



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

MINUTES – PUBLIC MEETING – Aug. 18, 2010

Call to Order

According to the Open Public Meetings Act, this meeting of Aug. 18, 2010 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 9, 2010 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. K. J. Kovalcik
 Comm. J. Scarpa
 Comm. P. Strohmeyer
 Mayor F. Valenzuela

Pledge of Allegiance was led by Mr. Fred Jones

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

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

A motion was offered by Comm. Scarpa and seconded by Comm. Davidson to approve the Minutes of the Public Meeting held on July 21, 2010. Motion carried on a voice vote – all voting “Aye”.

Resolutions

At a Special Meeting held on July 28, 2010 the following resolutions were adopted:

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

Resolution #2010-144

A Resolution Authorizing the Issuance of \$1,800,000 Tax Anticipation Notes

Be it resolved by the Township Committee of the Township of Rochelle Park, in the county of Bergen (the “Township”), as follows:

Section 1. The Township Committee of the Township has ascertained and hereby determines and declares that the Chief Financial Officer has, by direction of the Township Committee, made and filed in the office of the Municipal Clerk a certificate reading as follows:

“CERTIFICATE OF THE CHIEF FINANCIAL OFFICER SHOWING GROSS BORROWING POWER OF THE TOWNSHIP WITH RESPECT TO TAX ANTICIPATION NOTES OF 2010 OF THE TOWNSHIP OF ROCHELLE PARK, IN THE COUNTY OF BERGEN, NEW JERSEY.

The undersigned Chief Financial Officer of the Township of Rochelle Park, in the County of Bergen, hereby certifies pursuant to the provisions of Section 66 of the Local Budget Law as follows:

- (a) The gross borrowing power of the Township in respect to tax anticipation notes of the fiscal year beginning January 1, 2010, being 30% of the tax levy of the next preceding fiscal year, which ended December 31, 2009, for all purposes, plus 30% of the amount of miscellaneous revenues realized by the Township in cash during such next preceding fiscal year, is \$6,103,471.
- (b) The amount of notes of the township outstanding in anticipation of the collection of taxes of such fiscal year beginning January 1, 2010, except such notes as will be renewed by or paid from the proceeds of the notes to be issued, is \$-0-.
- (c) The net borrowing power of the Township, being the excess of the first over the second of the two above amounts is, \$6,103,471.

Minutes of the Public Meeting held on August 18, 2010 cont.

In witness whereof, I have hereunto set my hand as Chief Financial Officer of the Township, this 28th day of July, 2010.

Chief Financial Officer
Township of Rochelle Park
County of Bergen
State of New Jersey.”

Resolution #2010 – 144 (cont.)

Section 2. Pursuant to the Local Budget Law, the Township shall borrow the sum of \$1,800,000 in anticipation of the collection of taxes levied or to be levied in and for the fiscal year beginning January 1, 2010, and in anticipation of other revenues for such fiscal year, and, for the purpose of borrowing said sum there shall be issued Tax Anticipation Notes of 2010 of said Township, and any renewals thereof, of the aggregate principal amount of \$1,800,000.

Section 3. The notes issued pursuant to this resolution shall be negotiable notes payable to bearer, and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and such interest shall be payable at the maturity of such notes. The notes shall be dated on or about the date of their issuance and any renewals of said notes, if any, shall mature and be payable within 120 days after the beginning of the succeeding fiscal year. The issuing officers are authorized to provide that the notes may be redeemable at the option of the Township.

Section 4. The Mayor and the Chief Financial Officer are hereby authorized to execute said notes, and the Municipal Clerk is hereby authorized to affix the seal of the Township to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

Section 5. The Chief Financial Officer is hereby authorized to sell said notes from time to time, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefore.

Section 6. All sums borrowed by the issuance of said notes shall be applied only to the purposes provided for in the budget adopted by the Township for the fiscal year beginning January 1, 2010, or to purposes for which taxes are levied or are to be levied for such fiscal year.

