

BOROUGH OF HASBROUCK HEIGHTS

MINUTES

May 12, 2009

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on May 12, 2009 at 8:02 p.m. at Borough Hall, 320 Boulevard, Hasbrouck Heights, NJ.

Mayor Heck declared the meeting in Session and 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 5, 2009 and transmitted to The Observer, The Record and The Herald News on January 5, 2009.

ROLL CALL: Present: Mayor Rose Heck, Councilman Justin A. DiPisa, Councilman Anthony DiNanno, Councilman Stephen Altobelli, Councilwoman Sonya Buckman, Councilman David Gonzalez, Councilwoman Pamela J. Link

Absent: None

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

INVOCATION: The Invocation was given by Councilman Altobelli as follows:

“Violence never again! War never again! Terrorism never again! In God’s name, may all religions bring upon earth justice and peace, forgiveness, life and love!”

COMMUNICATIONS: 1) Certificate of Appreciation from U.S. Census 2010 for use of Borough facilities for training

2) NJDOT Safe Routes to School Award of \$150,000

Item#2 was requested to be read into the record. (Copies attached) Mayor Heck commended Chief of Police Colaneri, Mr. Kronyak and all those involved in attaining this grant.

On a motion by Councilman DiNanno, seconded by Councilman DiPisa, and unanimously carried, the foregoing Communications were accepted.

PETITIONS: None

APPROVAL OF MINUTES: *(April 14, 2009 Work Session, April 28, 2009 Regular Meeting)*

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

BILLS:

WHEREAS, claims and accounts amounting to \$2,829,826.20 specified in the schedule hereto annexed, have been examined and approved by the Finance Commissioner, or his Deputy; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the accounts listed for payment of the claims;

NOW, THEREFORE BE IT RESOLVED, that the claims be paid and checks be issued on the funds and accounts indicated on the attached schedule.

Signed Councilman Justin A. DiPisa
Commissioner of Finance

On a motion by Councilman DiPisa, seconded by Councilwoman Link and unanimously carried, the foregoing Resolution was approved.

NEW BUSINESS:

CONSENT AGENDA: 95. Raffle Licenses for Hackensack Riverkeeper Inc.

On a motion by Councilman Altobelli, seconded by Councilman DiNanno, and unanimously carried, the foregoing Consent Agenda Resolution was approved. (Copy attached)

RESOLUTIONS: 96. Payroll

On a motion by Councilman DiPisa, seconded by Councilman DiNanno, and unanimously carried, the foregoing Resolution was approved. (Copy attached)

97. Dog Licenses - Payment of Fees to State

On a motion by Councilwoman Link, seconded by Councilman DiNanno, and unanimously carried, the foregoing Resolution was approved. (Copy attached)

98. Redemption of Tax Title Lien #2008-0013 for Block 170.01, Lot 41

RESOLUTIONS (cont'd):

On a motion by Councilman DiNanno, seconded by Councilwoman Link, and unanimously carried, the foregoing Resolution was approved. (Copy attached)

99. Redemption of Tax Title Lien #2008-0015 for Block 187, Lot 4

On a motion by Councilwoman Link, seconded by Councilman Gonzalez, and unanimously carried, the foregoing Resolution was approved. (Copy attached)

100. Authorizing Utility Agreement with the N.J. Department of Transportation with regard to Relocation of Sanitary Sewer Facilities in Connection with Construction of Route 17 B.C. Intersection Improvements

On a motion by Councilman DiNanno, seconded by Councilwoman Link, and unanimously carried, the foregoing Resolution was approved. (Copy attached)

APPOINTMENTS: James Halloran as Fire Department Mechanic of Crash/Foam Truck

On a motion by Councilwoman Link, seconded by Councilman Altobelli, and unanimously carried, the foregoing Appointment was approved.

RESIGNATIONS: Larry Petruzzella from Fire Department Engine Company One

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

ORDINANCE(S) ON INTRODUCTION:

ORDINANCE NO. 2212:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO SUPPLEMENT SECTION 275-16 ENTITLED “YARD REGULATIONS” OF CHAPTER 275 ENTITLED "ZONING" OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO EXEMPT FROM THE IMPOSITION OF YARD REGULATIONS CERTAIN IMPROVEMENTS TO CERTAIN PREMISES WHICH ARE INTENDED TO ACCOMMODATE HANDICAPPED PERSONS”**as 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 May 26, 2009.

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

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

ORDINANCE(S) ON PUBLIC HEARING:

ORDINANCE NO. 2208:

Mayor Heck asked for a motion to open the public hearing on Ordinance No. 2208 which was made by Councilman Gonzalez, seconded by Councilman Altobelli, and unanimously carried.

