

BOROUGH OF HASBROUCK HEIGHTS

MINUTES

December 12, 2006

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on December 12, 2006 at 8:07p.m. at Borough Hall, 320 Boulevard, Hasbrouck Heights, NJ.

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 3, 2006 and transmitted to The Observer, The Record and The Herald News on January 3, 2006.

ROLL CALL: Present: Mayor Ronald R. Jones, Councilwoman Maryetta Saccomano, Councilwoman Carol J. Skiba, Councilman Leonard Introna, Councilman Thomas E. Meli, Councilman Ronald F. Kistner, Councilman Justin A. DiPisa

Absent: None

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

INVOCATION: Rev. Dr. Karyn L. Wiseman, Pastor of First United Methodist Church

PRESENTATION: Certificates to 2006 Undefeated BCSL Champions

Certificates were presented to the 2006 Undefeated BCSL Champions by Mayor Jones and Councilman Kistner. They included Catherine Cambridge, Amanda DeLorenzo, Meg DeMaria, Melissa Elish, Kaitlyn Gianni, Taylor Condal, Jen McClure, Nicole Fortoul, Juliana Romano, Chelsea Spethman, Rosa Halowen, Jessie Bunone, Angela Cristofolo, Amanda Spethman, Amy Moura, Beth Bruno, Tess Miller, Julia Weingartner, Sam Guerra, Megan Gwozdecke, Macie Collazo, Brittany Lee, Ryan Espinosa, and coaches, Ollie Pimm, Charles McCarthy and Joseph Mastropietro.

COMMUNICATIONS:

1. Thank you letter from Pat Link and Mayor's Committee of Community Celebrations regarding Tree Lighting
2. Letter of resignation from Richard Jengo from the Committee of Community Celebrations.

COMMUNICATIONS (cont'd):

2. Letter from Rosita Cruz, B.C. Principle Probation Officer in thanks for making the Community Service Program a success.
2. Letter from NJ Dept. of Health and Senior Services on changes to the Vital Statistics offices and Registrar duties.
2. Press release from the Board of Health regarding the e-coli outbreak at Taco Bell which was read in full by Councilman DiPisa (see below)

“At the beginning of this month Taco Bell issued a nationwide press release, available at www.Tacobell.com. According to the press release, Taco Bell Corp. has announced that samples of green onions were found to be positive for E.coli by an independent testing laboratory. Please note that there were no reported cases of any food-borne illnesses at the Hasbrouck Heights branch.

“In light of Taco Bell’s announcement the Board of Health Inspector requested voluntary destruction of all food in the Hasbrouck Heights restaurant. They closed the restaurant on Dec. 7, 2006. The restaurant was then cleaned and sanitized in preparation for a new food supply.

“Additionally, Taco Bell will have to purchase food supplies from another distributor other than McLane Foodservice, Inc. of Burlington, N.J. McLane Foodservice is the sole distributor of all ingredients for Taco Bell restaurants in the State of New Jersey.

“As of today’s date Taco Bell remains closed due to the fact that they are having difficulty finding a new food vendor. The Health Inspector will continue to monitor their food supply throughout the reopening process,” concluded the release.

A motion to accept the Communications was made by Councilwoman Saccomano, seconded by Councilwoman Skiba, and unanimously carried.

PETITIONS: None

APPROVAL OF MINUTES: (November 14, 2006 Regular Meeting)

On a motion by Councilwoman Saccomano, seconded by Councilman Meli, and unanimously carried, the foregoing Minutes were approved.

BILLS:

BE IT RESOLVED that the claims and accounts amounting to \$2,347,253.77 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 therefor.

