



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

MINUTES – PUBLIC MEETING – July 16, 2008

Call to Order 8:00 PM

According to the Open Public Meetings Act, this meeting of July 16, 2008 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 7, 2008 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. K. J. Kovalcik
Comm. W. Lotz
Comm. P. Strohmeyer
Comm. F. Valenzuela
Mayor J. Scarpa – Absent

Pledge of Allegiance was led by Jennifer Kubitz

Deputy 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. Strohmeyer and seconded by Comm. Lotz to approve the agenda. Motion carried on a voice vote – all present voting “Aye”.

A motion was offered by Comm. Lotz and seconded by Comm. Kovalcik to approve the Minutes of the Public Meeting of June 18, 2008. Motion carried on a voice vote – all present voting “Aye”.

Girl Scouts Awards

Gold Award – Troop 745 - Jennifer Kubitz
Silver Award – Troop 803 - Julie Hogan, Emily Maurer, Victoria Majchrzak, Danielle Paladino, Carly Shurba
Bronze Award – Troop 686 – Diana Allos, Samantha Arnold, Emily Bergonzi, Elizabeth Bilka, Samantha Buse, Giuliana Coccia, Justine Daubner, Emma Iacometta, Breanna Gillen, Melissa Morgan, Kaelyn Rupinski, Alyssa Tempio

Comm. Valenzuela presented the members of Girl Scout troops #745, #803 and #686 Certificates of Achievement for their hard work in obtaining silver, gold and bronze awards. He congratulated the young ladies on behalf of the Township Committee and the residents of Rochelle Park.

Reports:

Building Department - June 2008
Health Department - June 2008
Municipal Court - June 2008
Attendance Report - June 2008

The Consent Agenda as amended was offered by Comm. Lotz seconded by Comm. Strohmeyer and reads:

Resolution #2008 – 134

A Resolution – Payment of Bills – July 2008

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 #2008 – 135

A Resolution – Authorizing Tax Appeal – Mack Cali 365 W. Passaic Street

Whereas, Tax Appeals were previously filed against the Township of Rochelle Park by the property owner Mack-Cali for property commonly known as 365 West Passaic Street and more formally known as Block 103.01, Lot 1.02 on the tax assessment maps of the Township of Rochelle Park, New Jersey. The within Appeals were filed with the Tax Court of New Jersey and have been assigned Docket Nos: 002595-02, 002053-03, 003231-04, 002242-05, 002553-06, 004290-07 and 003734-08; and

Whereas, after having considered the recommendations and/or opinions of the Township's Special Tax Counsel, the Township's Appraiser, the Township Attorney and the Township's Assessor having recommended the approval of the attached Stipulation of Settlement incorporated herein by reference in connection with the above-mentioned Tax Appeals; and

Whereas, having determined that the proposed Settlement Assessment represents the fair assessable value of the subject property; and

Whereas, after having considered the potential costs of proceeding with the defense of the appeal and the likely outcome after a trial of the assessment;

Now, therefore, be it resolved by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey that the settlement set forth in the attached Stipulation of Settlement incorporated herein by reference be and the same is hereby approved; and

Be it further resolved that the form of the Stipulation of Settlement is acceptable as was modified by Plaintiff's Counsel; and

Be it further resolved that the law firm of Beattie Padovano, L.L.C. and any and all other officials or representatives of the Township of Rochelle Park be and are hereby authorized and directed to execute the attached Stipulation of Settlement (as indicated to have been modified above) on behalf of the Township Committee of the Township of Rochelle Park.

Be it further resolved that copies of the resolution be forwarded to the Tax Assessor, Tax Collector, Township Treasurer and Chief Financial Officer.

Attest: Virginia De Maria

Resolution #2008 - 136

A Resolution – Rescinding Resolution #2008-129 Entitled A Resolution Authorizing Redemption of Tax Lien Certificate #2008-001

Be it resolved by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey that Resolution #2008-129 Authorizing Redemption of Tax Title Lien adopted on June 18, 2008 at the Public Meeting held at 151 West Passaic Street is hereby rescinded.

