



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

**MINUTES – PUBLIC MEETING – September 24, 2008**

Call to Order 7:05 PM

According to the Open Public Meetings Act, this meeting of September 24, 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 July 16, 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. Strohmeier - Absent  
Comm. F. Valenzuela  
Mayor J. Scarpa

Pledge of Allegiance was led by Mrs. Eleanor Lucas

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. Valenzuela and seconded by Comm. Kovalcik to approve the agenda as amended and corrected - #2008-199 Introduction Ord. 994-08 – Bond Ordinance – \$600,000. Motion carried on a voice vote – all present voting "Aye".

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

Closed Session:

Potential Litigation  
Redevelopment Discussion – Banish Associates

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

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

Comm. Strohmeier entered the meeting 7:45 PM

A motion was offered by Comm. Lotz and seconded by Comm. Strohmeier to approve the Minutes of the Public Meeting of August 13, 2008. Motion carried on a voice vote – all voting "Aye".

Presentation James Olden – Retirement – Board of Adjustment

Mayor Scarpa read a proclamation honoring James Olden. He thanked him and his wife for their community spirit. He then thanked Mr. Olden for his many years of service on the Zoning Board.

Mr. Olden thanked the Township Committee for their confidence. He stated that he thought that Rochelle Park was being served by two good boards representing the Township, zoning and planning boards, keeping true to the codes of Rochelle Park. Comm. Lotz advised that he felt Mr. Olden was his best appointment and thanked him and his wife for many years of service to the community. Comm. Strohmeier advised that both Jim and his wife Mary Jane were active members of Project Pride. She thanked Mr. Olden for serving on the Zoning Board for many years.

Kathy Baccala – Zoning Board secretary stated that it was a learning experience working with Mr. Olden.

Proclamation – In Memory of Eileen Stevens

Mayor Scarpa read a proclamation honoring the past life of Eileen Stevens and long time active resident in Rochelle Park. She was community oriented and a lifelong resident of the Township. She will be missed. Her children were there to accept the Proclamation.

Reports:

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

Resolutions:

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

Resolution #2008 – 180

Hearing on Amendment to 2008 Municipal Budget

(See Attached)

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

Bob Davidson – 86 Lexington Avenue – Commended the Township Committee on the great job they did preparing the 2008 budget.

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

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

Resolution #2008 – 181

Adoption of 2008 Municipal Budget

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

The Consent Agenda was offered by Comm. Lotz seconded by Comm. Valenzuela and reads:

Resolution #2008 – 182

A Resolution – Payment of Bills – September 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.

Attest: Virginia De Maria

Resolution #2008 – 183

A Resolution – Raffle License – American Legion #382-08 – 50/50 Raffle

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 #382-08 as presented by the AMERICAN LEGION POST #170 ID. #427-07-00459 requesting permission to conduct 50/50 Raffle on February 15, 2009 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2008 – 184

A Resolution – Bingo License – American Legion #B383-08 – Bingo

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, State of New Jersey, that the application for Bingo License #B383-08 as presented by the AMERICAN LEGION POST #170 ID. #427-07-00459 requesting permission to conduct Bingo on November 14, 2008 at 33 W. Passaic Street be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2008 – 185

A Resolution – To Confirm Endorsement of Community Development Projects – \$5,000

Whereas, a Bergen County Community Development grant of \$5,000.00 has been proposed by the township of Rochelle Park for Senior Citizen Activities in the municipality 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

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 Rochelle Park 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 – 186

A Resolution – Appointing School Crossing Guards 2008-2009 School Year

Be it resolved, by the Township Committee of the Township of Rochelle Park that the following be and are hereby appointed School Crossing Guards upon the recommendation of the Chief of Police, without salary unless placed on duty under the instructions of the Police Department and then at a salary as provided in the Salary Ordinance of the Township of Rochelle Park, effective September 1, 2008 through June 30, 2009.

