



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

MINUTES – PUBLIC MEETING – March 19, 2008

Call to Order 8:00 PM

According to the Open Public Meetings Act, this meeting of March 19, 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
Comm. W. Lotz - Absent
Comm. P. Strohmeyer
Comm. F. Valenzuela
Mayor J. Scarpa

Pledge of Allegiance was led by James Daubner

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

A motion was offered by Comm. Valenzuela and seconded by Comm. Kovalcik to approve the agenda. Motion carried on a voice vote – all present voting "Aye".

A motion was offered by Comm. Strohmeyer and seconded by Comm. Valenzuela to approve the Minutes of the Public Meetings of January 16, 2008 and February 20, 2008, January 23, 2008 Special Meeting, January 30, 2008 and February 6, 2008 Budget Meetings. Motion carried on a voice vote – all present voting "Aye".

Reports:

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

Resolutions:

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

Resolution #2008 – 64

Payment of Bills

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 - 65

A Resolution Supporting Continued Program Funding and Opposing Governor Corzine's Tax Increases

Whereas, on February 26, 2008, in Trenton, Governor Jon S. Corzine presented his FY 2009 Budget proposal to a Joint Session of the State Legislature, which proposal now goes to the Legislature, which must pass a balanced budget by the start of the State's next Fiscal Year, which begins on July 1; and

Whereas, the proposal, which represents what Governor Corzine called "many unpleasant choices," includes inordinately deep cuts in municipal property tax relief aid to municipalities and funding cuts in the Homestead Rebate program amounting to a nearly \$600 million tax increase on New Jerseyans; and

Resolution #2008-65 (cont.)

Whereas, one year after the historic Special Session for Property Tax Reform, which purportedly eliminated the need for a Citizens' Convention, our property taxpayers will once again be asked to shoulder more than their fair share of the funding burden; and

Whereas, local officials have done so much with so little for so long, that State Budget-makers now believe some can do everything with absolutely nothing; while Governor Corzine ignores how state officials – not local officials – have increased state spending by billions, increased unfunded state mandates on municipalities, nearly bankrupted the pension fund, and recklessly added over \$40 billion to our state debt with special interest projects, and

Whereas, municipal property tax relief will be slashed by Governor Corzine by \$189.6 million; and

Whereas, for municipalities with a population of less than 5,000, there will be no Consolidated Municipal Property Tax Relief Act (CMPTRA) funding this year; for municipalities like Rochelle Park with a population total between 5,000 and 10,000, this relief will be cut more than one-half of the amount received in the State's 2006-2007 budget; and the \$32.6 million distributed according to the CMPTRA formula, which municipalities received last year as 2008 Municipal Property Tax Assistance, is gone; and

Whereas, all municipalities will receive level Energy Tax Receipts Property Tax Relief funding, despite State Law that 'requires' annual inflationary adjustments of this (and CMPTRA) funding; and

Whereas, last year, municipal efficiency was promoted to the tune of \$34.8 million, but in this proposal, this funding has been eliminated; and

Whereas, last year's \$32 million in Municipal Homeland Security Funding is gone, Special Municipal Aid funding is cut \$7.6 million, Extraordinary Aid funding is reduced by \$1.7 million and the \$8 million Regional Efficiency Aid Program will not be funded; and

Whereas, beyond these cuts, the Homestead Rebates for homeowners will be cut by \$257 million, and for renters by \$124 million; and

Be it resolved, that the governing body of Rochelle Park calls on its elected representatives in Trenton, Senator Weinberg and Assembly members Huttle and Johnson, to work with their colleagues in the Legislature and with the Governor to take affirmative action to restore program funding and reverse Governor Corzine's tax increases throughout New Jersey, and

Be it further resolved, that copies of this resolution be forwarded to Governor Jon S. Corzine, Acting State Treasurer R. David Rousseau, Senate President Richard J. Codey, Senate Minority Leader Thomas H. Kean, Assembly Speaker Joseph J. Roberts, Assembly Minority Leader Alex DeCroce, and the Chairs and Members of the Senate and Assembly Budget and Appropriations Committees, and to the New Jersey State League of Municipalities.