Attest: Virginia De Maria

Resolution #2008 – 137

A Resolution – Authorizing the Sale of BANS in the Amount Of \$3,784,600.00

Whereas, effective June 27, 2008 the BANS in the amount of \$3,784,600.00 required the Township to seek additional funding for another year, and

Whereas, bids via the fax were received with corresponding rates from the following lending institutions:

- | | |
|-----------------------------|----------|
| 1. Valley National Bank | - 2.2500 |
| 2. Janney Montgomery Scott | - 2.3378 |
| 3. Commerce Capital Markets | - 2.3753 |
| 4. Sovereign Securities | - 2.5718 |
| 5. JP Morgan Chase Bank | - 2.6100 |

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen that Valley National Bank be awarding the BANS for one year payable June 26, 2009 at a rate of 2.2500%.

Attest: Virginia De Maria, Municipal Clerk

Resolution #2008 – 138

A Resolution – Designating \$3,784,600.00 BANS as Qualified Tax Exempt Obligation Pursuant IRS Code

See Attached

Resolution #2008 – 139

A Resolution – Authorizing Municipal Alliance Grant Proposal

Whereas, the Township Committee of Rochelle Park, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

Whereas, the Township Committee of Rochelle Park further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

Whereas, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

Now, therefore, be it resolved that the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey does hereby recognize the following:

1. The Township Committee does hereby authorize submission of an application for the Rochelle Park Municipal Alliance grant for the calendar year 2008 in the amount of \$11,500.00.
2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

CERTIFICATION

I, Virginia De Maria, Municipal Clerk of the Township of Rochelle Park, County of Bergen, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Committee on this 16th of July, 2008.

Attest: Virginia De Maria

Resolution #2008 – 140

A Resolution – Confirming Endorsement of Community Development Project – Knights of Columbus

Whereas, a Bergen County Community Development grant of \$99,000 has been proposed by The Sacred Heart Knights of Columbus Council #2842 t/a The Columbian Club of Rochelle Park for Lower Hall Barrier Free Entry Vestibule with Handicap Parking 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 Rochelle Park and its neighboring communities 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 #2008 – 141

A Resolution – Renewal Liquor License – Kristin Carol Corp. - #0254-33-009-005

Whereas, the appropriate fee of \$1,492.00 and renewal application has been filed with the Municipal Clerk; and

Whereas, renewal of a Liquor License #0254-33-009-005 is being considered by the Township Committee relating to premises known as Austin's, 352 W. Passaic Street, Rochelle Park, New Jersey; and

Whereas, pursuant to an agreement reached concerning more stringent supervision at the establishment:

Now, therefore, be it resolved by the Township Committee of the Township of Rochelle Park that the Township Clerk is authorized to issue the renewal of Liquor License #0254-33-009-005 for Austin's, subject to the following stipulations which were agreed to between the parties:

1. Tuesday evenings, from 10:00 p.m. until closing, there will be one (1) security officer on the upstairs level of the premises, and one (1) security officer on the downstairs level.

Resolution #2008 – 141 (cont.)

2. Wednesday evenings, from 10:00 .m. until closing, there will be two (2) security officers on the upstairs level of the premises and two (2) security officers on the downstairs level.
3. Thursday evenings from 10:00 p.m. until closing, there will be one (1) security officer on the upstairs level of the premises and one (1) security officer on the downstairs level.
4. Friday evenings, from 10:00 p.m. until closing, there will be two (2) security officers on the upstairs level of the premises and two (2) security offices on the downstairs level.
5. Saturday evenings, from 10:00 p.m. until closing, there will be two (2) security officers on the upstairs level of the premises and two (2) security officers on the downstairs level.
6. All patrons who enter the building, regardless of their apparent age, will have their identification checked at the entrance.
7. No persons leaving the premises shall leave with any cans or bottles in their possession.
8. The establishment shall prohibit any person from entering the premises who appear to be intoxicated or otherwise showing signs of having consumed alcoholic beverages elsewhere.
9. Should there be any disturbances or commotions between the patrons, such persons shall be immediately escorted out of the building, separate from each other.
10. It is understood that the above stipulations shall take effect immediately.

