



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

**MINUTES – PUBLIC MEETING – January 20, 2010**

Call to Order 7:35 PM

According to the Open Public Meetings Act, this meeting of January 20, 2010 was advertised in the notice sent to the "Our Town" and "The Record" and posted on the bulletin board in the Municipal Building on January 9, 2010 and has remained continuously posted as the required notice under the Statute and is being taped. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Roll Call:       Comm. R. Davidson  
                  Comm. K. J. Kovalcik  
                  Comm. J. Scarpa  
                  Comm. P. Strohmeyer  
                  Mayor F. Valenzuela

Pledge of Allegiance was led by John Schmunk

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

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

A motion was offered by Comm. Strohmeyer and seconded by Comm. Kovalcik to approve the Minutes of the Sine Die meeting held on January 3, 2010. Motion carried – "Aye's" Kovalcik, Scarpa, Strohmeyer, Valenzuela, "Abstain" Davidson

A motion was offered by Comm. Davidson and seconded by Comm. Strohmeyer to approve the minutes of the Reorganization Meeting held on January 3, 2010. Motion carried on a voice vote – all voting "Aye".

Reports:

Building Department - December 2009  
Health Department - December 2009  
Municipal Court - December 2009  
Attendance Report - December 2009

Proclamation:

Congratulations - John Schmunk

Mayor Valenzuela presented this long time resident with a proclamation honoring his recent promotion to Police Sergeant in Essex Fells. He congratulated him on his appointment and wished him safety and good health.

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

Resolution #2010 - 35

A Resolution – Payment of Bills – January 2010

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, that the following bills be turned over to the Treasurer, and if found to be correct, be paid provided there is sufficient funds in the various accounts. (see attached)

Attest: Virginia De Maria

Resolution #2010 – 36

A Resolution - Appointing Lynda Lasini – Certified Municipal Court Administrator

Whereas, after completing all require course and applying to the New Jersey Supreme Court and receiving the status as a “Certified Municipal Court Administrator”; and

Whereas, LYNDA LASINI of Rochelle Park, New Jersey has served in the position of Interim Municipal Court Administrator for several years; and

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. LYNDA LASINI be and is hereby appointed to the position of Certified Municipal Court Administrator for the Township of Rochelle Park.
2. The term of this appointment shall commence upon the adoption of this Resolution and shall continue for a period of three (3) year.
3. The salary for this position shall be established pursuant to the provisions of the applicable Salary Ordinance which currently establishes the salary for this position in accordance with the salary ordinance.
4. The Township Administrator be and is hereby authorized and directed to take steps which may be necessary in order to facilitate and carry the provisions of this Resolution.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to LYNDA LASINI, Honorable Roy McGeady, J.M.C. and Ms. BRENDIS MONTIJO-WRIGLEY, Municipal Division Manager.

Attest: Virginia De Maria

Resolution #2010 – 37

A Resolution Issuing Raffle License #397-10 – Walter D. Head Foundation for International Understanding

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 #397-10 as presented by the WALTER D. HEAD FOUNDATION FOR INTERNATIONAL UNDERSTANDING ID#319-4-36920 requesting permission to conduct OFF PREMISE 50/50 RAFFLE on APRIL 16, 2010 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2010 – 38

A Resolution - Issuing Bingo Raffle License #398-10 – Bergen County Technical H.S.

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 #398-10 as presented by the BERGEN COUNTY TECHNICAL HIGH SCHOOL ID#373-5-37706 requesting permission to conduct BINGO on MARCH 12, 2010 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2010 – 39

A Resolution – Authorizing Execution of Lease Amendment –Nextel

Whereas, the Township previously entered into a communications site lease agreement with Nextel of New York, Inc.; and

Whereas, that agreement was entered into on October 12<sup>th</sup>, 1998; and

Whereas, the lessee now desires to allow other companies to use a portion of the cell tower which is the subject of this lease agreement; and

Whereas, the Township Committee has determined that it would be in the best interest of the Municipality to allow this additional use provided, however, that no interference is created with other Municipal services and that no structural amendments or expansion of the current facility is needed; and

Whereas, the Lessee has agreed to pay an additional sum of \$2,000.00 for this benefit.

