



**TOWNSHIP OF ROCHELLE PARK
151 WEST PASSAIC STREET
ROCHELLE PARK, NEW JERSEY 07662
MINUTES – PUBLIC MEETING – AUGUST 17, 2016**

Call to Order at 7:32 PM

According to the Open Public Meetings Act, this meeting of August 17, 2016 was sent to the “The Record”, published on January 7, 2016, posted on the Township 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 recorded. 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. Hauser
 Comm. Kovalcik
 Comm. Scarpa
 Comm. Valenzuela-Absent
 Mayor Kazimir

Pledge of Allegiance was led by the Police Chief Flannelly.

Mayor Kazimir asked that everyone remain standing for a moment of silence honoring Law Enforcement Officers across the Country.

A motion was offered by Comm. Scarpa and seconded by Comm. Hauser to approve the agenda as amended to remove the Bergen Volunteer Center Proclamation to next month’s public meeting. Motion carried on a voice vote – all present voting “Aye”

A motion was offered by Comm. Hauser and seconded by Comm. Scarpa to approve the minutes of the Public Meeting held on July 20, 2016. Motion carried on a voice vote – All Present Voting-“Aye”

Reports:
 Health Department - July 2016
 Building Department - July 2016
 Municipal Court - July 2016

Swearing In - Patrolmen Christopher Saldivia and Brian Gallina- Comm. Kovalcik, Police Liaison, swore in the new Police Officers as their family held the bible. Police Chief Flannelly stated he is very proud of his department and welcomed the new officers to the Rochelle Park Police Department.

Presentation –Comm. Kovalcik and Police Chief Flannelly presented Sgt. Edward Kukalski and Officer Franklin LaBoy with the American Heart Association Heart Saver Hero Award for their lifesaving actions on January 16, 2016. Chief Flannelly stated that Sgt. Kukalski and Officer Laboy responded to a report of a resident who was unconscious. He commented that their actions along with the Rochelle Park EMS, saved the residents life. He congratulated both officers for their heroism.

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

Resolution- # 2016 - 154

A Resolution- Payment of Bills 2016 – August

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.

DOG ACCOUNT
CK 186 NJ Dept. of Health \$15.60
CURRENT, TRUST AND GENERAL CAPITAL ACCOUNTS

Resolution # 2016-154 cont.

Current Fund	\$4,138,966.80
Capital Fund	\$ 135,787.29
Trust Fund	\$ 57,346.08

See attached back-up.

Attest: Elizabeth Kroll

Resolution- # 2016 - 155

A Resolution- Extending the Due Date for the Payment of 3rd Quarter Taxes Due August 1, 2016

Whereas, the Tax Collector has certified that the Township Tax Bills will be mailed on or before Friday, July 29th, 2016 and;

Whereas, the official date of mailing is July 29th, 2016, and the law provides 25 days from the date of mailing for 3rd quarter 2016 Tax Quarter to end on August 25th, 2016 and;

Whereas, taxes received after August 25th, 2016 shall be deemed delinquent and subsequent tax laws concerning interest and penalties shall prevail; and

Now, Therefore, Be It Resolved, by the Governing Body of the Township of Rochelle Park, County of Bergen, State of New Jersey that August 25th, 2016 shall be the last day in which 3rd Quarter Taxes shall be considered current.

Attest: Elizabeth Kroll

Resolution- # 2016 - 156

A Resolution- Authorizing a Contract w/County of Bergen - Flu Vaccine Program

Whereas, there exists a need for the Township of Rochelle Park Health Department to provide services of a technical and professional nature for the distribution of Flu Vaccines; and

Whereas, the Bergen County Department of Health Services can supply the required vaccines; and

Whereas, the fee is to be set at not more than \$21.00 per vaccination and funds will be available for this purpose; and

Whereas, it has been certified that this meets the statues and regulations concerning the award of said contract:

Now, Therefore, Be It Resolved by the Township Committee of the Township of Rochelle Park as follows:

1. That Robert Davidson, Administrator is hereby authorized to execute an agreement with the Bergen County Department of Health Services to supply the Flu Vaccine at a cost not to exceed \$21.00 per vaccination; and
2. This contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5(2)L and

Be It Further Resolved that the Chief Financial Officer has certified, in accordance with N.J.S.A. 5:30 14.5 that sufficient legally appropriated funds will be available for this purpose subject to appropriation of fund in the 2016 temporary and/or adopted budget.

Attest: Elizabeth Kroll

Resolution- # 2016 - 157

A Resolution- Renewal Bergen Municipal Employee Benefits Fund

Whereas, a number of public entities in the State of New Jersey have joined together to form the Bergen Municipal Employee Benefits Fund, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

Whereas, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

Whereas, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

Resolution #2016-157 cont.

