



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

MINUTES – PUBLIC MEETING – July 15, 2009

Call to Order 7:36 PM

According to the Open Public Meetings Act, this meeting of July 15, 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 - Absent
Comm. W. Lotz
Comm. J. Scarpa
Comm. P. Strohmeyer
Mayor F. Valenzuela

Pledge of Allegiance was led by James Schmunk

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. Lotz and seconded by Comm. Strohmeyer to approve the agenda. Motion carried on a voice vote – all present voting "Aye".

A motion was offered by Comm. Scarpa and seconded by Comm. Strohmeyer to approve the minutes of the Public Meeting held June 17, 2009 and the Special Meeting held June 25, 2009. Motion carried on a voice vote - "Aye's" - Strohmeyer, Scarpa, "Abstain" Lotz, Valenzuela, "Nays" – None, "Absent" - Kovalcik.

Reports:

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

Resolutions:

At the Work Session held July 8th the following resolution was introduced and the hearing scheduled for the Public Meeting of July 15, 2009:

Resolution #2009 – 147

A Resolution Amending the 2009 Municipal Budget #2

(See Attached)

A motion was offered by Comm. and seconded by Comm. to approve the above resolution. Motion carried on a roll call vote – "Ayes" - Kovalcik, Lotz, Strohmeyer, Valenzuela, "Nay" - Scarpa

Administrator Mariniello advised that there were two changes made, adding \$68,000 to fees and permits and increasing salaries and wages in the Police Department by \$38,000.

All items listed with an asterisk (*) are considered to be routine and non-controversial by the Township Committee and will be approved by one motion. There will be no separate discussion of these items unless a Committee member or citizen so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda as part of the General Orders.

Prior to the adoption of the 2009 Municipal Budget a hearing was held regarding Resolution #2009 – 147.

Comm. Scarpa offered a motion to open the public hearing. Comm. Strohmeyer seconded the motion. Motion carried on a voice vote – all present voted "Aye".

Minutes of the Public Meeting held July 15, 2009 cont.

The amendment was read and explained by Michael Mariniello, CFO. No comments by the public.

Comm. Scarpa motioned the public hearing be closed. Comm. Strohmeier seconded the motion. Motion carried on a voice vote – all presenting voting “aye”.

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

Resolution #2009 – 148

Adoption of 2009 Municipal Budget

See attached

A motion was offered by Comm. Lotz and seconded by Comm. Strohmeier to adopt the 2009 Municipal Budget. Motion carried on a roll call vote – “Ayes” - Lotz, Strohmeier, Valenzuela, “Nay” – Scarpa, “Absent” - Kovalcik

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

Resolution #2009 - 149

A Resolution – Payment of Bills – July 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 – 150

A Resolution – Authorizing the Sale of BANS in the Amount of \$5,542,000.00

Whereas, effective June 26, 2009 the BANS in the amount of \$5,542,000.00 required the Township to seek additional funding for another year, and

Whereas, bids via the fax were received with corresponding rates from the following lending institutions:

1. TD Securities (USA) LLC - 1.0305
2. Valley National Bank - 1.7500
3. Roosevelt & Cross - 1.8552
4. Lakeland Bank - 1.9500
5. Janney Montgomery Scott - 2.3646
6. Oppenheimer & Co., Inc. - 2.5163

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen that TD Securities (USA) LLC be awarding the BANS for one year payable June 25, 2010 at a rate of 1.0305%.

Attest: Virginia De Maria

Resolution #2009 – 151

A Resolution Appoint Community Development Representatives – July 2009 thru June 2010

Be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, New Jersey, that Joseph Scarpa, Committee Member of the Township of Rochelle Park residing at 28 East Forest Place, Rochelle Park, is hereby appointed the Community Development Representative for the Township of Rochelle Park effective July 1, 2009 through June 30, 2010; and

Be it further resolved, that Virginia De Maria of 175 Rochelle Ave., Rochelle Park is appointed as Alternate Representative serving the same term.