Attest: Virginia De Maria

Resolution #2008 - 66

A Resolution – Issuing Bingo License #B379-08 – PTA Midland School

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 #B379-08 as presented by the **PTA MIDLAND SCHOOL #1 ID#427-5-37358** requesting permission to conduct Bingo on May 9, 2008 at 300 Rochelle Avenue be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2008 - 67

A Resolution – Issuing Raffle License #380-08 to PTA Midland School

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 #B380-08 as presented by the **PTA MIDLAND SCHOOL #1 ID#427-5-37358** requesting permission to conduct Bingo on May 9, 2008 at 300 Rochelle Avenue be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2008 - 68

A Resolution Appointing Interim Court Administrator – Lynda Lasini

Whereas, a vacancy exists in the position of Municipal Court Administrator for the Township of Rochelle Park; and

Whereas, in accordance with the policy of the Township of Rochelle Park, a vacancy in this position was advertised and interviews were conducted by the Township Administrator, the Municipal Judge and the Township Committee; and

Whereas, **LYNDA LASINI** of Rochelle Park, New Jersey has served in the position of Deputy Municipal Court Administrator for several years and she did, in fact, submit a resume for the position; and

Whereas, after a review of the various resumes submitted and at the conclusion of all interviews, the Municipal Court Judge and Township Administrator recommended that **LYNDA LASINI** be hired to fill this vacant position; and

Whereas, although **LYNDA LASINI** is not currently certified as a Municipal Court Administrator, the law provides that a person is not required to possess a Municipal Court Administrator certificate to serve as an Interim Administrator and may be appointed to several one (1) year terms pending receipt of that certification; and

Whereas, upon a review of **LYNDA LASINI's** credentials, it has been determined that she has been actively pursuing her certification; and

WHEREAS, a review of **Ms. LASINI's** credentials further confirms that she possesses the experience and other qualities necessary in order to fulfill the demands and obligations of this position.

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

1. **LYNDA LASINI** be and is hereby appointed to the position of Interim Municipal Court Administrator for the Township of Rochelle Park.
2. The term of this appointment shall commence upon the adoption of this Resolution and shall continue for a period of one (1) year. In accordance with the provisions of State Law, **LYNDA LASINI** may, in consultation with the Municipal Court Judge, be reappointed as an Interim Municipal Court Administrator for two (2) subsequent one (1) year terms and may be considered for further reappointment pending receipt of Municipal Court Administrator certification.
3. The salary for this position shall be established pursuant to the provisions of the applicable Salary Ordinance which currently establishes the salary for this position in the amount of \$41,400.00 per year.
4. The Township Administrator be and is hereby authorized and directed to take steps which may be necessary in order to facilitate and carry 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 Ms. Lynda Lasini, Honorable Roy McGeady, J.M.C. and Ms. Brendis Montijo-Wrigley, Municipal Division Manager.

Attest: Virginia De Maria

Resolution #2008 - 69

A Resolution Appointing Sergio Gonzalez – Member Board of Adjustment

Whereas, Board Member Robert Lomanto has resigned effective immediately; and

Whereas, Sergio Gonzalez of 28 Bennett Avenue, is hereby appointed to fill the unexpired term of Robert Lomanto whose term will expire December 31, 2008; and

Now, be it resolved, by the Township Committee of the Township of Rochelle Park that Sergio Gonzalez of 28 Bennett Avenue be appointed to serve the position of Alternate #2 commencing immediately through December 31, 2008.

Attest: Virginia De Maria

Resolution #2008 – 70

A Resolution Requesting Approval of the Director of the Division of Local Government Services to Establish a Dedicated Rider for Disaster Relief

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 Disaster Relief.

Resolution #2008-70 (cont.)

