



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

MINUTES – PUBLIC MEETING – October 19, 2011

Call to Order 7:30 PM

According to the Open Public Meetings Act, this meeting of October 19, 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

Pledge of Allegiance was led by Diane Verhasselt

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

A motion was offered by Comm. Kovalcik and seconded by Comm. Davidson to approve the agenda as amended removing Resolution #2011-197 from the Consent Agenda. Motion carried on a voice vote – all voting “Aye”.

A motion was offered by Comm. Ouellette and seconded by Comm. Kovalcik to approve the minutes of the Public Meeting held on September 21, 2011. Motion carried on a roll call vote – “Aye’s” Davidson, Kovalcik, Ouellette, Scarpa Abstain - Valenzuela

Reports:

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

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

Resolution #2011 – 191

A Resolution – Payment of Bills – October 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.

Attest: Virginia De Maria

Resolution #2011 – 192

A Resolution – Authorizing the Hiring of a Full-Time Police Dispatcher – Jeremy Kieferle

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 hired.

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:

Jeremy Kieferle

Minutes of the Public Meeting held October 19, 2011 cont.

6 Elizabeth Court
Maywood, N.J. 07607
Starting Salary: \$27,673.00 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 October 14, 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, Jeremy Kieferle and the Township Attorney.

Attest: Virginia De Maria

Resolution #2011 – 193

A Resolution – Appointing School Crossing Guards 2011/2012

BE IT RESOLVED, by the Township Committee of the Township of Rochelle Park, that the following be and is hereby appointed School Crossing Guard upon the recommendation of the Chief of Police at a salary as provided in the Salary Ordinance of the Township of Rochelle Park, effective , July 5, 2011 to August 12, 2011.

Bertha Sneyer
53 Oldis Street
Rochelle Park, N.J. 07662

Edward Obermaier
12 Schlosser Drive
Rochelle Park, N.J. 07662

Eloise Bolan
360 Concord Drive
Maywood, N.J. 07607

Antionette Borelli
86 Madison Avenue
Rochelle Park, N.J. 07662

William Cottrell
63 Oak Street
Rochelle Park, N.J. 07662

Concetta Covino
39 North Drive
Rochelle Park, NJ 07662

Edna Hobbs
241 W. Passaic Street
Rochelle Park, N.J. 07662

Denise Courtney
16 Susquehanna Avenue
Rochelle Park, N.J. 07662

William Judge
169 Howard Avenue
Rochelle Park, N.J. 07662

Diane Leone
333 Rochelle Avenue
Rochelle Park, N.J. 07662

Alternates:

David Mocera
44 Chestnut Street
Rochelle Park, N.J. 07662

Barbara Trinkleback
41 Meakin Avenue
Rochelle Park, N.J. 07662

Phyllis Mocera
44 Chestnut Street
Rochelle Park, N.J. 07662

Attest: Virginia De Maria

Resolution #2011 – 194

A Resolution – A Resolution Transferring Liquor License #0254-33-003-007 –
Outback Steakhouse of Florida (Corporate Restructure)

Whereas, an application for a person-to-person transfer of a Plenary Retail Consumption License No. 0254-33-003-007 has, place-to-place been received from OUTBACK STEAKHOUSE of FLORIDA for the License previously owned by OUTBACK/METROPOLIS-I, Limited Partnership; and

Whereas, a consent to the transfer has been published twice in the newspaper "The Record" on September 2nd and 9th, 2011; and

Whereas, no objections have been received respecting said transfer; and

Whereas, following an investigation by the Police Department of the Township of Rochelle Park, no objections have been raised respecting the qualifications of the applicant; and

Whereas, the applicant has paid the required transfer fees (\$179.00 – 10% for person-to-person) and have submitted the required affidavit with regards to the source of funds used to acquire the license.

