



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

MINUTES – PUBLIC MEETING – May 16, 2012

Call to Order 7:30 PM

According to the Open Public Meetings Act, this meeting of April 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 – Absent

Pledge of Allegiance was led by Loriann Latko

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

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

A motion was offered by Comm. Valenzuela and seconded by Comm. Davidson to approve the Minutes of the Public Meeting held April 18, 2012. Motion carried on a voice vote – all voting “Aye”.

At the Work Session held May 9, 2012 the following resolutions were adopted unanimously on a roll call vote – all voting “Aye”:

Resolution#2012 - 109

A Resolution Authorizing Award of Contract – Covino & Sons

Whereas, a block wall located at the Police Pistol Range in the Department of Public Works yard collapsed as a result of a storm which occurred approximately one year ago; and

Whereas, the Township Committee has not taken steps to rebuild that wall until this time as a result of the delay in receiving federal funds associated with that project; and

Whereas, the Township Committee recently authorized the solicitation of quotations for rebuilding the block wall; and

Whereas, the Township Administrator solicited quotations for this project and received three quotations as follows:

- A. Covino & Sons Construction Company of Rochelle Park, NJ
 \$21,000.00
- B. Max Adamo Construction, Inc. of Ridgefield, NJ
 \$22,540.00
- C. All Union Concrete Inc. of Morristown, NJ
 \$22,932.00; and

Whereas, this Contract may be awarded without the necessity of competitive bidding since the amount of the Contract is below the applicable bid threshold; and

Whereas, the Chief Financial Officer has certified that sufficient funds are available 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 Covino and Sons Construction Company, 33 North Drive, Rochelle Park, New Jersey.
- 2. This Contract shall be in the amount of \$21,000.00 and shall be in accordance with the quotation submitted by Covino and Sons Construction dated October

11, 2011.

3. This award of Contract is contingent upon certification by the Chief Financial Officer of the Township of Rochelle Park that sufficient funds exist for this purpose.
4. This Contract may be awarded without the necessity of competitive bidding since the amount of the Contract does not exceed the applicable bid threshold.

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 Covino and Sons Construction Company, the Rochelle Park Police Department and the Chief Financial Officer for the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution#2012 - 110

A Resolution to Affirm the Township of Rochelle Park's Civil Rights Policy

Whereas, it is the policy of the Township of Rochelle Park to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

Whereas, the governing body of the Township of Rochelle Park has determined that certain procedures need to be established to accomplish this policy

Now, therefore be it adopted by the Township Committee that:

Section 1: No official, employee, appointee or volunteer of the Township of Rochelle Park by whatever title known, or any entity that is in any way a part of the Township of Rochelle Park shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Rochelle Park's business or using the facilities or property of the Township of Rochelle Park.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Rochelle Park to provide services that otherwise could be performed by the Township of Rochelle Park.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Rochelle Park as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of Rochelle Park. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township of Rochelle Park's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of Rochelle Park in order for the public to be made aware of this policy and the Township of Rochelle Park's commitment to the implementation and enforcement of this policy.

Attest: Virginia De Maria

Resolution #2012 – 111

A Resolution Amending Policies and Procedures Manual – Revision II

Americans with Disabilities Act Policy:*

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination, the Township of Rochelle Park does not discriminate based on disability. The Township of Rochelle Park will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the Township of Rochelle Park to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination. We will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the Township of Rochelle Park.

The Administrator shall engage in an interactive dialogue with disabled employees and prospective employees to identify reasonable accommodations. All decisions with regard to reasonable accommodation shall be made by the Administrator. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the Township of Rochelle Park to offer permanent “light duty”, relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting Township of Rochelle Park facilities. Any questions concerning proper assistance should be directed to Administrator.

