



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

**MINUTES – PUBLIC MEETING – January 18, 2012**

Call to Order 7:33 PM

According to the Open Public Meetings Act, this meeting of January 18, 2012 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 5, 2012 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. J. Ouellette  
                  Comm. J. Scarpa  
                  Comm. F. Valenzuela  
                  Mayor K. J. Kovalcik

Pledge of Allegiance was led by Capt. Robert Flannelly

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. Davidson seconded by Comm. Ouellette to approve the agenda as amended moving the Presentation by Police Department to next month’s meeting. Motion carried on a voice vote – all voting “Aye”.

A motion was offered by Comm. Valenzuela and seconded by Comm. Scarpa to approve the minutes of the Reorganization Meeting and Sine Die Meetings held on January 4, 2012. Motion carried on a voice vote – all voting “Aye”.

Reports:

Health Department   - December 2011  
Municipal Court       - December 2011  
Attendance Report   - December 2011  
Building Department - December 2011

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

Resolution #2012 – 36

A Resolution – Payment of Bills – January 2012

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 #2012 – 37

A Resolution – Authorizing Change Order No. 1 – 2011 Road Program – D&L Paving Contractors

Whereas, a contract was previously awarded to D&L PAVING CONTRACTORS in connection with the 2011 Road Program; and

Whereas, this contract provided for profiling and resurfacing of Susquehanna Avenue between Central Avenue and Chestnut Avenue; and

Whereas, the price of the original contract amount for this project was \$129,002.75; and

Whereas, it has become necessary for the contractor to provide additional services and to provide additional materials in connection with this project; and

Whereas, the total amount of this requested Change Order is \$3,900.00 in accordance with the attached Change Order No. 1; and

Whereas, the Township Engineer, Kenneth Job, has reviewed this request for a Change Order and has recommended the approval of the same;

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. Change Order No. 1 in connection with the 2011 Road Program be and is hereby approved.
2. This Change Order shall be in the amount of \$3,900.00 and is in furtherance of Certificate of Payment No. 1 dated October 24, 2011.
3. The result of this Change Order shall be that the total contract price in connection with this project shall be increased to \$132,902.75.
4. This Change Order has been recommended for approval by the Township Engineer and is contingent upon certification, by the Chief Financial Officer of the Township of Rochelle Park that sufficient funds exist for this purpose.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the Chief Financial Officer for the Township of Rochelle Park, the Township Engineer, the Township Attorney and D&L PAVING CONTRACTORS.

Attest: Virginia De Maria

Resolution #2012 – 38

A Resolution – Authorizing CY2012 Budget to be Read by Title Only

Whereas, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of the public hearing is a resolution is passed by not less that 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 municipal budget as advertised has been posted in the municipal building and copies have been made available by the clerk to persons requiring them; and

Now, therefore, be it resolved, that the CY2012 municipal budget shall be read by title only.

Attest: Virginia De Maria

Resolution #2012 – 39

A Resolution – Authorizing CY2012 Tax Sale

Minutes of the Public Meeting held January 18, 2012 cont.

Whereas, the Township Committee of the Township of Rochelle Park finds and declares that N.J.S.A. 54:5-19 requires that the Township of Rochelle Park conduct a public tax sale to enforce delinquent municipal liens by selling said liens in accordance with the Tax Sale Law; and

Whereas, “delinquency” means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years per N.J.S.A. 54:4-67, and

Whereas, the Township Committee further finds and declares that the Municipal Tax Collector is qualified to hold said Tax Sale in the calendar year 2011 municipal delinquent charges; and

Whereas, the Township Committee further finds and declares that the annual Tax Sale may be at the discretion of the Municipal Tax Collector;

Now, therefore be it resolved, by the Township Committee of the Township of Rochelle Park that the Municipal Tax Collector, Roy Riggitano, be and is hereby authorized to conduct the Annual Tax Sale during the calendar year of 2012 in accordance with N.J.S.A. 54:5-19.