Now, therefore, be it resolved by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey that the Plenary Retail Consumption License No. 0254-33-003-007 issued to OUTBACK/METROPOLIS-I be transfer to OUTBACK STEAKHOUSE of FLORIDA located at 194 Route 17, north, Rochelle Park, New Jersey 07662; and

Be it further resolved, that the Municipal Clerk is hereby authorized and directed to endorse the license certificate as follows: "This license, subject to all of its terms

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and conditions, is hereby transferred to OUTBACK STEAKHOUSE of FLORIDA located at 194 Route 17 North, Rochelle Park, New Jersey 07662 and forward a certified copy of this resolution to the Director of the Division of Alcoholic Beverage Control.

Attest: Virginia De Maria

Resolution #2011 – 195

A Resolution – Imposing a Curfew – October 31, 2011 – Cabbage Night

Whereas, the Rochelle Park Chief of Police recommends that a temporary curfew of 9:00 pm for children and adolescents under the age of 18 be enacted on the evening of Cabbage Night, October 31, 2011 for the safety and welfare of all Rochelle Park residents.

Now, therefore be it resolved by the Township Committee of the Township of Rochelle Park does hereby authorize the enforcement by the Rochelle Park Police Department of a 9:00 pm curfew on the evening of October 31, 2011.

Attest: Virginia De Maria

Resolution #2011 – 196

A Resolution – Approving Rotational Towing Company

Whereas, Chapter 172 of the Code of the Township of Rochelle Park entitled “TOWING” establishes a procedure for approval of a company or companies which will be authorized to conduct police towing services on a rotational basis; and

Whereas, the procedure for receipt of applications, review of those applications and recommendation for approval rests with the Chief of Police in accordance with the terms and conditions of that Ordinance; and

Whereas, the Chief of Police has recently solicited applications for placement on the rotational towing list and received, in response to that solicitation, applications from two companies, as follows:

- a. Rochelle Park Auto Body, Inc.
96 Essex Street
Rochelle Park, New Jersey; and
- b. B & V and Lenox Towing
231 W. Passaic Avenue
Maywood, New Jersey; and

Whereas, the Chief of Police has reviewed the applications submitted and has recommended rejection of the application filed by B & V and Lenox Towing for various reasons including, without being limited to, cancellation of insurance policies and further lack of compliance with the requirements of Chapter 172 of the Township Code; and

Whereas, the Chief of Police has also reviewed the application submitted by Rochelle Park Auto Body, Inc. and has recommended acceptance of that application.

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. Rochelle Park Auto Body, Inc., 96 Essex Street, Rochelle Park, New Jersey be and is hereby placed on the Rotational Towing List for the Township of Rochelle Park for the current term.
2. Based upon the recommendation of the Chief of Police, the application of B & V and Lenox Towing be and is hereby rejected.
3. Rochelle Park Auto Body, Inc. shall comply with all terms, conditions and obligations set forth in Chapter 172 of the Township Code and shall also pay any and all fees as required pursuant to that Ordinance or the request of the Chief of Police.

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 Auto Body Inc., B & V and Lenox Towing, the Chief of Police of the Township of Rochelle Park and the Township Attorney.

Attest: Virginia De Maria

Attest: Virginia De Maria

Resolution #2011 – 198

A Resolution – Acknowledging the Annual Report of Audit

Whereas, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

Whereas, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of

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N.J.S.A. 40a: 5-6, and a copy has been received by each member of the governing body; and

Whereas, R.S. 52:27BB-34 authorizes the Local finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

Whereas, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

Whereas, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

Whereas, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

Whereas, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

Whereas, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

Now, therefore, be it resolved, that the Township Committee of the Township of Rochelle Park, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of the resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON OCTOBER 19, 2011.

Attest: Virginia De Maria

Resolution #2011 – 199

A Resolution – Authorizing Entering into Grant Agreement – Community Development - \$16,000

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 \$16,000.00 in 2011 Community Development Block Grant funds for ADA (Handicap Accessible) Doors located at 151 W. Passaic Street

Be it further resolved, that the Township Committee hereby authorizes Joseph Scarpa to be a signatory for the aforesaid grant agreement; and

Be it further resolved, that the Township Committee hereby authorizes Virginia De Maria, RMC 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 any funds not spent in accordance with the Grant Agreement; and that liability of the Township Committee is in accordance with HUD requirements.