Section 7. The Township Committee hereby designates the Tax Anticipation Notes of 2010 as “qualified tax-exempt obligations” for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”). It is hereby determined and stated that the Tax Anticipation Notes of 2010 (1) are not “private activity bonds” as defined in the Code and (2) the Township and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$30 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2010. The Township will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(c) of the Code; however, the Township does not covenant to do so, and expressly states that a covenant is not made hereby.

Section 8. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

Attest: Virginia De Maria

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

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

Hearing on Amendment 2010 Municipal Budget
Resolution #2010-120
Resolution to Amend 2010 Approved Budget
(See Attached)

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

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

No comments from the public

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

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

Resolution #2010-145

Hearing on Amendment 2010 Municipal Budget

(See Attached)

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

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

Resolution #2010-146

Adoption of 2010 Municipal Budget

(See Attached)

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

At a Work Session held on August 11, 2010 the following resolutions were adopted:

Resolution #2010-147

Awarding Contract – En-Tech Corp. \$16,500 Sewer Relining West Oldis Street

Whereas, on Thursday, May 27, 2010, proposals were received for the relining of a portion of the West Oldis Street Sanitary Sewer Main between manhole #17 and manhole #38 (house numbers) and;

Whereas, a single proposal was received, opened and read and;

Whereas, said proposal exceeded the engineer’s estimate for the project and;

Whereas, since said proposal exceeded the Engineers Estimate for the project, it was rejected and the Township Engineer authorized to re-solicit for proposals and;

Whereas, on June 10, 2010 a second proposal opening was held and;

Whereas, three (3) proposals were received, opened and read and;

Whereas, the lowest proposal in the amount of \$16,500.00 was submitted by En-Tech Corp. 304 Harrington Avenue, Closter, NJ 07624 and;

Whereas, it is the opinion of the Township Engineer that, based on a review of the proposals as submitted and discussions with relining contractors, the township would be unable to obtain significant cost savings by either re-soliciting proposals for a third time or attempting to negotiate with contractors;

Now, therefore, be it resolved, by the Township Committee of the township of Rochelle Park that the contract for the relining of the portion of the West Oldis Street Sanitary Sewer Main between Manhole #17 and Manhole #38 (house numbers) be and is awarded to En-Tech., 304 Harrington Road, Closter, New Jersey 07624, the lowest “quoter” for their proposal amount of \$16,500.00 and;

Be it further resolved that that Township’s Chief Financial Officer has certified that the funds are available from Account # _____ of the _____ fund in the amount not to exceed \$ _____.

And be it further resolved that the Township Attorney be and is authorized to prepare a contract between the Township of Rochelle Park and En-Tech Corp. for said relining work.

Attest: Virginia De Maria

Resolution #2010-148

A Resolution – Extending the Due Date for the Payment of 3rd Quarter Taxes

Due August 1, 2010

Whereas, the Tax Collector has certified that the Township Tax Bills will be mailed on or before Thursday, August 13th and;

Whereas, the official date of mailing is August 11th, and the law provides 25 days from the date of mailing for 3rd quarter 2009 Tax Quarter to end on September 7th, 2010 and;

Whereas, taxes received after September 7th, 2010 shall be deemed delinquent and subsequent tax laws concerning interest and penalties shall prevail; and

Minutes of the Public Meeting held on August 18, 2010 cont.

Now, therefore, be it resolved, by the Governing Body of the Township of Rochelle Park, County of Bergen, State of New Jersey that September 7th, 2010 shall be the last day in which 3rd Quarter Taxes shall be considered current.

Attest: Virginia De Maria

Reports:

Health Department - July 2010
Municipal Court - July 2010
Attendance Report - July 2010

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

Resolution #2010 - 149

A Resolution – Payment of Bills – August 2010

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.