Signed Thomas E. Meli
Commissioner of Finance

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

BUSINESS

CONSENT AGENDA: None

- RESOLUTIONS:**
- 176. Payroll
 - 177. Dog Licenses - Payment of Fees to State
 - 177. Authorizing Fire Department Percentages
 - 177. Authorizing Ambulance Squad Percentages
 - 177. Authorizing Payment to Former Firemen for 25 Years of Service
 - 177. Authorizing Cancellation of Taxes on Certain Properties
 - 177. Authorizing Transfer of Tax to Tax Title Lien
 - 177. Authorizing Cancellation of Old Checks
 - 177. Authorizing Contract with Delta Dental Plan of New Jersey for 2007
 - 177. Authorizing 2006 Budget Appropriation Transfers
 - 177. Authorizing Refund Due to Tax Appeal

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

APPOINTMENTS: Melissa Greco as Hasbrouck Heights Fire Department Junior Firefighter

Maria Pages as Hasbrouck Heights Fire Department Junior Firefighter

On a motion by Councilman Meli, seconded by Councilwoman Saccomano, and unanimously carried, the foregoing Appointments were approved.

RESIGNATIONS: Richard Jengo from Committee of Community Celebrations effective December 4, 2006

On a motion by Councilman Meli, seconded by Councilman Kistner, and unanimously carried, the foregoing Resignation was accepted with regret.

ORDINANCE(S) ON INTRODUCTION:

ORDINANCE NO. 2148:

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE TO FIX THE SALARY AND COMPENSATION OF MEMBERS OF THE HASBROUCK HEIGHTS POLICE DEPARTMENT FOR THE YEAR 2007 IN ACCORDANCE WITH THE TERMS OF A CONTRACT BETWEEN THE BOROUGH OF HASBROUCK HEIGHTS AND THE POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL 102"** 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 December 28, 2006.

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

ORDINANCE NO. 2149:

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE TO FIX THE SALARY AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HASBROUCK HEIGHTS, NEW JERSEY, FOR THE YEAR 2007"** 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 December 28, 2006.

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

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

ORDINANCE NO. 2150:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO SUPPLEMENT CHAPTER 45 ENTITLED “OFFICERS AND EMPLOYEES” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO INCLUDE THEREIN A NEW ARTICLE ENTITLED “ARTICLE VI, BOROUGH APPOINTMENTS REGISTRY,” AND A NEW ARTICLE ENTITLED “ARTICLE VII, OFFICERS AND EMPLOYEES ENGAGED BY PROFESSIONAL SERVICES CONTRACTS”** 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 December 28, 2006.

Councilwoman Saccomano questioned the appointing authority provision.

On a motion by Councilman Meli, seconded by Councilman DiPisa, with Councilwoman Saccomano and Councilman Introna voting Nay, the foregoing Ordinance on Introduction was approved.

ORDINANCE(S) ON PUBLIC HEARING:

Mayor Jones opened the public hearing on Ordinance Nos. 2143, 2144, 2145, 2146 and 2147.

Jack DeLorenzo, 328 Harrison Avenue, on Ordinance No. 2146, spoke on the field project, as a member of the Board of Education, the committee for the field, a football coach, resident and father, agreed that he wanted the project done right, that he felt it was not being rushed through as he was on the forming committee since 1998, asked to have it move forward.

Linda Bright, 136 Columbus Avenue, on Ordinance No. 2146, was concerned with flooding and drainage and requested this be addressed by the committee further.

John Nesbitt, 26 Walter Avenue, regarding Ordinance No. 2143, questioned the 12 foot requirement from the property line and the second level connotation and how it would apply to his application for a deck.

Christian Semencz, 415 Jefferson Avenue, was looking for plans of the athletic field project and had questions for the engineer on the drainage.

Lillian Romano, 76 Springfield Avenue, a resident for over 40 years, thanked Councilman Kistner for his support of sports programs, and supported the Athletic Field

project. She questioned if the field would be lined for soccer and was advised that compass points were being considered.

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ORDINANCE(S) ON PUBLIC HEARING (cont'd):

Nick DelCalzo, 157 Kipp Avenue, who is on the committee for the athletic field project, noted he had been on the committee for the field behind the high school which has a stream running through it and there are no problems.

Councilwoman Saccomano requested procedure be followed and further discussion of the Board of Education agreement should be first. She asked that Ordinances No. 2146 and 2147 be held until further discussion and reiterated that this project should not cost the taxpayers additional money.

