.00

Attest: Virginia De Maria

Resolution #2008 – 235

A Resolution – Authorizing Settlement of Real Property Tax appeal

Whereas, Alfieri – 395 West Passaic Associates is the owner of property located at 395 West Passaic Street in the Township of Rochelle Park (Block 103.02 Lot 4); and

Whereas, the aforesaid property owner has filed real property tax appeals for the tax years 2005 and 2006; and

Whereas, the Township attorney in consultation with the Tax Assessor and the expert Real Estate Appraiser retained by the Township have entered into extensive negotiations with regard to these tax appeals; and

Whereas, in addition, the Township’s expert, Robert McNerney has prepared a full trial ready appraisal report in connection with these appeals; and

Whereas, after a review of the reports, documents and after numerous court appearances and settlement conferences, the Township Attorney, Tax Assessor and expert real estate appraiser have recommended a settlement of the within tax appeals; and

Whereas, the Township Committee has determined that it would be in the best interest of the Municipality to settle the Tax Appeals on the following basis.

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. A settlement of the 2005 real property tax appeal (docket no. 000966-2005 is hereby approved on the following basis:

	<u>Original Assessment</u>	<u>Requested Tax Court Judgment</u>
Land:	\$2,726,900.00	\$2,726,900.00
Improvements:	9,473,100.00	9,473,100.00
Total:	\$12,200,000.00	\$12,200,000.00

2. A settlement of the 2006 real property tax appeal (docket no. 000618-2005 is hereby approved on the following basis:

	<u>Original Assessment</u>	<u>Requested Tax Court Judgment</u>
Land:	\$2,726,900.00	\$2,726,900.00
Improvements:	9,473,100.00	8,723,100.00
Total:	\$12,200,000.00	\$11,450,000.00

Whereas, be it further resolved that statutory interest due on any refund shall be waived provided that the refund is paid within 60 days of date of judgment; and

Whereas, be it further resolved that all refunds due as a result of the settlement set forth in this resolution shall be made payable to: “Zipp & Tannenbaum, LLC, attorneys for Alfieri – 395 West Passaic Associates.”

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 Attorney, Township Tax Assessor and the Law Firm of Zipp & Tannenbaum, LLC.

Attest: Virginia De Maria

Resolution #2008 – 236

A Resolution – Awarding Contract for Wheelchair Lift – RMR Elevator - \$14,839

Whereas, the Township Administrator has recommended the award of a contract for the installation of a wheelchair lift at the Municipal Building located at 151 West Passaic Street; and

Whereas, the Township Administrator has secured quotations for this project; and

Whereas, one such quotation has been submitted by R.M.R. Elevator Company, Inc. of Linden, New Jersey in the amount of \$14,839.00; and

Resolution #2008 – 236 (cont.)

Whereas, the Chief Financial Officer has certified that sufficient funds exist for this purpose; and

Whereas, the within contract may be awarded without the necessity of competitive bidding as the cost of the project does not exceed the applicable bid threshold.

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. A contract be and is hereby awarded to R.M.R. Elevator Company, Inc. of Linden, New Jersey for furnishing and installing a complete wheelchair lift to be used at the Municipal Building located at 151 West Passaic Street;
2. This project shall be in accordance with the wheelchair lift installation proposal and contract submitted by R.M.R. Elevator Company, Inc. dated November 25, 2008 and shall be in the amount of \$14,839.00;
3. This contract may be awarded without the necessity of competitive bidding since the amount of the contract does not exceed the applicable bid threshold but is awarded based upon written quotations received and evaluated by the Township Administrator;
4. This award is contingent upon certification by the Chief Financial Officer that sufficient funds exist for this purpose;
5. The Township Administrator is hereby authorized to execute any and all documents which may be necessary 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 R.M.R. Elevator Company, Inc., the Township Administrator and the Building Department.