Attest: Virginia De Maria

Resolution #2009 – 152

A Resolution Appointing Fire Inspector – Robert Lewisohn

BE IT RESOLVED by the Township Committee of the Township of Rochelle Park, County of Bergen that the following be appointed Fire Inspectors for the year 2009:

Robert Lewisohn
A-26 Harvey Avenue
Rochelle Park, N.J. 07662

Attest: Virginia De Maria

Resolution #2009 – 153

A Resolution Renewing Liquor License for the year 2009/2010 – Longhorn & Villa Roberto

Whereas, the licensees as noted below have filed applications for renewal of their liquor licenses at premises noted; and

Whereas, all applications are in proper order, the license fees have been paid;

Now, therefore, be it resolved by the Township Committee of the Township of Rochelle Park, County of Bergen, New Jersey that the Municipal Clerk is hereby authorized to issue renewal licenses as follows effective July 15, 2009

Plenary Retail Consumption – Fee \$1492.00

0254-33-008-008	Rare Hospitality International	160 Route 17, North
0254-33-004-006	US International Hospitality	70 W. Passaic Street

Attest: Virginia De Maria

Resolution #2009 – 154

A Resolution Renewing Liquor License for the year 2009/2010 – South City Grill

Whereas, Deep Blue Restaurant t/a The South City Grille, presently occupies the premises located at Route 17 South in the Township of Rochelle Park and has paid the renewal fee of \$1,492.00; and

Whereas, as a result of numerous complaints which have been received by the Township Committee and the Police Department, the Chief of Police of the Township Of Rochelle Park has reviewed this liquor licensee renewal and has recommended, to the Township Committee, that certain conditions be imposed upon the renewal; and

Whereas, the Township Committee has reviewed the request of the Chief of Police and has agreed that it would be in the best interests of the municipality to impose such conditions in order to ensure the health, safety and general welfare of the residents and tax payers of the Township of Rochelle Park; and

Whereas, pursuant to N.J.S.A. 33:1-1, et. Seq. the local issuing authority i.e. the Township of Rochelle Park may impose any reasonable conditions which are deemed necessary in order to accomplish the objects and purpose of the New Jersey State Alcoholic Beverage Control Law; and

Whereas, the Township Committee has determined that the conditions imposed herein meet said standard.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey, that the aforesaid license is hereby renewed subject to the following conditions:

1. The licensee shall be required to maintain a minimum of two (2) uniformed security guards to work within the parking lot of the South City Grill on Wednesday and Saturday nights from 10:00 p.m. until 2:00 a.m.
2. The security personnel described above shall be required to monitor the activities of the licensee's customers and patrons in order to ensure that all potential disruption and disturbance to local residents are minimized and, furthermore, to provide general security services in and around the licensed premises.
3. At the discretion of the Police Chief, additional police personnel may be assigned periodically at the expense of the licensee.
4. Strict compliance with all terms, conditions and requirements set forth in the Township Zoning Board or Adjustment Resolution dated 12-15-99, as well as all other Resolutions pertaining to the operation of the licensed premises.

Be it further resolved, that these conditions shall take effect immediately upon renewal of this license.

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, Joseph J. Rotolo, Esq., the Rochelle Park Township Administrator and Deep Blue Restaurant t/a The South City Grille.

Attest: Virginia De Maria

Resolution #2009 – 155

A Resolution – Authorizing Exemption from Minor Site Plan and Tenant Review – 139 Rochelle Ave.

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

Resolution #2009 – 155 (cont.)

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 139 Rochelle Avenue;

Whereas, the proposed new occupants will be engaged in receiving orders and shipping children's products, mainly via the internet and phone but with some retail component; and

Whereas, based upon a review of this application the Township Committee has determined that since most of the work is done remotely there will be few customer visits; and

Whereas, as a result of a review of this application by the Township Committee it 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 from formal minor site plan tenant review pursuant to Section 185-104 of the Township Code for premises located at 139 Rochelle Avenue.
2. This exemption is granted based upon the statements, representations and testimony of the proposed tenant at the meeting of the Township Committee which took place on July 8, 2009.
3. The business to be operated at this location will be the shipping and sale of children's products and the Applicant also testified as follows:
 - Hours of operation will be 10:00 a.m. through 6:00 p.m., Monday through Saturday;
 - There will be a maximum of two to three employees at any one time;
 - There will be a small retail component but the primary focus of the business will be receiving orders via the internet and shipping them from this location; and

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 – 156

A Resolution – Authorizing Professional Service Contract – Russell R. Huntington, Esq.