SYSTEMS PRIVACY*

(included E-Mail, Voice Mail, Computer and Internet Usage Policy):*

Township of Rochelle Park respects the individual privacy of its employees. However, e-mail, voicemail, Internet, township issued cellular devices and computer network are for official business, and use for non-business purposes is prohibited. All e-mail, voice mail and Internet message are public records subject to possible disclosure to the public pursuant to the provisions of the Open Public Records Act.

a. Management’s Right to Access Information

E-mail, voicemail and computer network systems have been installed by Township of Rochelle Park to facilitate business communications. The contents of the systems are accessible at all times by Township of Rochelle Park. These systems should be treated like other shared filing systems.

E-mail and voicemail messages, to the extent these systems are utilized, are Township of Rochelle Park’s records. The Township of Rochelle Park reserves the right to monitor, obtain, review and disclose all e-mail messages, computer files, voice mail and Internet message on the computer and communications systems of the Township of Rochelle Park as deemed necessary and appropriate and without prior notice. By using the Township of Rochelle Park’s e-mail, computer systems, voice mail and the Internet, each user agrees that the Township of Rochelle Park has unrestricted access and the right to disclose all information communicated or stored on the e-mail computer systems, voice mail and the Internet.

b. Care In Use of E-Mail, Voicemail, Internet and Computer Network Systems

Employees must exercise a greater degree of caution in transmitting the Township of Rochelle Park’s confidential information on the e-mail, voicemail, Internet and computer network systems than they take with other means of communicating information, because of the ease with which such information can be redistributed and the public access to such information through the Open Public Records Act. Please make sure that all addressees are appropriate recipients of the information to be distributed, via e-mail, voicemail, Internet, text message or other electronic forms of communication, especially when distributing information to a list of recipients.

Except in emergency situations or as part of their officially assigned or regular or permitted duties, employees are prohibited from taking any photographs, pictures, digital images or audio recordings of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence with any personal analog or digital device, camera, imaging device, audio recorder or cellular telephone. This section also applies in off duty scenarios regarding any law enforcement related activities. Any photographs, images or recordings taken with any personal device pursuant to or in violation of this section are considered evidence and are subject to applicable laws, code guideline or directive concerning storage release and disposal. Employees who have recorded any photographs, images or recordings with any personal device shall notify their supervisors as soon as practical. For the purposes of this section, an “emergency situation” involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes.

Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with a personal or agency analog or digital device, camera or cellular phone to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Administrator.

c. Personal Use of E-Mail, Voicemail, Internet and Computer Network Systems

Because the Township of Rochelle Park provides e-mail, voicemail, Internet, cell phones, and computer network systems to assist employees in performing their jobs, employees should use them for official business. The (local unit type) reserves the right to access and disclose as necessary all messages sent over its systems, without regard to content.

Since the contents of e-mail and voicemail may be accessed by Township of Rochelle Park without prior notice to employees, and since Township of Rochelle Park can monitor employees’ use of its computer

Minutes of the Public Meeting held May 16, 2012 cont.

network systems, employees should not use any of the systems to transmit any messages they would not want to disclose to a third party. Employees that maintain personal web pages and web sites, including but not limited to Facebook, YouTube, Myspace, Twitter, etc., shall not post information on such sites that would constitute a violation of the personnel policies of Township of Rochelle Park if expressed or published using any other medium or in any other manner. The posting of words, phrases, photographs, images or any kind of information on a personal web site may be grounds for the imposition of disciplinary action against the employee if the words, phrases, photographs, images or information adversely reflects on the employee's fitness for duty or constitutes a violation of the personnel policies of Township of Rochelle Park. Moreover, employees should not use these systems for soliciting or proselytizing others for commercial ventures, religious or personal causes, outside organizations or other similar, non-job-related solicitations.

d. Forbidden Content of E-Mail, Voicemail, Internet and Computer Network Systems Communications

Employees may not use the e-mail, voicemail, Internet computer network systems, or Township Issued Cell Phone or any other township issued electronic device in any way that may be seen as insulting, defamatory, obscene, harassing, disruptive, or offensive by other persons or as harmful to morale. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived sex, sexual orientation, gender, gender identity, transgender, race color, national origin, citizenship status, ancestry, age, marital status, medical condition, mental or physical disability, veteran status, religious or political beliefs, or any other characteristic protected by federal, state, or local law, ordinance or regulation.

