



**TOWNSHIP OF ROCHELLE PARK
151 WEST PASSAIC STREET
ROCHELLE PARK, N.J. 07662
AGENDA – SPECIAL MEETING
December 2, 2014 – 7:00 PM**

Call to order at 7:03PM

According to the Open Public Meetings Act, this meeting of December 2, 2014 was sent to the Our Town newspaper, posted on the municipal web-site and posted on the bulletin board in the Municipal Building 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. M. Kazimir
Comm. J. Kovalcik
Comm. K.J. Ouellette
Comm. J. Scarpa-Absent
Mayor F. Valenzuela

Pledge of Allegiance was led by Judith Sands.

Mayor Valenzuela asked that everyone remain standing for a moment of silence remembering those in the military stationed here and overseas.

A motion was offered by Comm. Ouellette and seconded by Comm. Kovalcik to amend the agenda to move the public portion to the beginning of the meeting. Motion carried on a voice vote – all present voting “Aye”.

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

Comm. Scarpa entered the meeting.

Francine Pascarella-32 Theim Avenue-Asked why this special meeting was called. Mayor Valenzuela asked if she was aware of the previous discussions the Township Committee has had with BCCLS regarding the library. She stated she has heard rumors that the library is closing. She fears that her children will no longer have access to the books from other participating libraries if the Township is no longer in BCCLS. She asked how the Township plans to solve this problem. Mayor Valenzuela stated that in order to produce the funds that BCCLS is asking for, the Township would have to increase taxes by \$150,000, approximately \$150 per household. BCCLS is asking the Township to double their funding and he believes the Township currently runs a wonderful library with the current operating budget. Valenzuela stated he hopes BCCLS would understand that Rochelle Park is a smaller town and doesn't need such a large operating budget. He stated there are several other options the Township Committee would be discussing to avoid having to burden residents with a significant tax increase. Comm. Ouellette stated that Rochelle Park Library is an Association library not a municipal library, the difference being the volume of lending vs. borrowing and budget. Comm. Scarpa commented that the Township operates a full-fledged library. Mayor Valenzuela emphasized that the Township Committee does not want to close the library and wants to remain in BCCLS. Comm. Kovalcik also stated the Township Committee is not interested in closing the library or leaving BCCLS, however they

Minutes from Special Meeting – December 2, 2014 Cont.

are trying to find an amicable solution to continue receiving BCCLS services without a tax increase. Mayor Valenzuela commented that even if Rochelle Park is removed from BCCLS, the library will not close; the Township Committee will do their best to provide adequate alternatives. Ms. Pascarella commented that this is an unfortunate situation and hopes there is a solution.

Judith Sands -37 Schlosser Drive- Advised that Rochelle Park has been an association library since 1960 and a member of BCCLS since 1990. She stated that when the Township originally entered BCCLS organization, an agreement was signed to raise the libraries budget by 15% per year. BCCLS allowed the Township to waive this increase after the Township was devastated by Hurricane Floyd, having to re-build the library from the ground up. Comm. Scarpa asked to see a copy of a signed agreement. Ms. Sands could not produce this document. He also stated that in 1999 the Township Committee couldn't make agreements for future Committees. Comm. Scarpa also stated that libraries are the only budgets in the state with mandated funding. Ms. Sands advised that is Rochelle Park is no longer in BCCLS; they cannot borrow from other libraries. Comm. Scarpa asked Ms. Sands what newspaper BCCLS advertised their meeting notices in. She asked where their minutes were published. He feels that BCCLS does not keep the public informed of their daily operations.

Jane Fink - 34 West Oldis - Stated she has been a resident of Rochelle Park for 59 years and has always supported the library, she believes it is currently the best it's ever been. She commented that the Rochelle Park library will never be able to self-sustain without the support of BCCLS and that without a library home values will depreciate. Mayor Valenzuela responded by stating he strongly disagrees with her statement. He said that the public is misinformed on many issues, the Township Committee is in full support of remaining in BCCLS and they do not want to close the library. Mayor Valenzuela would like to negotiate with BCCLS, he feels they do not understand that Rochelle Park is a small community and they are defeating their purpose, as they were created to help small communities thrive and receive access to a large variety of materials throughout New Jersey. He stated if enough signatures are collected from the petition that is currently circulating a referendum may be placed on the ballot at the next election. He asked Mrs. Fink if she believes that the Township currently operates an adequate library to which she responded "Yes, because we are part of BCCLS." She stated there are other lending services such as CLAMS in New England that are similar to BCCLS and may be option for the Township Committee to explore. She believes that if the public had a better understanding of what will occur if Rochelle Park is no longer in BCCLS the residents would be in full support of more funding. Mayor Valenzuela stated once again that the Township Committee does not want to leave BCCLS and has no intention of closing the library. Comm. Scarpa stated BCCLS sent a letter to the Township, via the Board of Trustees, stating the Township needed to meet their financial standards, he read the following letter from BCCLS dated November 5, 2014:
Dear Trustees,

The By-laws Committee of the Bergen County Cooperative Library System reviewed the minimum funding requirements that requires all BCCLS members, regardless of organizational basis, to meet the 1/3 mil of the equalized valuation. Their recommendation to the Executive Board was that the By-law, which has been in effect for more than two decades, should remain as formulated.

The BCCLS Executive Board approved the following action unanimously at its October 16, 2014 meeting. Christine Hartigan moved that an investigation of the charge of non-compliance by
12/14/2014 8:23 PM 2

Minutes from Special Meeting – December 2, 2014 Cont.

Bylaws Section 3.(a)(ii) by the Rochelle Park Library has been found to be valid and that written notice be sent to the Director and Board of Trustees along with a hearing date not to exceed thirty (3) days after the notice.