There being no one wishing to speak on this ordinance, Mayor Heck asked for a motion to close the public hearing on this ordinance which was made by Councilman Gonzalez, seconded by Councilman DiNanno, and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO APPROPRIATE THE SUM OF \$175,000.00 TO PROVIDE FOR THE ACQUISITION OF AN AMBULANCE FOR THE USE OF THE FIRE DEPARTMENT OF THE BOROUGH OF HASBROUCK HEIGHTS, TO APPLY TO THE COST THEREOF A CONTRIBUTION FROM THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY IN THE SUM OF \$80,000.00 AND FURTHER TO AUTHORIZE THE FINANCING OF THE COST THEREOF IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL BOND LAW BY THE ISSUANCE OF BONDS OR NOTES NOT TO EXCEED THE SUM OF \$80,000.00”** 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 newspaper published and circulated in the Borough of Hasbrouck Heights.

On a motion by Councilman DiNanno, seconded by Councilman Gonzalez, and unanimously carried, the foregoing Ordinance on Public Hearing was adopted.

ORDINANCE NO. 2209:

Mayor Heck asked for a motion to open the public hearing on Ordinance No. 2209 which was made by Councilman DiPisa, seconded by Councilman DiNanno, and unanimously carried.

There being no one wishing to speak on this ordinance, Mayor Heck asked for a motion to close the public hearing on this ordinance which was made by Councilman Gonzalez, seconded by Councilman DiNanno, and unanimously carried.

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

ORDINANCE NO. 2209 (cont'd):

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED “AN ORDINANCE TO APPROPRIATE THE SUM OF \$200,000.00 TO PROVIDE FOR THE CONTINUATION OF THE BOULEVARD STREET SCAPE IMPROVEMENT PROJECT, TO APPLY TO THE COST THEREOF A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION 2008 MUNICIPAL AID PROGRAM IN THE SUM OF \$150,000.00, TO APPROPRIATE THE SUM OF \$10,000.00 FROM THE CAPITAL IMPROVEMENT FUND AND TO AUTHORIZE THE FINANCING OF A FURTHER PORTION OF THE COST THEREOF BY THE ISSUANCE OF BONDS OR NOTES NOT TO EXCEED THE SUM OF \$40,000.00 IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL BOND LAW” BEING ORDINANCE NUMBER 2185 ADOPTED JUNE 10, 2008, SO AS TO EXPAND THE SCOPE OF THE UNDERTAKING TO INCLUDE BOTH PHASES I AND II OF THE SAID STREET SCAPE DEVELOPMENT, TO INCREASE THE TOTAL APPROPRIATION THEREFOR FROM \$200,000.00 TO \$400,000.00, TO INCREASE THE AMOUNT TO BE APPLIED FROM GRANTS FROM 150,000.00 TO \$300,000.00 AND TO INCREASE THE AMOUNT OF THE FINANCING AUTHORIZED FROM \$40,000.00 TO \$80,000.00”** 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 circulated in the Borough of Hasbrouck Heights.

On a motion by Councilman DiNanno, seconded by Councilman DiPisa, and unanimously carried, the foregoing Ordinance on Public Hearing was adopted.

ORDINANCE NO. 2210:

Mayor Heck asked for a motion to open the public hearing on Ordinance No. 2210 which was made by Councilman Gonzalez, seconded by Councilman DiNanno, and unanimously carried.

There being no one wishing to speak on this ordinance, Mayor Heck asked for a motion to close the public hearing on this ordinance which was made by Councilman DiNanno, seconded by Councilman Altobelli, and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO APPROPRIATE THE SUM OF \$237,500.00 TO PROVIDE FOR THE RESURFACING OF JEFFERSON AVENUE BETWEEN BURTON AND WOODSIDE AVENUES INCLUDING ANY NECESSARY APPURTENANCES THERETO, TO APPLY TO THE COST THEREOF**

THE SUM \$90,000.00 PROVIDED BY A COMMUNITY DEVELOPMENT BLOCK GRANT AND FURTHER TO AUTHORIZE THE FINANCING OF THE COST THEREOF IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL BOND LAW BY THE ISSUANCE OF BONDS OR NOTES NOT TO EXCEED THE SUM OF \$137,500.00” be

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

ORDINANCE NO. 2210 (cont’d):

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 circulated in the Borough of Hasbrouck Heights.

On a motion by Councilman DiNanno, seconded by Councilman DiPisa, and unanimously carried, the foregoing Ordinance on Public Hearing was adopted.

