



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

AGENDA – PUBLIC MEETING – April 21, 2010

Call to Order 7:34 PM

According to the Open Public Meetings Act, this meeting of April 21, 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
 Comm. J. Scarpa
 Comm. P. Strohmeyer
 Mayor F. Valenzuela - Absent

Pledge of Allegiance was led by EMT Captain Roland Jacobsen

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

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

A motion was offered by Comm. Davidson and seconded by Comm. Scarpa to approve the Minutes held Public Meeting held on March 17, 2010 and Budget Meeting held on March 31, 2010. Motion carried on a voice vote – all present voting “Aye”.

Reports:

Building Department - March 2010
Health Department - March 2010
Municipal Court - March 2010
Attendance Report - March 2010

Deputy Mayor Kovalcik read a statement provided by Mayor Valenzuela who was unable to attend the meeting due to an illness.

To the members of the public, residents, employees and my fellow members of the Township Committee.

I've requested that Deputy Mayor Jay Kovalcik please read this statement on my behalf this evening.

I regret that I will not be here tonight to Chair this very important meeting of the Township Committee, due to some difficult health issues I am currently experiencing, which I anticipate I will recover from within the next week.

As we introduce our budget tonight, please remember that this is an introduction ONLY, and it can be amended and modified before its final adoption.

I would like to acknowledge the difficulty of putting this municipal budget together. Many hard and painful cuts had to be made in our overall budget, which included the loss of personnel.

Not I or any member of this committee were pleased of this decision, but under the current economic constraints that we under, from the continued amount of lost state aid over the past 3 years, to the net loss of 21 million from overall taxable base from TAX APPEALS, to the increase in the cost for fuel, increased premiums on health insurance, loss of fees from building permits, we have found ourselves in a PERFECT STORM. But with all these challenges, I'm encouraged by the news of cooperation from all of the parties involved, from the unions representing the police and the DPW, to the construction official, and all in between. This cooperation is a work in progress, and will take some time to finalize, but I am confident in the direction these conversations are heading, and ask that all parties to keep it up.

Minutes of the Public Meeting held April 21, 2010 cont.

I'm grateful for all the hard work from the committee liaisons to the employees to seek alternatives from what we are introducing this evening.

My colleagues will report on their respective departments this evening.

Lastly, as the Board of Education liaison, the BOE and the Township Committee will be meeting to discuss the defeated school budget. Prior to any formal discussion, I urge the Board of Education and the Midland School Education Association to "finalize" their negotiations of the contract, while keeping in mind the will of the voters for a cut to the budget. In these tough economic times, we all have to sacrifice, but ensure that a "good and thorough" education is being provided to the children of Rochelle Park.

I've stated this many times before, but it deserves repeating. I believe that Midland School is the heart of our community, and we all want the best for our children.

This can be done when we all work together.

May God Bless Rochelle Park,

Mayor Frank Valenzuela

Roy Riggitano, CFO, explained the budget process to the audience. He was encouraged working within the departments to reduce budget costs. Mr. Riggitano explained that cuts in state aid to the Township in the amount of \$180,000 negatively impacted the budget. He stated that the hearing on the 2010 budget would be held on Wednesday, May 19th, the public will be heard at that time. He looked forward to working with the unions and Township Committee in an attempt to preserve jobs. Riggitano also explained in detail the 4% tax cap levy. This cap makes it very difficult if not impossible to continue current employments and services to the residents.

Deputy Mayor Kovalcik stated that he was proud of the Township Committee, department heads and liaison all working creatively towards alternate solutions. He was encouraged with the progress. He also informed the residents that the budget adoption would be held on May 19th. He urged departments to bring any suggestions to the 2010 budget to the Work Session held on May 12th.

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

Resolution #2010 - 72

A Resolution – Payment of Bills – April 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. (see attached)

Attest: Virginia De Maria

Resolution #2010 – 73

Introduction 2010 Budget

See Attached

Resolution #2010 - 74

A Resolution – Read 2010 Budget by Title Only

Whereas, N.J.S.A. 40A:408 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the municipal building and copies have been made available by the clerk to persons requiring them; and

Whereas, these two conditions have been met;

Now, therefore, be it resolved, that the CY 2010 municipal budget shall be read by title only.

Attest: Virginia De Maria

Resolution #2010 – 75

A Resolution – Authorizing an Alternate Calculation – 2010 Budget Preparation

Be it resolved, by the Township Committee of the Township of Rochelle Park that pursuant to N.J.S.A. 40A:4-41, the Township reserves the right to prepare an alternate calculation for the purpose of computing the reserve for uncollected taxes.