This resolution was adopted by the Township Committee of the Township of Rochelle Park at a meeting on October 19, 2010.

Attest: Virginia De Maria

Resolution #2011 –200

A Resolution – Authorizing Entering into Grant Agreement – Community Development - \$4,500

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 \$4,500.00 in 2011 Community Development Block Grant funds for Senior Citizen Activities located at 151 W. Passaic Street

Minutes of the Public Meeting held October 19, 2011 cont.

Be it further resolved, that the Township Committee hereby authorizes Joseph Scarpa to be a signatory for the aforesaid grant agreement; and

Be it further resolved, that the Township Committee hereby authorizes Virginia De Maria, RMC 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 any funds not spent in accordance with the Grant Agreement; and that liability of the Township Committee is in accordance with HUD requirements.

This resolution was adopted by the Township Committee of the Township of Rochelle Park at a meeting on October 19, 2010.

Attest: Virginia De Maria

Resolution 2011 – 201

A Resolution – Authorizing Place-to-Place Transfer – Extension of Premises – MKT, LLC T/A Mama Roxy’s

Whereas, an application has been filed for a place-to-place transfer (Expansion of Premises) of Plenary Retail Consumption License #0254-33-009-004, for purpose of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized:

Whereas, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

Now, therefore, be it resolved that the Township Committee of the Township of Rochelle Park hereby approve, effective October 19, 2011, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 352 W. Passaic Street, Rochelle Park, NJ 07662, to place under license the area delineated in the application form and the sketch, Resolution of the Planning Board of the licensed premises attached thereto.

Attest: Virginia De Maria

Resolution #2011 – 202

A Resolution – Endorsing Community Development Project – Knights of Columbus

Whereas, a Bergen County Community Development grant of \$29,000 has been proposed by Knights of Columbus – Rochelle Park for resurface and Handicap Stripe parking lot 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 the Township of Rochelle Park, an

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 #2011 – 203

A Resolution – Authorizing Contract for Professional Services to Prepare Specifications and Bid Garbage Contract – Job & Job

Whereas, Solid Waste Collection Services are provided to the Township of Rochelle Park on a contracted basis either by a private entity or another governmental agency; and

Whereas, currently these services are provided by the Borough of Paramus pursuant to an Interlocal Agreement; and

Whereas, the current Contract for Solid Waste Collection Services will expire in February of 2012; and

Whereas, pursuant to the requirements of law, Solid Waste Collection Services are subject to competitive bidding requirements in the event that the Township enters into an agreement with a private company; and

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Whereas, the Township has determined that it may consider a continued relationship with the Borough of Paramus, however, the Township Committee believes that it would be in the best interest of the Municipality to solicit competitive bids for these services in order to determine whether a more favorable contract may be entered into with a private company; and

Whereas, as a result of having made the foregoing determination, it will be necessary in order to prepare bid specifications for this Contract; and

Whereas, Kenneth Job, Township Engineer, has the expertise and knowledge necessary to prepare these bid specifications.

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 be and is hereby authorized with the Township Engineer, Kenneth Job for the preparation of bid specifications for solid waste collections services.
2. This Contract may be awarded without the necessity of competitive bidding since it provides for a Contract for professional services. .
3. The award of this Contract is contingent upon certification by the Chief Financial Officer that sufficient funds exist for this purpose.
4. The amount of this Professional Services Contract shall not exceed \$1,200.00.
5. This Contract shall include preparation of all specifications in accordance with the requirements of law, handling of the receipt of bids and evaluation of the bids received in preparation of a recommendation for award to the Township Committee as well as evaluation of any proposals received from the Borough of Paramus.

