

BOROUGH OF HASBROUCK HEIGHTS

MINUTES

July 26, 2005

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on Tuesday, July 26, 2005 at 8:10 p.m. at Borough Hall, 320 Boulevard, Hasbrouck Heights, New Jersey.

Borough Clerk Rose Marie Sees stated that the meeting complied with the Sunshine Law, adequate notice of this meeting having been made to all members of the Council by personal service on January 4, 2005 and transmitted to The Observer, The Record and The Herald News on January 4, 2005.

ROLL CALL: Present: Mayor Ronald R. Jones, Councilwoman Carol J. Skiba, Councilman Leonard Introna, Councilman Thomas E. Meli, Councilman Ronald F. Kistner (who arrived at 8:20 p.m.), Councilman Justin A. DiPisa, Councilman Andrew Link III

Absent: None

SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE: Mayor Jones led in the Salute to the Flag and Pledge of Allegiance.

INVOCATION: The Invocation was presented by Rev. Edward Glasser of Community United Church of Christ

COMMUNICATIONS:

1. Letter from Act. Comm. Charles A. Richman, Dept. of Community Affairs
announcing award of \$150,000 in Extraordinary Aid

2. Letter from Senator Joseph Coniglio announcing award of
Extraordinary Aid

Thank you from Andrew Feintuch Memorial Scholarship Recipient
John Gagliardi

Thank you from Quigg Scholarship Recipient Diane Powell

Request of Mayor and Council from Jessica Obiedzinski to sign a
petition for her Girl Scout Gold Award project supporting
amendment to allow veterans who served during peacetime a
property rent deduction

COMMUNICATIONS (cont'd):

Thank you from Quigg Scholarship Recipient Amanda Kistner

Mayor Jones asked if anyone wished to have item read into the record. There being none, he asked for a motion to accept the Communications. A motion was made by Councilman DiPisa, seconded by Councilman Link, and unanimously carried.

APPROVAL OF MINUTES: None

PETITIONS: None

BE IT RESOLVED that the claims and accounts amounting to \$283,987.76 specified in the schedule hereto annexed, having been examined and approved by the Finance Commissioner, or his Deputy, be paid and that warrants be issued therefore.

Signed Andrew Link, III
Commissioner of Finance

On a motion by Councilman DiPisa, seconded by Councilman Meli, and unanimously carried, the foregoing Resolution was adopted.

REPORTS:

FINANCE AND SOCIAL SERVICES:

Under Finance, Commissioner Link gave the Finance Report for the month of June. The current fund cash balance as of June 30, 2005 was \$1,435,746.96; on May 31 was \$3,403,578.90 which represents an decrease of \$1,967,831.94. The entire balance was invested and is earning 2.99%. Cash receipts for June totaled \$2,295,887.03 of which \$128,521.72 was for current taxes, \$34,495.38 was prior year taxes, \$4,789.79 was grants and state aid and \$160,248.20 was miscellaneous revenues. Cash disbursements for June totaled \$2,295,887.03 of which \$1,379,290.20 was local school taxes, \$29,812.90 was a refund due to tax appeal, \$533,066.01 was salaries, and \$353,717.92 was for other expenses. He continued that extraordinary aid in the amount of \$150,000 was awarded. An amended budget will be introduced August 9, with a public hearing as required by statute. Estimated tax bills were issued for the third installment due to the delay in the budget adoption process. After the budget is amended and adopted, a final tax bill will be sent for the fourth quarter 2005 and first and second quarter of 2006. Under Social Services, Commissioner Link reported the Food Pantry was officially opened on April 25 and continues to be open every Monday from 9 a.m. to 11 a.m. During the month of June and July, 36 visits to

FINANCE AND SOCIAL SERVICES (cont'd):

the Food Pantry were reported. A special thank you to those who answered a request for donations of air conditioners and to the churches and organizations.