Attest: Virginia De Maria

Resolution #2008 - 237

A Resolution – Authorizing Change Orders – USA Securities - \$1,476.88

Whereas, pursuant to the Resolution of the Township Committee which was adopted on November 12, 2008 (Resolution No. 2008-218). A contract was awarded for Security Services and equipment in connection with the Rochelle Park Police Department and Municipal Building; and

Whereas, the total cost of said work and the total contract awarded, at that time was in the amount of \$28,784.50; and

Whereas, the contract was awarded to USA Security Services, Inc. of Hackensack, New Jersey; and

Whereas, during the course of this project it became necessary to perform additional work and services as described on the attached invoices (No. 69840 and 69842); and

Whereas, the total additional cost as set forth on these invoices is \$1,476.88; and

Whereas, the Township Administrator / CFO has recommended the approval of these Change Orders and has further certified that the necessary funds are available 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. 1 in the amount of \$1,476.88 in connection with the Municipal Building Security System be and is hereby approved. These Change Orders are as set forth on Invoice No. 69840 and No. 69842 received from USA Security Services, Inc. of Hackensack, New Jersey;
2. As a result of this Change Order, the total contract price shall be \$30,261.38;
3. The Township Administrator is hereby authorized and directed to sign any documents which may be necessary 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 USA Security Services, Inc., the Township Administrator and the Chief Financial Officer for the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2008 – 238

Minutes of the Public Meeting held December 17, 2008 cont.

A Resolution – Authorizing Solicitation of Bids – Cell Tower (DPW Location)

Whereas, the Township of Rochelle Park previously entered into a land lease in connection with the cellular communications tower located at the Central Avenue extension (DPW building); and

Whereas, the opportunity has now arisen to provide for co-location of other cellular communications carriers on this existing structure

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 Attorney is hereby authorized and directed to prepare all necessary documents and take all necessary steps for the solicitation of bids for co-location of cellular communications carriers on the aforementioned structure; and

Now therefore be it further resolved that the Township Clerk be and she is hereby directed to forward copies of this Resolution to the Metro PCS as well as to all existing cellular communications carriers utilizing that location.

Attest: Virginia De Maria

Resolution #2008 - 239

A Resolution – Authorizing Adoption of the Housing Element and Fair Share Plan

Whereas, the Planning Board of the Township of Rochelle Park, Bergen County, State of New Jersey, adopted the Housing Element of the Master Plan on November 20, 2008; and

Whereas, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

Whereas the Planning Board adopted the Fair Share Plan on November 20, 2008; and

Whereas, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a) 2.

Now therefore be it resolved that the Governing Body of the Township of Rochelle Park, Bergen County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the *Township of Rochelle Park* Planning Board; and

Be it further resolved that the Governing Body of the Township of Rochelle Park, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

Be it further resolved that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

Be it further resolved that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the *Township of Rochelle Park* municipal clerk's office located at 151 W. Passaic Street, Rochelle Park, N.J. 07662, during the hours of 9:00 AM to 4:00 PM on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

Attest: Virginia De Maria

Resolution #2008 - 240

A Resolution – Authorizing Award of Bid – Replace Rooftop Air Conditioning Unit – Carrier Newark Services

Whereas, the Township Committee has determined that it is necessary to replace a rooftop air conditioning unit at the Municipal Building located at 151 West Passaic Street; and

Whereas, informal quotations were obtained for this replacement and it was initially determined that the anticipated cost would exceed the applicable bid threshold and would, therefore, require the preparation of bid specifications and competitive bidding in accordance with the requirements of the Local Public Contracts Law; and

Whereas, it was subsequently determined that the project may be completed for an amount which is less than the applicable bid threshold; and

Whereas, it was also determined that the performance of this work constituted an emergency and would require immediate action; and

Resolution #2008 – 240 (cont.)

Minutes of the Public Meeting held December 17, 2008 cont.

Whereas, the Chief Financial Officer for the Township of Rochelle Park has certified that the funds which are necessary for this project are, in fact, available.

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. A contract be and is hereby awarded to Carrier Corporation (Carrier Newark Services) for the replacement of the existing Carrier rooftop air conditioning unit and replacement with a new unit;
2. The total cost of this project shall be \$20,880.00 plus applicable taxes and shall be in accordance with the quotation submitted by Carrier Corporation dated November 24, 2008, a copy of which is attached to this Resolution;
3. This contract may be awarded without the necessity of competitive bidding since the amount of the contract does not exceed the applicable bid threshold.
4. The Township Administrator is hereby authorized and directed to execute any and all documents which may be necessary in order to effectuate the provisions of this Resolution;
5. 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 Chief Financial Officer for the Township of Rochelle Park, the Building Department and Carrier Corporation.