Whereas, the Garden State Plaza is currently engaged in an additional expansion proposal before the Borough of Paramus; and

Whereas, the Township Committee has determined that it would be in the best interests of the Township to retain a land use attorney in order to monitor this application and in order to advise the Planning Board of the Borough of Paramus of the objections to the application and the position of the Township with regard to same; and

Whereas, Russell R. Huntington, Esq. of the firm of Huntington Bailey LLP of Westwood, New Jersey is an attorney licensed to practice in the State of New Jersey and is a land use expert; and

Whereas, the Township Committee herein authorizes a Professional Services Contract with Mr. Huntington in connection with this matter.

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 Professional Services Contract be and is hereby awarded to Russell R. Huntington, Esq. of the firm of Huntington Bailey LLP, Westwood, New Jersey.
2. This Contract has been awarded without competitive bidding since it is a Contract for Professional Services and is therefore exempt from the competitive bidding process. Furthermore, this Contract has not been awarded pursuant to a "fair and open" process.

Resolution #2009 – 156 (cont.)

3. The scope of Mr. Huntington's services shall be to observe and monitor the pending Garden State Plaza expansion application before the Paramus Planning Board and to advise the Board of the objections, questions and comments of the Township as directed by the Township Committee, Township Attorney and Township Administrator.
4. Mr. Huntington shall be paid at the rate of \$125.00 per hour up to an initial maximum of \$1,000.00.

Now therefore be it further resolved that the Township Clerk is authorized to publish the appropriate notice of the award of this Professional Services Contract and, furthermore, is hereby authorized and directed to forward certified copies of the within Resolution to Russell R. Huntington, Esq., the Township Attorney and the Township Administrator.

Attest: Virginia De Maria

Resolution #2009 – 157

A Resolution – Authorizing Transfer of Trailer to the City of Hackensack

Whereas, the City of Hackensack has, on an annual basis, allow the Township to use its band shell for nominal or no consideration in the spirit of cooperation between the City and the Township; and

Whereas, the City of Hackensack has now requested the use of one of the trailers currently maintained by the Township which were part of a program from the federal government; and

Whereas, the City of Hackensack has now proposed that it will authorize the use of its band shell, without charge, on an annual basis, for as long as the Township requires it in connection with the Township's summer concert in exchange for the transfer of one of the trailers which are currently in the possession of the Township but are not being used;

Whereas, the Township Committee has determined that such an arrangement would be appropriate and in the best interests of the Township provided that such a transfer does not violate the terms under which the trailers were provided to the Township.

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 transfer of one of the existing trailers possessed by the Township of Rochelle Park to the City of Hackensack is hereby authorized.
2. In consideration for such a transfer the City of Hackensack will permit the annual use of their band shell for the Township's summer concerts. This use shall be on an annual basis, without charge, and will continue as long as the summer concerts are held by the Township.
3. The City of Hackensack will be required to take any action necessary in order to confirm that this annual use shall be permitted and binding upon future Governing Bodies.
4. This agreement is contingent upon the Township Attorney's confirmation that this transfer does not violate the terms of the program under which the trailer was provided to the municipality.

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 City of Hackensack, Committeeman Kovalcik, the Township Attorney and the Township Administrator.

Attest: Virginia De Maria

Resolution #2009 – 158

Resolution of the Township Committee of the Township of Rochelle Park, in the County of Bergen, New Jersey, Covenanting to Comply with the Provisions of the Internal Revenue Code of 1986, as Amended, Applicable to the Exclusion from Gross Income for Federal Income Tax Purposes of Interest on Obligations Issued by the Township of Rochelle Park and Authorizing the Mayor, Township Clerk, Chief Financial Officer and Other Township Officials to Take Such Action as They May Deem Necessary or Advisable to Effect Such Compliance and Designating a \$5,542,000 Bond Anticipation Note, Dated June 26, 2009 and Payable June 25, 2010 as a "Qualified Tax-Exempt Obligation Pursuant to Section 265 (B) (3) of the Internal Revenue Code of 1986, as Amended.