HEALTH AND PUBLIC FACILITIES:

Under Health, Commissioner DiPisa made a comparison of revenues from 2004 to 2005, highlighting a few, totally, up about \$8,006.00. He commended Marilyn deRussy. He announced the third health fair expo will be held on September 30. Public Facilities, Commissioner DiPisa reported soil cleanup has begun at the former Shell Service Station. The Public Safety building fencing is complete and trees have been planted. A contract has been awarded to Apple Woodworking for the installation of a no-maintenance material on the facades of Borough Hall where they were peeling. A charge back to the original contractor will be made. Riedel Sign will install exterior lettering. The Community Awareness Access to All Committee will meet in September.

POLICE AND RECREATION: Councilman Kistner began his report by noting he was late as he was at the District 5 10 year old Little League championship game and Hasbrouck Heights was the winner. Under Police, Commissioner Kistner held his report to the next meeting. Under Recreation, he reported the second annual camp out night was held with 40 families registered and Robert Brady and Laura French were congratulated. The second summer concert was held with 160 in attendance. A Town Hall Meeting on Recreation was held the previous Monday night with a low turnout. Preparations for the softball field are in progress. Basketball courts near the Little League Field are also in discussion for next Spring. Port Authority has provided additional field space near Teterboro Airport and is being discussed.

FIRE AND PARKS: Under Fire, Commissioner Meli reported statistics show 4 times per day. He reiterated the desperate need for volunteers with only 55 active members presently. Port Authority is in the process of reimbursing all Borough equipment damage from the recent plane crash on Route 46. As they are receiving two new trucks, they are donating the present foam truck to Hasbrouck Heights. Under Parks, he referred to Councilman Kistner's report on grants for parks, and to the upcoming park on Central Avenue. At the Town Hall Meeting, he noted volunteers are greatly needed to man the Recreation Center. He reported on the Farmer's Market which is going strong. The Library is presently being wired for wireless computers, with the computers scheduled to arrive in early September. He had attended Judy Mascis' retirement dinner. He continued that the soccer field in Woodland Park has been aerated, seeded and fertilized. A sprinkler system will be installed at the Boulevard Circle.

LAND USE AND SANITATION: Under Sanitation, Commissioner Introna reported that residents can rake leaves into the street for removal by the DPW, however leaf piles must be kept 10 feet away from catch basins. Leaves may also be bagged or placed into rigid containers and placed at the curb, or brought to the Recycling Center.

STREETS AND TRANSPORTATION: Under Streets and Transportation, Commissioner Skiba reported one of the front end loaders developed a bent lifting arm which would cost \$18,500 if replaced by the manufacturer, but was able to be straightened at a cost of \$1,400 thanks to Jeff Licameli and Steve Daus. Fall tree planting has been scheduled and residents can request a tree if they so wished. Regarding Teterboro Airport, she reported that in view of the rejection by the FAA to both reduce the number of flights and the size of planes, the Coalition for Public Health and Safety has requested meetings with Senator Corzine and Chairman Coscia and Gargano. Updates will follow.

REPORT OF MAYOR: Mayor Jones had attended a meeting with Verizon in the Hilton Hasbrouck Heights Hotel. They were asking to be treated similarly to Cablevision when they originally put out franchises for phone lines. He would propose a committee, including Mr. Kronyak to keep up on this. Port Authority's Director of Government and Community Relations Shawn K. Laurenti had met with him and thanked the Borough's Fire Department and Police Department and reimbursement of equipment damages. He brought to her attention the FAA's comments they would take the grants from the Port Authority if they don't follow through with all their rulings, which he was against, and would like to notify both governors by letter indicating such. Councilwoman Skiba also asked for support of the Port Authority. Along with Councilman Kistner, a conference call was held to discuss the park at Teterboro Airport and an engineer would be called. This will add up to three additional parks. He thanked Senator Coniglio, Assemblyman Gordon and Assemblywoman Voss for their assistance with the \$150,000 extraordinary aid. He had some concerns for the lack of volunteers for the Recreation Center. A committee will be put into place. Councilman Kistner noted that volunteers are coming forward. The Mayor had attended a press conference with Governor and Mary Jo Codey and he found her to be a courageous woman.