Violations of the Township of Rochelle Park's policy of the use of e-mail, voicemail, Internet, complete network systems and Township Issued Cell Phone or any other township issued electronic device will subject the employee to discipline, up to and including immediate termination.

e. Unauthorized Access

Employees are prohibited from the unauthorized use of the password(s) of other employees to gain access to another employee's messages in the e-mail, voicemail, Internet or computer network systems including but not limited to all secured access software that employees may have access to.

Access to Personnel Files Policy:*

The official personnel file for each employee shall be maintained by the Administrator. Personnel files are confidential records that must be secured in a locked cabinet and will only be available to authorized managerial and supervisory personnel on a need-to-know basis. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access.

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Township of Rochelle Park premises in the presence of the Administrator or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualification for employment, promotion or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employees may add to the file their versions of any disputed item. Personnel files do not contain confidential employee medical information. Any such information that the Township of Rochelle Park may obtain will be maintained in separate files and treated at all times as confidential information. Any such medical information may be disclosed under very limited circumstances in accordance with any applicable legal requirements.

The Township of Rochelle Park endeavors to maintain the privacy of personnel records. There are limited circumstances in which the Township of Rochelle Park will release information contained in personnel or medical records to persons outside the Township of Rochelle Park. These circumstances include:

- In response to a valid subpoena, court order or order of an authorized administrative agency;
- To an authorized governmental agency as part of an investigation of the Township of Rochelle Park's compliance with applicable law;
- To the Township of Rochelle Park agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the Township of Rochelle Park are parties;
- In a workers' compensation proceeding;
- To administer benefit plans;
- To an authorized health care provider;
- To first aid or safety personnel, when necessary; and
- To a potential future employer or other person requesting a verification of your employment as described in the following section titled, "Requests for Employment Verification and Reference Procedure."

Flexible Spending Account:

(Insert the following):

In accordance with the provisions set forth in P.L. 2011 – Chapter 78 the Municipality has established a Flexible Spending Account in accordance with the provisions of Section 125 of the Internal Revenue Service regulations. An Employee wishing to participate should see the CFO and/or Finance Department for specific information.

Attest: Virginia De Maria

Reports:

Health Department - April 2012
Municipal Court - April 2012
Attendance Report - April 2012
Building Department - April 2012

Swearing In – Patrolmen Franklin LaBoy and Jared Shatkin

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The Officers were sworn in by Comm. Davidson with Police Chief Robert Flannelly holding the bible.

Chief Flannelly spoke briefly of each officers impressive background stated that they will fit in well and do a great job for Rochelle Park.

Recognitions – 2012 Youth Academy Graduates

Tony Baylan, Stevie Ciccone, Samantha Glennon, Ailany Gonzalez, Kristina Gargone, Yanko Hernando, Nicholas Keleshian, Christopher Wickner, Jayanth Ambat, Danielle Beck, Zachary Borsina, John Califano, Von De Guzman, Danielle McNair, Jared Paladino, Thomas Foschini, Olivia Greenwald, Brittany Morgan, Ethan Perez, Christian Sanabria, Brandon Fischbach, Christopher Galdi, Avery Garcia, Matthew Gronka, Loriann Latko, Anna Shean, Kylan Trawinski

The Rochelle Park Police Department presented a video of the 2012 Hackensack Youth Academy participants and the rigorous program put forth.

Chief Flannelly congratulated the children for their positive attitudes and thanks officers from the Hackensack Police Department as well as officers from Rochelle Park.

Police Officer Doug Arendacs thanked all the people involved in the program, then presented the children with Certifications from the Township recognizing their commitment to the program. Arendacs then presented Chief Flannelly with a plaque on behalf of the Hackensack Youth Academy.

