



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

MINUTES – PUBLIC MEETING – FEBRUARY 19, 2014

Call to Order

According to the Open Public Meetings Act, this meeting of February 19, 2014 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 11, 2014 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. Kazimir
 Comm. Kovalcik
 Comm. Ouellette
 Comm. Scarpa
 Mayor Valenzuela

Pledge of Allegiance was led by Ron Juliano

Mayor Valenzuela asked that everyone remain standing for a moment of silence remembering those in the military

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

A motion was offered by Comm. Kovalcik and seconded by Comm. Kazimir to approve the minutes of the Meeting held January 12, 2014. Motion carried on a voice vote – all voting “Aye”.

2014 Annual Health Meeting – Elizabeth Kroll, Secretary to the Board of Health

At the Work Session held on February 12, 2014 the following resolutions were adopted - all voting “Aye”. The following resolution was offered by Comm. Kovalcik and seconded by Comm. Ouellette and reads:

Resolution #2014 – 37

A Resolution Appointing CD Representative and Alternate – 2013/2014

Be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, New Jersey, that Robert Davidson, Administrator of the Township of Rochelle Park residing at 86 Lexington Avenue, Rochelle Park, is hereby appointed the Community Development Representative for the Township of Rochelle Park effective July 1, 2013 through June 30, 2014; and

Be it further resolved, that Virginia De Maria of 175 Rochelle Ave., Rochelle Park is appointed as Alternate Representative serving the same term.

Attest: Virginia De Maria

Resolution #2014 – 38

A Resolution Endorsing Community Development Grant Application – 2014 – Municipal Complex Barrier Free Access

Whereas, a Bergen County Community Development grant of \$81,100 has been proposed by Township of Rochelle Park for Municipal Complex Barrier Free Access at 151 West Passaic Street, in the Township of Rochelle Park; and

Whereas, pursuant to the State Inter-local Services Act, Community Development funds may not be

spent in a municipality without authorization by the Governing Body, and
Resolution #2014 – 38 (cont.)

Whereas, the aforesaid project is in the best interest of the residents of Rochelle Park; a Whereas, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

Now, therefore, be it resolved, that the Governing Body of the Township of Rochelle Park hereby confirms endorsement of the aforesaid project; and

Be it further resolved, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Attest: Virginia De Maria

Resolution #2014 – 39

A Resolution Endorsing Community Development Grant Application – Senior Citizens Activities

Whereas, a Bergen County Community Development grant of \$4,500.00 has been proposed by the Township Committee for Senior Citizens Activities in the Township of Rochelle Park, and

Whereas, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

Whereas, the aforesaid project is in the best interest of the people of the Township of Rochelle Park, and

Whereas, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

Now, therefore be it resolved that the Governing Body of the Township of Rochelle Park hereby confirms endorsement of the aforesaid project, and

Be it further resolved, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Attest: Virginia De Maria

Resolution #2014 – 40

A Resolution Authorizing AccuTech for Well Abandonment and Issuance of Response Action Outcome – Municipal Building - \$2050.00

Whereas, the Township of Rochelle Park has submitted an application to the New Jersey Department of Environmental Protection in connection with remediation of an environmental issue in or around the DPW garage; and

Whereas, in connection with that remediation program, it is necessary to install certain testing wells and conduct groundwater sampling; and

Whereas, the Township has previously retained the services of AccuTech Environmental Services, Inc. of Keyport, New Jersey in connection with this project; and

Whereas, AccuTech has now submitted a proposal for additional work and services in connection with this program; and

Whereas, a Contract may be awarded to AccuTech Environmental Services without the necessity of competitive bidding as services to be performed constitute professional services and, therefore, are exempt from the competitive bidding 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. A Contract be and is hereby awarded to AccuTech Environmental Services of Keyport, New Jersey for well installation and groundwater sampling in accordance with their proposal dated October 10, 2013, a copy of which is annexed to this resolution.

2. The Contract shall be for the services set forth in that proposal for a total cost not to exceed \$13,450.00.

3. The award of this Contract is made without the necessity of competitive bidding since it provides for professional services and the said Contract is awarded subject to confirmation by the Chief Financial Officer that sufficient funds exist for this purpose.

4. The Township Administrator and Township Clerk are hereby authorized and directed to execute any documents, contracts, invoices or purchase orders which may be necessary in order to facilitate this project.

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 AccuTech Environmental Services, Inc., the Department of Public Works and the Chief Financial Officer.