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. Amendment No. 1 to communications site lease agreement is hereby authorized.
2. The agreement shall provide for an additional payment to the Municipality of \$2,000.00.00 per month.
3. The acting Township Administrator is hereby authorized to execute any

Resolution #2010 – 39 (cont.)

documents which may be necessary in order to effectuate the provisions of this resolution.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the Township Attorney, the Chief Financial Officer for the Township of Rochelle Park and Nextel of New York, Inc.

Attest: Virginia De Maria

Resolution #2010 – 40

A Resolution Approving Transfers within the 2009 Budget Appropriations

Whereas, there are certain appropriations which unexpended balances and certain accounts on which commitments to be entered into which possibly exceed the amount of the original 2009 appropriations; and

Whereas, under Title 40A:4-58 Revised Statutes of New Jersey permission is given to transfer from one budget account into another during the last two months of the fiscal year.

Now, therefore, be it resolved, that the Finance Officer, Roy Riggitano of the Township of Rochelle Park be and is hereby authorized and directed to transfer as follows:

20-1551	FROM:	Legal Services O/E	\$ 5,090.00
26-2902	FROM:	Streets & Roads O/E	5,600.00
26-2901	FROM:	Streets & Roads S&W	16,000.00
31-4302	FROM:	Utilities Electric	9,000.00
31-4462	FROM:	Utilities Gas	<u>3,500.00</u>
		Total	\$39,190.00
20- 1002	TO:	General Admin O/E	\$ 5,000.00
26-305 2	TO:	Solid Waste Collection	2,000.00
26-3102	TO:	Buildings & Grounds O/E	26,200.00
26-3152	TO:	Vehicle Maintenance O/E	1,000.00
31-4402	TO:	Utilities Telephone	1,200.00
36-4752	TO:	PFRS Pension	200.00
43-6902	TO:	Municipal Library O/E	90.00
23-2202	TO:	Health Insurance	<u>3,500.00</u>
			\$39,190.00

Attest: Virginia De Maria

Resolution #2010 – 41

A Resolution – Authorizing Entering into Agreement with County of Bergen for Emergency Services Notification System

Whereas, there exists a need for the County of Bergen, Office of Emergency Management, Department of Public Safety to provide an automated telephone alerting system service (hereinafter called “system”) to be available 24 hours a day, seven (7) days a week, and all days per year to the seventy (70) Municipalities comprising the County of Bergen; and

Whereas, the Bergen County Board of Chosen Freeholders adopted Resolution No. 147 on February 20, 2008 authorizing the County to award a purchase contract to C3: Citizen Communication Center, 155 Franklin Avenue, Nutley, New Jersey 07110 (hereinafter known as the “service provider”) to provide the above referenced system to those municipalities so desiring; and

Whereas, the Municipality wishes to utilize such a system for the benefit of its citizens; and

Whereas, the County shall be 100% of the cost of initial installation, testing, and training of the system and 100% of the cost of the annual maintenance, testing and training of the system; and

Whereas, the Municipality shall pay the combined costs of the combination of options as outlined above and in corresponding subsequent Agreements(s) with the County of Bergen.

Now, therefore, be it resolved, that the municipality be and is hereby authorized to enter into an Agreement with the County of Bergen to utilize an automated telephone alerting system service at any time during the County’s contract period with the service provider (March 1, 2008 through February 28, 2009) with an option for an additional year); and be it further

Resolved, that the Mayor of the municipality be and is hereby authorized to execute said Agreement in a form to be approved by the municipal attorney.

Attest: Virginia De Maria

Resolution #2010 – 42

A Resolution – Dedicated By Rider Fire Prevention Bureau Dedicated Penalty Trust Funds

Whereas, N.J.S. 40:A 4-39 provides for the insertion of a “Dedication by Rider” in the budget of any local unit which dedicates revenues anticipated during the fiscal year from “Fire Prevention Bureau Dedicated Penalty Trust Funds”, subject to written prior consent of the Director of the Division of Local Government Services, when the revenue is not subject to reasonably accurate estimate in advance; and

Whereas, such dedicated revenues shall be appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements.