Resolution #2010 – 150

A Resolution – Authorizing Agreement to Renew Membership in the South

Bergen

Municipal Joint Insurance Fund

Whereas, the South Bergen Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq., and;

Whereas, the Township of Rochelle park is currently a member of said Fund, and;

Whereas, effective December 31, 2010, said membership will expire unless earlier renewed, and;

Whereas, the Township Committee of the Township of Rochelle Park has resolved to renew said membership;

Now therefore, it is agreed as follows:

1. The Township of Rochelle Park hereby renews its membership in the South Bergen Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2011 and ending December 31, 2013.
2. The Township of Rochelle Park hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the South Bergen Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and everyone of said documents were re-executed contemporaneously herewith.
3. The Township of Rochelle Park agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.

Attest: Virginia De Maria

Resolution #2010 -151

A Resolution – Opposing Legislation Seeking to Dissolve Teterboro

Whereas, legislation has been proposed by Senator Robert Gordon and Assemblywoman Connie Wagner (S-2078 and A-2939) which would dissolve the Borough of Teterboro and split up its land and its ratable base among the Boroughs of South Hackensack, Little Ferry, Moonachie, Hasbrouck Heights and Wood-Ridge;

Whereas, this legislation is ill conceived, sets a dangerous precedent and is completely arbitrary; and,

Whereas, the proposed legislation is ostensibly being offered as a way to consolidate services and reduce property taxes; and,

Whereas, in fact this legislation is not a consolidation but instead a confiscation of an adjoining municipality's ratables; and,

Whereas, Teterboro has been and continues to be a well run, efficient municipality which engages in many shared service arrangements with other nearby municipalities including police protection, fire and ambulance services, 9-1-1 services and schools; and

Whereas, for over ninety years, Teterboro has provided industry with a favorable, stable tax rate and a user friendly government environment which has allowed businesses to flourish and employ individuals; and,

Minutes of the Public Meeting held on August 18, 2010 cont.

Whereas, although Teterboro has a small residential population, its daytime work populations swells to almost 15,000 people; and,

Whereas, Teterboro businesses have located within Teterboro for good reason and have relied upon a stable tax rate and friendly business environment; and

Whereas, the proposed legislation could cause these businesses to reconsider staying within Teterboro and, indeed, the state; and

Whereas, if legislation of this type is allowed to proceed, it would be open season on every small municipality in New Jersey, based upon the false belief that consolidation of municipalities into larger ones will automatically produce sustainable property tax relief; and,

Whereas, an outside takeover of this type is completely undemocratic and abhorrent to due process and home rule; and,

Whereas, this legislation seeks to arbitrarily dissolve a municipality without a measured and comprehensive analysis justifying such unprecedented, extraordinary action; such action should never be taken without a hearing from the business community, local citizens and public referendum; and,

Whereas, instead of pursuing such unjustified and undemocratic legislation, the legislature should be directing its energies toward enacting reforms that would truly help small municipalities, including but not limited to an overhaul of the arbitration process and abolition of all unfunded state mandates.

Resolution #2010 – 151 (cont.)

Now, therefore, be it resolved that the Township of Rochelle Park, in the County of Bergen and State of New Jersey, strongly opposes the proposed legislation aforesaid.

Be it further resolved that the Governing Body of the Township of Rochelle Park urges all small municipalities in the State of New Jersey to oppose this legislation, as it is unjustified, undemocratic and sets a dangerous precedent for the seizure of other small towns.