Attest: Virginia De Maria

Resolution #2014 – 41

A Resolution Authorizing AccuTech to Install Wells and Groundwater Samplings – DPW - \$13,450.0

Whereas, the Township has been engaged in a remedial action plan to address environmental concerns at the Rochelle Park Municipal Complex; and

Whereas, this project has been ongoing for a number of years; and

Whereas, AccuTech Environmental Services, Inc. has been the professional services engineering firm that has been retained by the Township to perform the services; and

Whereas, it now appears that the project is ready for closure; and

Whereas, AccuTech has provided a proposal for the completion of the final stage of the project and closure in accordance with the direction of the Department of Environmental Protection of the State of New Jersey.

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 Contract be and is hereby awarded to AccuTech Environmental Services of Keyport, New Jersey in accordance with their proposal dated January 23, 2014.

2. This Contract shall provide for the closure of the file and project in connection with the Municipal Complex and shall be in accordance with their proposal dated January 23, 2014.

3. The Contract shall be in an amount not to exceed \$2,050.00 and the Township Administrator and Township Clerk are hereby authorized and directed to execute any documents which may be necessary in order to effectuate the provisions of this resolution.

4. The award of this Contract is subject to confirmation by the Chief Financial Officer 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 AccuTech Environmental Services, Inc. of Keyport, New Jersey and the Chief Financial Officer for the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2014 – 42

A Resolution Approving Transfers within the 2013 Budget Appropriation

Resolved, by the Township Committee of the Township of Rochelle Park, that the Collector-Treasurer shall and is hereby authorized to make the following transfers as per instructions from the Chief Financial Officer as follows:

		<u>FROM</u>	<u>TO</u>
Municipal Clerk S&W	20-1201	\$ 8,000.00	
Municipal Clerk OE	20-1202	\$12,000.00	
Computerized Data	20-1402	\$ 9,000.00	
Legal Services OE	20-1552	\$10,000.00	
Police Dispatchers	25-2411	\$29,000.00	
Police Crossing Guards	25-2413	\$10,000.00	
Fire Prevention S&W	25-2651	\$11,000.00	
Streets & Roads OE	26-9202	\$22,000.00	
Vehicle Maintenance	26-3152	\$11,730.00	
Public Health Services	27-3301	\$11,000.00	
General Insurance OE	23-2102		\$79,500.00
Health Insurance OE	23-2202		\$ 2,730.00
Fire Prevention OE	25-2652		\$ 6,600.00
Recycling OE	26-2904		\$ 5,000.00
Solid Waste Collection	26-3052		\$18,500.00
Buildings & Grounds OE	26-3102		\$ 6,200.00
Recreation OE	28-3702		\$ 3,900.00
Utilities Lights	31-4302		\$ 9,000.00
Utilities Telephone	31-4402		\$ 1,500.00
Utilities Water	31-4452		\$ 500.00
Municipal Library OE	43-6903		<u>\$ 300.00</u>
		<u>\$133,730.00</u>	<u>\$133,730.00</u>

Attest: Virginia De Maria

Reports:

Health Department - January 2014
Municipal Court - January 2014
Building Department - January 2014

Presentations – Members of the 9 1 1 Memorial Committee

David Brown, Alfred Carroll, Teresa Judge Cravello, Richard Cravello, Robert Davidson, Virginia De Maria, Chief Robert Flannelly, Roland Jacobsen, Ron Juliano, Edward O’Dowd, Robert Salvini, Joseph Scarpa, James Schmunk, Roy Spraguer, Chris Sweisberger, Chief Richard Zavinsky

Mayor Valenzuela presented the members of the 9 1 1 Memorial Committee certifications thanking them for their volunteerism. He also thanked Mr. Cravello for obtaining the piece of steel in 2010 which made this memorial possible. He then thanked the DPW for their hard work during this winter’s snow season. He stated that the roads within the Township are in excellent shape as compared to other municipalities. He thanked the Police Department for helping with traffic control during the plowing of the streets.

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

Resolution #2014 – 43

A Resolution – Payment of Bills – January 2014

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 #2014 – 44

A Resolution Authorizing the CY 2014 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 CY2014 municipal budget shall be read by title only.

