



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

**MINUTES – PUBLIC MEETING – February 20, 2008**

Call to Order 8:00 PM

According to the Open Public Meetings Act, this meeting of February 20, 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 January 7, 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 - Absent  
Comm. W. Lotz  
Comm. P. Strohmeyer  
Comm. F. Valenzuela  
Mayor J. Scarpa

Pledge of Allegiance was led by Police Chief Zavinsky

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 agenda. Motion carried on a voice vote – all present voting "Aye".

Approval of the Minutes of the Public Meeting of January 16, 2008, January 23, 2008 Special Meeting, January 30, 2008 and February 6, 2008 Budget Meetings

Comm. Valenzuela asked that approval of the above minutes be moved to the Work Session of March 12, 2008. He had questions. The Township Committee agreed.

Reports:

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

Resolutions:

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

Resolution #2008 – 45

A Resolution – Payment of Bills – February 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 – 46

A Resolution – Dedication by Rider – Recreation Fees

Whereas, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

Whereas, State Statute allows municipalities to receive amounts for costs incurred for

Whereas, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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 – 46 (cont.)

1. The Township Committee hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Recreation Fees as per N.J.S.A. 40A:4-39.
2. The municipal clerk of the Township of Rochelle Park hereby directed to forward two certified copies of this resolution to the Director of the division of Local Government Services.

Attest: Virginia De Maria

Resolution #2008 – 47

A Resolution – Dedication by Rider – Uniform Fire Safety Act Penalty Monies

Whereas, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

Whereas, State Statute allows municipalities to receive amounts for costs incurred for

Whereas, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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

1. The Township Committee hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Uniform Fire Safety Act Penalty Monies as per N.J.S.A. 40A:4-39.
2. The municipal clerk of the Township of Rochelle Park hereby directed to forward two certified copies of this resolution to the Director of the division of Local Government Services.

Attest: Virginia De Maria

Resolution #2008 – 48

A Resolution – Dedication by Rider – Outside Employment Of Off Duty Police Officers

Whereas, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

Whereas, State Statute allows municipalities to receive amounts for costs incurred for

Whereas, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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

1. The Township Committee hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Outside Employment of Off Duty Police Officers as per N.J.S.A. 40A:4-39.
2. The municipal clerk of the Township of Rochelle Park hereby directed to forward two certified copies of this resolution to the Director of the division of Local Government Services.

Attest: Virginia De Maria

Resolution #2008 – 49

A Resolution – Dedication by Rider – Acceptance of Bequests And Gifts

Whereas, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

Whereas, State Statute allows municipalities to receive amounts for costs incurred for

Whereas, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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 - 49

1. The Township Committee hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Donations – Acceptance of Bequests and Gifts as per N.J.S.A. 40A:4-39.
2. The municipal clerk of the Township of Rochelle Park hereby directed to forward two certified copies of this resolution to the Director of the division of Local Government Services.

Attest: Virginia De Maria

Resolution#2008 - 50

A Resolution – Dedication by Rider – DARE

Whereas, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

Whereas, State Statute allows municipalities to receive amounts for costs incurred for

Whereas, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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

1. The Township Committee hereby request permission of the Director of the Division of Local Government Services to pay expenditures for DARE as per N.J.S.A. 40A:4-39.
2. The municipal clerk of the Township of Rochelle Park hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Attest: Virginia De Maria

Resolution #2008 - 51

A Resolution – A Resolution Authorizing Settlement of Real Property Tax

Appeal – Valley National Bank

Address: 405 Rochelle Avenue, Rochelle Park, New Jersey 07662  
 Taxpayer: Valley National Bank  
 Tax Block: 86  
 Tax Lot: 1.01

Whereas, Valley National Bank is the owner of the property described above; and  
Whereas, that property was assessed for the tax year 2005, as follows:

Land:	\$ 575,000.00
Improvements:	<u>1,238,100.00</u>
Total:	\$1,813,100.00

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

Land:	\$575,000.00
Improvements:	<u>995,000.00</u>
Total:	\$1,570,000.00

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

Land:	\$575,000.00
Improvements:	<u>995,000.00</u>
Total:	\$1,570,000.00

Whereas, as a result of the foregoing, and based upon the recommendation of this Tax Assessor and Township Attorney, the Real Property Tax Appeal filed in connection with this matter shall be settled for a total assessments 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:

1. The Real Property Tax Assessment for the property described above is amended for the 2005 tax year as follows:

Land:	\$575,000.00
Improvements:	<u>995,000.00</u>
Total:	\$800,000.00

Resolution #2008 – 51 (cont.)

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

Land:	\$575,000.00
Improvements:	<u>875,000.00</u>
Total:	\$1,570,000.00

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

Land:	\$575,000.00
Improvements:	<u>725,000.00</u>
Total:	\$1,300,000.00

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 WolfBlock, Brach, Eichler, as attorney for Valley National Bank and forwarded to counsel for the taxpayer, at the following address:

WolfBlock, Brach, Eichler  
101 Eisenhower Parkway  
Roseland, New Jersey 07068

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 WolfBlock, Brach, Eichler.

Attest: Virginia De Maria

Resolution #2008 - 52

A Resolution – Introduction Ordinance #979-08 – An Ordinance To Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**” be and it is hereby introduced and passed on first reading February 20, 2008 and that said ordinance be further considered for final passage at a meeting to be held on March 19, 2008 at 8:00 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Resolution #2008 -53

A Resolution – Issuing Bingo License #B378-08 to 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 #B378-08 as presented by the **AMERICAN LEGION POST #170 ID.#427-07-00459** requesting permission to conduct Bingo on April 11, 2008 at 33 W. Passaic Street be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2008 - 54

A Resolution – Issuing License #377-08 to River Dell Junior Football Association –ID#423-5-37253

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, State of New Jersey, that the application for Texas Hold'em License #377-08 as presented by the **RIVER DELL JUNIOR FOOTBALL ASSOCIATION ID#423-5-37253** requesting permission to conduct a Texas Hold'em Tournament on **May 17, 2008** be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution 2008 - 55

A Resolution – Approving Transfers within the 2007 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 2007 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>			
20-1352	TO:	Audit Services O/E	\$8,000.00
20-1551	TO:	Legal Services S/W	1,500.00
20-1652	TO:	Engineering Services O/E	500.00
26-2902	TO:	Streets & Roads O/E	500.00
26-3152	TO:	Vehicle Maintenance O/E	2,500.00
31-4602	TO:	Utilities/Gasoline O/E	<u>5,000.00</u>
Total			\$18,000.00
<u>Inside CAP</u>			
20-1552	FROM:	Legal Services O/E	\$ 3,000.00
23-2202	FROM:	Health Insurance O/E	7,500.00
25-2401	FROM:	Police S/W	<u>7,500.00</u>
Total			\$18,000.00

Attest: Virginia De Maria

Resolution #2008 - 56

A Resolution – Emergency To Temporary Budget Resolution #2 of 2008

Whereas an emergency condition has arisen with respect to VARIOUS LINE ITEMS (see attached) and no adequate provisions have been made 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 \$3,064,688.86.

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 \$390,000.00.

<u>Inside CAP</u>			
20-1202		Municipal Clerk O/E	7,000.00
20-1402		Computerized Data O/E	7,000.00
23-2102		General Insurance O/E	50,000.00
25-2402		Police O/E	20,000.00
25-2651		Fire Prevention S/W	5,000.00
31-4352		Utilities/St. Lights O/E	20,000.00
43-4902		Municipal Court O/E	6,000.00
43-5060		Sewerage Processing O/E	<u>150,000.00</u>
Total			265,000.00
<b>Outside CAP</b>			
45-9302		Interest on Bonds	<u>125,000.00</u>
Total			\$125,000.00

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

Minutes of the Public Meeting held February 20, 2008 cont.