Be it further resolved that a true copy of this resolution be forwarded to State Senator Loretta Weinberg, Assemblyman Gordon Johnson, Assemblywoman Vainieri Huttle and the Governing Body of the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2010 - 152

A Resolution – Authorizing Settlement of Real Property Tax Appeal – PC Warehouse

Whereas, a Real Property Tax Appeal has been filed in connection with property located at 174 Route 17 North (Block 42.2, Lot 1); and

Whereas, this property is owned by PC Warehouse Investment, Inc.; and

Whereas, this matter has been reviewed, in detail, by the Tax Assessor and Township Attorney and a settlement has been recommended; and

	2008	Requested Tax
	Original Assessment	Court Judgment
Land:	\$1,772,700.00	WITHDRAWN
Improvements:	2,327,300.00	
Total:	\$4,100,000.00	

	2009	Requested Tax
	Original Assessment	Court Judgment
Land:	\$1,772,700.00	\$1,772,700.00
Improvements:	2,327,300.00	2,027,300.00
Total:	\$4,100,000.00	\$3800,000.00

And

Whereas, the Township Committee has now authorized the acceptance of this proposed settlement.

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 settlement of the Real Property Tax Appeal described in this Resolution be and is hereby authorized.
2. The terms of the settlement shall be as set forth within this Resolution and the Township Attorney is hereby authorized and directed to execute the Stipulation of Settlement on behalf of the Municipality.

Now, therefore, be it further resolved, that the Township Clerk be and she is hereby authorized and directed to forward certified copies of this within Resolution to the Office of the Tax Assessor, the Office of the Township Attorney and the Law Firm of Stavitsky & Associates, LLC, 341 Broad Street, Clifton, New Jersey.

Attest: Virginia De Maria

Resolution #2010 - 153

A Resolution – Authorizing Settlement of Real Property Tax Appeal – CVS

Whereas, Real Property Tax Appeals have been filed as follows:

Property Owner: CVS Pharmacies
Address: 150 Rochelle Avenue
Lot: 21
Block: 108
Docket Nos: 004741-2008
002079-2009
XXXX-2010

And

Whereas, these Tax Appeals have been reviewed with the Tax Assessor, Township Attorney and Appraisal Expert who have concurred that a fair settlement, as detailed on the attached Stipulation of Settlement, has been reached;

And

Whereas, the proposed settlement reflects consideration of all factors, including, without being limited to, the cost and expense of defending these appeals and securing Appraisal Report; and

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

1. The settlement of the Real Property Tax Appeals described in the preamble of this resolution is hereby authorized.

Resolution #2010 – 153 (cont.)

2. The terms of the settlement are as set forth on the attached Stipulation of Settlement which is specifically incorporated herein.
3. The Township Attorney is authorized to execute the attached Stipulation of Settlement on behalf of the Township of Rochelle Park.
4. Any refunds due to owing as a result of the settlement of the Tax Appeal shall be forwarded to Counsel for the Plaintiff and made payable to the attorney trust account of the Plaintiff's attorney.

Now therefore be it further resolved that the Township Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to the Township Attorney, the Tax Assessor of the Township of Rochelle Park and Robert McNerney of McNerney & Associates.

Attest: Virginia De Maria

Resolution #2010 – 154

A Resolution Increasing the Bid Threshold and Appointing a Qualified

Purchasing Agent

– Roy Riggitano

Whereas, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$36,000; Quotation Threshold \$5,400; and

Whereas, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

Whereas, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

Whereas, Roy Riggitano possesses the designation of Qualified Purchasing Agent as issued by the Director of the division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

Whereas, the Township of Rochelle Park, County of Bergen, desires to take advantage of the increase bid threshold inclusive of \$36,000.00 and quote quotation threshold of \$5,400.00 and;

Now, therefore be it resolved, by the Township Committee of the Township of Rochelle Park appoints Roy Riggitano as the Qualified Purchasing Agent to exercise the duties of a purchasing agent to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit.

Be it further resolved, that in accordance with N.J.A.C. 5:34-5.2 the Municipal Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Roy Riggitano's certification to the Director of the Division of Local Government Services.

Attest: Virginia De Maria

Resolution #2010 – 155

A Resolution – Authorizing Job & Job to Complete Specifications For Sewer Jet Truck

Whereas the Department of Public Works finds the need to replace the 1990 Sewer Jet Truck.