Now, therefore, be it resolved, by the Township of Rochelle Park, County of Bergen, New Jersey, that N.J.A.C. 5:70-2.12, Dedicated Fire Prevention Trust Fund Revenue received/and or allocated by the Township of Rochelle Park, be placed in a specific trust fund and such trust fund shall be considered a “Dedication by Rider” to the budget of the local unit, pursuant to N.J.S. 40A:4-39, for the sole purpose as stated above.

Attest: Virginia De Maria

Resolution #2010 – 43

A Resolution – Dedicated By Rider Fire Prevention Dedicated Penalty Trust Funds

Whereas, N.J.S. 40:A 4-39 provides for the insertion of a “Dedication by Rider” in the budget of any local unit which dedicates revenues anticipated during the fiscal year from “Fire Prevention Dedicated Penalty Trust Funds”, subject to written prior consent of the Director of the Division of Local Government Services, when the revenue is not subject to reasonably accurate estimate in advance; and

Whereas, such dedicated revenues shall be appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements.

Now, therefore, be it resolved, by the Township of Rochelle Park, County of Bergen, New Jersey, that N.J.A.C. 5:70-2.12, Dedicated Fire Prevention Trust Fund Revenue received/and or allocated by the Township of Rochelle Park, be placed in a specific trust fund and such trust fund shall be considered a “Dedication by Rider” to the budget of the local unit, pursuant to N.J.S. 40A:4-39, for the sole purpose as stated above.

Attest: Virginia De Maria

Resolution #2010 – 44

A Resolution – Issuing License #399-10 To Salt Water Anglers Of Bergen County – ID #427-8-37906

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 #399-10 as presented by the SALT WATER ANGLERS OF BERGEN COUNTY ID#427-8-37906 requesting permission to conduct 50/50 RAFFLES on FEBRUARY 16, MARCH 20, MAY 18, JUNE 15, JULY 11, JULY 20, AUGUST 17, SEPTEMBER 21, OCTOBER 19, NOVEMBER 16, 2010 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2010 – 45

A Resolution – Issuing License #400-10 To Salt Water Anglers Of Bergen County – ID #427-8-37906

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 #400-10 as presented by the SALT WATER ANGLERS OF BERGEN COUNTY ID#427-8-37906 requesting permission to conduct RAFFLES on FEBRUARY 16, MARCH 20, MAY 18, JUNE 15, JULY 11, JULY 20, AUGUST 17, SEPTEMBER 21, OCTOBER 19, NOVEMBER 16, 2010 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2010 – 46

A Resolution – Issuing License #401-10 To Salt Water Anglers Of Bergen County – ID #427-8-37906

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 #401-10 as presented by the SALT WATER ANGLERS OF BERGEN COUNTY

Minutes of the Public Meeting held January 20, 2010 cont.

Resolution #2010 – 46 (cont.)

ID#427-8-37906 requesting permission to conduct RAFFLES on MAY 18, 2010 be approved and the requested license be issued.

Attest: Virginia De Maria

Resolution #2010 – 47

A Resolution – Supporting Shared Services with Bergen County

Be it resolved by the Township Committee of the Township of Rochelle Park, that:

Whereas, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

Whereas, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

Whereas, in the 2010-00 grant cycle, priority funding will be given to county projects shared services projects with its constituent municipalities; and

Whereas, the Township of Rochelle Park desires to collaborate with the County of Bergen in the performance PARIS Grant Shared Services; and

Whereas, the Township of Rochelle Park is acknowledging that their eligible funding of \$40,000.00 will be leveraged with the county of Bergen; and

Whereas, the Township of Rochelle Park is acknowledging that the County of Bergen would be both the lead agency and the applicant for such a proposal; and

Now, therefore, be it resolved by the Township Committee of the township of Rochelle Park, that the Township Committee does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

Attest: Virginia De Maria

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

Resolution #2010 – 48

A Resolution – Authorizing Release of Closed Session Minutes of January 13, 2010

Whereas, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et. seq.) certain issues may be discussed by the Township Committee in a session which excludes the public; and

Whereas, the aforementioned law requires that the minutes of said closed sessions be released as soon as practicable after the meeting and so long as the release of the minutes will not be adverse to the interests of the public and/or the Township; and

Whereas, pursuant to statute, the purpose of this Resolution is to disclose the information which was discussed in closed session on January 13, 2010 to the extent that said information can be disclosed without adversely affecting the Township of the public interest.