APPOINTMENTS: None

RESIGNATIONS: None

NEW BUSINESS:

CONSENT AGENDA: 127. Authorizing Raffle License for H.H. Parents Association for Athletes

CONSENT AGENDA (cont'd):

128. Supporting Renewal of the New Jersey Transportation Trust Fund and Increased Dedication of Local Aid

On a motion by Councilman DiPisa, seconded by Councilwoman Skiba, with Councilman Kistner abstaining from Resolution No. 127, the foregoing Consent Agenda Resolutions were approved (Copies attached).

RESOLUTIONS: 129. Construction Fees: Payment of Fees to State

130. Authorizing Application for Funding Under the Governor's Council on Alcoholism and Drug Abuse Grant Program

131. Municipal Question - Floor Area Ratio (one and two family residences)

On a motion by Councilman Link, seconded by Councilman DiPisa and unanimously carried, the foregoing Resolutions were approved. (Copies attached)

ORDINANCE(S) ON INTRODUCTION:

ORDINANCE NO. 2099:

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF ARTICLE VIII ENTITLED "NONCONFORMING USES, STRUCTURES AND LOTS" OF CHAPTER 275 ENTITLED "ZONING" OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS"** was introduced this date be and the same is hereby passed on first reading and the Borough Clerk be directed to advertise notice of public hearing on said Ordinance to be held at the regular meeting of the Borough Council on August 9, 2005.

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE PURSUANT TO N.J.S.A. 40:55D-25E REESTABLISHING A ZONING BOARD OF ADJUSTMENT IN AND FOR THE BOROUGH OF HASBROUCK HEIGHTS AND PROVIDING FOR ITS MEMBERSHIP AND POWERS, AMENDING, SUPPLEMENTING AND REPEALING CERTAIN PROVISIONS OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS IN ACCORDANCE THEREWITH, AND REQUESTING THAT THE CLERK OF THE COUNTY OF BERGEN PLACE UPON THE BALLOT AT THE NEXT GENERAL ELECTION A MUNICIPAL PUBLIC QUESTION TO DETERMINE THE**

ORDINANCE(S) ON INTRODUCTION (cont'd):

SENTIMENT OF THE VOTERS AS TO WHETHER THE RECONSTITUTION OF SUCH ZONING BOARD OF ADJUSTMENT SHALL BE PERMITTED” was introduced this date be and the same is hereby passed on first reading and the Borough Clerk be directed to advertise notice of public hearing on said Ordinance to be held at the regular meeting of the Borough Council on August 9, 2005.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO SUPPLEMENT THE ZONING ORDINANCE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO PROVIDE FOR BILLBOARDS AS A CONDITIONAL USE ONLY AFTER APPROVAL BY THE PLANNING BOARD, ONLY IN ACCORDANCE WITH CERTAIN LIMITED CONDITIONS AND ONLY IN CERTAIN LIMITED AREAS OF THE B-2 HIGHWAY COMMERCIAL ZONE”** was introduced this date be and the same is hereby passed on first reading and the Borough Clerk be directed to advertise notice of public hearing on said Ordinance to be held at the regular meeting of the Borough Council on August 9, 2005.

On a motion by Councilman DiPisa, seconded by Councilman Meli, and unanimously carried, the foregoing Ordinances on Introduction were approved.

ORDINANCE(S) ON CONTINUED PUBLIC HEARING:

Mayor Jones opened the continued public hearing on Ordinance No. 2091:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF ARTICLE VIII ENTITLED “NONCONFORMING USES, STRUCTURES AND LOTS” OF CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS”** was withdrawn and would be replaced with Ordinance No. 2099.

On a motion by Councilman Kistner, seconded by Councilman Meli, and unanimously carried, the foregoing Ordinance was withdrawn and replaced by Ordinance No. 2099.