Be it further resolved, that the Municipal Clerk provide a certified copy of this resolution to the Tax Collector for his records.

Attest: Virginia De Maria

Resolution #2012 – 40

A Resolution – Authorizing CY2012 Accelerated Tax Sale

Whereas, the Township Committee of the Township of Rochelle Park finds and declares that N.J.S.A. 54:5-19 requires that the Township of Rochelle Park conduct a public tax sale to enforce delinquent municipal liens by selling said liens in accordance with the Tax Sale Law; and

Whereas, “delinquency” means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters of years per N.J.S.A. 54:4-67, and

Whereas, the Township Committee further finds and declares that the Municipal Tax Collector is qualified to hold said Tax Sale in the calendar year 2012 municipal delinquent charges; and

Whereas, the Mayor and Township Committee further finds and declares that an Accelerated Tax Sale may be at the discretion of the Municipal Tax Collector;

Now, therefore be it resolved, by the Township Committee of the Township of Rochelle Park that the Municipal Tax Collector, Roy Riggitano, be and is hereby authorized to conduct an Accelerated Tax Sale during the calendar year of 2012 in accordance with N.J.S.A. 54:5-19.

Be it further resolved, that the Municipal Clerk provide a certified copy of this resolution to the Tax Collector for his records.

Attest: Virginia De Maria

Resolution #2012 – 41

A Resolution – Issuing Bingo License #418-12 to American Legion Post #170

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, State of New Jersey, that the application for Bingo License #418-12 as presented by the **AMERICAN LEGION POST #170 ID#427-07-00459** requesting permission to conduct Bingo on March 9, 2012 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2012 - 42

A Resolution – Issuing Raffle License #419-12 to American Legion Post #170 – Instant Raffle

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 #418-12 as presented by the **AMERICAN LEGION POST #170 ID#427-07-00459** requesting permission to conduct Bingo on March 9, 2012 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2012 - 43

A Resolution – Issuing Raffle License #320-12 To Lodge 46 Charitable Foundation, Inc.

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 #420-12 as presented by the **LODGE 46 CHARITABLE FOUNDATION, INC. Lic. #427-4-39013** requesting permission to conduct Casino Night on March 10, 2012 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2012 – 44

A Resolution – Authorizing Hiring of Civil Engineer – Not to Exceed \$22,000 – Rochelle Avenue/Railroad Avenue Intersection

Be it resolved by the Township Committee of the Township of Rochelle Park that Kenneth Job, PE be and hereby directed to prepare the Civil Engineering Construction Plans for the Rochelle Avenue/Railroad Avenue Intersection Improvement in accordance with the County of Bergen Shared Services Agreement Criteria in an amount not to exceed \$22,000.

Attest: Virginia De Maria

Resolution #2012 - 45

A Resolution – Introduction COLA Ordinance - #1044-12 – Exceed Municipal Budget Appropriation Limits and to Establish A CAP Bank

See Attached

Resolution #2012 - 46

A Resolution – Authorizing Contract for Fixed Asset Inventory

Whereas, The New Jersey Division of Local Government Services has directed that all municipalities conduct an inventory of all fixed assets; and

Whereas, AM CONSULTANTS of Montvale, New Jersey performs such services on behalf of various municipalities within the State of New Jersey; and

Whereas, Chief Financial Officer, Roy Riggitano has solicited a quotation from AM CONSULTANTS for the performance of this service and has recommended the award of a contract to AM CONSULTANTS in accordance with their proposal dated October 18, 2011; and

Minutes of the Public Meeting held January 18, 2012 cont.

