



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

MINUTES – PUBLIC MEETING – May 18, 2011

Call to Order 7:34 PM

According to the Open Public Meetings Act, this meeting of May 18, 2011 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 3, 2011 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. F. Valenzuela
 Comm. J. Ouellette
 Mayor J. Scarpa - Absent

Pledge of Allegiance was led by Police Chief Zavinsky

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

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

A motion was offered by Comm. Valenzuela and seconded by Comm. Davidson to approve the minutes of the Public Meeting held on April 20, 2011. Motion carried on a voice vote – all present voting “Aye”.

At the Work Session held on May 11th the following resolutions were adopted:
The following resolution was offered by Comm. Davidson and seconded by Comm. Ouellette and reads:

Resolution #2011 – 92

A Resolution Authorizing Self Examination of the 2011 Budget

Whereas, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the director of the division of Local Government Services, of conducting the annual budget examination; and

Whereas, N.J.A.C. 5:30-7 was adopted by the Local Finance Board of February 11, 1997; and

Whereas, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Rochelle Park has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2011 budget year.

Now, therefore be it resolved by the governing body of the Township of Rochelle Park that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief financial Officer’s certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amount have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

Resolution #2011 – 92 (cont.)

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form , arrangement and content, the budget will permit the exercise of the comptroller function within the municipality
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

Be it further resolved, that a copy of this resolution will be forwarded to the Director of the division of Local Government Services upon adoption.

Attest: Virginia De Maria

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

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

Resolution #2011 – 93

A Resolution - Adoption of 2011 Budget

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

The following resolutions were offered by Comm. Valenzuela and seconded by Mayor Scarpa and reads:

Resolution #2011 - 94

A Resolution Authorizing Raffle License #412 – 11 – START

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 #412-11 as presented by the SAVE THE ANIMALS RESCUE TEAM ID#256-4-34737 requesting permission to conduct Raffle on June 11, 2011 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2011 – 95

A Resolution Authorizing Raffle License #413 – 11 – START

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 #412-11 as presented by the SAVE THE ANIMALS RESCUE TEAM ID#256-4-34737 requesting permission to conduct 50/50 Raffle on June 11, 2011 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2011 – 96

A Resolution Authorizing Hiring Dispatcher – Anthony Pyzik

Whereas, the Township of Rochelle Park hires civilian police dispatchers to work within the Police Department; and

Whereas, pursuant to a prior Resolution, the Township Committee determined that civilian police dispatchers will now be paid pursuant to the established salary guide which will include salary steps providing for annual increases: and

Whereas, the Township Committee has agreed with the recommendations made by the Chief of Police with regard to the individual to be rehired.

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 following individual shall be hired as a full-time civilian Police Dispatcher for the Township of Rochelle Park:

Resolution #2011 – 96 (cont)

Anthony Pyzik
3 Deep Water Circle
Manalapan, N.J. 07726
Starting Salary: \$29,422.00 per year

Be it further resolved, that the civilian Police Dispatcher shall be paid pursuant to the Salary Ordinance of the Township of Rochelle Park; and

Be it further resolved, that employment for this individual shall commence as of May 12, 2011; and

Be it further resolved, that the Township Clerk be and she is hereby authorized to forward a certified copy of the within Resolution to the Township Administrator, the Rochelle Park Chief of Police, Anthony Pyzik and the Township Attorney.

Attest: Virginia De Maria

Resolution #2011 – 97

A Resolution Authorizing Raffle License #414 – 11 to Friends of the American Cancer Society of NJ

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 #414 11 as presented by the FRIENDS OF THE AMERICAN CANCER SOCIETY ID#347-4-34818 requesting permission to conduct Raffle on June 4 & 5, 2011 be approved and the requested license be issued.

