



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

MINUTES – PUBLIC MEETING – Nov. 10, 2010

Call to Order 7:35 PM

According to the Open Public Meetings Act, this meeting of Nov. 10, 2010 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 9, 2010 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. R. Davidson
 Comm. K. J. Kovalcik - Absent
 Comm. J. Scarpa
 Comm. P. Strohmeier
 Mayor F. Valenzuela - Absent

Pledge of Allegiance was led by Roland Jacobsen

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

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

A motion was offered by Comm. Davidson and seconded by Comm. Scarpa to approve the Minutes of the Public Meeting held on October 20, 2010. Motion carried on a roll call vote “Ayes” Davidson, Scarpa “Abstain” Strohmeier “Absent” Kovalcik, Valenzuela

Reports:
 Health Department - October 2010
 Municipal Court - October 2010
 Attendance Report - October 2010
 Building Department - October 2010

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

Resolution #2010 - 204

A Resolution – Payment of Bills – November 2010

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.

Attest: Virginia De Maria

Resolution #2010 –205

A Resolution – Authorizing the Issuance of Request for Qualifications for Professional Services

Whereas, as of January 1, 2006 the “New Jersey Local Unit Pay to Play Law” enacted by the New Jersey State Legislature, became effective; and

Whereas, pursuant to the local public contracts law, contracts for the provision of professional services are not subject to competitive bidding, however, they are subject to the requirements of the above referenced law if the contract is anticipated to exceed \$17,500.00; and

Whereas, pursuant to N.J.S.A. 19:44A-20.1, et seq a municipality may not award a contract with a value in excess of \$17,500.00 to a business entity that has made a contribution within one (1) year of the date of the contract that is reportable by the recipient pursuant to N.J.S.A. 19:44A-1, et seq to a municipal political party committee in that municipality if a member of that party is serving in elective public office when such contract is awarded or to any candidate committee of

Minutes of the Public Meeting held November 10, 2010 cont.

any person who is serving in an elective public office of the municipality when such contract is awarded, unless the contract is awarded under a "fair and open process"; and

Whereas, the Township Committee has determined that it would be in the best interests of the Township to make certain professional appointments pursuant to a "fair and open process".

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 Attorney is authorized and directed to prepare a Legal Notice and Criteria for Submission of Qualifications for the following positions:

Township Attorney
Township Engineer
Township Auditor
Township Bond counsel
Township Planner
Risk Management Consultant
Attorney for Tax Appeals (2)
Municipal Prosecutor
Township Architect
Revaluation Company
Tax Appeal Expert Witness (Appraiser)
Township Redevelopment Planner

2. These requests for qualifications shall solicit submissions which shall be due at 3:00 p.m. on December 13, 2010.

3. Appointments to this professional position shall be considered at the reorganization meeting scheduled for January 2, 2011.

4. The Criteria for selection shall be as permitted by the aforementioned Law and contracts shall be awarded on the basis most advantageous to the Township.

Now, therefore, be it further resolved, that the Township Clerk be and she is hereby authorized and directed to post the Legal Notice and Criteria for Submission of Qualifications on the Township of Rochelle Park website for a period of not less than ten (10) days prior to the due date described in this Resolution; 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 together with copies of the Legal Notice and Criteria to the Township Attorney as well as to any professional currently holding the position described in this Resolution.

Attest: Virginia De Maria

Resolution #2010 – 206

A Resolution – Authorizing the Hiring of Seasonal Employee – DPW

Whereas, the Department of Public works has requested that the township Committee hire a seasonal employee in order to assist in that department;

Whereas, the Township Committee has reviewed that request and has agreed to hire such a summer employee; and

Whereas, PETER A. LABITA, 300 Van Winkle Avenue, Hawthorne, N.J. 07506 has applied for that position and possesses the skills necessary in order to perform in that position.

Whereas, this employment shall be temporary in nature.

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

1. PETER A. LABITA, 300 Van Winkle Avenue, Hawthorne N.J., be and is hereby hired as a temporary seasonal employee to work with the Rochelle Park Department of Public Works.

2. PETER A. LABITA shall be paid at the rate of \$15.00 per hour without benefits.

3. This position shall commence November 1, 2010 on an as needed basis.

Be it further resolved, that this hiring is contingent upon certification by the Chief Financial Officer of the Township of Rochelle Park that sufficient funds exist for this purpose.

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 Personnel Department of the Township of Rochelle Park, and to PETER A. LABITA, 300 Van Winkle Avenue, Hawthorne, N.J. 07506.

Attest: Virginia De Maria

Resolution #2010 –207

A Resolution – Approving Transfers within the 2010 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 2010 appropriations; and

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

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

<u>Inside CAP</u>			
23-2202	FROM:	Health Insurance O/E	\$185,000.00
20-1301	FROM:	Financial Admin S/W	20,000.00
26-3052	FROM:	Solid Waste Collection	34,685.00
20-1502	FROM:	Tax Admin O/E	15,000.00
20-1001	FROM:	General Admin S/W	15,000.00
20-2901	FROM:	Streets and Roads S/W	<u>20,000.00</u>
			Total
			\$289,685.00