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 Engineer, the Township Attorney and Chief Financial Officer of the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2011 – 204

A Resolution – Introducing Ord. #1042 - 11 – Amending Chapter 161 – Streets and Sidewalks

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 161 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “STREETS AND SIDEWALKS”**” be and it is hereby introduced and passed on first reading October 19, 2011 and that said ordinance be further considered for final passage at a meeting to be held on November 9, 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 – 205

A Resolution – Introducing Ord. #1043 – 11 – Amending Chapter 55 – Alarms

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 55 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK, ENTITLED “ALARMS”**” be and it is hereby introduced and passed on first reading October 19, 2011 and that said ordinance be further considered for final passage at a meeting to be held on November 9, 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 - 206

A Resolution – Authorizing Lien Redemption #11-011 – Block 91.01 Lot 3

Whereas, Roy Riggitano, Tax Collector, has advised that payment was received in the amount of \$9,304.93 from Eric I. Goldfine SERPT. to redeem TTL # 11-011 and

Whereas, U.S. Bank-Cust/Sass Muni VI DTR, located at 2 Liberty Place, Philadelphia, PA 19102

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, that the following checks be issued to U.S. Bank, in the amount of \$9,304.93 from current.

Attest: Virginia De Maria

Resolution #2011 - 207

A Resolution – Authorizing Lien Redemption #11-009 – Block 90 Lot 2.02

Whereas, Roy Riggitano, Tax Collector, has advised that payment was received in the amount of \$10,375.25 from Eric I. Goldfine SERPT. to redeem TTL # 11-009 and

Whereas, Stonefield Investment Fund 1, LLC., located at 21 Robert Pitt Dr., Suite 202, Monsey, NY 10952

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, that the following checks be issued to Stonefield Investments Fund 1, LLC, in the amount of \$10,375.25 from current.

Attest: Virginia De Maria

Resolution #2011 - 208

A Resolution – Authorizing Lien Redemption #11-010 – Block 90 Lot 3

Whereas, Roy Riggitano, Tax Collector, has advised that payment was received in the amount of \$57,518.58 from Eric I. Goldfine SERPT. to redeem TTL # 11-010 and

Whereas, Stonefield Investment Fund 1, LLC., located at 21 Robert Pitt Dr., Suite 202, Monsey, NY 10952

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, that the following checks be issued to Stonefield Investments Fund 1, LLC, in the amount of \$57,518.58 from current and \$46,000.00 from premium total to redeem \$103,518.58.

Attest: Virginia De Maria

Resolution #2011 – 209

A Resolution – Authorizing Refund – Tax Settlement – Block 3 Lot 41 - \$26,903.18

Whereas, Block 3 Lot 41 known as 50 Essex Street has been awarded a tax court judgment and;

Whereas, Sitar Law Offices, LLC located at Parkway Center, 1481 Oak Tree Road, Iselin, New Jersey 08830 and;

Whereas, the Township of Rochelle Park Tax Collector, Roy Riggitano, has authorized a check in the amount of \$26,903.18 for years 2009 and 2010 be immediately refunded to Sitar Law.

Now therefore be it resolved, that a check in the amount of \$26,903.18 payable to “Sitar Law Offices, LLC attorney Trust from account entitled Operations.

Attest: Virginia De Maria

Resolution #2011 – 210

A Resolution – Authorizing Renovation – Lobby 151 West Passaic Street – Hurricane Irene

Whereas, the Township of Rochelle Park, Bergen County, New Jersey, has authorized the administrator or solicit (3) written quotes for the improvements to the foyer and stairwell wall of the municipal building and;

Greenfield Construction Management -	\$9,100
Zeberl Construction	- \$9,300
Groenwal Construction	- \$9,745

Whereas, Greenfield Construction Management submitted the lowest written quote of \$9,100 which includes installation of 3 feet high new wall tile and trim in entire entry foyer area inclusive of stairwell landing area wall and;

Whereas, the Chief Financial Officer/QPA has reviewed the written proposal with the Administrator and;

Minutes of the Public Meeting held October 19, 2011 cont.