Be it further resolved, that the Chief of Police is granted authorization to impose additional security requirements in the event that he, in his sole discretion, determines that it is necessary to do so. In the event that the chief of Police makes such a determination, he shall notify the licensee and the Township Committee in writing of that decision.

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 of Police, Kristen Carol Corp., Inc. t/a Austin's, and the Township Attorney.

Attest: Virginia De Maria

Resolution #2008 – 142

A Resolution – Renewal Liquor License – Joy Realty Co. Inc. – #0254-33-012-003

Whereas, the licensee as noted have filed an application for renewal of an inactive liquor licenses in a timely fashion at the premised listed on the renewal application; and

Whereas, the application is in proper order allowing the Township of Rochelle Park to renew said license and the license fee of \$1492.00 has been paid and the Tax Clearance Certificate has been issued by the State of New Jersey and received;

Now, therefore, be it resolved by the Township Committee of the Township of Rochelle Park, County of Bergen, New Jersey that the Municipal Clerk is hereby authorized to issue renewal licenses as follows effective July 16, 2008.

Attest: Virginia De Maria

Resolution #2008 - 143

A Resolution – Authorizing the Reading of the Budget By Title

Whereas, N.J.S.A. 40A:408 provides that the budget be read by title only at the time of the public hearing if 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 budget as advertised has been posted in the municipal building and copies have been made available by the clerk to persons requiring them; and

Whereas, these two conditions have been met;

Now, therefore, be it resolved, that the budget shall be read by title only.

Attest: Virginia De Maria

Resolution #2008 - 144

A Resolution – Introduction Ord. 989-08 - 2008 Salary Ordinance – Non Contractual Employees

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE SALARY OR RATE OF**

Minutes of Public Meeting held on July 16, 2008 cont.

Resolution #2008 – 144 (cont.)

COMPENSATION OF VARIOUS MUNICIPAL EMPLOYEES OF THE TOWNSHIP OF ROCHELLE PARK AND TO ESTABLISH A METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEAR 2008” be and it is hereby introduced and passed on first reading July 16, 2008 and that said ordinance be further considered for final passage at a meeting to be held on August 13, 2008 at 8:00 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 #2008 - 145

A Resolution – Introduction Ord. 990-08 - Amendment Sign Ordinance

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**AN ORDINANCE TO AMEND CHAPTER 185 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “LAND USE AND DEVELOPMENT REGULATIONS”**” be and it is hereby introduced and passed on first reading July 16, 2008 and that said ordinance be further considered for final passage at a meeting to be held on August 13, 2008 at 8:00 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 #2008 - 146

A Resolution – Authorizing Contract – Community Development Carlock Field

Be it resolved, that the Township Committee of the township of Rochelle Park wishes to enter into a grant agreement with the county of Bergen for the purpose of using \$40,000.00 in 2008 Open Space Trust Funds for Carlock Field Extension in Rochelle Park; and

Be it further resolved, that the Township Committee hereby authorizes Michael Mariniello, Jr. to be a signatory to the aforesaid grant agreement; and

Be it further resolved, that the Township Committee hereby authorizes Michael Mariniello, Jr. to sign all County vouchers submitted in connection with the aforesaid project; and

Be it further resolved, that the Township Committee recognizes that the Township of Rochelle Park is liable for a dollar for dollar match for any funds awarded in accordance with the Trust requirements;

This resolution was adopted by the Township Committee of Rochelle Park at a meeting on July 16, 2008.

Attest: Virginia De Maria

Resolution #2008 – 147

A Resolution – Authorizing Estimated Tax Bills

Whereas, the Township of Rochelle Park had a public hearing regarding its scheduled budget adoption on July 16, 2008 and the Bergen County Board of Taxation is unable to certify Rochelle Park’s tax rate at this time and the Township of Rochelle Park Tax Collector will be unable to mail the Township’s 2008 tax bills on a timely basis; and

Whereas, the Township of Rochelle Park Tax Collector in consultation with the Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and he has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

Now, therefore, be it resolved, by the Governing Body of the Township of Rochelle Park, in the County of Bergen, State of New Jersey on this the day of July 16, 2008 as follows:

1. The Rochelle Park Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Township of Rochelle Park for the Third

Resolution #2008 -147 (cont.)