William Judge  
169 Howard Avenue  
Rochelle Park

Jacqueline Artola  
250 Rochelle Avenue  
Rochelle Park

Edward Obermaier  
12 Schlosser Drive  
Rochelle Park

Denise Courtney  
16 Susquehanna Avenue  
Rochelle Park

Adrienne Knapp  
130 Becker Avenue  
Rochelle Park

Diane Leone  
333 Rochelle Avenue  
Rochelle Park

Concetta Covino  
39 North Drive  
Rochelle Park

William Cottrell  
63 Oak Street  
Rochelle Park

Substitute: Bertha Sneyer  
53 Oldis Street  
Rochelle Park

Attest: Virginia De Maria

Resolution #2008 – 187

A Resolution – Redemption Tax Title Lien #2008-009

Whereas, the owner of 175 Rochelle Avenue, Unit 318 has paid the Tax Title Lien Certificate #2008-009;

Whereas, Robert DelVecchio, PO Box 196, Hawthorne, NJ 07507 is the present owner of said certificate and;

Whereas, funds have been deposited into a suspense account and;

Now therefore, be it resolved, that the C.F.O. is hereby authorized to issue a check to Robert DelVecchio in the amount of \$11,889.82 for the redemption of Tax Title Lien #2008-009.

Attest: Virginia De Maria

Resolution #2008 - 188

A Resolution – Redemption of Tax Title Lien #2008-004

Whereas, the owner of 175 Rochelle Avenue, Unit 223 has paid the Tax Title Lien Certificate #2008-004;

Whereas, Plymouth Park Tax Services LLC, PO Box 2288, Morristown, NJ 07962 is the present owner of said certificate and;

Whereas, funds have been deposited into a suspense account and;

Now therefore, be it resolved, that the C.F.O. is hereby authorized to issue a check to Plymouth Park Tax Services, LLC in the amount of \$20,232.20 for the redemption of Tax Title Lien #2008-004.

Attest: Virginia De Maria

Resolution #2008 - 189

A Resolution – Authorizing Municipal Court Credit Card System

Whereas, the Township Committee has received a request from the Court Administrator to take the steps which may be necessary in order to implement a procedure for the use of credit cards within the Municipal Court; and

Whereas, the Township Committee has reviewed this request and has specifically reviewed the proposal received from TD BankNorth, NA dated August 19<sup>th</sup>, 2008 which provides the necessary steps and services in order to implement such a procedure; and

Whereas, the Township Committee has determined that it would be in the best interest of the Municipality to enter into such an agreement in order to assist collections within the Municipal Court; and

Whereas, the proposal from TD BankNorth, NA provides for an initial cost of approximately \$550.00, however, there shall be no other fees, costs or expenses in connection with the continued operation of this 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. The use of a credit card terminal in the Rochelle Park Municipal Court is hereby authorized.
2. An agreement with TD BankNorth, NA in accordance with their proposal dated August 19<sup>th</sup>, 2008 is hereby authorized provided, however, that it is specifically agreed that, other than the initial cost of \$550.00, there shall be no additional costs or expenses incurred by the Township.
3. The Municipal Court Administrator and/or the Township Administrator are hereby authorized to execute any or all documents, vouchers, or contracts which may be necessary in order to implement this program in accordance with the authority provided in 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 Office of the Municipal Court of the Township of Rochelle Park and to TD BankNorth, NA

Attest: Virginia De Maria

Resolution #2008 – 190

A Resolution – Relocation Bus Stop – Essex Street

Whereas, NJ TRANSIT has funds for the purchase of bus shelters throughout the State of New Jersey; and

Whereas, the governing body of a municipality in New Jersey or the Board of Chosen Freeholders of a county may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

Whereas, the Township of Rochelle Park, in the interest of promoting public transportation, conservation of energy, traffic safety, and for the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction.

Now, therefore, be it resolved, that the application is hereby made by the Township of Rochelle Park to the New Jersey Transit Corporation for the purchase and installation of 1 bus shelters(s) as set forth in Exhibit A, made a part hereof.

Further, be it resolved that the Mayor and the Municipal Clerk be authorized to execute an agreement or agreements with NJ Transit to Arrange for the purchase and installation of the shelters.

Attest: Virginia De Maria

Resolution #2008 – 191

A Resolution Acknowledging Receipt of the 2007 Annual 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 2007 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of 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.