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

Resolution #2012 – 112

A Resolution – Payment of Bills – May 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 – 114

A Resolution – Authorizing Contract for Professional Services – 160 Rt. 17

Whereas, Appraisal Systems, Inc. has been authorized to prepare appraisal reports in order to assist in the defense of real property tax appeals; and

Whereas, the Township Attorney has recommended the preparation of an appraisal report in connection in connection with the following matter:

Alessio Holding Company –vs- Township of Rochelle Park

Block 34 Lot 1

Property Address: 160 Route 17; and

Whereas, the Township Committee has determined that it will be necessary in order to authorize the preparation of such report in connection with this matter

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. Contract is hereby authorized with Appraisal Systems, Inc. of Glen Rock, New Jersey for the preparation of an appraisal report and assistance in connection with the defense of the above referenced real property tax appeal. .
2. The fee for the report shall be in an amount not to exceed \$4,000.00 together with \$100.00 per hour for attendance at conferences and Court appearances.
3. The award of this contract 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 Appraisal Systems, Inc., the Township Attorney and the office of the Chief Financial Officer for the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2012 – 115

A Resolution – Authorizing Settlement of Tax Appeal – 174 Route 17 North

PROPERTY OWNER: PC Warehouse Investment, Inc.

ADDRESS: 174 Route 17 north

LOT: 1

	Original Assessment 2010	Reduced/Settlement Assessment 2010
Land	\$3,840,000	\$3,840,000
Improvements	\$2,473,600	\$2,473,600
TOTAL	\$6,313,600	\$6,313,600

	Original Assessment 2011	Reduced/Settlement Assessment 2011
Land	\$3,840,000	\$3,840,000
Improvements	\$2,473,600	\$2,473,600
TOTAL	\$6,313,600	\$6,313,600

	Original Assessment 2012	Reduced/Settlement Assessment 2012
Land	\$3,840,000	\$3,840,000
Improvements	\$2,473,600	\$2,160,000
TOTAL	\$6,313,600	\$6,000,000

Whereas, a real property tax appeal has been filed in connection with the above referenced property; and

Whereas, the within tax appeal has been reviewed by the Tax Assessor, Township Attorney as well as the Municipality’s Appeal Appraisal Expert. (if applicable); and

Whereas, all professionals have agreed that it would be in the best interest of the Municipality to enter into the settlement described above.

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

1. A settlement of the above referenced real property tax appeal be and is hereby authorized
2. The settlement shall be on the terms and conditions described above.
3. The Municipal attorney is hereby authorized and directed to execute any documents including a Stipulation of Settlement which may be necessary in order to effectuate the provisions of this resolution.
4. The Tax Assessor is hereby authorized and directed to amend the records of the Municipality to reflect the above referenced settlement.

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 Township Attorney and the Township Tax Assessor

Attest: Virginia De Maria

Resolution #2012 - 116

A Resolution – Authorizing Contract for Professional Services – 450 Rochelle Avenue

Whereas, Appraisal Systems, Inc. has been authorized to prepare appraisal reports in order to assist in the defense of real property tax appeals; and

Whereas, the Township Attorney has recommended the preparation of an appraisal report in connection in connection with the following matter:

Boodaghian , et al –vs- Township of Rochelle Park
Block 58 Lot 1.01
Property Address: 450 Rochelle Avenue; and

Whereas, the Township Committee has determined that it will be necessary in order to authorize the preparation of such report in connection with this matter

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. Contract is hereby authorized with Appraisal Systems, Inc. of Glen Rock, New Jersey for the preparation of an appraisal report and assistance in connection with the defense of the above referenced real property tax appeal. .
2. The fee for the report shall be in an amount not to exceed \$4,000.00 together with \$100.00 per hour for attendance at conferences and Court appearances.
3. The award of this contract 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 Appraisal

Systems, Inc., the Township Attorney and the office of the Chief Financial Officer for the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2012 –117