Attest: Virginia De Maria

Resolution #2014 – 45

A Resolution Authorizing 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 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 2014 for 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 but it resolved, by the Township Committee of the Township of Rochelle Park that the Municipal Tax Collector, Roy Riggiano, be and is hereby authorized to conduct the Annual Tax Sale during the calendar year 2014 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 #2014 – 46

A Resolution Authorizing an 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 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 2014 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 Riggiano, be and is hereby authorized to conduct the Annual Tax Sale during the calendar year of 2014 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 #2014 – 47

A Resolution – Supporting Extension of 2% CAP on Interest Arbitration Awards

Whereas, on January 1, 2011, the Arbitration Reform Bill (A-3393) took effect marking a dramatic change to the arbitration process and assisting Municipalities in controlling the rise in public safety personnel costs; and

Whereas, a significant provision in that legislation was a 2% Cap on interest arbitration awards; and

Whereas, this legislation contained a provision under which that limitation, among other portions of the legislation, would expire on April 1, 2014 unless the state legislature provides for a further extension; and

Whereas, the Township Committee believes that it is absolutely imperative for the state legislature to extend this legislation as the existence of the 2% cap on interest arbitration awards has provided fiscal protection for all Municipalities throughout the State of New Jersey

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

1. The Township Committee hereby expresses its support for an extension of the aforementioned legislation.
2. Governor, State Assembly and State Senate are all hereby requested to support an extension of the 2% cap on interest arbitration awards and to make that a permanent limitation.
3. The Township Administrator is hereby directed to forward a letter to the office of the Governor and all local legislators expressing the Township Committee’s support for this legislation and the continued limit on interest arbitration awards.

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 office of the Governor of the State of New Jersey as well as to all members of the Assembly and State Senate serving the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2014 – 48

A Resolution -Introduction COLA Ordinance #1067-14 - Exceed Municipal Budget Appropriation Limits and to Establish a CAP Bank

BE IT RESOLVED, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)” be and it is hereby introduced and passed on first reading February 19, 2014 and that said ordinance be further considered for final passage at a meeting to be held on March 19, 2014 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 #2014 – 49

Resolution – Authorizing Annual Reimbursement – 241 W. Passaic Street

Whereas, pursuant to the provisions of New Jersey State Law, all municipalities in the State of New Jersey are obligated to either provide solid waste collection and disposal services for rental properties or to reimburse those properties for all or a portion of the costs associated with private services; and

Whereas, the 241 Passaic Street Associates, LLC is an apartment rental building located at 241 West Passaic Street; and

Whereas, a request has been made by the management company of this project for reimbursement of a portion of the cost of those services; and

Whereas, the Township has determined that it would be necessary and appropriate to apply the same formula for reimbursement as has been applied to other similar projects within the Township; and

Whereas, the calculation has now been completed for 2013

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 total reimbursement pursuant to the Municipal Services Act for 2013 shall be \$2,130.80.
2. The same calculation shall be utilized for all subsequent years
3. Payment of this amount is contingent upon certification, by the Chief Financial Officer, 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 Attorney and 241 Passaic Street Associates, LLC.

Attest: Virginia De Maria

Resolution #2014 – 50

Authorizing Annual Reimbursement – Windsor Court – 175 Rochelle Avenue

Whereas, pursuant to the provisions of New Jersey State Law, all municipalities in the State of New Jersey are obligated to either provide solid waste collection and disposal services for condominium properties or to reimburse those properties for all or a portion of the costs associated with private services; and

Whereas, the Windsor Court Condominium is a condominium residence located at 175 Rochelle Avenue; and

Whereas, a request has been made by the management company of this condominium project for reimbursement of a portion of the cost of those services; and

Whereas, the Township has determined that it would be necessary and appropriate to apply the same formula for reimbursement as has been applied to other similar projects within the Township; and

Whereas, the calculation has now been completed for 2013

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 total reimbursement pursuant to the Municipal Services Act for 2013 shall be \$4,878.40.
2. The same calculation shall be utilized for all subsequent years
3. Payment of this amount is contingent upon certification, by the Chief Financial Officer, 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 Attorney and Windsor Court Condominiums

Attest: Virginia De Maria

Resolution #2014 – 51

A Resolution – Qualified Tax Exempt Obligations Exemption – BANS \$222,000 and \$1,783,000 STATE OF NEW JERSEY) (see attached)

Resolution #2014 – 52

A Resolution – Authorizing Tax Court Judgment Refund – Pinto

Resolved, by the Township Committee of the Township of Rochelle Park that the Tax Collector is hereby authorized to issue a check in the amount of \$7,494.44 payable to “Margarita C. Pinto c/o Zipp &

Minutes of the Public Meeting held February 19, 2014 cont.