The hearing will be held on Tuesday, November 24th, 2014 at 10 a.m. at the BCCLS Office, 810 Main Street, 2nd Floor, Hackensack, New Jersey. The four current BCCLS Executive Board members whose terms cover all of 2015 will comprise the special hearing committee.

Very truly yours,

Robert W. White
Executive Director

cc: Nicole Williams, Director

Mayor Valenzuela reminded Library Director, Nicole Williams, that all communication from BCCLS must be addressed to the Township Administrator and or the Township Committee as they make the decisions as to which course of action will best suit the needs of the residents

Dimitria Leakas-41 Powell Avenue- Stated she attended the public meeting in June when Mr. White, from BCCLS, explained that the Township wasn't paying an amount equal to the other municipalities. She asked for clarification as to why tonight's meeting was taking place and to see if there was any truth to the rumors that the library was closing. Mayor Valenzuela and the Township Committee stated the library is not closing; they are committed to finding a solution to stay in BCCLS without costing the taxpayers more money. Comm. Scarpa stated that the Township is paying what they are being billed, however BCCLS wants the Township to double their funding. Mrs. Leakas commented that the library is a wonderful asset for children and seniors, the ability to receive books from others town is wonderful for those who don't drive. She was under the impression that BCCLS hired the library director. Mayor Valenzuela corrected her and advised that she was hired by the Township Committee, through an interview process. She urged the Committee to negotiate with BCCLS and come up with solution for remaining with BCCLS.

Katherine Baccala- 38 Meakin Avenue- Advised that currently there is a petition in the library requesting that the Township Committee keep the library open and operating with BCCLS. There are approximately 100 signatures. Mayor Valenzuela asked Ms. Baccala, as a member of the board, is she has heard the rumor that the library was closing. She asked, regarding the special hearing with BCCLS scheduled for December 15th at 10:00 AM, if she could speak on behalf of the Township Committee. Mayor Valenzuela advised that she is welcome to attend as a member of the library board and also as a resident, however she is not to speak on behalf of the Township Committee. She advised that other small towns have been able to come up with a solution to pay the requested 1/3 mil formula. Comm. Kazimir stated that all towns have been challenged in provision their residents with the best possible services while staying within limited budgets. Comm. Scarpa stated that BCCLS has a disregard for small towns. Comm. Ouellette stated she believes the library is operating a wonderful service to the residents within the current budget.

Barbara Trinkelback- 44 Meakin Avenue-Expressed her displeasure with the tone she felt some members of the Township Committee had toward the residents who had expressed their concerns over the library. She advised that she is currently the Treasurer on the Library Board of Trustees. She asked for clarification regarding the rumors surrounding the Library. She stated that at a Board of Trustees meeting in December 2012, Administrator Davidson advised that the Township was committed to BCCLS and he had signed a commitment letter. Mr. Davidson emphatically denied signing a letter on behalf of the Township Committee as he is not authorized to do so. Ms. Trinkelback advised that BCCLS waived the agreed upon 15% per year increase as the Township lost the Library in 1999 due to Hurricane Floyd. She stated that eventually the 15% increase would be reinstated by BCCLS and Rochelle Park would be expected to pay the 1/3 of a mil. She asked why funding was not in place. Comm. Scarpa asked to see this agreement which Ms. Trinkelback could not provide. Comm. Ouellette commented that she has never seen this agreement and that no agreement was ever signed between BCCLS and the Township. Mr. Davidson advised that when he began the position in late 2013m he was advised that BCCLS was closing the Rochelle Park Library doors. He did everything in his power, including meeting with Robert White to ensure that this would not happen.

Kelly Drovel-37 Crescent Avenue-Asked that the Township Committee envisioned if they were no longer a member of BCCLS. She stated that she is in the library every day and her children are often in the library to utilize many of the lending features BCCLS provides. Mayor Valenzuela stated that the Township Committee does not want to leave BCCLS, however other options and similar services are being researched so that there is no a burden to the taxpayer, as there would be if Rochelle Park remains within BCCLS. She stated that joining another similar service not within Bergen County may increase delivery times of books and she worries how that will affect students and residents. She believes that we operate a wonderful library, without the lending services BCCLS offers we do not have resources to remain that way.

Nicole Williams, Library Director-She stated she would attempt to answer some of the questions that the Township Committee and the residents had made. She said the BBCLS executive board is made up of four elected officials (library directors), 5 rotational members (librarians), 2 rotational trustees and one representative from Bergen County, who currently has chosen not to take a seat. She explained that all public meetings are posted on their website in January. She explained that she was previously told that library materials, such as books, cannot be bonded for. Frank DiMaria and Comm. Scarpa said that this was untrue and both occasions when the Township had to rebuild the library due to flooding, materials were bonded for. She explained the letter that the Township received from BCCLS. The library board voted and believes that Rochelle Park should have to pay the same amount 1/3 of a mil (based on valuations) as every other municipality and that on December 15, they would like a response from the Township as to how they plan to meet BCCLS financial expectations. Mayor Valenzuela stated that this letter was addressed to the library board of trustees and as explained to the Library Director and BCCLS previously all correspondence needs to be sent to the Township Committee and Administrator Davidson as the library board of trustees cannot make Township decisions. Frank DiMaria said the 15% increase per year BCCLS is demanding is simply not attainable, as the Township would need to lay off police officers and other municipal employees to fund the library.

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

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

Resolution #CS-12-A 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 December 2, 2014 at 8:50PM 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.
- _____ Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law.
- X _____ 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: Elizabeth Kroll

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

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

Minutes from Special Meeting – December 2, 2014 Cont.

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

Respectfully Submitted,

Elizabeth Kroll, Municipal Clerk