Resolution #2009 – 138 (cont.)

Whereas, the Township of Rochelle Par, in the County of Bergen, New Jersey (the “Township”) from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

Whereas, the Internal Revenue Code of 1986, as amended (the “Code”), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Township to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

Whereas, the Township intends to issue a \$5,542,000 bond anticipation note, dated June 26, 2009 and payable June 25, 2010 (the “Note”); and

Whereas, the Township desires to designate the Note as a “qualified tax-exempt obligation” pursuant to Section 265(b) (3) or the Code;

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

SECTION 1. The Township Committee of the Township of Rochelle Park hereby covenants on behalf of the Township, to the extent permitted by the constitution and the laws of the State of new Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the township (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Township Clerk, Chief Financial Officer and the other officials of the township are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a “qualified tax-exempt obligation” for the purpose of Section 265(b) (3) of the Code.

SECTION 4. It is hereby determined and stated that said Note (1) is not a “private activity bond” as defined in the Code and (2) the township and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$30 million of tax-exempt obligations (other than private activity bonds) during the calendar year 2009.

SECTION 5. It is further determined and stated that the Township has not, as of the date hereof, issued any tax-exempt obligations during the calendar year 2009.

SECTION 6. The Township will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b) (3) of the Code; hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Township are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2009 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

Attest: Virginia De Maria

Resolution #2009 – 159

A Resolution – Introduction Ord. #1010-09 – Personnel Policies

Ne 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, AMENDING THE PERSONNEL POLICIES AND PROCEDURES OF THE TOWNSHIP**” be and it is hereby introduced and passed on first reading July 15, 2009 and that said ordinance be further considered for final passage at a meeting to be held on August 19, 2009 at 7:30 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Resolution #2009 – 161(cont.)

the Township of Rochelle Park related to preparation of the periodic reexamination report in accordance with the Municipal Land Use Law.

2. This Contract shall be in accordance with the Proposal dated May 20, 2009 from Banisch Associates, Inc.
3. The Township Administrator is hereby authorized to execute any and all documents which may be necessary in order to implement the provisions of this Resolution including executing such documents as may be necessary in order to facilitate payment for the same.
4. The maximum expenditure for this Contract for calendar year 2009 shall be \$9,500.

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 Planning Board of the Township of Rochelle Park, the Township Attorney and Banisch Associates, Inc.

Attest: Virginia De Maria

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

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

Resolution #2009 – 162

A Resolution – Hearing & Adoption Ord. 1007-09 – Amend Mandatory

Recycling

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 112 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “MANDATORY RECYCLING”**” 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. Lotz and seconded by Comm. Strohmeyer to open the hearing to the public. Motion carried on a voice vote – all present voting “Aye”.

No comments from the public

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

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

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

Resolution #2009 – 163

A Resolution – Hearing & Adoption Ord. 1008-09 – Fire Watch

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**AN ORDINANCE TO AMEND CHAPTER 102 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK TO ADD A SECTION ENTITLED “FIRE WATCH”**” 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 Mayor Valenzuela and seconded by Comm. Scarpa to open the hearing to the public. Motion carried on a voice vote – all present voting “Aye”.

No comments from the public

Minutes of the Public Meeting held July 15, 2009 cont.

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

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

No Motion was offered for the following resolution. Resolution not adopted.

Resolution #2009 – 164

A Resolution – Hearing & Adoption Ord. 1009-09 – Personnel Policies

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, AMENDING THE PERSONNEL POLICIES AND PROCEDURES OF THE TOWNSHIP**” 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. Scarpa and seconded by Comm. Strohmeyer to open the hearing to the public. Motion carried on a voice vote – all present voting “Aye”.