Attest: Virginia De Maria

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

Resolution #2011-98

A Resolution – Authorizing Agreement for Electronics Recycling

Whereas, the Municipality, from time to time, engages in a recycling program for electronic equipment; and

Whereas, this program is intended to assist the residents of the Township in disposal of certain electronic items in a manner which is environmentally sound; and

Whereas, eRevival, LLC is a company engaged in the logistics and recycling services of used electronics; and

Whereas, there will be no cost to the Township in connection with such a program

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

1. A contract with eRevival, LLC be and is hereby authorized.
2. The duration of this contract shall be for two (2) years with two one year extensions at the Municipality’s sole discretion as allowed pursuant to the local public contract’s law.
3. There shall be no cost of any kind to the Municipality in connection with this service but the service is being provided solely as accommodation and intended to assist the residents of the Municipality.
4. The Township Administrator and recycling coordinator are hereby authorized and directed to execute any documents, contracts or other agreements which may be necessary in order to effectuate the provisions of this agreement.
5. The within Contract may be terminated, with or without cause, by the Municipality upon sixty (60) days written notice.

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 eRevival, LLC, the Recycling Coordinator for the Township of Rochelle Park and the Township Attorney.

Attest: Virginia De Maria

A motion was offered by Comm. Ouellette and Comm. Davidson to enter into this agreement. Motion carried on a roll call vote – all voting “Aye”.

Presentations

2011 Youth Academy Graduates

Christina Iskander, Carlos Mendez, Taylor Fuchs, Ariana Margarito, David Denicola, Bryan Gonzalez, Gabriela Mendez, Anabelle Sanzari, Samantha Glennon, Nicholas Darragh, Michelle Lacap

Comm. Davidson gave an overview of the Hackensack Police Youth Academy program. It consists of students who will be attending Hackensack High School in the future from sending municipalities such as Hackensack, Maywood, South Hackensack and Rochelle Park. The program is run by Rochelle Park Police Department officers consists of physical training, bomb detonation, weekly competitions and field trips to various locations. Davidson was impressed with the student's dedication giving up their free time to attend the program. He thanked the parents and students for their participation.

Police Chief Richard Zavinsky addressed the audience regarding participation in this program. He thanked Mayor Scarpa, Deputy Mayor Kovalcik and the Township Committee for supporting the Police Department's active participation in this program. The Rochelle Park police department has participated in this program for the past eleven years. He expressed his thanks to the children for their respect and courteousness and also thanked the parents for encouraging their children to join this program.

Comm. Davidson and Comm. Ouellette then presented the students with certificates on behalf of the Township.

Recognition - Peter Donatello, Jr. for applying and receiving a Grant in the amount of \$3500 from the 200 Club

Comm. Valenzuela presented a Certificate of Appreciation to Captain Peter Donatello III of the Rochelle Park Fire Department for securing a grant from the 200 Club for four new defibrulators. Former Sheriff and President of the 200 Club Jack Terhune was present. He thanked Captain Donatello for recognizing the needs of the residents of Rochelle Park. He hopes these defibrulators are never used, however if they are ever needed they are available. Comm. Valenzuela advised that these defibrulators were purchased utilizing grant money at no cost to the taxpayers of the Township.

Reports:

Health Department - April 2011
Municipal Court - April 2011
Attendance Report - April 2011
Building Department - April 2011

Resolutions:

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

Resolution #2011 - 99

A Resolution – Payment of Bills – May 2011

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 #2011 – 100

A Resolution Supporting A-3412 Sharing the Burden of Property Assessment Appeal Refunds

Whereas, when County Tax Board appeals are granted the municipality must reimburse the property taxpayer 100% of the appealed tax levy, which includes the municipal, school, county and any special districts tax; and

Whereas, the municipal tax collector makes the adjustment from the appeal as a credit on the 4th quarter tax bill resulting in the municipality's fund balance for the preceding year to diminished, if not completely depleted; and

Whereas, a recent League of Municipalities' survey has measured the extent to which residents have filed and won tax appeals in 2010; and

Whereas, one hundred fifty (150) municipalities, representing all both large and small municipalities in all 21 counties, that participated in the survey reported property value declines of more than \$87,900,000, which resulted from 19,788 tax appeals filed in 2010; and

Resolution #2011 – 100 (cont.)