ORDINANCE(S) ON PUBLIC HEARING:

Mayor Jones opened the public hearing on Ordinance No. 2097 and Ordinance No. 2098. There being no one wishing to speak, the public hearing was closed.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE SUPPLEMENTING PARAGRAPH B ENTITLED “PROJECTIONS INTO REQUIRED YARDS; GENERAL EXCEPTIONS” OF §275-16 ENTITLED “YARD REGULATIONS” OF CHAPTER 275 ENTITLED “ZONING” AND AMENDING PARAGRAPH F ENTITLED “NOISE” OF §275-36 ENTITLED “PERFORMANCE STANDARDS” OF CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS IN RESPECT TO THE INSTALLATION OF CENTRAL AIR CONDITIONING UNITS, HEAT PUMP UNITS AND OTHER SUCH HVAC EQUIPMENT WHICH SERVE ONE OR TWO FAMILY DWELLINGS IN CERTAIN YARDS UNDER CERTAIN LIMITED CONDITIONS”** was continued on public hearing until Planning Board approval was received.

On a motion by Councilwoman Skiba, seconded by Councilman Meli, and unanimously carried, the foregoing Ordinance was continued on public hearing.

ORDINANCE(S) ON PUBLIC HEARING:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE SUPPLEMENTING SECTION 84.12 ENTITLED “PROHIBITION: EXCEPTIONS” OF ARTICLE V ENTITLED “CONSUMPTION IN PUBLIC” OF CHAPTER 84 ENTITLED “ALCOHOLIC BEVERAGES” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO INCLUDE AMONG THE EXCEPTIONS TO THE GENERAL PROHIBITION AGAINST THE SERVICE OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES A FURTHER EXCEPTION FOR CERTAIN SPECIFIED FIRE DEPARTMENT FUNCTIONS CONDUCTED ONLY WITHIN THE “EXEMPT ROOM” OF THE NEW PUBLIC SAFETY BUILDING UNDER CERTAIN SPECIFIED TERMS AND CONDITIONS”** be now passed on second and final reading and the Borough Clerk be and is hereby authorized and directed to publish said Ordinance, same to be published in The Record, a newspaper circulating and published in the Borough of Hasbrouck Heights.

On a motion by Councilman Meli, seconded by Councilman Introna, and unanimously carried, the foregoing Ordinance was approved.

MISCELLANEOUS FROM PUBLIC:

Mayor Jones opened the meeting to the public.

Frank Romano, 144 Hasbrouck Avenue, a resident for 21 years, who had spoken many times to borough, county and state officials, had issues with the Riser Ditch and the sewer lines that impact his property. He reported he has withstood many floods on his property and sewer backups in his home, and was of the opinion that the sewer line was not adequate citing problems with Shop-Rite and various new construction and improvements in the area. He was also upset over a tree that was removed from in front of his home in early spring without prior notification which was causing an increase in his utility bills and a sinkhole. He was requesting a new tree. He also was detecting sewer odor on his property. He had notified the Health Department. He was also concerned with Shop-Rite delivery truck routes. He presented a list to Mayor Jones, who said they will continue to search for new ways to alleviate his problems, but it would require help from other government agencies. The DPW was aware of the sewer and two years ago cleaned it out thoroughly and videoed, with nothing needing replacement, but with continued maintenance it should help. The tree was dead and needed to be removed, and he was advised a new tree will take its place. It was also noted that Shop-Rite had changed their drainage to the back, but they were requested to change it back toward Williams. The engineer and building inspector would be requested to inspect the sewer and water problems and report back to the borough attorney.

A request was made to have the Planning Board engineer look at a ditch problem at the Elmwood Nissan construction site.

There being no one else wishing to speak, the public portion was closed.

RESOLUTION TO CLOSE FOR CLOSED SESSION:

Resolution No. 132: Personnel

A motion to Close for Closed Session was made by Councilman Meli, seconded by Councilman DiPisa, and unanimously carried.

There being no further business to be conducted by the Mayor and Council, the public portion of the meeting was adjourned at 9:36 p.m.

I, ROSE MARIE SEES, Borough Clerk of the Borough of Hasbrouck Heights, do hereby certify that the foregoing Minutes are to the best of my knowledge a true account of the Regular Meeting held on July 26, 2005.

Rose Marie Sees, RMC
Borough Clerk