Whereas, this contract may be awarded without the necessity of competitive bidding since the amount of the contract does not meet or exceed the applicable bid threshold; and

Whereas, the Chief Financial Officer has certified that sufficient funds exist for this purpose;

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. A contract be and is hereby awarded to AM CONSULTANTS, 107 Pinebrook Road, Montville, New Jersey 07045.
2. This contract shall be for the purpose of conducting a fixed asset inventory for the Township of Rochelle Park in accordance with their quotation dated October 18, 2011.
3. This contract shall be in an amount not to exceed \$3,500.00.
4. The Township Administrator be and is hereby directed to execute any document, invoice or other agreement which may be necessary in order to effectuate 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 AM CONSULTANTS, 109 Pinebrook Road, Montville, New Jersey, 07045, the Chief Financial Officer for the Township of Rochelle Park and the Township Attorney.

Attest: Virginia De Maria

Resolution #2012 - 48

A Resolution – Authorizing Re-Appointment of Part Time Deputy Municipal Court Administrator

Whereas, MARIA CAPPÀ-FOSCHINI has served as Deputy Court Administrator within the Township of Rochelle Park from January 1, 2009 through December 31, 2011; and

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. MARIA CAPPÀ-FOSCHINI be and is hereby re-appointed to the position of Part Time Deputy Municipal Court Administrator for the Township of Rochelle Park.
2. The term of this appointment shall commence January 1, 2012 and continue until December 31, 2014.
3. The salary for this position shall be established pursuant to the provisions of the applicable Salary Ordinance.
4. The Township Administrator be and is hereby authorized and directed to take such steps which may be necessary in order to facilitate and carry out 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 the Municipal Court Administrator, LYNDA LASINI, Honorable ROY MCGEADY, J.M.C., MARIA CAPPÀ-FOSCHINI, and Ms. BRENDIS MONTIJO-WRIGLEY, C.M.C.A.

Attest: Virginia De Maria

Resolution #2012 – 49

A Resolution - Authorizing Metlife as Administrator – Flexible Spending Accounts

Whereas, the Township of Rochelle Park provides an Employee health Benefits Program for eligible employees and their eligible dependents; and

Whereas, Chapter 78 of the laws of the State of New Jersey requires public entities to implement a Section 125 – Flexible Spending Accounts (FSA's) program in accordance with the rules promulgated by the United States Internal Revenue Service's and:

Whereas, the CFO has researched the marketplace for firms specializing in the administration of FSA's and;

Now, therefore resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey, MetLife is hereby appointed as Administrator for the Township's Section 125 – Flexible Spending Account, effective upon passage of this Resolution for a January 1, 2012 effective date; and

Be it further resolved, the Mayor and Municipal Clerk is hereby authorized to execute all documents necessary for the implementation; and

Be it further resolved, a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services.

Adopted this day; January 18, 2012

Attest: Virginia De Maria

Resolution #2012 – 50

A Resolution - Authorizing Sponsoring the Rochelle Park Baseball Insurance Coverage - \$750.00

Whereas, the Township of Rochelle Park, (hereinafter the Township) is a member of the South Bergen Municipal Joint Insurance Fund for all property and casualty coverages; and

Whereas, the South Bergen JIF provides for member municipalities to sponsor non-governmental civic and/or recreational organizations that provide invaluable benefit to the community for General Liability coverage as a designated Quasi Entity; and

Whereas, the Rochelle Park Baseball provides an invaluable recreational opportunity to the youth of Rochelle Park and serves as an integral part of the fabric of this community; and

Whereas, the Rochelle Park Baseball meets the underwriting criterion of a Quasi IV Athletic Organization under the rules promulgated by the South Bergen JIF.

Now, therefore be it resolved, the Mayor and Committee of the Township of Rochelle Park hereby recognize and acknowledge the inherent benefit of the Rochelle Park Soccer Association, Inc. as a valuable athletic organization in the Township and further, request the Executive Committee of the South Bergen Municipal Joint Insurance Fund provide Quasi IV – Athletic Organization status to the group, thus providing General Liability and Non-Owned and Hired insurance coverage to the Organization; and

Be it further resolved, the Township Risk Management Consultant is hereby instructed, in coordination with the organization's leaders and Township staff, to effectuate the necessary application and supporting documentation for a March 1, 2012 effective date with said documentation to be provided to the South Bergen JIF for approval as soon as administratively possible; and

Minutes of the Public Meeting held January 18, 2012 cont.