A Resolution – Authorizing Release of Bond – 43 Central Avenue Associates, LLC

Whereas, development of the above referenced property has been approved; and

Whereas, as a condition of said approval, the above referenced property owner or developer was required to post a performance bond in order to ensure faithful and complete performance of all obligations of the referenced developer/owner; and

Whereas, said project has now been completed and the developer/owner has requested the right to release the performance bond posted as a condition of said development; and

Whereas, the Township Engineer and Building Department have both confirmed that the developer/owner has fulfilled all of its obligations and have consented to the release of the performance bond; 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. The release of the performance bond in connection with the above referenced project be and is hereby authorized.
2. The release of the bond is contingent upon receipt of confirmation from the Building Department and Township Engineer that the developer/owner has fulfilled all obligations of the approvals.
3. The release of the performance bond is also contingent upon confirmation that all charges, escrows and other financial obligations to the Municipality have been fulfilled. .

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 Rochelle Park Building Department, the Township Engineer, the Township Attorney and the developer/owner described above.

Attest: Virginia De Maria

Resolution #2012 –118

A Resolution – Authorizing Release of Bond – Mercury National Construction

Whereas, development of the above referenced property has been approved; and

Whereas, as a condition of said approval, the above referenced property owner or developer was required to post a performance bond in order to ensure faithful and complete performance of all obligations of the referenced developer/owner; and

Whereas, said project has now been completed and the developer/owner has requested the right to release the performance bond posted as a condition of said development; and

Whereas, the Township Engineer and Building Department have both confirmed that the developer/owner has fulfilled all of its obligations and have consented to the release of the performance bond; 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. The release of the performance bond in connection with the above referenced project be and is hereby authorized.
2. The release of the bond is contingent upon receipt of confirmation from the Building Department and Township Engineer that the developer/owner has fulfilled all obligations of the approvals.
3. The release of the performance bond is also contingent upon confirmation that all charges, escrows and other financial obligations to the Municipality have been fulfilled. .

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 Rochelle Park Building Department, the Township Engineer, the Township Attorney and the developer/owner described above.

Attest: Virginia De Maria

Resolution #2012 – 119

A Resolution – In Support of Phased-In Funding Restoration

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Whereas, taxes on gas and electric utilities were originally collected by the host municipalities, and when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; and

Whereas, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

Whereas, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and

Whereas, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

Whereas, municipalities lost \$331 million in combined Energy Tax and Consolidated Municipal Property Tax Relief Aid (CMPTRA) funding in Fiscal Years 2009, 2010, and 2011, while also being denied scheduled incremental funding; and

Whereas, as a result of these cuts, in a number of municipalities property taxes are higher now, despite the fact that they are spending less, proving that the State's diversion of tax relief funding has overwhelmed local efforts to reduce property taxes; and

Whereas, S-1900, sponsored by Senators Paul Sarlo and Linda Greenstein, and A-2921, sponsored by Assemblyman Troy Singleton, would phase-in, over five years, the restoration of \$331 million in municipal property tax relief funding, and ensure that each municipality will be restored to the 2007 (SFY 2008) ETR/CMPTRA level.; and

Whereas, the sponsors recognize that the loss of those revenues has led to increased property taxes and has hampered local efforts to meet local needs; and

Whereas, the sponsors agree that the time has come to begin to restore to local budgets the millions that were cut to meet State needs in FY 2009, 2010 and 2011; and

Whereas, the restoration of \$66.2 million this year is a great first step, which should be easily manageable in a budget that is slated to grow to \$32.15 Billion in the coming year; and the restoration of \$331 million, in 20% increments, over five years will make a big difference in municipalities all around New Jersey; and

Whereas, the bill would apply the protection of the 'poison pill' to the SFY 2012 distribution of CMPTRA funding, which will prevent further shifts of CMPTRA funding; and which will help to further restrain the appetites of future State policy makers for these municipal property tax relief resources; now therefore be it

Whereas, Rochelle Park alone lost \$2,475,858 in COMPTRA funding that would have gone directly to lower the property taxes of its residents;