Attest: Virginia De Maria

Resolution #2008 - 192

A Resolution – Interlocal Agreement Maywood – Motor Vehicle Fuel

Whereas, NJSA 40A:65-1, *et.seq.* authorizes contracts between municipalities for shared services; and

Whereas, the Township of Rochelle Park and the Borough of Maywood have entered into discussions in connection with such an agreement for the provision of motor vehicle fuel to the Borough of Maywood by the Township of Rochelle Park; and

Whereas, the Township Administrator has recommended entering into such an agreement and the Township Committee has agreed that it would be in the best interests of the residents and taxpayers of the Township of Rochelle Park in order to enter into such an inter-local agreement

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

1. An inter-local services agreement be and is hereby authorized with the Borough of Maywood for the sale of motor vehicle fuel
2. The cost of the fuel to the Borough of Maywood will be the average monthly cost to the Township of Rochelle Park plus twenty cents per gallon
3. The fuel pumps shall be available 24 hours per day, seven days per week
4. The Township shall provide, to the Borough of Maywood, a key for each vehicle at a cost of between \$10.00 and \$15.00 per key. A specific code shall be assigned to each key as identified by the last four digits of the particular employee’s social security number.
5. The Township of Rochelle Park shall provide monthly invoiced to the Borough of Maywood in accordance with the provisions of this resolution and payments shall be due within thirty days of receipt.

Resolution #2008-192 (cont.)

6. The Borough of Maywood shall also be responsible for sharing the cost of repairing equipment including fuel pumps, fuel tanks and computers as well as sharing in the cost of software used for the storage, dispensing and calculation of gasoline. The percentage of responsibility for these costs will be determined by the number of municipalities who have entered into similar inter-local agreements. As of the date of this resolution, the Maywood share shall be one third as shared between Rochelle Park, Saddle Brook and Maywood. If the number of municipalities increases or decreases, the pro-rata share shall be adjusted accordingly.
7. The term of the within agreement shall be five years from that date of the execution of an agreement between the parties to be reviewed by and approved by the Township Administrator and the Township Attorney. The contract shall provide that either party may cancel this the agreement upon thirty 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 the Township Attorney, the Township Administrator, the Superintendent of the Department of Public Works and the Borough of Maywood.

Attest: Virginia De Maria

Resolution #2008 - 193

A Resolution – Introduction Ord. 992-08 – Amend Ord. #980-08 - 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 AMEND ORDINANCE #989-08 ENTITLED “AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE SALARY OR RATE OF 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 and that said ordinance be further considered for final passage at a meeting to be held on 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 - 194

A Resolution – Introduction Ord.993-08 - Amending ABC New Years Eve

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 58 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK ENTITLED “ALCOHOLIC BEVERAGES”**” be and it is hereby introduced and passed on first reading September 24, 2008 and that said ordinance be further considered for final passage at a meeting to be held on October 15, 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 – 195

A Resolution – Amendment – 2008 Capital Budget

(See Attached)

Resolution #2008 - 196

A Resolution – Authorizing Loc Pump and Equipment: Furnish And Install Two Variable Frequency Drives; Main Pump Station

Whereas the Township of Rochelle Park had entered into a contract with Longo Electrical and Mechanical, Inc. to undertake a rehabilitation of the Township of Rochelle Park's Main Pump Station by the furnishing and installing of two (2) new pumps and motors, furnishing of a "spare" pump and motor and furnishing and installing of a motor control center and ancillary equipment; and

Whereas Longo Electrical and Mechanical, Inc. completed the installation of one (1) new pump; and

Whereas when said pump was placed in operation it overheated under "normal" operating conditions and was incapable of operating without "manual" cooling; and

Whereas, since said pump was incapable of an "automatic" operation it required "a person 24 hours a day, seven days per week monitoring; and

Whereas the manual cooling of said pump required the Township of Rochelle Park to operate the sanitary sewer pump station utilizing a single 18 year old pump; and

Whereas the Township of Rochelle Park's Main Pump Station handles sanitary sewer flows for the entire Township; and

Whereas should the Main Pump Station become inoperable, sanitary sewer service for the entire Township would be compromised; and