Be resolved by the Township Committee of the Township of Rochelle Park that Job & Job Engineers are hereby authorized to prepare specifications and receive bids for said truck.

Attest: Virginia De Maria

Resolution #2010 – 156

A Resolution – Authorizing Administrative Services Agreement –UHY Advisors

Whereas, the Township of Rochelle Park has previously entered into an agreement with Insurance Design Administrators (IDA), a UHY Advisors Company for providing prescription drug coverage for employees of the Township of Rochelle Park; and

Whereas, the previous agreement expired on June 30th, 2010 ; and

Whereas, the Township Committee has determined that it would be in the best interest of the Township of Rochelle Park to extend that agreement for an additional one year period and is satisfied with the services provided by this entity; and

Whereas, the Township Administrator has been provided with an Administrative Services Agreement which will provide for an extension of this agreement for a period of one year. This agreement has been reviewed and approved by the Township Administrator but now requires the permission of the Township Committee to execute said agreement..

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. An Administrative Services Agreement with Insurance Design Administrators (IDA), a UHY Advisors Company be and is hereby authorized.

Resolution #2010 – 156 (cont.)

2. The initial term of this agreement shall be one year commencing on July 1st, 2010 and ending on June 30th, 2011 and said agreement shall automatically renew thereafter until terminated in accordance with the terms of the agreement.
3. The Township Administrator and Township Clerk be and are hereby authorized and directed to execute the Administrative Service Agreement in the form reviewed by the Township Administrator and subject to the review and approval of the Township Attorney.

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 Administrator, Township Attorney and Insurance Design Administrators .

Attest: Virginia De Maria

Resolution #2010-157 (Removed)

Resolution #2010 – 158

A Resolution – Adopting Standard Operating Procedure – EMS

Whereas, the Rochelle Park Ambulance Corp and Emergency Medical Services have prepared standard operating procedures to ensure compliance with all state regulations; and

Whereas, the Township Committee has reviewed these standard operating procedures and have approved of the same based upon the recommendation of Roland Jacobson, Captain of the Ambulance Corp; and

Whereas, since these standard operating procedures have been approved, the Township Committee believes that it would be in the best interest of the Municipality to adopt a resolution formally adopting the same.

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 standard operating procedures for Rochelle Park Emergency Medical Services be and are hereby approved and adopted.
2. These standard operating procedures shall be as set forth on the attached document which has been reviewed and recommended by the captain of the Rochelle Park Ambulance Corp., Roland Jacobson

Minutes of the Public Meeting held on August 18, 2010 cont.

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 Ambulance Corp and Rochelle Park Police Department.

Attest: Virginia De Maria

Resolution #2010 – 159

A Resolution – Authorizing Extension of Maintenance Contract – Electrical Power Systems

Whereas, the Township recently approved the purchase of a standby generator for use at various Municipal properties; and

Whereas, the Township Committee believes it would be in the best interest of the Municipality to enter into a planned maintenance agreement for that generator; and

Whereas, the Township Administrator has received a proposal from Electrical Power Systems, Inc. of Emerson, New Jersey and the Department of Public Works has recommended that such an agreement be accepted.

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. An agreement with Electrical Power Systems, Inc. of Emerson, New Jersey be and is hereby approved.
2. This agreement shall be for a term commencing on September 1st, 2010 and ending on December 31st, 2011 and shall be in an amount not to exceed \$1,802.50.
3. The Township Administrator is hereby authorized to execute a planned maintenance agreement contract in the form attached hereto in order to facilitate this agreement.
4. This agreement is contingent upon 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 Electrical Power Systems, Inc. and the Department of Public Works.