Whereas, those responding to the survey indicated that 13,760 appeals were filed in 2009, compared to 19,788 in 2010, representing an increase of 43.7%; and

Whereas, a municipality often experiences an increase in tax appeals because they have conducted a revaluation, however, only 5 of the 150 municipalities, which participated in our survey, indicated that their 2010 appeals resulted from revaluations; and

Whereas, as a way of comparison, 23 of the participating municipalities conducted revaluations in 2009, when fewer tax appeals were presented to the County Tax Boards; and

Whereas, the 2010 spike in appeals should be attributed to the economic downturn, which lowered property values and placed increased stress on the income of homeowners, all around our Garden State; and

Whereas, the survey also indicated that in 2010 the various County Tax Boards have granted average property value reductions of close to \$5,000, per appeal; and

Whereas, fifty-six percent of those responding indicated that the successful tax appeals would have an impact on fund balances and place additional pressures on local officials during 2011; and

Whereas, although the survey was a snapshot picture in time, it can be used to project what might follow in 2011, since the reductions, which were granted by County Tax Boards in 2010, will have a multiplier effect when neighbors learn of their neighbor's tax reduction, which will likely increase the appeals and in the alternative, Tax Assessors could be forced to adjust property values, based upon the appeal information; and

Whereas, successful tax appeals have a three-fold negative impact on municipal budgets. First, the municipality, as the collector of taxes for the School district, county and special districts, must fund the full cost of the legal defense of the assessment. Second, since State law guarantees to the county and the school district 100% of their levies, the municipality bears the full cost of any re-imburements resulting from the appeal (as well as the full burden for any uncollected taxes). Third, the end result will be a further decline in the property tax base used to support Municipalities, County governments and School systems; and

Whereas, in light of the revenue limitations that have been placed on all levels of local government by the Legislature (2% cap), such declining values will compound and add additional stress to local public officials, as they grapple with the issues confronting the tax paying public; and

Whereas, Assemblyman Carroll has recently introduced A-3412, which requires fire districts, school districts, and county governments to share in burden of property assessment appeal refunds;

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park hereby urge the swift passage and signing of A-3412; and

Be it further resolved, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

Attest: Virginia De Maria

Resolution #2011 – 101

Authorizing the Hiring of Co-Directors of the Rochelle Park Recreation Summer Program

Whereas, the Township of Rochelle Park, through the Recreation Department, runs a summer program for the children of the Township of Rochelle Park; and

Whereas, the Recreation Committee and the Township Committee have recommended the hiring of two adult co-directors in order to supervise the program for the coming summer; and

Whereas, the following individuals have expressed an interest in acting as co-directors of the program:

1. Candace Romba of Fort Lee, N.J.
2. Joseph A. Mocera of Rochelle Park, N.J.

And

Whereas, the Township Administrator has reviewed the resumes of these two individuals, has conducted interviews, and has determined, based upon his investigation, that they are qualified and competent for this position; and

Whereas, the Township Administrator has recommended the hiring of these two individuals at the rate to be determined by the Township's Salary Ordinance.

Resolution #2011 – 101 (cont.)

Whereas, the Township Committee have also reviewed these applicants and have determined that they would both be assets to the Township and the summer program.

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. Candace Romba of Fort Lee, N.J. and Joseph A. Mocera of Rochelle Park be are hereby hired as Co-Directors of the Summer Day Camp in the Township of Rochelle Park.
2. These individuals shall be compensated at a rate to be determined by the Township's Salary Ordinance.
3. This appointment is contingent upon certification by the Chief Financial Officer that sufficient funds are available for this purpose.
4. Camp starts on July 5, 2011 and runs through August 12, 2011; attendance is expected on all dates.
5. Director's camp day hours are 8:30 AM to 1:30 PM.
6. Directors are expected to attend monthly Recreation meetings April through September.
7. Camp set-up time, including phone calls, are capped at 20 hours per annum.