Whereas the Township Engineer had previously determined this situation constituted an emergency/exigency condition; and

Whereas in order to assure that sanitary sewer service to the Township of Rochelle Park was maintained Loc Pump and Equipment was authorized to furnish and install two (2) new sanitary sewer pumps; and

Whereas when said sanitary sewer pumps were installed and operated simultaneously an "amperage spike" occurred; and

Whereas said amperage spikes resulted in the pump motors operating higher than recommended operating temperatures; and

Whereas operating at higher than recommended operating temperatures will, over time, damage said new pump motors; and

Whereas through a series of tests Loc Pump and Equipment has determined that the amperage "spike" has been caused by the Variable Frequency Drives installed in the motor control cabinet as part of the original pump station project; and

Whereas said Variable Frequency Drives control the operation of pump motor including turning said pumps on and off and controlling their speed to optimize their operating capabilities (efficiency); and

Whereas an analysis of said Variable Frequency Drives has also determined that the units furnished and installed by Longo Electrical and Mechanical, Inc. are "low end" units incapable of operating sanitary sewer pumps over their full operational range (speed); and

Whereas in order to permit the simultaneous operation of both pumps without overheating of the motors and to permit either pump to operate at its full capacity the existing Variable Frequency Drives must be replaced; and

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey, that Loc Pump and Equipment be and is hereby authorized to furnish and install two (2) new Variable Frequency Drives for the said Main Pump Station at a cost of \$9,716.00.

Attest: Virginia De Maria

Resolution #2008 – 197

A Resolution – Authorizing the Furnishing and Installation of A New Pump – Main Sewer Station; Loc Pump and Equipment – Not To Exceed \$59,275.00

Whereas, the Township of Rochelle Park had entered into a contract with Longo Electrical & Mechanical Inc., to undertake a rehabilitation of the Township of Rochelle Park's Main Pump Station by the furnishing and installing of two (2) new pumps motors, furnishing of a "spare" pump and motor and furnishing and installing of a motor control center and ancillary equipment; and

Whereas, Longo Electrical & Mechanical Inc., had completed the installation of one (1) new pump, and

Whereas, when said pump was placed in operation, it overheated under "normal" operating conditions and was incapable of operating without "manual" cooling, and

Whereas, since said pump was incapable of "automatic" operation it required "in person" 24 hour a day, 7 day per week monitoring, and

Whereas, the manual cooling of said pump required the township of Rochelle Park to operate the sanitary sewer pump station utilizing a single 18 year old pump, and

Resolution #2008 – 197 (cont.)

Whereas, the Township of Rochelle Park's Main Pump Station handles sanitary sewer flows for the entire Township, and

Whereas, failure of that remaining pump would have necessitated attempting to utilize the said "new pump" furnished by Longo Electrical & Mechanical, and

Whereas, should the Main Pump Station become inoperable, sanitary sewer service to the entire Township would be compromised, and

Whereas, the Township Engineer determined that this situation constituted an emergency/exigency condition, and

Whereas, in order to assure that sanitary sewer service to the Township of Rochelle Park was maintained, Loc Pump & Equipment Co., was authorized to furnish and install a rebuilt air cooled sanitary sewer pump for the Main Pump Station, and

Whereas, should said rebuilt pump be able to operate the station in an automatic mode, Loc Pump & Equipment was authorized to furnish and install a new "immersible" motor for said rebuilt pump, and

Whereas, Loc Pump & Equipment was also authorized if said pump was found to meet the flow requirements of the State by the Township Engineer to furnish and install a "new" air cooled immersible motor pump to replace the existing remaining 18 year old pump in the pump station, and

Whereas, on January 28 and January 29, 2008, the rebuilt pump was installed by Loc Pump & Equipment and placed in service, and

Whereas, since being placed in service the unit has operated without incident, and

Whereas, the Township Engineer has determined that the unit has had a sufficient "break in" period and that Loc Pump & Equipment should now proceed with the furnishing and installing of a second "new" air cooled immersible motor pump, and immersible motor for the previously installed air cooled motor;

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey, that Loc Pump & Equipment be and is hereby authorized to proceed with the furnishing and installing of said new pump, and

Be it further resolved that, at this time, the estimated cost for the furnishing and installing and this new pump will not exceed \$59,275.00 and

Be it further resolved that the Chief Financial Officer has certified that funds are available from Account # Capital in the amount not to exceed \$59,275.00.