Resolution #2008 – 57

A Resolution – Introducing Ordinance #980 – 08 – Adding Chapter 57 – Personnel Policy

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 TO ADD CHAPTER 27 ENTITLED “PERSONNEL POLICY, PRACTICE AND REGULATIONS OF THE TOWNSHIP OF ROCHELLE PARK”** be and it is hereby introduced and passed on February 20, 2008 first reading and that said ordinance be further considered for final passage at a meeting to be held on March 19, 2008 at 8:00 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Resolution #2008 – 61

A Resolution Authorizing Replacement of the Existing Emergency Standby Generator – DPW

Whereas, the Township of Rochelle Park wishes to undertake the replacement of the existing emergency standby generator for the Department of Public Works site; and

Whereas, the furnishing and installing of a new emergency standby generator requires the preparation of plans and specifications signed and sealed by a professional engineer; and

Now therefore be it resolved, by the Township Committee of the Township of Rochelle Park that the Township Engineer be and is authorized to prepare the plans and specifications for the furnishing and installing of a new emergency standby generator for the Department of Public Works site; and

Be it further resolved, that the Township Engineer be and is also authorized to utilize the services of a Licensed Professional Engineer with a concentration in the field of electrical engineering as required to comply with current electric code criteria.

Attest: Virginia De Maria, Municipal Clerk

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

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

Resolution #2008 – 58

A Resolution – Hearing & Adoption Ordinance #978 – 08 – Allowing Non-Profit Organizations to be Exempt from Bingo and Raffle Fee Charges

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled **“AN ORDINANCE ALLOWING NON-PROFIT ORGANIZATIONS TO BE EXEMPT FROM BINGO AND RAFFLE FEE 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. Valenzuela and seconded by Comm. Strohmeyer to open the hearing to the public. Motion carried on a voice vote – all voting “Aye”.

No Comments

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

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

Resolution #2008 – 59

A Resolution – Authorizing Hiring of Personnel – DPW –Rob Passarella

Whereas, the Superintendent of the Department of Public Works has recommended the hiring of two additional employees within that department on a full time basis; and

Whereas, the Township Committee has reviewed the needs of that department and has confirmed that additional personnel is required; and

Whereas, various resumes were received and reviewed by the Township Administrator and interviews of three candidates for these positions were conducted at the meeting of the Township Committee which took place on January 9, 2008; and

Whereas, subsequent to the interviews the Township Committee discussed the candidates and has determined that the following candidates are most qualified for this position:

Robert C. Passarella  
191 Wilson Street  
Saddle Brook, New Jersey 07663

Whereas, the Superintendent of the Department of Public Works has also recommended that above mentioned individuals for these positions.

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. Robert C. Passarella of 191 Wilson Street, Saddle Brook, New Jersey be and is hereby hired to work in the Department of Public Works under the direct supervision of the Superintendent of the Department of Public Works.  
Starting Salary: \$38,166.00  
Starting Date: January 22, 2008
2. The above referenced individuals shall serve a period of probation in accordance with the Collective Bargaining Agreement for a period of ninety (90) days from date of hiring.
3. This Resolution is contingent upon certification by the Chief Financial Officer of the Township of Rochelle Park that sufficient funds exist for this purpose.

Now, therefore, be it further resolved, that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the Superintendent of the Department of Public Works, the Chief Financial Officer for the Township of Rochelle Park, Robert C. Passarella.

Attest: Virginia De Maria

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

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

Resolution #2008 – 60

A Resolution – Withdrawing Offer of Employment – Brian Koenig, Jr.