Attest: Virginia De Maria

Resolution #2008 – 243

A Resolution Authorizing a Contract – DPW Garage – Mullingar, LLC – \$1,250,675.00

Whereas, the Department of Public Works Building, located on Lotz Lane, has been demolished in anticipation of its reconstruction; and

Whereas, the Township Committee previously authorized the solicitation of bids for the reconstruction of this building; and

Whereas, bid specifications were prepared by the Township's Architect, The Bilow Group of Ridgefield Park, New Jersey; and

Whereas, pursuant to the bid solicitation and specifications, submissions were due on September 3, 2008; and

Whereas, the solicitation for bids was advertised in accordance with the requirements of the Local Public Contracts Law; and

Whereas, in response to the bid solicitation a total of seventeen (17) companies obtained copies of the bid specifications in anticipation of submitting a bid for this project; and

Whereas, on September 3, 2008 a total of six (6) bids were received from the following companies:

Kistler Buildings
Mullingar, LLC
Phelps Construction Group
AARK, Inc.
Drill Construction Company, Inc.
Oradell Construction Company, Inc.
Unimak, LLC; and

Whereas, the three (3) lowest bids submitted (including all alternate bids) were as follows:

- | | | |
|----|------------------------------------|----------------|
| A. | Mullingar, LLC | |
| | Ridgewood, New Jersey | \$1,325,675.00 |
| B. | Phelps Construction Group | \$1,361,400.00 |
| | Boonton, New Jersey | |
| C. | Oradell Construction Company, Inc. | \$1,364,600.00 |
| | Roseland, New Jersey; and | |

Whereas a review of the bids submitted revealed that the bids submitted by the three (3) lowest bidders were in compliance with the bid specifications and could, therefore, be considered; and

Whereas upon receipt and review of the bid specifications, the Township Attorney and Township Architect made inquiry as to the background and references of the apparent low bidder, Mullingar, LLC and, as a result, required additional time beyond the sixty (60) day award period pursuant to Law in order to satisfy any questions or concerns; and

Resolution #2008 – 243 (cont.)

Minutes of the Public Meeting held December 17, 2008 cont.

Whereas, after completing these inquiries, it was determined that Mullingar, LLC of Ridgewood, New Jersey was, in fact, a responsible bidder; and

Whereas, as a result of having made the aforementioned determination, the Township Architect and Township Attorney, in consultation with the Township Administrator have recommended the award of this contract to the apparent low bidder, Mullingar, LLC of Ridgewood, New Jersey.

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. A contract for the construction of the Rochelle Park Department of Public Works Garage Building be and is hereby awarded to Mullingar, LLC, 555 Goffle Road, Ridgewood, New Jersey;
2. The contract awarded herein shall be in accordance with the bid submitted by Mullingar, LLC on September 3, 2008 and all documents and submissions shall be incorporated into the contract to be entered into pursuant to the provisions of this Resolution;
3. The contract awarded herein shall be on the base bid of \$1,250,675.00 together with Alternate No. in the amount of \$75,000.00 for a total bid of \$1,325,675.00;
4. The award of this contract is contingent upon certification, by the Chief Financial Officer, that sufficient funds exist for this purpose;
5. The award of this contract is further contingent upon the contractor's compliance with all requirements set forth in the bid documents including, without being limited to, compliance with insurance and bonding requirements;
6. The Township Attorney is hereby authorized and directed to prepare all necessary contracts in order to facilitate the provisions of this Resolution;
7. The Township Clerk is hereby authorized and directed to arrange for the return of all bid security and other documents to the unsuccessful bidders.

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 Attorney, the Chief Financial Officer for the Township of Rochelle Park, the Rochelle Park Building Department and Mullingar, LLC, 555 Goffle Road, Ridgewood, New Jersey.

Attest: Virginia De Maria

Resolution #2008-245

A Resolution Requesting Review and Approval of a Municipal Affordable Housing Trust Fund Spending Plan

Whereas, the Governing Body of the Township of Rochelle Park, County of Bergen, petitioned the Council on Affordable Housing (COAH) for substantive certification on December 17, 2008; and

Whereas, the Township of Rochelle Park did submit a draft developers fee ordinance to COAH on August 15, 2006 as a supplement to its initial Third Round Housing Element and Fair Share Plan dated November 30, 2008; and

Whereas, Rochelle Park intends to update its development fee ordinance to be consistent with COAH's model ordinance dated September 2008 in conjunction with the petition for substantive certification; and

Whereas, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and

Whereas, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

Whereas, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;

Resolution #2008 – 245 (cont.)