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 Disaster Relief 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 - 71

A Resolution Appointing Municipal Attorney for 2008 – Joseph Rotolo, Esq.

Whereas, the Township Committee of the Township of Rochelle Park has a need to acquire the legal services of a Municipal Attorney; and

Whereas, the Township Committee has also determined, and has resolved, to make this, and other professional appointments, pursuant to the “Fair and Open Process” in accordance with the “New Jersey Local Unit Pay to Play” law, N.J.S.A. 19:44A-20.4 et. seq.; and

Whereas, requests for qualifications were published and provided in accordance with the aforementioned law; and

Whereas, Joseph J. Rotolo Esq. has submitted a proposal indicating that he will provide the legal services with compensation in accordance with the 2008 salary Ordinance; and

Whereas, this Contract may be awarded without the necessity of competitive bidding since it is a Contract for Professional Services and, therefore, is exempt from competitive bidding process pursuant to the Local Public Contracts Law; and

Whereas, the Chief Financial Officer for the Township of Rochelle Park has certified that the funds necessary to facilitate this Contract area available in the 2008 municipal budget; and

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey hereby appoints Joseph J. Rotolo, Esq. for the Township of Rochelle Park for 2008; and

Now, therefore, be it further resolved, that the Mayor and Township Clerk be and are hereby authorized and directed to execute, on behalf of the Township a Professional Services Contract in the form annexed hereto; and

Now, therefore, be it further resolved, that a copy of this Resolution shall be published as required by law within ten (10) days of its passage.

Attest: Virginia De Maria

Resolution #2008 - 72

A Resolution – Emergency to Temporary Budget Resolution #3 of 2008

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

Whereas, the total emergency temporary resolution adopted in the year 2008 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, O.L. 1951 as amended) including this resolution total **\$4,654,063.86**.

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 **\$1,589,375.00**.

Inside CAP

20-1001	General Administration S/W	\$30,000.00
20-1101	Mayor & Council S/W	7,500.00
20-1102	Mayor & Council O/E	2,000.00
20-1201	Municipal Clerk S/W	27,500.00
20-1451	Revenue Administration S/W	12,000.00
20-1501	Tax Assessment Admin. S/W	2,000.00
20-1551	Legal Services S/W	11,000.00
20-1652	Engineering Services O/E	2,000.00
21-1801	Planning Board S/W	1,500.00

Resolution #2008 – 72 (cont)

21-1852	Zoning Board O/E	1,000.00
25-2401	Police S/W	750,000.00
25-2601	Aid to Ambulance S/W	17,500.00
25-2651	Fire Prevention S/W	5,000.00
26-2901	Streets & Roads S/W	93,000.00
26-3152	Vehicle Maintenance O/E	10,500.00
31-1951	Code Enforcement S/W	41,000.00
31-4602	Utilities/Gasoline	22,500.00
36-4722	Social Security Taxes	37,500.00
43-6901	Municipal Library	<u>23,500.00</u>
	Total Inside CAP	\$1,097,000.00
Outside CAP		
36-4710	P.E.R.S. Pension	\$64,300.00
36-4752	P.F.R.S. Pension	397,900.00
44-4022	Township of Saddle Brook	15,800.00
44-7704	Municipal Drug Alliance	11,500.00
44-7714	Muni-Alliance – Match	<u>2,875.00</u>
	Total Outside CAP	\$492,375.00
	Total	\$1,589,375.00

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

Attest: Virginia De Maria

Resolution #2008 - 73

A Resolution Authorizing Tax Settlement – 120 W. Passaic Street – Mack Cali

Whereas, 120 Passaic Street, LLC care of Mack has filed real property tax appeals for the years 2006 and 2007; and

Whereas, the Township has retained the services of the law firm of Beattie Padovano, LLC in order to defend it in connection with these tax appeals; and

Whereas, Antimo A. DelVecchio, Esq. of the firm of Beattie Padovano, LLC has recommended a settlement of these tax appeals based upon the terms and conditions set forth on the attached Stipulation of Settlement; and

Whereas, the Tax Assessor for the Township of Rochelle Park as well as its Real Estate Tax Appraiser have consented to and recommended the proposed settlement; and

Whereas, the proposed settlement has also been reviewed by the Township Administrator which concurs with this proposed Resolution.