Borough Attorney Chandless advised that the ordinances appropriate the money. Nothing can be done until the lease is approved. Discussion of the lease will take place in the work session.

Councilman DiPisa noted the agreement deals with maintenance, not cost of project.

Councilwoman Saccomano said all residents need to be considered, not just children and sports people.

Borough Attorney Chandless advised that this interlocal agreement is with another government agency of Hasbrouck Heights, with terms very broad, which can be amended as years go on, and when asked if still binding by Councilwoman Saccomano, he said yes.

Linda Bright, 136 Columbus Avenue, asked if the borough engineer was part of the committee, and was told yes, very involved.

Joseph Luongo, Supt. of Schools noting the Board of Education has signed the agreement, the first step in the process is to get a first bid to see if the cost is correct. The attorneys will hammer out the agreement which protects the field and its maintenance. He urged that the ordinance be passed to start the process.

Councilwoman Skiba asked Mr. Luongo if the Alumni Association could raise funds to refurbish the locker rooms. Mr. Chandless said the ordinance can be amended to make appropriations for future budgets.

Councilman Meli gave a brief statement on the financing of this project.

Councilman Introna questioned if there was to be an indoor batting cage and Mr. Kistner answered the Little League building which that organization proposes to build will house indoor batting cages on the second floor.

George Shihanian, 59 Garrison Avenue, questioned why couldn't it be known what the project will incur beforehand.

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ORDINANCE(S) ON PUBLIC HEARING (cont'd):

Councilman Kistner reiterated that the process calls for appropriating the money and putting the process out for bid, which was concurred by the borough attorney.

Donna Wipper, 231 Madison Avenue, said that the council needs to go forward and trust is needed.

Councilwoman Saccomano asked if the two ordinances are approved tonight then it gives the borough engineer the right to prepare the specifications and go out for bid, this costs the town money. She was told, yes it comes out of the funds appropriated. Mr. Kronyak explained the process: the borough engineer is authorized to secure certain information, give a cost estimate, to come up with an appropriation which is then calculated and an ordinance is prepared. Costs up to that point get charged to an engineering line item. Once the ordinance is introduced and adopted, costs associated go against that ordinance.

Christian Semenez, 415 Jefferson Avenue, questioned the preliminary scope study does not mention handicapped accessible.

John Fitzin, 234 Columbus Avenue, who is on the Community Awareness Access for All Committee spoke on behalf of that committee.

Chief Michael Colaneri, 251 Madison Avenue, said the handicapped accessibility was discussed long before this project was introduced and has contacted expert contractors.

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

ORDINANCE NO. 2143:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO AMEND SECTION 275-16 ENTITLED “YARD REGULATIONS” OF CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS AND TO SUPPLEMENT SUBSECTION A ENTITLED “ACCESSORY STRUCTURES AND USES IN RESIDENTIAL DISTRICTS” OF SECTION 275-21 ENTITLED “REGULATIONS GOVERNING CERTAIN ACCESSORY STRUCTURES AND USES” OF CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO ALLOW DECKS THAT EXCEED A HEIGHT OF THREE FEET OVER THE NATURAL GRADE UNDER CERTAIN LIMITED CIRCUMSTANCES**” was held until the meeting of December 28, 2007, as Planning Board approval has not been received.

ORDINANCE(S) ON PUBLIC HEARING (cont'd):

ORDINANCE NO. 2144:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO SUPPLEMENT SUBSECTION E ENTITLED “SIGNS” OF SECTION 275-21 ENTITLED “REGULATIONS GOVERNING CERTAIN ACCESSORY STRUCTURES AND USES” OF CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO INCLUDE A NEW PROVISION THEREIN GOVERNING ALL DIRECTIONAL RESIDENTIAL REAL ESTATE OPEN HOUSE SIGNS AND TO FURTHER SUPPLEMENT OTHER SECTIONS OF SAID CHAPTER IN ACCORDANCE THEREWITH”** was held until the meeting of December 28, 2007, as Planning Board approval has not been received.