Therefore, be it resolved, that the chief Financial Officer, has certified funds are available in the 2011 appropriation entitled "special emergency Hurricane Irene" and therefore the Township Committee awards to Greenfield construction Management, PO Box 903, Saddle Brook, N.J. 07663 to commence work not to exceed \$9,100.

Attest: Virginia De Maria

Resolution #2011 – 211

A Resolution – Authorizing Release of Claims - Lotz

Whereas, litigation has been commenced for former committeeman WILBUR LOTZ in connection with termination of post retirement insurance benefits; and

Whereas, said litigation has now been dismissed without any costs being incurred by the Township; and

Whereas, the Township Committee has agreed to release any potential claims against WILBUR LOTZ in connection with the commencement of this suit or the receipt of medical benefits.

Now, therefore, be it resolved, that all claims against WILBUR LOTZ in connection with receipt of medical benefits be and are hereby released;

And it is further ordered, that the Acting Township Administrator is hereby authorized and directed to execute any necessary release or other settlement document upon the recommendation of Township Attorney.

Attest: Virginia De Maria

Resolution #2011 – 216

A Resolution – Authorizing Release of Closed Session Minutes – October 12, 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 October 12, 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 - October 12, 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:

1. Library Personnel – A discussion was conducted with Judy Sands, director of the Rochelle Park Library regarding personnel issues, staffing and procedures. It was confirmed, with Ms. Sands, that the Township Committee exercises full control over the library with regard to all personnel decisions. Discussion was also conducted regarding potential hiring and there was a confirmation that all employees and volunteers must submit to and pass police background checks.
2. DPW Building - The Township Attorney reported on the status of the DPW building and potential litigation with the contractor concerning unfinished items.
3. Rental Property - The Township Administrator reported on the status of rental payments from the tenant on the second floor of the Municipal Building.
4. Police Department – Committee member Davidson reported concerning potential retirements and staffing and personnel issues within the Police Department for 2012.

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Attest: Virginia De Maria

A motion was offered by Comm. Kovalcik 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. Ouellette and seconded by Comm. Davidson and reads:

Resolution #2011 – 197

A Resolution – Authorizing the Hiring of Seasonal Employee DPW – Richard Padula

Whereas, the Department of Public works has requested that the township Committee hire a seasonal employee in order to assist in that department;

Whereas, the Township Committee has reviewed that request and has agreed to hire such a seasonal employee; and

Whereas, RICHARD PADULA, 10 Meakin Avenue, Rochelle Park, N.J. 07662 has applied for that position and possesses the skills necessary in order to perform in that position.

Whereas, this employment shall be temporary in nature.

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. RICHARD PADULA, 10 Meakin Avenue, Rochelle Park, NJ., be and is hereby hired as a temporary seasonal employee to work with the Rochelle Park Department of Public Works.
2. RICHARD PADULA shall be paid at the rate of \$15.00 per hour without benefits.
3. This position shall commence November 1, 2011 on an as needed basis.

Be it further resolved, that this hiring is contingent upon certification by the Chief Financial Officer of the Township of Rochelle Park that sufficient funds exist for this purpose.

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 Personnel Department of the Township of Rochelle Park, and to RICHARD PADULA, 10 Meakin Avenue, Rochelle Park, N.J. 07662.

Attest: Virginia De Maria

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

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

Resolution #2011 – 213

A Resolution – Hearing & Adoption - Ordinance #1039-11- Private Storm Drain Inlet Retrofitting

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 TO ADD A SECTION ENTITLED PRIVATE STORM DRAIN INLET RETROFITTING AS PART OF THE STORMWATER MANAGEMENT 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. Valenzuela and seconded by Comm. Davidson 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. Valenzuela and seconded by Mayor Scarpa to adopt the above resolution. Motion carried on a roll call vote – all present voting “Aye”.

Minutes of the Public Meeting held October 19, 2011 cont.