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

- I. The real property tax appeals filed by 120 Passaic Street LLC c/o Mack under Docket Nos. 002546-06 and 004286-07 be and are hereby settled;
- II. The properties which are the subject of the within tax appeals are”
Lot No. 2 in Block 92,
Lot No. 1 in Block 93
Lot No. 1 in Block 92;
- III. The terms and conditions of the settlement are as set forth on the attached Stipulation of Settlement which is incorporated herein by reference.

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 law firm of Beattie Padovano LLC, 50 Chestnut Ridge Road, Montvale, New Jersey as well as to the Tax Assessor for the Township of Rochelle Park and the Township Attorney.

Attest: Virginia De Maria

Resolution #2008 - 75

A Resolution – Introduction Ord. 982-08-Amending Chapter 185 – Land Use and Development Regulations

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**AN ORDINANCE TO AMEND CHAPTER 185 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “LAND USE AND DEVELOPMENT REGULATIONS”**” be and it is hereby introduced and passed on first reading March 19, 2009 and that said ordinance be further considered for final passage at a meeting to be held on April 16,

Minutes of Public Meeting held on March 19, 2008 cont.

Resolution #2008 – 75 (cont.)

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 – 76

A Resolution – Introduction Ord. 983-08 – Amending Chapter 16 – Municipal Charges for Certain Calls – Ambulance Corp.

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 16 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK TO ADD A SECTION ENTITLED “MUNICIPAL CHARGES FOR CERTAIN CALLS”** be and it is hereby introduced and passed on first reading March 19, 2008 and that said ordinance be further considered for final passage at a meeting to be held on April 16, 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 - 77

A Resolution – Authorizing Waiver of Change in Tenancy Review – Norm’s Barber Shop

Whereas, Norm’s Barber Shop has operated at its current location on West Passaic Street for many years; and

Whereas, due to recent developments, Norm’s Barber Shop will be operated, in the future, by Vincent F. D’Andrea of 40 Garibaldi Avenue, Lodi, New Jersey; and

Whereas, the operation shall be identical to the operation as it currently exists with the exception, however, to the name of the business; and

Whereas, pursuant to the requirements of local ordinance, any change in ownership, occupancy or tenancy of business premises requires review by the Planning Board, subject, however, to the right to be granted an exception for an identical business operation.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey that the transfer of Norm’s Barber Shop to Vincent F. D’Andrea of Lodi, New Jersey shall be exempt from the requirement of proceeding to the Planning Board for change in tenancy approval; and

Be it further resolved that the name of the business shall be the “Passaic Street Barber Shop” and shall operate with one barber on the same hours of operation as the previous business; and

Be it further resolved that the business operation shall continue in a manner which is identical to that which operated previously;

Now, therefore be it further resolved that the Township Clerk be and she is therefore authorized and directed to forward certified copies of the within resolution to the Building Department of the Township of Rochelle Park and the Planning Board.

Attest: Virginia De Maria

Resolution #2008 - 78

A Resolution – Opposing S-770 and A-1645 Mandating the Appointment of a Qualified Purchasing Agent

Whereas, the Legislature has before it bills, S-770 and A-1645, endorsed by the Purchasing Officials and no other statewide local government organization, that would significantly impact on the operation of the purchasing function by requiring the reorganization of the purchasing function into a separate office not under the direct supervision of the local unit’s administrator, manager, CFO and other official; and

Whereas, the Township of Rochelle Park has not experienced any challenges or crisis in purchasing procedures that warrants imposing this unfunded mandate upon local governments and questions which existing problem(s) it purports to fix; and

Resolution #2008 – 78 (cont.)