Whereas, the Township Committee previously offered employment to Brian J. Koenig, Jr. of Washingtonville, New York to be employed within the Department of Public Works for the township of Rochelle Park; and

Whereas, that offer of employment was made, by a roll call vote of the Township Committee “Ayes” Kovalcik, Lotz, Strohmeyer “Nays” Valenzuela, Scarpa, at the meeting of the Township Committee which took place on January 23, 2008; and

Whereas, the Township Committee has now determined that the offer of employment to the aforementioned individual should be withdrawn.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of new Jersey that the offer of employment previously made to Brian J. Koenig, Jr. of Washingtonville, New York which was extended pursuant to the voice of the Township Committee on January 23, 2008 be and is hereby withdrawn; 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 Brian J. Koenig, Jr. of Washingtonville, New Jersey, the Chief Financial Officer of the Township of Rochelle Park and the Superintendent of the Department of Public Works.

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 February 20, 2008 cont.

The following Resolutions were removed from the Agenda to be heard at the March Work Session.

Resolution #2008 – 61 – A Resolution – Authorizing Release of Closed Session  
Minutes of January 23, 2008 and February 6, 2008

Resolution #2008 – 62 – A Resolution – Authorizing Release of Closed Session  
Minutes of February 13, 2008

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

Comm. Valenzuela – Fire Department January Report – 22 Calls

Valenzuela advised that the Township Committee would be discussing an ordinance addressing anti-nepotism issues within the Township.

Comm. Lotz - Police Department January Report – Motor Vehicle Accidents 74, Total Police Calls 1,206, Total Summons Issued 313, Total patrol Mileage 9954, Total Arrests 19

Municipal Court January Report – 407 Cases Disposed

In January our Officers clocked 9,954 miles, they stopped 225 motor vehicles and issued 313 traffic violations. They responded to 46 alarm calls investigated 74 motor vehicle accidents and investigated 57 suspicious incidents. Detectives arrested a Paterson resident for committing a burglary to a local home. Detectives recovered approximately \$15,000 in stolen jewelry. Det. Lt. Flannelly and detective Jim Depreta were both involved in a sexual assault investigation with the Bergen County Prosecutors office. Officers Dean Pinto, Christopher Bermudez and John Behr have been involved in six narcotics arrests this month including Cocaine, Heroin and Marijuana. Officer Christopher Bermudez arrested a California truck driver on a customs and immigration warrant and also arrested a Teaneck resident for drunk driving. We had a total of 19 persons arrested this month.

Officer Kenneth Stapleton who is assigned to the Bergen County Prosecutors Officer computer crimes task force was involved in several search warrants involving internet crime and the solicitation of under age persons for sex.

DPW January Report – Most time spent mowing lawns, secondly brush clipping and thirdly stump grinding

Comm. Strohmeier - Library January Report - Circulated 1919 items, Added 145 New Items, New Cards Issued 25, Computer Usage, 302

Mayor Scarpa – Spoke of plans previously provided to the Township Committee for the renovations to the Houghton Hall located at Carlock Field. The finalized plans will be forwarded to the architect for preparation of the bid specifications. Scarpa advised that a request from Midland School to paint a large mural directly on the Senior Center wall, has been changed to a smaller painting on a canvas instead. This painting can be removed from the wall if necessary.

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”.

Mrs. Reinhardt – 295 W. Passaic Street – Complained of the proximity of her neighbor's pool. She was advised to contact Construction Code Official Rich Bolan for a possible solution to her problem. She then complained about her neighbors spot light shining in her windows. After a lengthy combative exchange, the Committee advised this resident that according to the Building Inspector, nothing can be done.

James Miastkowski (President of the Rochelle Park Baseball Association) – 36 Susquehanna Avenue – Asked the Township Committees support in locating funding for a defibrillator to be placed at either Matthew's Field or Carlock Field in case of an emergency. The fields are used by many children and adults. Mayor Scarpa advised that the Township Committee would discuss the possible purchase of the defibrillator at the next work session/budget meeting scheduled for March 12th. The resident was also advised to contact the local American Legion or 200 Club for possible donations.

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

Minutes of the Public Meeting held February 20, 2008 cont.

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

Respectfully submitted,

Virginia De Maria  
Municipal Clerk