Minutes of the Public Meeting held December 17, 2008 cont.

4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council;
9. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;
10. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
11. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

Whereas, the Township of Rochelle Park has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

Now therefore be it resolved that the Governing Body of the Township of Rochelle Park, *County of Bergen* requests that COAH review and approve the Township of Rochelle Park's spending plan.

Attest: Virginia De Maria

A motion was offered by Comm. Strohmeyer 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 Mayor Scarpa and seconded by Comm. Kovalcik and reads:

Resolution #No. 2008 – 241

A Resolution – Hearing & Adoption - Ordinance #995-08 – Amending the Personnel Policies and Procedures Manual

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 THE CODE OF THE TOWNSHIP OF ROCHELLE PARK AND, SPECIFICALLY, TO AMEND THE PERSONNEL POLICIES AND PROCEDURES ORDINANCE OF THE TOWNSHIP OF ROCHELLE PARK**” 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. Strohmeyer and seconded by Mayor 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. Strohmeyer to close the hearing to the public. Motion carried on a voice vote – all voting “Aye”.

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

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

Resolution #2008 – 242

Minutes of the Public Meeting held December 17, 2008 cont.

A Resolution – Hearing & Adoption - Ordinance #996-08 – Towing Fees

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 172 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “TOWING” AND, SPECIFICALLY, TO AMEND SECTION 172-4 ENTITLED “LIST OF CHARGES”**” 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. Strohmeier and seconded by Comm. Lotz 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. Strohmeier and seconded by Comm. Lotz to close the hearing to the public. Motion carried on a voice vote – all voting “Aye”.

A motion was offered by Comm. Strohmeier and seconded by Comm. Kovalcik to adopt the above resolution. Motion carried on a roll call vote – all voting “Aye”. All ayes

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

Resolution #2008 – 244

A Resolution - Authorizing Release of Closed Session Minutes of December 10, 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 December 10, 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

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 10, 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. Personnel – The Township Committee received and reviewed resumes and other submissions from candidates for the position of Township Administrator and chief financial Officer. The Township Committee also discussed, with the current Administrator/CFO, his plans and request to continue in those positions until the end of calendar year 2009

Attest: Virginia De Maria

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

Minutes of the Public Meeting held December 17, 2008 cont.
Committee's/Administrator's/Attorney's Reports

Comm. Kovalcik – No Report

Comm. Valenzuela – A motion was offered by Comm. Valenzuela and seconded by Comm. Kovalcik to appoint Tyler DeMott as a Jr. Fire Fighter to the Rochelle Park Fire Department. Motion carried on a roll call vote – all voting “Aye”.

Fire Department November Report – 15 calls

Comm. Valenzuela thanked the public for their support during his re-election to the Township Committee. He also wished everyone a Happy and Healthy Holiday Season.

Comm. Strohmeier - Library November Report - Circulated 1606 items, Added 126 New Items, New Cards Issued - 21, Computer Usage 298

Comm. Strohmeier wished everyone a Happy Holiday Season.

Comm. Lotz – Municipal Court October Report – 245

DPW November Report – Most time collecting leaves, secondly sweeping the street, thirdly doing their general work.

Police Department November Report – Motor Vehicle Accidents 48, Total Police Calls 1,060, Total Summons Issued 261, Total Patrol Mileage 8,950, Total Arrests 11

Mayor Scarpa - thanked the Recreation Committee for their organization of the Annual Christmas Tree Lighting, it was a well attended event. He advised that construction work has commenced on Houghton Hall. He wished everyone a Merry Christmas and Happy New Year.

Administrator Mariniello – Wished everyone Happy Holidays

Municipal Clerk Virginia De Maria – Wished everyone a Merry Christmas and Happy New Year.

Attorney Rotolo – Also wished everyone a Merry Christmas and Happy New Year.

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

No Public Comments.

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

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

Respectfully submitted,

Virginia De Maria
Municipal Clerk