Attest: Virginia De Maria

Resolution #2010 – 76

A Resolution – Authorizing the Cancellation of Unexpended Budget

Appropriation Balances

Whereas, the following Current Fund Budget Appropriation balances remain unexpended:

Maywood BORO – Purchase of Gasoline	\$100,000.00
Street Lighting	\$ 10,000.00
Gas (Natural or Propane)	\$ 5,000.00
Gasoline	\$ 10,000.00

Whereas, it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus;

Now, therefore, be it resolved, by the Township Committee of Rochelle Park, that the above listed unexpended balances of the Current Fund be cancelled as of December 31, 2009 by the Chief Financial Officer.

Attest: Virginia De Maria

Resolution #2010 – 77

A Resolution – Endorsing Submission of Recycling Tonnage Grant Application

Whereas, the Mandatory Source separation and Recycling Act, P.L. 1987, c102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

Whereas, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

Whereas, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

Whereas, the recycling regulations impose on municipalities certain requirements as a condition to applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

Whereas, a resolution authorizing this municipality to apply for such tonnage grants 2008 memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

Whereas, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

Now, therefore, be it resolved by the Township Committee of the Township of Rochelle Park the Township of Rochelle Park hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Roland Jacobson to ensure that the application is properly filed; and

Be it further resolved that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Attest: Virginia De Maria

Resolution #2010 – 78

A Resolution – In Opposition to Repealing Bergen County Blue Laws

Whereas, Governor Chris Christie gave his budget address to both the State Senate and Assembly in Trenton on March 16, 2010; and

Whereas, the address lasted for over an hour and touched on many efforts as necessary to reduce the property tax burden on our residents; and

Whereas, not once in the budget address nor in any public statement during his campaign for Governor in Bergen County or elsewhere throughout the State did Governor Christie ever publicly disclose to the residents of Bergen County his intentions to repeal the Blue Laws; and

Whereas, Governor Christie's plan to repeal the Blue Laws of Bergen County, as evidenced by placing a dollar value in his budget for claimed sales tax revenues from such a repeal, disregards the positive impact that Sunday closing laws have on our quality of life and ignores their well-established importance to our residents; and

Whereas, Governor Christie's plan to repeal the Blue Laws in Bergen County, which presumes more than \$900 million in increased sales on Sundays (not including clothing), would not reduce property taxes nor generate the grossly inaccurate figure of 65 million dollars in sales tax revenue as provided in his budget; and

Resolution #2010 – 78 (cont.)

Whereas, Governor Christie's plan to repeal the Blue Laws would in fact increase local property taxes in costs for local police, overburden our infrastructure, strain our volunteer first responders, and decrease property values; and

Whereas, it appears clear that by including Governor Christie's plan to repeal the Blue Laws in Bergen County as a line item in his budget, it was not the intent to propose a referendum on the Bergen County Blue Laws, but simply to do away with them; and

Whereas, it was not the residents of Bergen County who campaigned for Governor on a platform of reducing taxes, but Governor on a platform of reducing taxes, but Governor Christie who did so, and therefore, it is not the responsibility of the citizens of Bergen County to fulfill one of his campaign promises, not to fill a \$65 million dollar gap in his budget; and

Now, therefore, be it resolved that the Township Committee of the Township of Rochelle Park expresses its vehement opposition of Governor Christie's plan for the repeal of the Bergen County Blue Laws; and

Be it further resolved, that the Township Committee of the township of Rochelle Park hereby urges Governor Christie to immediately abandon his plan to repeal Bergen County Sunday Closing Laws; and

Be it further resolved, that a copy of this resolution be sent to Governor Chris Christie and to all state legislators in both the Senate and the Assembly, and to the 70 municipalities of Bergen County.

Attest: Virginia De Maria

Resolution #2010 – 79

A Resolution – Issuing License #403-10 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 Raffle License #403-10 as presented by the AMERICAN LEGION POST #170 ID#427-07-00459 requesting permission to conduct 50/50 Raffle for the year 2010 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2010 – 80

A Resolution – Entering w/County of Bergen – Emergency Services Notification System

Whereas, there exists a need for the County of Bergen, Office of Emergency Management, Department of Public Safety to provide an automated telephone alerting system service (hereinafter called "system") to be available 24 hours a day, seven (7) days a week, and all days per year to the seventy (70) Municipalities comprising the County of Bergen.

Whereas, the Bergen County Board of Chosen Freeholders adopted Resolution No. 405 on April 7, 2010, authorizing the County to award a purchase contract to C3: Citizen Communication Center, 548 Franklin Avenue, Nutley, New Jersey 07110 (hereinafter known as the "service provider") to provide the above referenced system to those municipalities so desiring; and

Whereas, the Municipality wishes to utilize such a system for the benefit of its citizens; and

Whereas, an agreement is necessary to delineate the respective responsibilities of the parties in connection therewith; and

Whereas, the County shall pay 100% of the cost of initial installation, testing, and training of the system and 100% of the cost of the annual maintenance, testing and training of the system, 100% of the call fees for emergency calls using the Emergency Service Listing and non-emergency calls using municipally-provided lists;

Now, therefore, be it resolved, that the municipality be and is hereby authorized to enter into an Agreement with the County of Bergen to utilize an automated telephone alerting system service at any time during the County's contract period with the service provider (April 7, 2010 through April 6, 2011) with an option for one (1) additional year; and be it further

Resolved, that the Mayor of the municipality be and is hereby authorized to execute said Agreement in a form to be approved by the municipal attorney.