Attest: Virginia De Maria

Resolution #2008 – 198

A Resolution – 2007 Road Program – Change Order #1

Whereas, a contract was previously awarded to D & L Paving Contractors of Nutley, New Jersey in connection with the 2007 Road Improvement Program; and

Whereas, the amount of the original contract, in accordance with the bid submitted by D & L Paving Contractors was \$117,473.75; and

Whereas, during the course of the profiling of the roadways, it was determined that two (2) existing storm drainage inlets had deteriorated to a point where they required reconstruction; and

Whereas, as a result of having made that determination, the Township Engineer has recommended that the contractor perform the extra work and services which may be necessary to resolve this issue; and

Whereas, since this work was not contemplated at the time of the initial contract award, it was not incorporated into the bid specifications. Therefore, a Change Order will have to be approved; and

Whereas, the total amount of this Change Order does not exceed ten percent (10%) of the initial contract price and is, therefore, permissible pursuant to the Local Public Contracts Law.

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. 1 in connection with the 2007 Road Program contract awarded to D & L Paving Contractors of Nutley, New Jersey is hereby approved.
2. The total amount of the Change Order shall be \$1,700.00. As a result of the aforesaid Change Order, the adjusted contract price shall be increased from \$117,473.75 to \$119,273.75.
3. The approval of this Change Order is based upon the recommendation of the Township Engineer as set forth in his letter dated August 28, 2008.

Resolution #2008 – 198 (cont.)

4. The approval of this Change Order is contingent upon certification 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 Township Engineer, D & L Paving Contractors of Nutley, New Jersey and the Chief Financial Officer for the Township of Rochelle Park.

Attest: Virginia De Maria

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

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

Resolution #2008 - 199

A Resolution – Introduction Ord. 994-08 –Bond Ordinance – \$600,000

BE IT RESOLVED, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**BOND ORDINANCE TO AMEND SECTIONS 4, 5, 6, 7, 8, 10 AND 11 OF THE BOND ORDINANCE (ORD. NO. 991-08) ENTITLED: ‘BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC 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 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,’ ADOPTION AUGUST 13, 2008**” be and it is hereby introduced and passed on first reading September 24, 2008 and that said ordinance be further considered for final passage at a meeting to be held on October 15, 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. Strohmeyer and seconded by Comm. Kovalcik to adopt the above resolution. Motion carried on a roll call vote – all voting “Aye”.

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

Resolution #2008 – 200

A Resolution - Authorizing Release of Closed Session Minutes of September 10, 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 September 10, 2008 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

Resolution #2008 – 200 (cont.)

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

Attest: Virginia De Maria

CLOSED SESSION MINUTES – September 10<sup>th</sup>, 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. New York PrimeII/Ramada Inn – The Township Attorney provided the Township Committee with a summary of the status of all pending litigation regarding the Ramada Inn and, specifically, the restaurant premises located within the hotel.
2. Main Pump Station – The Township Attorney provided an update to the Township Committee regarding the litigation which has been commenced against Longo Electrical Mechanical in connection with the installation of the pump station.
3. Personnel – The Office of the Township Administrator was discussed including personnel needs in that office in view of the anticipated retirement of the Township Administrator.

Attest: Virginia De Maria

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

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

Comm. Kovalcik – No Report

Comm. Lotz – Apologized for not having the DPW report available this month.

Police Department August Report – Motor Vehicle Accidents 35, Total Police Calls 1021, Total Summons Issued 261, Total Patrol Mileage 9459, Total Arrests 15

Municipal Court August Report – 312

Lotz advised the need for the hiring of a new police officer as a replacement for a recent vacancy. He complimented Police Chief Zavinsky for a job well done.