Resolved, that the Township Committee salutes the sponsors for listening to the Mayors in their districts and all around New Jersey and for advancing this legislation; and be it further

Resolved, that we enthusiastically support S-1900/A-2921, together with any refinements that may be needed to account for any recent changes in the statutes governing local budgets in order to provide municipalities with appropriate budgetary flexibility; and be it finally

Resolved, that certified copies of this Resolution be forwarded to Governor Chris Christie, Lieutenant Governor Kim Guadagno, Department of Community Affairs Acting Commissioner Richard Constable, our State Senator Robert Gordon, our Assembly Representatives Timothy Eustace and Connie Wagner, and to the New Jersey League of Municipalities.

Attest: Virginia De Maria

Resolution #2012 – 120

Authorizing Award of Contract D&L Paving - \$126,549.97

Whereas, on April 24, 2012, bids were received by the Pascack Valley Cooperative Pricing Program for their 2012 Road Program, and

Whereas, the Township of Rochelle Park was one of the participating municipalities, and

Whereas, the low bidder on the overall project was D & L Paving Contractors, 681 Franklin Avenue, Nutley, New Jersey 07110, and

Whereas, on May 1, 2012 a "Master Contract" for the overall project was awarded by the Pascack Valley Cooperative's Lead Municipality (Borough of Westwood) to D & L Paving Contractors, 681 Franklin Avenue, Nutley, New Jersey 07110 for an overall contract amount of \$2,843,887.21, and

Whereas, the Pascack Valley Cooperative Bid included the improvement of the following roadways in the Township of Rochelle Park, and

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Street	From	To
Brooks Avenue	Thiem Avenue	Chestnut Street
Brooks Avenue	Chestnut Street	Forest Place
Colling Avenue	Central Avenue	Northerly Terminus
Crescent Street	Rochelle Avenue	Cedar Drive
Parkway	Rochelle Avenue	Becker Avenue

Whereas, based on the unit prices in said contract, including the percentage proportion of the contracts lump sum items for Site Clearing/Maintenance and Protection of Traffic and Asphalt Price Adjustment, the Township of Rochelle Park's contract amount is \$126,549.97,

Now, therefore, be it further resolved that the Township Committee of the Township of Rochelle Park hereby awards a contract to D & L Paving Contractors, 185 High Street, Nutley, NJ 07110 in the amount of \$126,549.97; and

Be it further resolved that the Township of Rochelle Park Chief Financial Officer has certified that funds are available from Account # _____ of the _____ fund in the amount not to exceed \$126,549.97; and

Be it further resolved that the Township Attorney be and is hereby directed to prepare the Contracts for same utilizing, as their base document, the Township of Rochelle Park's Standard Road Resurfacing Program Specifications.

Attest: Virginia De Maria

Resolution #2012 – 121

Introduction Ordinance #1050-12 – Duties of Dog Owners

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 88-11 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED "DUTIES OF DOG OWNERS"**" be and it is hereby introduced and passed on first reading May 16, 2012 and that said ordinance be further considered for final passage at a meeting to be held on June 20, 2012 at 7:30 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Resolution #2012 – 122

Introduction Ordinance #1051-12 – 2012 Salary Ordinance

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled "**AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE SALARY OR RATE OF COMPENSATION OF VARIOUS MUNICIPAL EMPLOYEES OF THE TOWNSHIP OF ROCHELLE PARK AND TO ESTABLISH A METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEAR 2012**" be and it is hereby introduced and passed on first reading May 16, 2012 and that said ordinance be further considered for final passage at a meeting to be held on June 20, 2012 at 7:30 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Resolution #2012 – 123

A Resolution – Authorizing Release of Closed Session Minutes – May 9, 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

Minutes of the Public Meeting held May 16, 2012 cont.