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 Candace Romba, 1059 Anderson Avenue, Fort Lee, N.J. 07024; Joseph A. Mocera, 44 Chestnut Street, Rochelle Park, N.J. 07662, the Recreation Committee of the Township of Rochelle Park and the Township Administrator.

Attest: Virginia De Maria

Resolution #2011 – 102

Honoring Those Who Are Responsible In Carrying Out the Mission In Capturing and Killing Osama Bin Laden

Whereas, on May 1, 2011 President Barack Obama announced that a daring and pain-staking plan had been carried out by brave American forces resulting in the capture and killing of Osama Bin Laden; and

Whereas, Osama Bin Laden is known to all throughout the world as the leader of Al Qaeda, the evil behind the attack on our nation on September 1, 2001; and

Whereas, over 3000 people were killed at the World Trade Center, at the Pentagon, and in a field in Shanksville, PA. that day including 147 Bergen County residents and thousands more suffer to this day due to their role in the recovery efforts in the aftermath; and

Whereas, thousands of brave men and women of the Armed forces lost their lives in the course of the last ten years fighting for our freedom and to find Osama Bin Laden including 9 Bergen County residents; and

Whereas, the families and friends of the victims and all Americans continue to grieve for those lost to us that day and in the years that followed and cherish their memories and honor their sacrifice; and

Now, therefore be it resolved that the Bergen County Board of Chosen Freeholders wishes to acknowledge and praise all those responsible for bringing Osama B in laden to justice and fervently hopes that the events of May 1, 2011 brings comfort and closure to our country as a whole and to the families of all those lost to us; and

Be it further resolved that a copy of this resolution be sent to President Barack Obama, our federal and state representatives, our Governor, County Executive, Freeholder Board, Bergen County Municipalities.

Attest: Virginia De Maria

Resolution #2011 – 103

A Resolution - Raffle License # - Lodge 46 Charitable Foundation

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 #415 11 as presented by the **LODGE 46 CHARITABLE FOUNDATION, INC. ID#427-4-39013** requesting permission to conduct 50/50 Raffle on August 14, 2011 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2011 – 104

A Resolution – Authorizing Execution of Right-of-Way Use Agreement Between the Township of Rochelle Park and New Jersey Datanet Telecom LLC to Permit the Installation, Operation and Maintenance of Telecommunications Facilities with the Public Rights-of-Way

Whereas, New Jersey DataNet Telecom LLC dba Lighttower Fiber Networks (“Lighttower”), a Delaware limited liability company, with offices located in Boxborough, Massachusetts is authorized to provide intrastate telecommunications services throughout the State of New Jersey pursuant to an Order issued by the New Jersey Board of Public utilities (“NJBPU”) in Docket No. TE04111435 dated February 1, 2005; and

Whereas, Lighttower has requested the consent of the township for permission to occupy public rights-of-way within the Township of Rochelle Park for a period of fifteen (15) years for the purpose of constructing, installing, operating, repairing, maintaining and replacing a telecommunications system; and

Whereas, it is deemed to be in the best interest of the Township and its citizenry, particularly including the commercial and industrial citizens, for the Township to grant municipal consent to Lighttower to occupy the public rights-of-way within the Village for this purpose; and

Whereas, the granting of such consent is and shall be conditioned upon Lighttower’s continued compliance with all existing and future ordinances of the township and its entering into a written agreement with the Township to, inter alia, indemnify and hold the Township harmless as to all claims and liability resulting from any injury or damage which may arise from the construction, installation, operation, repair, maintenance, disconnection, replacement and removal of its telecommunications system within certain public rights-of-way and Lighttower’s provision of liability insurance coverage for personal injury and property damage.