2. Installment of 2008 taxes pursuant to P.L. 1994, c72 (N.J.S.A. 54:4-66.2 and 54:4-66.3)
3. The entire estimated tax levy for 2008 is hereby set at \$17,882,811.16.
4. In accordance with the law the Third Installment of 2008 taxes shall not be subject to interest until the later of August 10th or the twenty-fifth day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

Attest: Virginia De Maria

Resolution #2008 - 148

A Resolution – 2008-2010 Snow Plowing Agreement –County of Bergen

Whereas, the Bergen County Board of Chosen Freeholders is authorized, pursuant to law, to cause snow to be plowed from County owned or county controlled roads; and

Whereas, the County of Bergen requests, on an annual basis, that the municipality conduct snow plow operations on the county roads located within each municipality; and

Whereas, the County of Bergen thereafter compensates the municipality for conducting said snow plow operations pursuant to a price schedule issued annually by the County; and

Whereas, the Township Committee has reviewed the proposal dated June 17, 2008 from the county of Bergen Department of Public Works and agrees that it will be in the best interests of the Township of Rochelle Park to enter into the 2008-2010 Municipal Snow Plowing Agreement with the County of Bergen.

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

1. The Agreement with the county of Bergen for Municipal Snow Plowing Services for the 2008-2010 season be and is hereby authorized;
2. The Mayor is hereby authorized and directed to execute the agreement with the County of Bergen in the form submitted to the Township with the County of Bergen’s letter of June 17, 2008;
3. The County of Bergen shall compensate the Township of Rochelle Park for conducting these snow plowing operations pursuant to the price scheduled which has been made a part of the Snow Plow Agreement.

Be it further resolved that Mayor Joseph Scarpa and Township Clerk, Virginia De Maria be and are hereby authorized to execute said Agreement with the County of Bergen in the form to be approved by the Township Attorney; and

Be it further resolved, that the Township Clerk be and is hereby authorized and directed to forward certified copies of the within Resolution to the County of Bergen Department of Public Works and the Rochelle Park Department of Public Works.

Attest: Virginia De Maria

Resolution #2008 – 149

A Resolution – Amending Resolution No. 2008-24 Entitled Meeting Dates 2008

Be it resolved by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey that Resolution No. 2008 – 24 entitled “Meeting Dates” is hereby amended as follows:

Public Meeting - Scheduled	-	August 20, 2008
Rescheduled	-	August 13, 2008
Scheduled	-	September 17, 2008
Rescheduled	-	September 24, 2008

Public Meetings begin at 8:00 PM

Work Session - Scheduled	-	August 13, 2008
Rescheduled	-	August 6, 2008

Work Sessions begin at 7:30 PM

Formal action may or may not be taken at the rescheduled meetings.

Attest: Virginia De Maria

Resolution #2008 – 150

A Resolution - Emergency to Temporary Budget Resolution #7 of 2008

Whereas, an emergency condition has arisen with respect to **VARIOUS LINE ITEMS** (see attached) and no adequate provisions have been made in the 2008 temporary budget for the purpose above mentioned, and

Whereas, the total emergency temporary resolution adopted in the year 2008 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, O.L. 1951 as amended) including this resolution total **\$8,126,800.86**.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park (not less than two thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A: 4-20,

1. An emergency temporary appropriations be and the same is hereby made for **the account** listed in the amount of **\$1,235,000**.