Tannenbaum, LLC” as a result of a Tax Court Judgment covering the years 2011, 2012 and 2013 dated December 5 & 19, 2013, for the property at: Margarita C. Pinto, 5 W. Passaic St., Rochelle Park, NJ 07662.
Resolution #2014 – 52 (cont)

Be it further resolved, that the Township Clerk is hereby authorized to furnish copies of this resolution to the following:

1. Chief Financial Officer
2. Tax Collector

Attest: Virginia De Maria

Resolution #2014 – 53

A Resolution – Authorizing Tax Court Judgment Refund – Rochelle Park LLC

Resolved, by the Mayor and Council of the Township of Rochelle Park that the Tax Collector is hereby authorized to issue a check in the amount of \$61,012.66 payable to “Schneck Law Group LLC” as a result of a Tax Court Judgment covering the year 2010, 2011 and 2012 dated December 2 & 9, 2013, for the property at: Rochelle Park LLC, Route 17 & Woodland, Rochelle Park, NJ 07662.

Be it further resolved, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Tax Collector

Attest: Virginia De Maria

Resolution #2014 – 54

A Resolution – Authorizing Tax Court Judgment Refund – GLF

Resolved, by the Mayor and Council of the Township of Rochelle Park that the Tax Collector is hereby authorized to issue a check in the amount of \$8,156.71 payable to “Schneck Law Group LLC” as a result of a Tax Court Judgment covering the year 2012 and 2013 dated December 9, 2013, for the property at: GLF Realty Co., Inc., 161 W. Passaic St., Rochelle Park, NJ 07662.

Be it further resolved, that the Borough Clerk is hereby authorized to furnish copies of this Resolution to the following:

1. Chief Financial Officer
2. Tax Collector

Attest: Virginia De Maria

Resolution #2014 – 55

A Resolution – Affirming the Township’s Role in the Preparation of the Wastewater Management Plan

Whereas, the Township Committee of the township of Rochelle Park has received notification from the Bergen County Utilities Authority in a letter dated December 23, 2013, that the Township of Rochelle Park is responsible for wastewater management planning under N.J.A.C. 7:15-5.13(B); and

Whereas, the Bergen County Utilities Authority in the same letter indicated its willingness to prepare a wastewater management plan for the portion of the Township of Rochelle Park in the Bergen County Utilities Authority service area provided the Township of Rochelle Park waives its responsibility for wastewater management planning within that area.

Now, therefore, be it resolved by the Township Committee that the Township of Rochelle Park will not request the planning responsibility for the Township of Rochelle Park I the updating and amending of the Wastewater management Plan from the New Jersey Department of Environment Protection.

Attest: Virginia De Maria

Resolution #2014 – 56

A Resolution – Supporting The Bergen County Mutual Aid Plan and Rapid Deployment Force

Whereas, the Police Departments in Bergen County have a day-to-day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

Whereas, law enforcement officials also have a responsibility to provide for preparedness against natural emergencies such as floods, hurricanes, earthquakes, major storms, etc., man made causes, civil

unrest, and civil disobedience such as riots, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, terrorist incidents and bombings, state and national emergencies; and

Resolution #2014 – 56 (cont.)

Whereas, this plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. APP. A:9-40.6, and

Whereas, this plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

Whereas, it is the desire of the Township Committee of the Township of Rochelle Park to participate in mutual aid plan and rapid deployment force in accordance with the plan as submitted by the Bergen County Chief's Association.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park that the Police Department of the Township of Rochelle Park under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an interlocal services agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

Be it further resolved, that a copy of this resolution be forwarded to the county Executive, the board of Chosen Freeholders, and the County Prosecutors.

Attest: Virginia De Maria

Resolution #2014 – 58

A Resolution – Authorizing Release of Closed Session Minutes – February 12, 2014

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

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

Whereas, pursuant to statute, the purpose of this Resolution is to disclose the information which was discussed in closed session on February 12, 2014 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 - February 12, 2014

A motion was made for the Township Committee to go into closed or executive session to discuss matters of personnel, litigation and negotiations. The following represents the minutes of that closed session to the extent that those minutes may be released at this time:

1. Litigation - The Township Attorney provided an update in connection with the collection litigation pertaining to property located at 8 Madison Avenue. The matter has now been scheduled for trial in March as no meaningful settlement negotiations have taken place.
2. Personnel - A discussion was conducted between the Township Administrator, Chief of Police and members of the Township Committee regarding the personnel needs within the Municipal Court. A follow-up meeting was discussed and will take place involving Court personnel.

Attest: Virginia De Maria

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

Resolution #2014 – 57

A Resolution – Hearing & Adoption Ord. #1066 – 14 - Tenancy Ordinance

Minutes of the Public Meeting held February 19, 2014 cont.

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 SECTION 185-104(B) OF THE CODE 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. Scarpa and seconded by Comm. Kovalcik to open the hearing to the public. Motion carried on a voice vote – all present voting “Aye”.