Attest: Virginia De Maria

Resolution #2011 – 105

Authorizing Settlement of Tax Appeal – Richard Scholz

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

Property Owner:	Richard A. Scholz, et al
Address:	131 Rochelle Avenue
Lot:	10
Block:	12
Docket Nos:	01576-2009

and

Whereas, this property is owned by Richard A. Scholz, et al.; and

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

Whereas, the 2009 assessment of the subject property is as follows:

	<u>Original Assessment</u>
Land:	\$432,200.00
Improvements:	<u>100,600.00</u>
Total:	\$532,800.00

and

Whereas, in accordance with the recommendation of the Tax Assessor and Tax Appraisal expert, the following settlement has been recommended:

	2009
	Requested Tax
	<u>Court Judgment</u>
Land:	\$204,400.00
Improvements:	<u>100,600.00</u>
Total:	\$305,000.00

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

Resolution #2011 – 105 (cont.)

3. Township Attorney is hereby authorized and directed to execute the Stipulation of Settlement on behalf of the Municipality.
4. Any interest on refunds will be waived provided that the refund is paid within sixty (60) days of receipt of a final judgment. All refunds shall be made payable to “JOSEPH L. MECCA, JR., ESQ, attorney for Richard A. Scholz, et al” and shall be sent to the law offices of:

Joseph L. Mecca, Jr., Esq.
87 South Farview Avenue, Suite 6
Paramus, New Jersey 07652

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 Tax Assessor, the Office of the Township Attorney and the Law Firm of Joseph L. Mecca, Jr., Esq., 87 South Farview Avenue, Suite 6, Paramus, New Jersey 07652.

Attest: Virginia De Maria

Resolution #2011 – 106

A Resolution – Approving Change Order #2 For 2009 Road Program – D&L

Paving

Whereas, a Contract was awarded to D&L Paving Contractors of Nutley, New Jersey in connection with the 2009 Road Improvement Program in the Township of Rochelle Park; and

Whereas, the contractor has now submitted a request for Change Order No. 3 which represents the final agreed upon as built quantities for all contract and supplemental items; and

Whereas, the amount of this Change Order is as set forth in correspondence and report, together with enclosures, received from the Township Engineer on April 11, 2011 who has approved the same and recommended that the Township Committee approve this Change Order as well.

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. Change Order No. 2 in connection with the 2009 Road Program be and is hereby approved.
2. This Change Order relates to the Contract awarded to D&L Paving Contractors, 185 High Street, Nutley, New Jersey and is in accordance with the Change Order approved by the Township Engineer dated April 11, 2011. .
3. The award of this Change Order is subject to confirmation, by the Chief financial Officer, that sufficient funds exist for this purpose.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the D & L Paving Contractors, the Township Engineer and the Chief Financial Officer for the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2011 – 107

A Resolution – Introduction Ord. #1032-11 – Parking of Commercial Vehicles on Commercial Property

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 TOWNSHIP OF ROCHELLE PARK, AND, SPECIFICALLY, TO ADD SECTION 185-103 (F) (5) IN CONNECTION WITH OVERNIGHT PARKING OF COMMERCIAL VEHICLES ON COMMERCIAL PROPERTY**” 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 June 15, 2011 at 7:30 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Minutes of the Public Meeting held on May 18, 2011 cont.

Resolution #2011 – 108

A Resolution – Introduction Ord. #1033-11 – Amending the Provisions of the Township Code Entitled “Development 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 THE CODE OF THE TOWNSHIP OF ROCHELLE PARK AND, SPECIFICALLY, TO AMEND THE PROVISIONS OF THE TOWNSHIP CODE ENTITLED “DEVELOPMENT FEES”**” 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 June 15, 2011 at 7:30 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Resolution #2011 – 109

A Resolution – Introducing Ord. #1034-11 – Amending Chapter 185 In Connection with Trash or Recycling Containers or Dumpsters

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, AND, SPECIFICALLY, TO ADD SECTION 185-103 (m) IN CONNECTION WITH TRASH OR RECYCLING CONTAINERS OR DUMPSTERS”**” 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 at 7:30 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Resolution #2011 – 113

A Resolution – Authorizing Release of Closed Session Minutes – May 11, 2011

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 May 11, 2011 to the extent that said information can be disclosed without adversely affecting the Township or the public interest.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen and State of New Jersey that the attached closed session minutes may be released to the public in accordance with the requirements of New Jersey State Law; and

Be it further resolved, that any minutes which have not been released pursuant to this Resolution shall be reviewed periodically by the Township Attorney and further recommendation shall be made for the release of additional minutes as the release of same is deemed to be proper.