Whereas, the Township of Rochelle Park takes exception to this unfunded state mandate which represents an intrusion into the management prerogatives of local officials to organize purchasing functions that are in the best interests of resident taxpayers; and

Whereas, S-770 and A-1645 will be reduce the cost of the municipal operation nor lead to better purchasing activities; rather these unfunded mandates will, in all probability, lead to higher personnel costs in the future given the mandates contained therein; and

Whereas, it is unconscionable for the Legislature to impose another unfunded mandate during a time when Mayors and governing body members are focused on proposed budget cuts that will result in increased property taxes and the curtailment of services to residents.

Now, therefore, be it resolved, that the governing body of the Township of Rochelle Park in Bergen County

1. Opposes S-770 and its companion bill A-1645 as an unfunded state mandate with no new or additional capabilities to assist towns in improving purchasing activities and in all probability will lead to future cost increase.
2. Opposes S-770 and its companion bill A-1645 which change an existing option afforded local units into an unfunded mandate to appoint a qualified purchasing agent.
3. Certified copies of this resolution be forwarded to Governor Jon Corzine, Senator Loretta Weinberg, Assemblyman Gordon Johnson, Assemblywoman Valerie Huttle and the NJ League of Municipalities.

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 voice vote – all present voting “Aye”.

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

Resolution #2008 – 62

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

Whereas, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et. seq.) certain issues may be discussed by the Township Committee in a session which excludes the public; and

Whereas, the aforementioned law requires that the minutes of said closed sessions be released as soon a 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 January 23, 2008 and February 6, 2008 to the extent that said information can be disclosed without adversely affecting the Township of the public interest.

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

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 – January 23, 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. DPW Hiring
Discussions were held among the Township Committee in connection with personnel requirements in the Department of Public Works, the procedure utilized for filling one or two positions with the Department of Public Works and the review of various candidates for those positions.

Attest: Virginia De Maria

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

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

Resolution #2008 – 63

A Resolution – Authorizing Release of Closed Session Minutes of February 13, 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 February 13, 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 – February 13, 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. Litigation:
The Township Attorney provided the Township Committee with updates regarding the Northern Park and New York Prime II, Inc. litigation.
2. Main Pump Replacement:
The Township Committee and Township Administrator summarized the current status of the pump replacement and the correspondence received from Longo Electrical and the attorney for Longo Electrical concerning status of payment and alleged contract violations.
3. DPW Contract Negotiations:
The Township Administrator provided the Township Committee with an update regarding the status of negotiations with the Department of Public Works employees.

Attest: Virginia De Maria

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

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

Resolution #2008 - 74

A Resolution – Introduction Ord. 981-08 – Amending Chapter 29 – Personnel Policy – Nepotism Ban

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 29 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK TO ADD A SECTION ENTITLED “NEPOTISM BAN”**” be and it is hereby introduced and passed on first reading March 19, 2008 and that said ordinance be further

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Resolution #2008 - 74

considered for final passage at a meeting to be held on April 16, 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

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

Resolution #2008 - 79

A Resolution – Hearing & Adoption 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 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 present voting “Aye”.

No Comments

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

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

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

Resolution #2008 – 80

A Resolution – Hearing & Adoption 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 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 present voting “Aye”.

No Comments

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

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

Resolution #2008 - 81

A Resolution – Authorizing Release of Closed Session Minutes – March 12, 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 March 12, 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 – March 12, 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. DPW Contract – The Township Administrator provided the Township Committee with a summary of the Resolution of the Department of Public Works Collective Bargaining Agreement. The Township Attorney is in the process of preparing the final Agreement for execution between the parties.
2. Personnel – The Township Committee conducted interviews with several prospective employees for the position of Municipal Court Administrator and a determination was made for the hiring of a Municipal Court Administrator after a review of all resumes and after the interviews were concluded.
3. Litigation – The Township Attorney provided summaries of all pending litigation matters.
4. Pump Replacement – The Township Engineer and the township Attorney addressed the Township Committee concerning the status of the main pump replacement and the problems that have been experienced with regard to that replacement. Various options, including potential litigation, were discussed.
5. Professional Services Contract – The Township Committee reviewed the Contract of the Township Attorney for 2008.