Inside CAP

20-1002	General Administration O/E	10,000.00
20-1101	Mayor & Council S/W	10,000.00
20-1352	Audit Services O/E	10,000.00
20-1551	Legal Services S/W	10,000.00
21-1801	Planning Board S/W	3,000.00
25-2401	Police S/W	1,000,000.00
25-2402	Police O/E	30,000.00
25-2601	Aid to Ambulance Co. S/W	35,000.00
25-2652	Fire Prevention O/E	30,000.00
25-2752	Municipal Prosecutor O/E	5,000.00
26-2902	Streets & Roads O/E	10,000.00
26-3152	Vehicle Maintenance	20,000.00
28-3701	Recreation S/W	20,000.00
43-4952	Public Defender O/E	2,000.00
43-6901	Municipal Library	40,000.00
	Total Inside CAP	\$1,235,000.00

Outside Cap

43-5060	Sewerage Processing O/E	\$200,000.00
45-9202	Payment of Bonds	545,000.00
45-9302	Interest on Bonds	121,206.00
	Total Outside CAP	\$866,206.00

2. That said emergency temporary appropriations will be provided for in the 2008 budget under the title of: 2008 Municipal Budget

Attest: Virginia De Maria

Resolution #2008 – 151

A Resolution – Refund Total Disabled Veteran – Vincent Cupo

Whereas, Roy Riggitano, Tax Collector, has received from The Department of Veterans Affairs, a letter acknowledging Vincent Joseph Cupo, 134 Madison Avenue, Rochelle Park, N.J. 07662, as a total disabling veteran and;

Whereas, the Tax Assessor has acknowledged and has notified the Bergen County Board of Taxation that the above property is exempt from local property taxes under N.J.S.A. 54:4-3.30 et. seq.; L. 1948, c. 259 and;

Whereas, taxes were paid in full on this property and the effective date of the disability is November 30, 2007 and;

Now, therefore, be it resolved, by the Governing Body of the Township of Rochelle Park, County of Bergen, State of New Jersey that approval be granted to issue a refund check in the amount of \$3,616.66 payable to Mr. Vincent J. Cupo, for Block 9 Lot 37, known as 134 Madison Avenue for tax refund dated November 20, 2007.

Attest: Virginia De Maria

Resolution #2008-158

A Resolution - Authorizing Redemption of Tax Title Lien #2008-2006 04

Whereas, Roy Riggitano, Tax Collector, has advised that payment will be received in the amount of \$102,118.28 to redeem TTL(s) #2005-2006 04, and

Whereas, MD Sass is the holder of Certificate(s) TTL 2005-2006 04 and is therefore entitled to payment of \$102,118.28 and;

Now therefore, be it resolved by the Governing Authority of the Township of Rochelle Park, County of Bergen, State of New Jersey that approval to issue a check in the amount of \$102,118.28 payable to the above named lien holder, representing the

Resolution #2008 – 158 (cont.)

redemption amount of said Certificates is authorized on July 16, 2008 upon receipt of certified funds.

Whereas, Roy Riggiano, Tax Collector, has advised that payment will be received in the amount of \$11,281.15 to redeem TTL(s) #2008-0003, and

Whereas, Robert Rothman is the holder of Certificate(s) TTL 2008-0003 and is therefore entitled to payment of \$11,281.15 and;

Now therefore, be it resolved by the Governing Authority of the Township of Rochelle Park, County of Bergen, State of New Jersey that approval to issue a check in the amount of \$11,281.15 payable to the above named lien holder, representing the redemption amount of said Certificate is authorized on June 16, 2008 upon receipt of certified funds.

Attest: Virginia De Maria

Resolution #2008-159

A Resolution – Authorizing Redemption of Tax Title Lien #2008-0003

Whereas, Roy Riggiano, Tax Collector, has advised that payment will be received in the amount of \$11,281.15 to redeem TTL(s) #2008-0003, and

Whereas, Robert Rothman is the holder of Certificate(s) TTL 2008-0003 and is therefore entitled to payment of \$11,281.15 and;

Now therefore, be it resolved by the Governing Authority of the Township of Rochelle Park, County of Bergen, State of New Jersey that approval to issue a check in the amount of \$11,281.15 payable to the above named lien holder, representing the redemption amount of said Certificate is authorized on June 16, 2008 upon receipt of certified funds.