Whereas, pursuant to statute, the purpose of this Resolution is to disclose the information which was discussed in closed session on May 9, 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 - May 9, 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. Police Chief Contract – The Township Committee discussed the terms of a proposed Contract for the Chief of Police.
2. The Township Committee discussed promotional procedures within the Police Department since promotions may be desirable as a result of the recent retirement of Chief Zavinsky.
3. Court Administrator appeared and made a presentation to the Township Committee regarding the status of the Court, volume of cases and personnel needs in her office.
4. Litigation Update – The Township Attorney provided the Township Committee with an update regarding pending litigation involving Ms. DiLullo Vogel as well as John Buonanno, former Elmwood Park Building Inspector. In addition, the Township Attorney updated the Township Committee regarding the status of the Department of Public Works claims against the Contractor.

Attest: Virginia De Maria

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

Comm. Valenzuela asked that Resolution #2012-113 be removed from the Consent Agenda.

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

Resolution #2012 - 113

A Resolution Authorizing Transfer of Liquor License from Deep Blue Restaurant Group LLC to The Lucky Dog Tavern Inc.

Whereas, an application for a person-to-person transfer of a Plenary Retail Consumption License No. 0254-33-001-005 has, place-to-place been received from THE LUCKY DOG TAVERN INC for the License previously owned by DEEP BLUE RESTAURANT GROUP LLC; and

Whereas, a consent to the transfer has been published twice in the newspaper "The Our Town" on March 22nd and 29th, 2012; and

Whereas, no objections have been received respecting said transfer; and

Whereas, following an investigation by the Police Department of the Township of Rochelle Park, no objections have been raised respecting the qualifications of the applicant; and

Whereas, the applicant has paid the required transfer fees (\$176.00 representing 10% for person-to-person) and have submitted the required affidavit with regards to the source of funds used to acquire the license.

Now, therefore, be it resolved by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey that the Plenary Retail Consumption License No. 0254-33-001-005 issued to DEEP BLUE RESTAURANT GROUP LLC be transfer to THE LUCKY DOG TAVERN INC located at 55 Route South, Rochelle Park, New Jersey 07662; and

Be it further resolved, that the Municipal Clerk is hereby authorized and directed to endorse the license certificate as follows: “This license, subject to all of its terms

Minutes of the Public Meeting held May 16, 2012 cont.
and conditions, is hereby transferred to THE LUCKY DOG TAVERN INC located at 55
Route 17 South, Rochelle Park, New Jersey 07662 and forward a certified copy of this
resolution to the Director of the Division of Alcoholic Beverage Control.

Attest: Virginia De Maria

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

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

Comm. Davidson – Thanked all the participants of the Hackensack Youth Academy
Program, including instructors and various departments. This is a great opportunity for
children to work with the various police and fire department in different communities.
He thanked all involved in this program.

Comm. Ouellette – On Mayor Kovalcik’s behalf, Comm. Ouellette would like to appoint
members to the Ambulance Corp.

A motion was offered by Comm. Valenzuela and seconded by Comm. Scarpa to appoint
Sam Minella, Janine Rosario and Kurt Davis to the Rochelle Park Ambulance Corp.
Motion carried on a roll call vote – all present voting “Aye”.

Comm. Scarpa – Reminded everyone to attend the Memorial Day Parade and service at
the monument. He reminded everyone to observe the true meaning of the day and the
ultimate sacrifices the military organizations give to the county.

Comm. Valenzuela – Expressed his pleasure in the hiring of the two new police officers,
Patrolman LaBoy and Shatkin, he wished them well. He then congratulated the graduates
of the Hackensack Youth Academy.

Fire Department April Report – 23 Calls

He thanked the Fire Department for their continuous hard work.

A motion was offered by Comm. Valenzuela and seconded by Comm. Scarpa to appoint
Tim Wanco as a Fire Fighter pending results of a background check. Motion carried on a
voice vote – all present voting “Aye”.

He wished everyone a Happy Memorial Day.

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

No members of the public spoke

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

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

Respectfully submitted,

Virginia De Maria
Municipal Clerk