Comm. Valenzuela – Spoke regarding the Essex Street bridge project, he asked the Sanzari Construction if they would pave a small walkway leading to Matthews Field at no cost. They graciously accepted and saved the taxpayers of Rochelle Park approximately \$7,500. He will draft a letter of thanks and send it on behalf of the Township Committee.

Fire Department August Report Calls- 18 calls

Valenzuela recently read a newspaper article regarding conflicts of interest purchasing various fire vehicles within local fire departments. He stated that an enormous effort went into the purchasing of the Rochelle Park’s new rescue truck. He thanked ex-fire Chiefs Keith Danis, Bob Holzmann, Darryl DeMott and current Fire Chief Dave Brown for their hard work and time spent preparing the specifications of the truck.

A motion was offered by Comm. Valenzuela and seconded by Mayor Scarpa to appoint Robert Passarella to the Rochelle Park Fire Department. “Ayes” Valenzuela, Scarpa “Nays” Lotz, Kovalcik, Strohmeyer

Comm. Valenzuela expressed his displeasure at the vote. Members of the Committee who voted against this appointment indicated that they wanted to explore the impact this would have on the DPW. Currently one member of the DPW is also a member of the Fire Department and leaves to answer fire calls. They explained that they were not opposed to the appointment but wanted time to discuss the impact. It was rescheduled for the next work session.

Comm. Strohmeyer - Library August Report - Circulated 2244 items, Added 140 New Items, New Cards Issued 27, Computer Usage, 271

The winners of the summer reading contest were: Division 1 – Diana Allos, Elizabeth Schmunk, Elizabeth Bilka Division 2 – Melinda Sanchez, Claudia Allos, Isabella Maldonado

Minutes of the Public Meeting held September 24, 2008 cont.

Question of the Week Winners – Samantha McElroy, Donald Schmunk, Caitlin Harris, Diana Allos, Emma Iacometta, Diana Allos, Mihir Kasvala, Claudia Allos, Melinna Sanchez. The winners received gift cards from Borders Books.

Mayor Scarpa – No report

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

Ted Reighard – 109 Parkway - Saddle Brook – Assistant Fire Chief – Asked for an explanation from the three members of the Township Committee who voted to not appoint Rob Passarella to the Fire Department. Comm. Lotz advised that while he wanted the fire department and DPW to be fully staffed, he felt the need to work out a schedule due to two members of the DPW staff who would be answering day time fire calls. Mr. Reighard advised that State statute allows men to respond to fire calls during working hours. Comm. Lotz advised that the matter would be discussed at the next work session. Mayor Scarpa agreed that it would be discussed at the next meeting.

Al Carroll – 175 Rochelle Avenue – Sr. Battalion Chief – Echoed the sentiments expressed by the Assistant Chief. He stressed the need for qualified day time fire fighters. Comm. Lotz again responded that he would like to discuss that matter at the next work session.

Mrs. Reinhardt – 295 W. Passaic Street – Complained that the bushes on the property near Shoprite were hanging over the sidewalk impeding her passing. Mayor Scarpa advised that they would send Construction Code Official Rich Bolan to the property for inspection.

Teddy Karounus – Ramada Hotel Restaurant – 444 Pine Hill Road, Leonia – Asked the Township Committee what direction they were considering regarding reinstatement of a restaurant back at this location. Mr. Karounus advised his problems in getting a health inspector to inspect the location prior to opening. He also asked the status of his liquor license litigation. Attorney Rotolo advised Mr. Karounus that this was not the place to discuss litigation. Mr. Karounus was unhappy with this answer and left the meeting.

Dave Brown – 260 Howard Ave – Fire Chief - Asked the Township Committee to reconsider the vote as they currently need all the members they can get, as membership to the Rochelle Park Fire Department is down. He feels Mr. Passarella would be an asset to the department.

Comm. Kovalcik advised that he was not opposed to the appointment of Mr. Passarella, however he would like to discuss a valid plan to make sure the appointment would co-exist with the needs of the township.

Comm. Lotz advised that he would like time to work out the details by discussion at the next work session.

According the “Robert’s Rules” the opposing side can motion to reconsider. No motion made.

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

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

Respectfully submitted,

Virginia De Maria  
Municipal Clerk