Attest: Virginia De Maria

CLOSED SESSION MINUTES – May 11, 2011

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:

Resolution #2011 – 113 (cont.)

1. DPW Garage – The Township Administrator and the Township Attorney reported on the status of the construction at the DPW garage and the Township Attorney was authorized to take any action necessary to protect the rights of the Municipality.
2. Rental Property – The Township Administrator reported on the status of rental payments from the tenant at the Municipal Building.
3. Route 17 Bottleneck – Mayor Scarpa provided an update in connection with the Route 17 expansion project and reported that a meeting had been scheduled with various representatives of Bergen County in order to discuss the issues surrounding this potential project.

Attest: Virginia De Maria

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

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

Resolution #2011 – 110

A Resolution – Introduction Ord. #1034-11 – Recreation 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 36 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “RECREATION COMMITTEE: USE OF RECREATION FACILITIES”**” 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 June 15, 2011 at 7:30 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Comm. Valenzuela expressed his displeasure with the increase in fees for the day camp.

A motion was offered by Comm. Davidson and seconded by Comm. Ouellette to adopt the above resolution. Motion carried on a roll call vote – “Ayes” Davidson, Kovalcik, Ouellette “Nay” Valenzuela, Abstain – None, Absent - Scarpa

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

Resolution #2011 – 111 -

A Resolution – Hearing & Adoption – Ord. #1030-11 – An Ordinance To Amend Chapter 28 of the Code of the Township of Rochelle Park Entitled “Police Department”

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 28 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “POLICE DEPARTMENT”**” 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. Davidson and seconded by Comm. Ouellette 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. Davidson and seconded by Comm. Ouellette to close the hearing to the public. Motion carried on a voice vote – all present voting “Aye”.

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

Minutes of the Public Meeting held on May 18, 2011 cont.

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

Resolution #2011 – 112 -

A Resolution – Hearing & Adoption – Ord. #1031-11 – An Ordinance To Amend Chapter 28 of the Code of the Township of Rochelle Park Entitled “Police Department

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 28 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “POLICE DEPARTMENT”**” 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. Davidson and seconded by Comm. Ouellette 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. Davidson and seconded by Comm. Ouellette to close the hearing to the public. Motion carried on a voice vote – all present voting “Aye”.

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

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

Comm. Ouellette – Library April Report - Circulated - 1526 items, Loaned – 360, Borrowed – 1,478, New Cards Issued - 26, Computer Usage - 221.

The Library will be holding a fund raiser on June 11th, selling gold. This program is open to everyone who has gold to sell.

Comm. Davidson asked how many audience members had received a reverse 911 call sent out at 6:00 PM this evening.

DPW April Report – 5 tons of asphalt was purchased to fill pot holes within the Township. The sweeper was sent out twice covering 84 miles of roads. Sewers in the Lovell section of town were flushed. Jim Schmunk, Superintendent asked that resident not pour cooking grease down the drain. The combination of cooking grease and laundry detergent causes a build up with the consistency of cement in the sewer lines. Please discard grease in the trash.

Police April Report – On May 17th the police department took delivery of a 2011 Ford Explorer truck. The vehicle was purchased at no cost to the tax payers by using funds seized from criminal activity. This vehicle will be used during times of emergencies if necessary. The Police Department has been approved by the Bergen County Prosecutors office to receive an automatic license plate reader. The reader has 4 small cameras that are mounted on the roof under the emergency light bar. The reader scans 360 degrees and runs the license plates automatically. Sgt. Schroeder and Officer Stapleton have completed the required homeland security grant training. As a result the Township can start purchasing equipment under the grant for emergency equipment. A new dispatcher was hired and will begin in house training on May 19th. The hiring of this dispatcher will reduce police overtime and provide a better service to the residents of the Township. Firearms training continues, as is state mandated, police must qualify twice a year.