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

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 – January 13<sup>th</sup>, 2010

A motion was made for the Township Committee to go into closed or executive session to discuss matters of personnel, litigation and negotiations. The following represents the minutes of that closed session to the extent that those minutes may be released at this time:

Litigation (375 West Associates / New York Prime II) - The Township Attorney provided the Township Committee with an update as to the status of litigation in connection with the following:

**Resolution #2010 – 48 (cont.)**

- Northern Park, LLC – Case Scheduled to begin trial on Friday, January 15<sup>th</sup>, 2010
- Ronald Di Paola – Case has been settled and settlement documents have been executed.

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 – “Aye’s” Davidson, Kovalcik, Strohmeyer “Abstain” Scarpa, Valenzuela

Comm. Kovalcik swore in Certified Municipal Court Administrator Lynda Lasini as Maria Cappa-Foschini, Deputy Court Administrator held the bible. Administrator/Municipal Clerk De Maria explained the hard work required in obtaining the above certification.

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

Comm. Kovalcik – Congratulated Lynda Lasini on her achievement in obtaining her Certification as Municipal Court Administrator. He is looking forward to working as the municipal court liaison.

Comm. Scarpa – Advised that he had met with acting CFO Roy Riggiano regarding the 2010 budget review. He advised that people are tired of frivolous government spending and high taxes. Scarpa feels the Township Committee needs to review to take budget preparation very seriously to keep the tax base as low as possible. Mr. Riggiano will be meeting with the Police Department, Fire Department and Ambulance Corp. to discuss their budgets. Scarpa then expressed his displeasure in a decision made at the previous work session to hire a clerical person for the police department. He feels this will negatively impact the 2010 budget. Acting Administrator/Municipal Clerk De Maria advised that the job would be for 4 hours per day four days a week at \$12.00 per hour. Comm. Strohmeyer explained that she felt that the police department was in need of some clerical help. Comm. Kovalcik felt that this position would be per diem with no health benefits or holiday pay. Comm. Davidson explained that he felt this clerical position was a necessary one. As a retired police officer, he feels that police officers should be out on the road not in the office doing clerical work.

Comm. Davidson – Advised that he had attended a police graduation held at the Bergen County Fire Academy, in which two residents, Matthew Jacobsen and John Knapp graduated. They are both currently employed by the City of Hackensack.

DPW December Report – Most time spent on maintaining building and grounds, secondly maintaining snow equipment, thirdly picking up brush – Total Hours 768 Davidson advised that the DPW had been extremely busy lately picking up Christmas tree, and electronics. They are currently utilizing their new building, washing and waxing their vehicles. Also they have begun painting the interior of the municipal building.

Police Report - Davidson highlighted some of the officer’s accomplishments. He stated that the Rochelle Park Police Department did a good job.

Comm. Strohmeyer – Building Department December Report – Revenue \$6,833.28  
Library December Report - Circulated - 1611 items, Loaned – 402, Borrowed - 1071, New Cards Issued - 7, Computer Usage - 1654. Strohmeyer reminded everyone that Rochelle Park Library was planning their 50<sup>th</sup> Anniversary. They would be hosting an open house on May 30<sup>th</sup>.

Mayor Valenzuela – Met with Assemblyman Gordon Johnson and Assistant Fire Chief Al Carroll regarding the application of grant monies for the Fire Department. Mr. Johnson stated that he would assist the Township in claiming some of the grant money. Valenzuela advised that Ex-Fire Chief Keith Danis’s mother had passed away and gave the details.

Administrator/Municipal Clerk De Maria – Reminded the department to begin working on their budgets, and if there are expenditures needed to please call acting CFO Riggiano to assure that the money is in place.

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

Minutes of the Public Meeting held January 20, 2010 cont.

Walter Larose – 314 Rochelle Avenue – Advised of a previous conversation held with the Mayor regarding the covering up a draining pipe at his property. When the street was recently repaved, a drainage pipe at the location was partially covered. After a lengthy discussion it was agreed that Mr. Larose would attend the next work session where Township Engineer Ken Job could address this issue to the satisfaction of the resident

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

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

Closed Session

Northern Park

Administrator Position

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

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

Respectfully submitted,

Virginia De Maria  
Municipal Clerk