Attest: Virginia De Maria

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

The following resolution was offered by Comm. Lotz and seconded by Comm.

Strohmeyer and reads:

Resolution #2008 – 152

A Resolution – Appointment Deputy Court Administrator

Whereas, a vacancy exists in the position of Deputy Municipal Court Administrator for the Township of Rochelle Park; and

Whereas, in accordance with the policy of the Township of Rochelle Park, a vacancy in this position was advertised and interviews were conducted by the Township Administrator, the Municipal Court Judge and the Township Committee; and

Whereas, MARIA CAPPÀ-FOSCHINI has served in various positions within the Township of Rochelle Park including a position within the Municipal Court; and

Whereas, MARIA CAPPÀ-FOSCHINI did, in fact, submit a resume for the position of Deputy Municipal Court Administrator; and

Whereas, after a review of the various resumes submitted and at the conclusion of all interviews, the Municipal Court Judge and Township Administrator recommended that MARIA CAPPÀ-FOSCHINI be hired to fill this vacant position; and

Whereas, a review of Ms. CAPPÀ-FOSCHINI’s credentials confirms that she possesses the experience and other qualities necessary in order to fulfill the demands and obligations of this position.

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. MARIA CAPPÀ-FOSCHINI be and is hereby appointed to the position of Deputy Municipal Court Administrator for the Township of Rochelle Park.
2. The term of this appointment shall commence upon the adoption of this Resolution and shall continue until December 31, 2008.
3. The salary for this position shall be established pursuant to the provisions of the applicable Salary Ordinance which currently establishes the salary for this position in the amount of \$32,000.00 per year.
4. The Township Administrator be and is hereby authorized and directed to take such steps which may be necessary in order to facility and carry out the provisions of this Resolution.

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 Municipal Court Administrator, LYNDÀ LASINI, Honorable ROY MCGEADY, J.M.C., MARIA CAPPÀ-FOSCHINI, and Ms. BRENDIS MONTIJO-WRIGLEY, C.M.C.A.

Attest: Virginia De Maria

A motion was offered by Comm. Lotz and seconded by Comm. Strohmeyer to adopt the above resolution. Motion carried on a roll call vote – Ayes - Lotz, Kovalcik Strohmeyer, Absent – Scarpa, Abstain - Valenzuela

Comm. Valenzuela stated that while Ms. Cappa Foschini had done a tremendous job for the Township the last ten years, due to recent budget constraints, he would have to abstain from the vote.

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

Resolution #2008 -153

A Resolution – Hearing & Adoption Ord. 987-08 Amending Code Require Fire Lanes Multiple Family Dwellings

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF ROCHELLE PARK TO REQUIRE FIRE LANES FOR ALL MULTIPLE FAMILY DWELLINGS**” 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. Lotz and seconded by Comm. Strohmeyer to open the hearing to the public. Motion carried on a voice vote – all present voting “Aye”.

Comm. Strohmeyer explained that this ordinance requires dwellings of five families or more to have emergency access on all sides.

A motion was offered by Comm. Strohmeyer 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. Strohmeyer and seconded by Comm. Kovalcik 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. Lotz and reads:

Resolution #2008 - 154

A Resolution – Hearing & Adoption Ord. 988-08 Amending Chapter 185 Land Use and Development Regulations – Distribution of Plans to Professionals

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 185 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “LAND USE AND DEVELOPMENT REGULATIONS”**” 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. Lotz and seconded by Comm. Strohmeyer 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. Lotz 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. Lotz 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 #2008 – 155

A Resolution - Authorizing Release of Closed Session Minutes of July 9, 2008

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 July 16, 2008 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

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 – July 9, 2008

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. Municipal Court Administrator - Interviews were conducted with potential employees for the position of Deputy Municipal Court Administrator. Four interviews were conducted between the Township Committee, Township Administrator and the Municipal Court Judge. A discussion and decision was thereafter made.
2. Manzella - The Township Attorney provided the Township Committee with an update concerning the status of the appeal of the Manzella litigation. Mr. Manzella has petitioned the Supreme Court to consider a review of this matter.
3. COAH Matters - Committeewoman Strohmeier and the Township Attorney provided an update regarding potential litigation involving affordable housing.
4. Pump Replacement - The Township Attorney provided a summary of a law suit filed by Longo Mechanical Electrical Company claiming amounts due pursuant to the contract for installation of the pump at the pump station.