Whereas, the governing body of The Township of Rochelle Park, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

Now, Therefore, Be It Resolved that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
 - a.) Health Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

Be It Further Resolved that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

Attest: Elizabeth Kroll

Resolution- # 2016 - 158

A Resolution-Introduction Ord. #1104-13 - Amend Ord. 112 Garbage, Rubbish and Refuse Fees

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 112 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED "GARBAGE, RUBBISH AND REFUSE" be and it is hereby introduced and passed on first reading and that said ordinance be further considered for final passage at a meeting to be held on September 21, 2016 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: Elizabeth Kroll

Resolution- # 2016 - 159

A Resolution- Authorizing Tax Court Judgment Refund - SAC Realty 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 \$82,279.23 payable to "Stephen P. Sinisi, Esq., LLC" as a result of a Tax Court Judgment covering the years 2013 thru 2015, for the property: SAC Realty LLC, 96 Parkway., 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. Tax Collector, CFO
2. Deputy Tax Collector

Attest: Elizabeth Kroll

Resolution- # 2016 - 160

A Resolution- Authorizing Tax Court Judgment Refund - SAC Realty 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 \$40,993.89 payable to “Stephen P. Sinisi, Esq., LLC” as a result of a County Board Judgment covering year 2016, for the property: SAC Realty LLC, 96 Parkway., 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. Tax Collector, CFO
2. Deputy Tax Collector

Attest: Elizabeth Kroll

Resolution- # 2016 – 161

A Resolution-Authorizing Issuing Raffle License #467-16 To American Legion Post #170

Be It Resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, State of New Jersey, that the application for Raffle License #467-16 as presented by the AMERICAN LEGION POST #170 ID#427-07-00459 requesting permission to conduct a Raffle on December 11, 2016 be approved and the requested license be issued.

Attest: Elizabeth Kroll

Resolution- # 2016 – 164

A Resolution- Authorizing Release of Closed Session Minutes - August 10, 2016

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 August 10, 2016 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.

CLOSED SESSION MINUTES - August 10, 2016

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. **Zoning Board of Adjustment**– The Township Committee conducted an interview with a candidate for a position on the Zoning Board of Adjustment.

Attest: Elizabeth Kroll

A motion was offered by Comm. Scarpa and seconded by Comm. Hauser to adopt the Consent Agenda. Motion carried on a roll call vote - “Aye” Hauser, Kovalcik, Scarpa, Kazimir. “Absent” Valenzuela

A motion was offered by Comm. Scarpa and seconded by Comm. Kovalcik to approve the following resolution:

Resolution- # 2016 - 162

A Resolution- Creation of Tyson House Advisory Committee

Whereas, the Township of Rochelle Park, in 2015, acquired real property located at 49 East Passaic Street; and

Whereas, this property, known as the Captain William Tyson House, was constructed in or around 1864 for a New York City sea captain; and:

Whereas, the building is known its Italianate style and is one of the few remaining structures in Bergen County constructed in that style; and

Whereas, in an effort to promote the preservation, renovation, rehabilitation and use of this structure, the Township Committee has determined that it would be in the best interest of the Municipality to establish an advisory committee; and

Whereas, pursuant to Chapter 18 of the Code of the Township of Rochelle Park, the Rochelle Park Historical Society was created and, ultimately, Chapter 18 of the Township Code may be amended in order to specifically provide for the promotion of the preservation of the Captain Tyson House; and

Whereas, the Township Committee has determined that there is a need for this advisory committee to be commenced immediately while long term plans are made for the adoption of an ordinance or other legislation necessary to promote the property on a long term basis.

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:

- I. The Captain William Tyson House Advisory Committee is hereby established.
- II. This committee shall be comprised of residents of the Township of Rochelle Park, appointed by the Township Committee, with an interest in historic preservation of the Captain William Tyson House.
- III. The Committee shall consist of up to nine (9) members.
- IV. The Committee shall, upon appointment of its members, determine frequency of its meetings
- V. There shall be no specific allocation of Municipal funds to this committee which shall act solely in an advisory capacity, providing advice to the Township Committee concerning all issues related to the subject property including, without being limited to, the following:
 - a. Applications for grants and other financial resources
 - b. Production for enrichment materials such as pamphlets, flyers, videos, etc. establishment of historical exhibitions and displays.
 - c. Recommendations for fund raisers to promote/accomplish the renovation, preservation and use of the Captain Tyson House.
- VI. The Captain Tyson Advisory Committee shall, periodically, report to the Township Committee as to its progress and recommendations regarding these objectives.

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 County of Bergen Historic Preservation Advisory Board, the Bergen County Board of Chosen Freeholders, the Rochelle Park Planning Board and the Rochelle Park Zoning Board of Adjustment.

Attest: Elizabeth Kroll

A motion was offered by Comm. Scarpa and seconded by Comm. Kovalcik to adopt the above resolution. Motion carried on a roll call vote – “Ayes” Kovalcik, Scarpa, Kazimir. “Nays” Hauser “Absent” Valenzuela

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

Resolution- # 2016 - 163

A Resolution- Hearing & Adoption #1103-16 - Amending Chapter 160 - Property Maintenance

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 150 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “PROPERTY MAINTENANCE” 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: Elizabeth Kroll

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 members of the public spoke.

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”.