Attest: Virginia De Maria

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

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

Resolution #2010 – 160

A Resolution – Authorizing Submission of Public Question to To Voters – Route 17 Road Widening Project

Whereas, the Township Committee has the authority, pursuant to N.J.S.A. 19:37-1, et seq., to adopt Resolutions authorizing the submission of public questions to the legal voters in the Township to ascertain their sentiment upon questions or policies pertaining to the government or internal affairs of the Township of Rochelle Park; and

Whereas, during the past several years, the County of Bergen together with the State of New Jersey, Department of Transportation, has been investigating a proposed project regarding the modification of Route 17 within the Township of Rochelle Park; and

Whereas, as part of that proposed project, the County of Bergen and / or the State of New Jersey, will be required to seize numerous private properties through Eminent Domain, within the Township; and

Whereas, certain properties would be seized entirely and others would be partially seized and taken by these government agencies; and

Whereas, the government seizure of these privately owned properties would also have the effect of substantially diminishing the tax base within the Township resulting in substantial loss of tax revenue; and

Whereas, the result of this public seizure of private property would also result in substantial increases in real estate taxes in order to compensate for the lost revenue by these properties that have been taken by the government; and

Whereas, preliminary studies conducted by the Township have revealed that, in addition to the foregoing negative effects of this proposed project, the project would not be effective to address any problems or issues pertaining to Route 17; and

Minutes of the Public Meeting held on August 18, 2010 cont.

Whereas, the Township Committee now seeks to ascertain the views of the legal voters of the Township of Rochelle Park on this vital issue of public importance.

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

1. The following public question shall be submitted to the legal voters of the Township at the November, 2010 general election:

NON-BINDING QUESTION
REFERENDUM QUESTION

Do you think the County of Bergen should proceed with their proposed \$200 million widening of Route 17 in Rochelle Park that will seize at least \$8 million in private property through eminent domain?

Yes _____ No _____

EXPLANATORY STATEMENT

The County of Bergen, together with New Jersey Department of Transportation, has indicated publicly that it intends to proceed with a substantial project involving the expansion and widening of Route 17 in the Township of Rochelle Park. In order to complete this project, over \$8,000,000 in residential and commercial properties would be taken, through Eminent Domain, resulting in substantial losses to the Township's tax base which would, in turn, result in higher taxes for all other properties. Preliminary studies conducted by the Township have revealed that this proposed project would not be an effective way to resolve any perceived traffic or safety issues on Route 17 and that the project would not benefit the Township but only cause harm to this municipality.

Accordingly, the Township Committee believes that the voters of the Township of Rochelle Park should be given an opportunity to express their views on this vital public question and request that the Township Committee take any action available to it in order to oppose this action by or on behalf of the County of Bergen.

2. The Township Clerk is hereby authorized and directed to certify and forward a certified copy of this Resolution with the Referendum Question and Explanatory Statement as stated above to the Election Division of the Bergen County Clerk's Office for inclusion on the ballot for the November, 2010 general election.

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 Bergen County Clerk, Election Division, the Township Attorney and to maintain a certified copy of this Resolution in the Office of the Clerk for public inspection.

Attest: Virginia De Maria

Mayor Valenzuela - invited comments from the audience:

James Bohan – 25 Marinus Street – Advised the Township Committee that years back he had suggested making Rt. 17 double decker as in a fly over. He stated that he felt this project would move forward regardless of the Township's involvement however, he applauded their effort.

Sandy Ross – 180 Chestnut Street – Asked how much money would be spent to “fight” this project. Mayor Valenzuela advised that \$15,000 had been allocated towards this project. The Mayor feels it is a quality of life issue for Rochelle Park residents.

Fred Jones – 72 Lincoln Drive – Discussed and made suggestions regarding verbiage of the referendum with the Township Committee. He also advised that every resident in town will be a loser if they do not give their feedback to the Committee regarding the Rt. 17 project. Property taxes will increase and traffic will also increase drastically.

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

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

Resolution #2010 – 161

A Resolution – Hearing & Adoption Ord. #1020 – Amending Various Chapters –

Minutes of the Public Meeting held on August 18, 2010 cont.