No comments from the public

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

No motions to adopt – this ordinance failed

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

Resolution #2009 - 165

A Resolution – Authorizing Release of Closed Session Minutes of July 8, 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 July 8, 2009 to the extent that said information can be disclosed without adversely affecting the Township or the public interest.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen and State of New Jersey that the attached closed session minutes may be released to the public in accordance with the requirements of New Jersey State Law; and

Be it further resolved, that any minutes which have not been released pursuant to this Resolution shall be reviewed periodically by the Township Attorney and further recommendation shall be made for the release of additional minutes as the release of same is deemed to be proper.

Attest: Virginia De Maria

CLOSED SESSION MINUTES – July 8, 2009

A motion was made by Comm. Lotz and seconded by Comm. Kovalcik for the Township Committee to go into closed or executive session at 7:30 PM on July 8, 2009 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. Litigation Report - The Township Attorney reported on the status of the litigation involving Long Electrical-Mechanical, Inc. as well as the litigation against a former municipal employee, Ronald DePaola.

Resolution #2009 – 165 (cont.)

2. New York Prime II, Inc. - The Township Attorney reported on the status of the pending litigation with this liquor licensed premises. The status of the matter is that all litigation has been stayed at the request of the Applicant pending a determination as to whether they intend to proceed with this litigation.

Attest: Virginia De Maria

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

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

Comm. Scarpa – No Report

Comm. Lotz – asked that the Township Committee temporarily forego working to fix the Intersection at Rochelle Avenue and Railroad Avenue in lieu of concentrating their efforts on the repair of the intersection at Rochelle Avenue and Terrace Avenue. This intersection is located by Midland School, Sage Day School and Sacred Heart Church and the safety of this intersection is imperative to the welfare of the residents of Rochelle Park. This will be discussed at the August Work Session.

Municipal Court June Report - 430 Cases Disposed

Municipal Court 2009 Semi Yearly Budget Report – Monies Collected to Date

\$125,882.20 Criminal Complaints Issued 142 Motor Vehicle Tickets Issued 2,166

Lotz congratulated Maria Cappa-Foschini on her successfully passed Principles of Municipal Court Administration Advanced

DPW June Report – Most time spent lawn mowing, brush chipping, thirdly doing yard clean up – Total Hours 788

Comm. Strohmeier – Library June Report - Circulated 2207 items, Loaned - 504, Borrowed - 1394, New Cards Issued - 12, Computer Usage 292.

Building Dept. June Report – June Revenue \$20,069.83

Comm. Strohmeier reminded residents that the Township has a law against putting signs between the sidewalk and curb. Currently warnings are being given out, fines will commence shortly.

Mayor Valenzuela – reminded everyone that that the Fifth Annual Kenneth J. Kovalcik Summerfest Concert would be held on Thursday, August 13th and would continue to be sponsored by Park Avenue/Acura/BMW. The Mahoney Brothers, juke box heroes, a tribute band would be performing.

The Mayor spoke of all the hard work it took to put together the 2009 Budget.

Unfortunately during these tough economic times, lay-offs were considered and recognized. Hopefully next year will be a better budget.

The Mayor spoke of an article from NJ Biz which gave Rochelle Park’s Economic Indicators Housing Profile. The article stated that Rochelle Park is a desirable place to reside.

Administrator Mariniello – Advised that Houghton Hall was complete and he invited all citizens to visit the location. At the DPW complex, the roof will be on shortly and then the walls will go up. Mr. Mariniello reported on the recent bond sale the Township passed a resolution on at this meeting noting the interest on bonds. He stated that the interest payments this year will less than last year including an additional two million dollars.

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

Denise Gustavsen – 234 Howard Ave – Asked the Township Committee’s assistance regarding Garden State Parkway traffic noise in their neighborhood. Mayor Valenzuela accepted the petition from the residents of this neighborhood. Comm. Scarpa advised that the Turnpike Authority should be contacted. He also advised that a resolution be prepared at sent to the authority. This issue will be discussed at the next work session.

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 present voting “Aye”.

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

Closed Session – Agenda - Administrator Position

Minutes of the Public Meeting held July 15, 2009 cont.

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

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

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

Respectfully submitted,

Virginia De Maria
Municipal Clerk