Attest: Virginia De Maria

Resolution #2010 -81

A Resolution – Awarding Contract – S/A W. Oldis Street –\$52,493

Be it resolved that the Township of Rochelle Park hereby recommends to the New Jersey Department of Transportation that the contract for the State Aid Improvement of West Oldis Street in the Township of Rochelle Park County of Bergen be awarded to AJM Contractors, Inc., 300 Kuller Road, Clifton, New Jersey 07011 whose bid amounted to \$52,493.52 subject to the approval of the Department. That the presiding office of this body be and is hereby directed to sign for an on its behalf the contract in the prescribed form for said construction.

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. Scarpa and seconded by Comm. Strohmeyer and reads:

Resolution #2010 – 82

A Resolution – Hearing & Adoption Ord. #1013-10 Fire Prevention Fees

BE IT RESOLVED, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF ROCHELLE PARK AND, SPECIFICALLY, AMENDING CHAPTER 102 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED FIRE PREVENTION**” 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. Scarpa to close the hearing to the public. Motion carried on a voice vote – all present voting “Aye”.

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

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

Resolution #2010 – 83

A Resolution – Authorizing Release of Closed Session Minutes of April 14, 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 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 April 14, 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 – April 14th, 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 represents the minutes of that closed session to the extent that those minutes may be released at this time:

A discussion was conducted with the Township Attorney regarding pending litigation matters including Northern Park, LLC and Longo Electrical Mechanical Inc.

In addition, Township Attorney and Township Engineer reported concerning the status of the potential litigation regarding the Route 17 project to be conducted by the County of Bergen. (property condemnations).

In addition, a discussion was conducted regarding matters of public safety and litigation as impacted by potential budget changes and reductions for 2010.

Attest: Virginia De Maria

A motion was offered by Comm. Davidson 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. Davidson – thanked all the employees and union representatives for the opportunity to meet with them. He feels they are making progress and appreciates their efforts.

Police Report March - Motor Vehicle Accidents 44, Total Police Calls 1193, Total Summons Issued 224, Total Patrol Mileage 8,100, Total Arrests 7

Davidson stated that the Police Department continues to do a great job. He thanked Officer Doug Arendacs for his participation in the DARE program. He also applauded the efforts of 16 grade school students for their participation in the Hackensack/Rochelle Park Youth Academy training and noted he will be attending their graduation.

Comm. Strohmeier - Library March Report - Circulated - 1689 items, Loaned – 396, Borrowed - 1556, New Cards Issued - 32, Computer Usage - 250. Strohmeier reminded everyone that Rochelle Park Library was planning their 50th Anniversary. They would be hosting an open house on May 30th.

Comm. Scarpa – Commended the efforts of the Recreation Committee for the annual Easter Egg Hunt. He then spoke regarding the 2010 budget, he stated that preparation of this budget was the most difficult in the past 20 years. He feels headway is being made with the different department’s, hopefully this will come to a satisfactory conclusion with the adoption of the budget in May.

Comm. Kovalcik – Advised that the date was set for the annual Kenneth J. Kovalcik Sommerfest Concert, it will be held on Thursday, August 19th. Details will follow as they become available.

Acting Administrator De Maria – Stated that it had been a crazy couple of weeks, but hopefully it would quiet down soon.

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

Rosemarie Kavulich - 53 Lexington Ave. – She reminded everyone that approximately four years ago, former committeeman Ken Kovalcik began a crusade to have sound barriers placed along Rt. 80 bordering Rochelle Park. Comm. Davidson advised that he and Police Chief Zavinsky had attended a meeting at the DOT where the question about the sound barriers was raised. They were advised that unfortunately the state does not have the funding for these types of projects. Davidson will continue to follow up with the state and report back. Comm. Scarpa suggested that instead of spending billions of dollars on the Rt. 17 bottleneck issue (which would take 5 million dollars of ratables and personal properties), money could be spent on the installation of sound barriers along Rt. 80. He suggested that residents plan a letter writing campaign in support of the sound barriers. Comm. Davidson and Comm. Scarpa will work together in this project.

Sandy Ross – 180 Chestnut Street – Asked if there was any progress being made with the local municipalities regarding flooding problems. She was advised that Mayor Valenzuela was representing Rochelle Park and would report at a later date. She then asked if the Township Committee had discussed a town wide garage sale. Comm. Strohmeier advised that they had been side tracked by budget discussions.

Minutes of the Public Meeting held April 21, 2010 cont.

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

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

Respectfully submitted,

Virginia De Maria
Municipal Clerk