Attest: Virginia De Maria

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

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

Comm. Kovalcik – Announced that the 2008 Ken Kovalcik Summerfest Concert would be held on Wednesday, August 20th, sponsored by Park Ave./BMW. He thanked Park Avenue/BMW for their continued support. Kovalcik also advised that the Welcoming Committee Reception would be held on May 21st, he will update with more information in the future.

Comm. Valenzuela –FD – 28 calls

Valenzuela advised that the new rescue truck would hopefully be delivered by March 24th. He thanked Fire Chief Dave Brown, Bob Holzmann and Keith Danis for going to Florida to do a final inspection of the rescue truck on behalf of the Township.

Building Department Report Year To Date – \$44,908 Fines

Minutes of Public Meeting held on March 19, 2008 cont.

Regarding flood mitigation, Valenzuela reported that the Passaic Valley Sewage Commission would be removing debris from the banks of the Saddle River. Local municipalities bordering the Saddle River are banding together to move this project forward. Valenzuela has enlisted the aid of local Congressional leaders to help move the cleaning of the Saddle River project forward. Regarding the Nepotism Ordinance introduced, he would like employees to be hired for “what they know, not who they know”. Valenzuela thanked Construction Code Official Bolan for ascertaining that the landscape and architect plans are in place for 96 Parkway.

Comm. Strohmeier - DPW February Report – Most time spent maintaining building and grounds, secondly brush pick up and thirdly general work
Police Department February Report – Motor Vehicle Accidents 46, Total Police Calls 1,132, Total Summons Issued 248, Total Patrol Mileage 7,898, Total Arrests 15
Strohmeier congratulated Interim Court Administrator Lynda Lasini for the positive changes she had already made in the Municipal Court.

Mayor Scarpa - Congratulated Lynda Lasini and wished her the best in her new position as Interim Court Administrator. The Recreation Committee is holding their Annual Easter Egg Hunt on Saturday, March 22nd at 10:00 AM. Scarpa also advised of a recently attended DARE graduation at Midland School, it was an impressive ceremony, well received. On Friday, March 14th Scarpa attended a meeting in Senator Weinberg’s office for a discussion on shared services. The discussion focused on cuts that Governor Corzine has planned for the smaller local municipalities. Scarpa spoke with Joe Doria of the Department of Community Affairs regarding shared services which Rochelle Park already participates in. Mr. Doria stated that possibly in the future, municipalities would be rated on performance with credits for efficiency. Scarpa wished everyone a happy Easter.

Administrator Mariniello – No Report

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

Lynda Lasini – 10 Powell Ave. – Thanked the Township Committee for their confidence and trust in recommending her appointment to Interim Court Administrator. She pledged loyalty and dedication.

Dorothy Whitling – 140 Madison Ave – Addressed the Township Committee regarding a February snow storm noting her driveway being plowed in after she has shoveled. She was advised to have her driveway cleared after the plow had made a final pass on her street. She also complained of her neighbors parking cars in front of her home from morning until night, possibly overnight. Police Chief Zavinsky will check into the overnight parking situation. She then complained of her neighbors potentially vandalizing her property. She was advised that this was a police matter and to file a police report.

James Daubner – 14 Grove Avenue – Thanked Comm. Valenzuela for addressing the landscaping issue at 96 Parkway Ave. He suggested a possible change in the Zoning Ordinance regarding parking increasing the number of parking spaces per square footage. Comm. Valenzuela will speak to the zoning official about proposed change. Comm. Valenzuela advised Mr. Daubner of possible parking restrictions during day time hours in this neighborhood.

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

Respectfully submitted,

Virginia De Maria
Municipal Clerk