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

Resolution #2011 - 214

A Resolution – Hearing & Adoption - Ordinance #1040-11 – Fertilizer Application

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 TO ADD A SECTION ENTITLED FERTILIZER APPLICATION AS PART OF THE STORMWATER MANAGEMENT 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. 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. Valenzuela 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. Davidson and seconded by Comm. Ouellette and reads:

Resolution #2011 – 215

A Resolution – Hearing & Adoption - Ordinance #2011 - 1041- Refuse Containers/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 THE CODE OF THE TOWNSHIP OF ROCHELLE PARK TO ADD A SECTION ENTITLED REFUSE CONTAINERS/CUMPSTERS AS PART OF THE STORMWATER MANGEMENT 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. Valenzuela 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. Ouellette and seconded by Comm. Davidson 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”.

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

Resolution #2011 – 212

A Resolution - A Resolution – Special Emergency - \$95,000 – Hurricane Irene

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”.

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

Resolution #2011 – 217

A Resolution – Special Emergency - \$555,000 – Hurricane Irene

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

Minutes of the Public Meeting held October 19, 2011 cont.

Committee's/Administrator's/Attorney's Reports

Comm. Kovalcik – Wished everyone a Happy Halloween and Rochelle Park Day.

Comm. Valenzuela – Advised that Deputy OEM Coordinator Sal Antista attended a meeting of the Saddle River Basin Coalition on Wednesday, October 12, 2011. He advised that the Department of Transportation allocated \$10,000,000 for the raising of the Marsellus Street Bridge. This bridge is located behind Felician College in Lodi at the junction of South Hackensack, Lodi and Garfield. Hopefully the raising of this bridge will help water flow during small storms. Valenzuela advised that Construction Code Official Bolan was putting together another state flood water management application which may be of some benefit to the Township.

Comm. Davidson – Read Resolution #2011 – 195 – Imposing a Curfew – October 31, 2011 – Cabbage Night to the audience. He advised that Mayor Scarpa pushed this resolution as he felt it was important regarding property maintenance. Davidson advised that he, Mayor Scarpa, OEM Coordinator Pete Donatello and Administrator De Maria attended a FEMA kick off meeting last Tuesday. Unfortunately, FEMA has yet to have a sit down meeting with Rochelle Park representatives. Davidson has made numerous attempts to have FEMA meet in Rochelle Park to view the damage done due to Hurricane Irene. Davidson spoke of a recent safety enforcement program held by the Police Department over a two day period last week. They were ticketing drivers using cell phones and texting while driving. The Police Department wrote 165 summonses. He reminded everyone to use their hands free devices. Davidson advised that Cinelli Scrap Metal picked up the scrap metal of all those residents impacted by Hurricane Irene. The refunded the township \$8,700. They did not charge the Township for hauling the scrap away. Davidson would like a thank you letter sent from the Township Committee.

Comm. Kovalcik – Stated that he works for ATT Mobility who reminds people that texting while driving is the equivalent of consuming five drinks and driving. Accidents happen quickly and it's better to be safe than sorry. People are killed by people texting of talking on cell phones.

Comm. Ouellette –

Library Report September – Circulated 1200; added 166 new items

Mayor Scarpa – Reminded everyone that Rochelle Park day was Saturday, October 29th at Matthews Field.

Comm. Valenzuela – Reminded residents that the Committee has a ballot question in place. He explained that in 2009 due to severe budget issues, the Planning and Zoning boards were combined. Now that the Township is in a better financial condition the Committee would like to separate the boards, thereby helping with the work load. A vote yes will separate the boards. He urged residents to get out and vote.

Administrator De Maria – Reminded residents that due to the League of Municipalities Conference the Work Session was moved to November 2nd and the Public Meeting was moved to November 9th. She also reminded everyone that November 8th was Election Day. All districts vote at Midland School. She stated that it was a privilege to vote and the only way to be heard.

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

Denise Gustavsen - 234 Hoard Ave. – Asked the Township Committee's assistance with garbage pick up for those affected by Hurricane Irene. She stated that those affected are still putting flood debris out at the curb. Some residents affected cannot afford to have the debris taken away by a private hauler. After a brief discussion, the Township Committee agreed to add two pick-up's, November 2nd and 16th. OEM Coordinator Pete Donatello will utilize the C3 System to get the word out to residents.