No Comments

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

No motion was offered to adopt the above resolution. Resolution failed.

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

Comm. Kovalcik – Thanked the 9 1 1 Committee for their hard work on the completion of the monument located at Midland School. The also thanked the DPW for keeping the streets clear of snow. Kovalcik thanked the Police Department for their hard work as well.

Comm. Scarpa – Advised that work was being done on the 2014 budget, hopefully it will be finalized and introduced shortly.

Comm. Kazimir – Advised that the Fire Department requests that residents help clear fire hydrants of snow. It will assist in the response time in case of a fire.

Comm. Ouellette – No report

Mayor Valenzuela – Advised that meetings are being held to stream line the building department, creating a positive environment for residents. Discussions are in place regarding extension of hours.

Administrator Davidson – No report

Attorney Rotolo – No report

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

Pete Donatello – OEM Coordinator – Reported on the remediation project at the Dixo Chemical Plant. Contaminated soil will be removed near a 30 inch TRANSCO gas line. All emergency agencies have been involved in the plan which has now moved on to Phase II. Mr. Donatello advised that he had attended and held many meetings regarding this project and would keep the Committee and the public advised.

Gary Sawruck – 20 Eldorado Court – Asked for an update regarding the DEP grant for cleaning the river. Administrator Davidson advised that he had not heard anything yet, but has submitted all information. Mr. Sawruck and Mayor Valenzuela discussed the Marsellus Street Bridge in Lodi. Both were disappointed that this bridge was not raised to make water flow easier. Mr. Sawruck advised that Sacred Heart Church was holding a memorial mass for Father Norbert on Saturday, February 22nd at 10:00 AM. He then provided the Township Committee with an article from the Record newspaper regarding Drones being tested in New Jersey. Mr. Sawruck was not pleased with the decision to test these Drones in New Jersey. Mayor Valenzuela suggested passing a resolution opposing these drones, the Committee will discuss this issue at the next work session.

Dimitria Leakas – 41 Powell – Thanked the DPW, Police Department and Fire Department for their support and snow removal at Midland School. She thanked the DPW for plowing the parking area on William Street.

She advised that having the police officers at the school for drop offs and pick-ups has made a huge difference. Ms. Leakas gave an update regarding the school referendum, during the 2014 summer, the roof, doors, windows, security system and sprinkler system would be addressed. In the fall of 2014 the heating system would be repaired/replaced.

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

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

Resolution CS-2A 2014

A Resolution – Authorizing Closed Session Pursuant to N.J.S.A. 10:4-12

Whereas, N.J.S.A. 10:4-12 allows for a public body to exclude the public from a public meeting in certain circumstances, and

Whereas, the Rochelle Park Township Committee is of the opinion that such circumstances now exist.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, New Jersey that a Closed Session is hereby called at 8:30 PM on February 19, 2014 to discuss matters as permitted by law:

_____ Matters, which by express provisions of Federal Law or state statute, shall be rendered confidential.

_____ Matters in which the release of information would impair a right to receive funds from the Government of the United States.

_____ Matters, which if disclosed, would constitute an unwarranted invasion of individual privacy.

_____ Collective bargaining agreements or negotiations therefore with public employees and/or their representatives.

_____ Matters involving the purchase, lease, or acquisition of real property with public funds, the setting of banking rates, or the investment of public funds where the disclosure could adversely affect the public interest.

X _____ Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law.

_____ Pending or anticipated Litigation or contract negotiations in which the Township may become a party.

_____ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as lawyer.

_____ Matters involving the employment, appointment, termination or employment, terms and conditions of employment, evaluation, promotions, or disciplinary action of any specific current or prospective public employee(s), unless all the individual(s)

_____ Deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty or the suspension or loss of a license or permit of a party as a result of the actions of the party.

Be it further resolved that the matters so discussed will be disclosed to the public as soon as possible and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel.

Attest: Virginia De Maria

Minutes of the Public Meeting held February 19, 2014 cont.

Elizabeth Kroll – RMC – Deputy Clerk acting in Virginia De Maria’s absence stated that it was inappropriate to have three committee members attend an OEM meeting on Monday, February 24, 2014 as it would constitute a quorum of the Township Committee. Attorney Rotolo advised that he felt it did not constitute a meeting of the Committee and thereby should be allowed.

Closed Session

Issues – Public Safety

A motion was offered by Comm. Ouellette and seconded by Mayor Valenzuela to close the closed session. Motion carried on a voice vote – all voting “Aye”.

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

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

Respectfully submitted,

Virginia De Maria
Municipal Clerk