Municipal Fees and Other Charges

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 VARIOUS CHAPTERS OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK IN CONNECTION WITH MUNICIPAL FEES AND OTHER CHARGES**” 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. Strohmeyer to open the hearing to the public. Motion carried on a voice vote – all present voting “Aye”.

No comments from the public

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

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

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

Resolution #2010 – 162

A Resolution – Hearing & Adoption Ord. #1021 - Bond Ordinance - \$825,000

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 VARIOUS CHAPTERS OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK IN CONNECTION WITH MUNICIPAL FEES AND OTHER CHARGES**” 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 from the public

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

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

Resolution #2010 – 163

A Resolution – Authorizing Release of Closed Session Minutes – August 11, 2010

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 11, 2010 to the extent that said information can be disclosed without adversely affecting the Township of 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

Minutes of the Public Meeting held on August 18, 2010 cont.

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 – August 11, 2010

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 a litigation update regarding the following matters:

- A. Northern Park, LLC
- B. Longo Electrical Mechanical
- C. Lotz

2. DPW Garage: - The Township Attorney and the Township Administrator provided a report on the status of the DPW Garage construction and potential litigation that may arise as a result of this project.

3. 151 West Passaic Street Rental: - The Township Attorney and the Township Administrator reported to the Township Committee concerning the rent defaults by the tenant on the second floor of the municipal building.

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

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

Comm. Kovalcik - Comm. Kovalcik’s reminded everyone that the Summerfest Concert was being held Thursday, August 19th behind Midland School sponsored by Park Avenue/BMW rain or shine. It is being held at 7:30 featuring the Bronx Wanderers. Comm. Kovalcik read a letter from Municipal Court Administrator Lynda Lasini regarding replacement of part time employee Jacek Zapotoczny, with Lucy Rodriguez, Deputy Court Clerk in River Vale. The Committee had some concerns regarding the hiring of Ms. Rodriguez and would like to discuss it further at the September work session.

Comm. Scarpa – Advised that he had prepared a flier explaining the Township Committee’s opposition to the Rt. 17 widening project. Ms. Diane Davidson would be distributing the fliers at the Summerfest Concert Thursday, August 19th. Also, the Township will be hiring a bus to take residents to the next Freeholder meeting in September to voice their concerns and objections to this project in person. The next Freeholder meeting is scheduled September 1st and the next one on September 15th. The Committee had some reservations regarding the September 1st meeting, and suggested possibly moving their public meeting to another date.

Comm. Davidson – Thanked the DPW for their continuous hard work. He also thanked the departments who assisted in a building fire within the Township along with the assistance of neighboring communities.

Comm. Strohmeier – Wished that everyone enjoyed the rest of their summer and also wished them Happy Labor Day.

Mayor Valenzuela – Appointed Lieutenant James Diamond as a Class II member of the Planning Board. He also appointed Jason Quinn as an alternate. Valenzuela informed the residents that the municipal building would be returning to full time status in September, returning from mandatory furloughs. Also, the tax assessor and Appraisal Systems will be attending the September work session to discuss the 2009 revaluation. Mayor Valenzuela explained to the residents that he felt the need to withdraw from the Bergen County Freeholder campaign due to health problems, however he was looking forward to continuing as Mayor until January and serving the remainder of his 2011 term.

Budget Discussion – Roy Riggitano, CFO, stated that budget discussions were ongoing.

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

Minutes of the Public Meeting held on August 18, 2010 cont.

James Bohan – 26 Marinus Street – Would appreciate more police officers directing traffic in his neighborhood during the ongoing construction on Rochelle Avenue.

Diane Verhassalt – 40 Forest Place – Complained of the metal plates and raised bolts covering openings on Rochelle Avenue and local streets. Comm. Davidson explained that reparations would be made shortly by PSE&G.

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

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

Respectfully submitted,

Elizabeth Kroll, Deputy Municipal Clerk for
Virginia De Maria, Municipal Clerk