A motion was offered by Mayor Scarpa and seconded by Comm. Davidson to add two garbage pick-up's on November 2nd and 16th. Motion carried on a roll call vote – all voting “Aye”.

Amanda Pappas - 17 Harvey Avenue – Applauded the Township Committee's decision to add two garbage pick up's for those affected by Hurricane Irene.

Minutes of the Public Meeting held October 19, 2011 cont.

Sandy Ross – 180 Chestnut Street – Advised the Township Committee of a Freeholder flood advisory meeting she recently attended. She advised that Mayors from local municipalities were in attendance. Congressman Rothman and Garrett sent representatives. She asked why representatives of Rochelle Park were not at this meeting. Mayor Scarpa advised that he did not know about the meeting. Mayor Scarpa asked Ms. Ross what was accomplished at this meeting. She advised that they discussed the flooding problems and scheduled another meeting for November 21st. Mayor Scarpa will attend the meeting.

Von DeGuzman – 119 James Street - Discussed the Township Committee's recent decision to stop plowing Midland School's grounds. He was concerned this would negatively impact school programs. Mayor Scarpa advised that the Board of Education handles the operation of Midland School and the Township Committee handles the Township. He advised that the DPW consists of four workers including the superintendent. The snow plowing became a personal safety issue for the DPW workers. Scarpa advised that regarding the vote to stop plowing at Midland school was four to one. Mr. DeGuzman asked how many years the DPW had been plowing at the school. The DPW Superintendent and the Administrator agreed that it was over ten years, however there used to be more workers in the DPW and a Recycling Department. Scarpa advised that this decision had been agreed on in February, 2011. Through a miscommunication the Board of Education was not informed of the Committee's decision. Unfortunately this decision will negatively impact the school's current budget.

Diane Verhasselt – 40 Forest Place – Asked why Midland School was not made aware of the Committee's decision in February. She also stated that the decision was not in the minutes of the February meeting and alluded to secrecy by the Township Committee. Mayor Scarpa suggested Ms. Verhasselt listen to the tape of the meeting where the plowing issue was discussed and a decision made. After a lengthy discussion, Mayor Scarpa informed her that the liaison to the Board of Education did not convey the Committee's decision.

Comm. Valenzuela advised that this decision began due to an ice storm in February, 2011 where the DPW could not clear the school in a timely manner.

Ms. Verhasselt asked why the DPW could not clear the school after clearing the majority of the township roads. She feels that the school could stay closed until the DPW cleared their parking lot, usually within a day.

Comm. Davidson advised that during the ice storm in February, the DPW superintendent could not reach the school's superintendent to know when the school was expected to open.

Ms. Verhasselt asked the Township Committee's advice on where the Board of Education was going to find the money to hire someone to plow the school's parking lots.

Comm. Kovalcik cited the miscommunication between the Township Committee and Board of Education. He feels that the Board of Education should reach out to the Township Committee to have a meeting to discuss this issue and hopefully come up with some creative solutions.

Comm. Davidson referred again to the safety of the DPW employees and the extensive hours they work during a snow storm. The Committee's responsibility is the employees and the residents of Rochelle Park. He then suggested that the Board of Education meet with the Committee.

On a separate note, Ms. Verhasselt asked if the artificial turf at Carlock field needed to be replaced at an excessive cost to the residents. This is the second time in ten years that the field had been flooded. She suggested planting grass as it does not get destroyed in flooding. Mayor Scarpa advised that Carlock Field turf would be discussed at the Work Session on November 2nd.

Sandy Ross – 180 Chestnut Street advised the corrected date of the Freeholder meeting was November 17th. Mayor Scarpa will be at the League of Municipalities conference, however Comm. Ouellette will attend the meeting and report back to the Committee.

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

Minutes of the Public Meeting held October 19, 2011 cont.

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

Respectfully submitted,

Virginia De Maria
Municipal Clerk