ORDINANCE NO. 2145:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “AN ORDINANCE AUTHORIZING CERTAIN BARRIER FREE IMPROVEMENTS TO WOODLAND PARK IN THE BOROUGH OF HASBROUCK HEIGHTS INCLUDING NEW RESTROOMS, A BARRIER FREE ACCESS RAMP AND APPURTENANCES THERETO AND TO APPROPRIATE THE TOTAL SUM OF \$170,000.00 CONSISTING OF \$53,200.00 FROM THE CAPITAL IMPROVEMENT FUND AND \$116,800.00 PROVIDED BY A COMMUNITY DEVELOPMENT BLOCK GRANT”** BEING ORDINANCE NO. 2133 ADOPTED ON MAY 9, 2006, SO AS TO INCREASE THE TOTAL APPROPRIATION TO \$215,000.00 AND TO PROVIDE THAT THE ADDITIONAL \$45,000.00 BE APPROPRIATED FROM THE CAPITAL IMPROVEMENT FUND” 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 Observer, a news paper circulating and published in the Borough of Hasbrouck Heights.

On a motion by Councilman Kistner, seconded by Councilwoman Skiba, and unanimously carried, the foregoing Ordinance on Public Hearing was approved.

ORDINANCE NO. 2146:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE AUTHORIZING CERTAIN IMPROVEMENTS TO THE GARY DEPKEN ATHLETIC FIELD IN THE BOROUGH OF HASBROUCK HEIGHTS INCLUDING IMPROVEMENTS TO THE FIELD AND TRACK, THE RENOVATION OF THE BLEACHERS AND APPURTENANCES THERETO AND TO APPROPRIATE THEREFOR THE TOTAL SUM OF \$1,625,000.00 FROM THE PROCEEDS OF THE SALE OF BOROUGH**

REAL PROPERTY” 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 Observer, a news paper circulating and published in the Borough of Hasbrouck Heights.

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ORDINANCE(S) ON PUBLIC HEARING (cont'd):

On a motion by Councilman Kistner, seconded by Councilwoman Skiba, and unanimously carried, the foregoing Ordinance on Public Hearing was approved.

ORDINANCE NO. 2147:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF THE FORMER RIGHT-OF-WAY OF RAVINE AVENUE ADJACENT TO THE GARY DEPKEN ATHLETIC FIELD IN THE BOROUGH OF HASBROUCK HEIGHTS, THE CONSTRUCTION OF A SKATE PARK IN OR ADJACENT TO THAT FIELD AND THE ACQUISITION AND INSTALLATION OF CERTAIN GROUND COVER AND PLAYGROUND EQUIPMENT IN THAT FIELD, INCLUDING APPURTENANCES THERETO, AND APPROPRIATING THE TOTAL SUM OF \$335,000.00 CONSISTING OF \$42,500 FROM THE CAPITAL IMPROVEMENT FUND, \$105,000.00 FROM THE PROCEEDS OF THE SALE OF CERTAIN REAL PROPERTY, \$10,000.00 FROM CAPITAL SURPLUS, AND \$177,500.00 FROM THE BERGEN COUNTY OPEN SPACE GRANT”** 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 Observer, a news paper circulating and published in the Borough of Hasbrouck Heights.

On a motion by Councilman Kistner, seconded by Councilwoman Skiba, and unanimously carried, the foregoing Ordinance on Public Hearing was approved.

MISCELLANEOUS FROM PUBLIC:

Mayor Jones opened the meeting to the public for anyone wishing to speak.

Janet Kretzdorn, 393 Church Street, submitted two pictures of a grassy area at the Williams Avenue bus stop where she twisted her ankle and requested that concrete be placed at that location.

RECESS FOR WORK SESSION:

Mayor Jones announced that the meeting would be recessed for Work Session, to which he invited all present to stay.

ADJOURN:

There being no further business to be conducted by the Mayor and Council, the meeting was adjourned at 10:07 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 Mayor and Council Meeting held on December 12, 2006.

Rose Marie Sees, RMC
Borough Clerk