<u>Outside CAP</u>			
20-2252	TO:	SUI Insurance S/W	\$ 20,000.00
	TO:	Engineering	5,000.00
20-1002	TO:	General Admin O/E	15,000.00
20-1501	TO:	Tax Admin S/W	5,000.00
21-1801	TO:	Planning Board S/W	500.00
21-1851	TO:	Zoning Board S/W	250.00
25-2401	TO:	Police S/W	175,000.00
25-2403	TO:	Police Cars	11,535.00
25-2651	TO:	Fire Prevention S/W	500.00
27-3302	TO:	Public Health Svs. O/E	5,500.00
31-1951		Code Enforcement S/W	17,500.00
31-4352	TO:	Utility Street Lights	10,400.00
43-4901	TO:	Municipal Court S/W	22,000.00
43-6901	TO:	Library S/W	<u>1,500.00</u>
			Total
			\$289,685.00

Attest: Virginia De Maria

Resolution #2010 –211

A Resolution – Authorizing Release of Closed Session Minutes – November 3, 2010

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

Whereas, the aforementioned law requires that the minutes of said closed sessions be released as soon as practicable after the meeting and so long as the release of the minutes will not be adverse to the interests of the public and/or the Township; and

Whereas, pursuant to statute, the purpose of this Resolution is to disclose the information which was discussed in closed session on November 3, 2010 to the extent that said information can be disclosed without adversely affecting the Township of the public interest.

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

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

Attest: Virginia De Maria

CLOSED SESSION MINUTES – November 3, 2010

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

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represents the minutes of that closed session to the extent that those minutes may be released at this time:

1. DPW Garage – The Township Administrator and Committeeman, Robert Davidson provided an update to the Township Committee concerning the status of construction. A determination was made to turn the matter over to the Township Attorney for possible legal action.
2. Litigation – The Township Attorney provided a summary of pending litigation including Northern Park, LLC, Longo, Lotz, DiLullo-Vogel and Elmwood Park.
3. Rental Property – The Township Administrator addressed the Township Committee concerning the status of rental payments from the second floor tenant at the Municipal Building.
4. Negotiations - Discussions were held regarding the status of negotiations with the Police Department and the Department of Public Works. Committeeman Davidson is conducting those negotiations and the next negotiation session with the Police Department is scheduled for Friday, November 5, 2010. If no progress is made, at that time, firm decisions will have to be made regarding personnel matters for 2011 since they must be implemented by January, 2011.

Attest: Virginia De Maria

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

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

Resolution #2010 – 208

A Resolution – Hearing & Adoption Ord. #1024-10 - Amendment-Chapter 18 – Historical Society

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 18 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “HISTORICAL SOCIETY”**” 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 Comm. Scarpa 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”.

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

Resolution #2010 – 209

A Resolution – Hearing & Adoption Ord. #1025-10 - Amending Chapter 16 – Ambulance Corp. Leave of Absence

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 PROVISION ALLOWING FOR LEAVE OF ACTIVE MEMBERSHIP”**” 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. Davidson 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. Davidson 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. 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. Scarpa and reads:

Resolution#2010 –210

A Resolution – Hearing & Adoption Ord. #1026-10 - Amending Chapter 100 – Fee Schedule – Health Dept.

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 ORDINANCE NO. 1020-10 OF THE TOWNSHIP OF ROCHELLE PARK**” be and it is hereby passed upon second and final reading and that the Municipal Clerk be and she is hereby authorized and directed to advertise the same according to law.

Attest: Virginia De Maria

A motion was offered by Comm. Strohmeyer and seconded by Comm. Davidson 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. Davidson 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. 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. Strohmeyer – Explained the changes in the interlocal agreement required by the DCA regarding the agreement into with Elmwood Park’s building department. The contract must extend for four years with an opt-out clause.

A motion was offered by Comm. Strohmeyer and seconded by Comm. Davidson to approve the amended shared services agreement. Motion carried on a roll call vote – “Aye’s” Davidson, Scarpa, Strohmeyer “Absent” Kovalcik, Valenzuela

Library October Report - Circulated – 1,513 items, Loaned – 379, Borrowed – 1,249, New Cards Issued - 16, Computer Usage - 210

Strohmeyer wished everyone a happy and healthy Thanksgiving.

Comm. Davidson – took a moment to wish the Marine Corp. a happy birthday. He saluted his fellow marines. He advised that the Veteran’s Day ceremony held at the monument at Midland School was sponsored by the American Legion. He thanked the American Legion for their hard work. He then took a moment to remember all veterans. Davidson spoke regarding the success of the newly implemented Cabbage Night Curfew. He thanked the newspaper for “getting the word out”, the police department and the children for adhering to the curfew.

Comm. Scarpa – Stated that he had been in favor of the curfew for years. He echoed the sentiments of Comm. Strohmeyer and Davidson for their Veteran’s Day salute. He thanked the American Legion for their hard work on Memorial Day, 9/11 Ceremony and Veterans Day. He wished everyone a happy and healthy Thanksgiving.

Administrator De Maria – Advised that DPW Lead Laborer was instrumental in savings the township significant funds regarding repair of a slide at Matthew’s Field. Gametime was going to charge the municipality over \$900 to repair the slide. After numerous phone calls by Mr. Schmunk they agreed to sell the Township the tool at a cost of \$28.95.

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

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Concetta Bianco – 15 Dorothy Avenue – Complained to the Township Committee regarding a parking ticket she received for parking longer than the posted two hour restriction. The Committee agreed to discuss the parking restriction at the next work session.

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

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

Respectfully submitted,

Virginia De Maria
Municipal Clerk