ORDINANCE NO. 2211:

Mayor Heck asked for a motion to open the public hearing on Ordinance No. 2211 which was made by Councilman DiNanno, seconded by Councilman Gonzalez, and unanimously carried.

There being no one wishing to speak on this ordinance, Mayor Heck asked for a motion to close the public hearing on this ordinance which was made by Councilman Gonzalez, seconded by Councilman DiPisa, and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO APPROPRIATE THE SUM OF \$250,000.00 TO PROVIDE FOR THE IMPROVEMENT OF MIERS PARK AND WOODLAND PARK, TO APPLY TO THE COST THEREOF A GRANT FROM THE BERGEN COUNTY OPEN SPACE TRUST FUND IN THE SUM OF \$80,000.00, TO APPLY TO THE COST THEREOF THE SUM \$46,208.00 PROVIDED BY A COMMUNITY DEVELOPMENT BLOCK GRANT AND TO AUTHORIZE THE FINANCING OF A FURTHER PORTION OF THE COST THEREOF BY THE ISSUANCE OF BONDS OR NOTES NOT TO EXCEED THE SUM OF \$110,000.00 IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL BOND LAW”** 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 circulated in the Borough of Hasbrouck Heights.

On a motion by Councilman DiNanno, seconded by Councilman DiPisa, and unanimously carried, the foregoing Ordinance on Public Hearing was adopted.

MISCELLANEOUS FROM PUBLIC:

Mayor Heck requested a motion to open the meeting to the public which was made by Councilman DiNanno, seconded by Councilman DiPisa, and unanimously carried.

Kathy Lindquist, 211 Field Avenue, whose house faces Route 17 was concerned with the huge pot hole their home faced from the front and what was to be done with regard to shrubbery and appearance. They now were experiencing flooding in their yard due
MISCELLANEOUS FROM PUBLIC (cont'd):

to poor drainage. Mayor Heck noted this was a Department of Transportation project and numerous meetings had been held. She asked Borough Engineer Ken Job to give a brief summary. He reiterated it was a State project with the borough not provided with copies of plans until work had begun. The work is within lands owned by the DOT so the borough has no control. He said this is called an environmental basin at the corner of Franklin Avenue and Route 17 required by the NJ DEP for water quality. Under the Municipal Stormwater regulations you must provide this type of pond. Our argument was with regard to its placement. It was now too late to do anything. It was not finished. It will constantly hold from 6 inches up to 2 feet of water. They were talking with the State to modify the pond so it will drain eventually especially for maintenance. Some type of vegetation or coverage will be on the bottom. The Borough has insisted there be a fence. Ms. Lindquist asked if there was a photo of the fence. She was told there are no photos. Mr. Job said a landscaping plan was promised since November. Requests were made to the State for various items via letters, meetings at the site and their tone has changed significantly since this was first started. Mayor Heck's efforts with DOT Commissioner Stephen Dilts has helped.

Jean Lindquist, 211 Field Avenue, said she appreciated what the town, Mayor and Council and Mr. Kronyak are doing, but asked that they understand that when they come out of their house they see something "out of a third world country," replacing beautiful trees. She is also concerned with the pitch, with the highway now appearing higher. She asked that the trees be replaced.

Mayor Heck said everything she talked about they are addressing and will continue to make requests and that it is taken care of in the proper manner. Hasbrouck Heights was the first town to be done. She encouraged the Lindquists to come with their concerns.

Kathy Lindquist, said when they come down Franklin Avenue the drain in front of the Starbucks animals are coming out in droves.

Mayor Heck asked the Engineer why a pump station could not have been installed. Another concern is that the DOT does not always clean up their properties, and our DPW has to do it. Last week at the Route 46 and Boulevard location, three full pick up truck loads of debris was picked up. The Engineer said Nick Agnoli of the Meadowlands Commission has attended meetings on this and offered his assistance. The safety of emergency vehicles with no shoulder was of concern. A question of time frame by

Councilman DiNanno was they hoped to be finished by the end of summer.
Councilman DiPisa was concerned with the health issues.

There being no one wishing to speak, Mayor Heck asked for a motion to close the public portion which was made by Councilman DiNanno, seconded by Councilman DiPisa, and unanimously carried.

WORK SESSION:

Mayor Heck announced that the meeting would continue to Work Session, to which she invited all present to stay. On a motion by Councilman Gonzalez, seconded by Councilman DiNanno, and unanimously carried, this motion was carried.

ADJOURN:

There being no further business to be conducted by the Mayor and Council, the meeting was adjourned at 8:43 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 May 12, 2009.

Rose Marie Sees
Borough Clerk