A motion was offered by Comm. Scarpa and seconded by Comm. Kovalcik to adopt the above resolution. Motion carried on a roll call vote – “Ayes” Kovalcik, Scarpa, Kazimir. “Nays” Hauser “Absent” Valenzuela

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

Comm. Hauser- Stated that the Library is hosting their end of summer reading bash this Friday at 1PM, he encouraged families to attend. He stated that he would like to again propose a public question to be placed on the November ballot so that Comm. Kovalcik could have the opportunity to vote, since he was not present at the last meeting. He stated the question he is proposing would be “Do you want the Township of Rochelle Park to continue to finance the maintenance, repair and restoration of the home at 49 E. Passaic Street?” A motion was made by Comm. Hauser to have a referendum question added to the ballot in November. Without a second the motion failed.

Comm. Scarpa- No Report.

Comm. Kovalcik- Congratulated the new officers on their appointment to the Rochelle Park Police Department. He stated that the Rochelle Park Police responded to just fewer than 1,000 calls in July and he thanked them for their service to the Township. He stated that last evening was the 12th Annual Summerfest Oldies Concert, sponsored by Park Avenue BMW/Acura. He commented that the rain didn’t keep spectators away and the Midland School gym was at capacity for the concert featuring the New York Bee Gees.

Mayor Kazimir- Congratulated the new officers on their appointment. He also commended Sgt. Kukalski and Officer LaBoy for performing lifesaving CPR in January. Regarding Comm. Hauser’s public question, he commented that he believes the public portion of the meeting has been a good forum for residents to express their concerns and he doesn’t feel that a referendum question on the ballot is necessary.

Administrator Davidson- No Report.

Attorney Rotolo- No Report.

Municipal Clerk Kroll- No Report.

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

Peggy Iurato- West Oldis- Provided the Township Committee with pictures of garbage cans that she believes are not being placed back on the curb properly. She stated that this is an ongoing problem. She asked if Animal Control has been notified about the supposed rodents that are around town digging through the garbage. Comm. Scarpa

stated that Animal Control was notified about the situation. She stated that she has noticed other municipalities that provide larger cans with attached lids to residents and asked why Rochelle Park doesn't offer the same. Administrator Davidson stated that the garbage contract is going to be bid soon and all aspects will be considered. He stated that cans and trucks that have the automatic pick up similar to Hackensack and Paramus are costly. Comm Scarpa stated that he agrees with Ms. Iurato that the garbage company is not placing cans back where they belong. He stated that he has brought this issue up at many meetings and that the garbage company will be spoken to regarding this matter.

Diane Verhasselt-40 Forest Place-Suggested that Comm. Kovalcik listen more closely to what the residents' concerns are. She stated that many people are unable to attend meetings in the evenings and that a referendum would prove to the Township Committee that the majority of residents do not want taxpayer money spent on improvements to the Captain Tyson Home. She asked the Township Committee when the police would begin issuing summonses to residents whose vehicles do not fit into the driveway and block sidewalks. Mayor Kazimir stated that he would speak to the Chief regarding this issue. She stated that she recently obtained Fire Prevention Bureau activity logs. She asked the Township Committee for an explanation of the mileage and schedule for the department's employees. Administrator Davidson commented that he would reach out to Glenn Mohring, and have answers for Ms. Verhasselt at the next meeting.

Gary Sawruck-20 El Dorado Court- Asked the Township Committee if any further action has been taken to clean the Sprout Brook. Administrator Davidson stated that he has met with Assemblyman Eustace and recently attended a meeting with Saddle Brook officials regarding potential flooding issues along the Saddle River. He advised that he has been working closely with the Township Engineer and the town has been attempting to obtain stream cleaning permits from the DEP for over two years. Comm. Scarpa stated that legislators have done nothing to move forward nor to streamline the permitting process. Administrator Davidson stated that he had a drone flown over the Saddle River and has observed the blockage issues that Mr. Sawruck has been referring to. He commented that the River is controlled by the Army Corp of Engineers so there is not much that can be done without their approval, however the Township is doing everything they can to have the Sprout Brook cleaned as soon as possible.

Bill Coleman-58 Schlosser Drive-Stated that he is glad the Township Committee would be addressing the property maintenance issues throughout the township. He stated that he had filed an OPRA request for all documents related to the purchase of the Captain Tyson Home. He stated that one Email indicated that the Township Committee had already made up their mind in regards to purchasing the home regardless of pending inspections. Mayor Kazimir asked him for proof of this Email. Mr. Coleman stated that he would provide the Mayor with a copy as soon as possible. He commented that the Township Committee has run unopposed for many years and many residents feel that is time for a change. Comm. Scarpa stated that there have been many years where there were challengers.

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.”

Comm. Kovalcik stated that he is a lifelong resident of Rochelle Park and always does what is in the best interest of the Townships residents. He stated that the accusations that the Township Committee has run unopposed are untrue and that he believes less is more when it comes to reacting to certain comments.

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. Hauser to adjourn the meeting. Motion carried on a voice vote –all present voting “Aye”

Respectfully submitted,

Elizabeth Kroll
Municipal Clerk