Attest: Virginia De Maria

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”.

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

Resolution #2008 – 156

A Resolution – Introduction Ord. #991-08 – Issuance of Bond \$1,600,000 Various Improvements

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF ROCHELLE PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,600,000 TO PAY THE COST THEREOF, TO MAKE A DOWN**”

Minutes of Public Meeting held on July 16, 2008 cont.

Resolution #2008 – 156 (cont.)

PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS” be and it is hereby introduced and passed on first reading July 16, 2008 and that said ordinance be further considered for final passage at a meeting to be held on August 13, 2008 at 8:00 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

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

Administrator Mariniello explained the above bond ordinance will fund such projects as the DPW Complex. A hearing will be held on this ordinance on August 13, 2008 at 8:00 PM.

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

Resolution #2008- 157

A Resolution – Amendment to the Capital Budget

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

Resolution #2008 – 160

A Resolution – Hearing 2008 Budget

A motion was offered by Comm. Lotz and seconded by Comm. Strohmeier to open the hearing to the public. Motion carried on a roll call vote – all present voting “Aye”.

Comm. Valenzuela advised that regarding the 2008 budget, additional discussions would be held on the August 6th work session, in an attempt to make additional reductions.

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

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

Comm. Kovalcik – Thanked the approximately 100 residents who attended the formal dedication of the Kenneth J. Kovalcik memorial park. He then announced that the 2008 Ken Kovalcik Summerfest Concert would be held on Wednesday, August 20th, sponsored by Park Ave. BMW. He thanked Park Avenue/BMW for their continued support. He also congratulated Maria Cappa-Foschini on her appointment to the Municipal Court.

Comm. Lotz - Congratulated Maria Cappa-Foschini for her appointment as Deputy Court Administrator to the Municipal Court. He thanked her for her dedication.

Municipal Court June Report – Cases Disposed - 425

Police June Report – Motor Vehicle Accidents – 51, Total Police Calls - 1,133, Total Summons Issued - 237, Total Patrol Mileage - 13,340, Total Arrests - 6

Comm. Strohmeier – Congratulated Maria on her move back into the Municipal Court. She spoke regarding the \$220,000 cut to the municipality made by Governor Corzine. She feels the cut will negatively impact the residents of Rochelle Park for their choice to live in a small town. Strohmeier also thinks the merging of towns will adversely impact the residents due to Rochelle Park low tax rate versus higher tax rates in surrounding municipalities. She then congratulated the 18 Girl Scouts, who through many hours of community service, achieved awards ranging from Gold, Silver and Bronze.

Comm. Valenzuela - The Recreation Committee held Movie Night on Saturday, June 22nd featuring “The Bee Movie.” It was well attended and everyone had a good time.
Fire Department June Report – 19 Calls

Minutes of Public Meeting held on July 16, 2008 cont.

A motion was offered by Comm. Lotz and seconded by Comm. Kovalcik to appoint Daniel J. Dugo as a regular member of the Rochelle Park Fire Department. Motion carried on a roll call vote – all present voting “Aye”.

Administrator Mariniello – Congratulated Ms. Cappa-Foschini on returning to the Municipal Court as Deputy Court Administrator. He advised that he would be on vacation returning to work on July 28th. Mariniello spoke regarding the \$220,000 short fall, advising that with this cut, the residents would be facing approximately a \$150 increase in taxes from the municipality only. The Township Committee’s goal is to keep Rochelle Park fiscally sound. He also advised that estimated tax bills will be mailed out early next week, with a 25 day grace period from date of mailing.

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

No comments from the public.

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

Potential Litigation in Connection with Affordable Housing

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

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

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

Respectfully submitted,

Virginia De Maria
Municipal Clerk