Be it further resolved, a certified copy of this Resolution shall be forwarded to Professional Insurance Associates, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Risk Management Consultant to the Township.

Adopted this day: *January 18, 2012*

Attest: Virginia De Maria

Resolution #2012 – 51

A Resolution – Authorizing Release of Closed Session Minutes – January 11, 2012

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 January 11, 2012 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 - January 11, 2012**

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 Garage –The Township Attorney provided a summary of the status of the claims made to the bonding company with regard to the construction deficiencies at the DPW building.
2. Salary and Benefits/Negotiations – The Township Committee conducted preliminary discussions regarding various issues with an impact on negotiation of Collective Bargaining Agreements and preparation of the 2012 Municipal Budget
3. Police Chief Retirement – The Township Committee has received notification that the Chief of Police will retire during 2012 and preliminary discussions were conducted the financial and personnel impact of that retirement.

Attest: Virginia De Maria

Minutes of the Public Meeting held January 18, 2012 cont.

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

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

Resolution #2012 - 47

A Resolution – Appointing Municipal Judge Roy McGeady, Esq.

Whereas, the Township Committee of the Township of Rochelle Park has a need to acquire the services of a Municipal Judge as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44 A 20.4 and,

Whereas, the anticipated term of this contract is three years; and

Whereas, Roy McGeady, Esq. has submitted a proposal indicating he will provide the legal services and compensated in accordance with the 2012 salary ordinance of the Township of Rochelle Park; and

Whereas, Roy McGeady, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Roy McGeady, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Rochelle Park in the previous one year, and that the contract will prohibit Roy McGeady, Esq. from making any reportable contributions through the term of the contract, and

Whereas, Roy Riggiano, CFO certifies that the funds are available in the 2012 Municipal Budget; and

Now, therefore, be it resolved the Township Committee of the Township of Rochelle Park authorizes Roy McGeady, Esq. to enter into a contract with Township of Rochelle Park as described herein; and,

Be it further resolved that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

Be it further resolved that a copy of this resolution shall be published as required by law within ten days of its passage.

Attest: Virginia De Maria

A motion was offered by Comm. Valenzuela and seconded by Comm. Ouellette to adopt the above resolution. “Ayes” Davidson, Ouellette, Valenzuela, Kovalcik “Ney” Scarpa

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

Comm. Scarpa – Advised that regarding the current garbage bid, the City of Hackensack would only be able to pick garbage up once a week year round. Rochelle Park has had garbage picked up twice a week between the months of May through September for years. However, if it comes down to pricing, possibly once a week yearly pick up might be an option.

Comm. Valenzuela - Asked if Rochelle Park’s current garbage hauler, the Borough of Paramus, would consider extending their services if necessary. Attorney Rotolo advised that he thought Paramus would extend their services.

Comm. Valenzuela – Thanked the Administrator and her staff for their hard work on a daily basis.

Comm. Ouellette –

Library December Report – Circulated 1217

Building Department Report – Permits Issued To Date 48

Minutes of the Public Meeting held January 18, 2012 cont.

Comm. Davidson – Thanked DPW superintendent Jim Schmunk and his department for working with Bergen County cleaning along Sprout Brook. He advised that he is still in contact with Bergen County to have the county park at the end of Howard Avenue cleaned, hopefully to alleviate flooding.

Administrator De Maria – Advised that Comm. Davidson is currently working on completing the FEMA application for reimbursement for the stowstorm in October. She thanked him for his hard work.

Mayor Kovalcik – No Report

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

Samantha Rhodes – Our Town Newspaper – Asked for clarification as to when the Zoning Board would be holding their reorganization meeting. Administrator De Maria advised that it would be held this Thursday night at 7:00 PM.

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

A motion was offered by Mayor Kovalcik 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