Comm. Valenzuela – Building Department April Report – Total Revenue \$14,647.20. Construction Code Official Rich Bolan is handling local housing inspections on behalf of the state. Mr. Bolan must inspect over four family dwellings as well as the Ramada Inn. He is looking for violations. Residents should make sure that they are receiving a 10% reduction in their flood insurance. They are advised to contact their agents for this reduction. Valenzuela advised that property maintenance issues are being addressed by the Building Department staff.

Fire Department April Report – 22 Calls. Valenzuela thanked the Fire Department for their hard work during recent flooding events within the Township. He also thanked responding departments, Police Department, Ambulance Corp. and DPW.

Regarding the flooding events, Valenzuela met with Borough Manager of Lodi, Tony Luna who will be convening meetings of municipal officials located along the Saddle River. One major problem along the Saddle River is the Marsallis Street Bridge which traps debris and acts as a dam. One consideration was sharing DPW’s in clearing the debris. This is an ongoing situation and Valenzuela will continue to report on any

Minutes of the Public Meeting held on May 18, 2011 cont.

progress. He wished everyone a happy and safe Memorial Day and to remember the troops fighting for our way of life.

Deputy Mayor Kovalcik – Ambulance April Report – 73 Calls. Kovalcik specifically thanked Captain Roland Jacobsen, Ben Varghese and Kerry Hogan for an excellent job. At the previous Monday night Hackensack University Medical Center presented Rochelle Park EMS with the EMS Excellence Award at their annual Awards Dinner. The Squad was recognized for a call they responded to in September of 2010. Rochelle Park EMS along with ambulances from Maywood, HUMC, Hackensack Volunteers, Fuch's Ambulance Service and Holiday Name Hospital Paramedics also transported patients to nearby hospitals. Captain Roland Jacobsen and First Lieutenant Ben Varghese accepted the award on behalf of the Rochelle Park Ambulance Corp. He congratulated the graduates of the 2011 Hackensack Youth Academy and wished everyone a Happy Memorial Day.

Administrator De Maria – Advised that the Police Department's Homeland Security Grant is in the amount of \$200,000. This past Thursday the Midland School 5th graders toured the municipal building with Mayor Scarpa and herself. The Chestnut Street sewer relining will go out to bid on June 2nd, hopefully this project will be completed at the end of June. She advised that the Memorial Day Parade programs were out, Mass is being celebrated at 8:00 at Sacred Heart Church, a ceremony at the Midland School Monument will be held at 9:30 AM and the Parade kicks off at 11:30 Am to the Mack Building located on West Passaic Street.

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

Kathleen Cronin – 53 Rochelle Avenue and Lynn Boyland – 58 Rochelle Avenue – addressed the Township Committee regarding an illegal two family home located at 8 Madison Avenue. Ms. Cronin thanked Attorney Rotolo for his swift actions regarding corrective action being taken to alleviate the situation. Mr. Rotolo advised that enforcement had begun on this property approximately 10 to 12 months ago. Comm. Davidson and Comm. Ouellette were unaware of any problems at this location. The Committee agreed to have Mr. Bolan monitor this location regularly for violations. Ms. Cronin asked why summer camp fees were raised. Administrator De Maria advised that it was an attempt to make the program self funding. In past years, money was lost due to under funding. Comm. Valenzuela advised that he continues to feel that the prices should not be raised during these tough economic times. Ms. Cronin asked for an update on the insurance to cover soccer and baseball. Administrator De Maria stated that everything was in order.

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

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

Respectfully submitted,

Virginia De Maria
Municipal Clerk