

BOROUGH OF HASBROUCK HEIGHTS

MINUTES

September 08, 2009

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on September 08, 2009 at 8:04 p.m. at Borough Hall, 320 Boulevard, Hasbrouck Heights, NJ.

In Mayor Heck's absence (who was not present as she had fallen and sustained injuries), Council President Buckman 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: Councilman Justin A. DiPisa, Councilman Anthony DiNanno, Councilwoman Sonya Buckman, Councilman David Gonzalez, Councilwoman Pamela J. Link

Absent: Mayor Rose Heck, Councilman Stephen Altobelli

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

INVOCATION: The Invocation was given by Council President Buckman as follows:

"A Prayer for USA. I pray for the survivors of the attack on September 11, 2001. I pray for the families who have lost loved ones. I pray for the rescue workers and police on the scene. I pray for the doctors and nurses caring for the hurting. I pray for the reporters who worked through intense emotion to bring us the pictures and news of the day. I pray for the president and other elected leaders who so desperately need wisdom from beyond themselves. I pray for the pastors in Washington and New York who care first-hand for the spiritual needs of those who have experienced this great tragedy. I pray for the military and intelligence agencies who seek to find out who would do this so they might be brought to justice. I pray for our nation – that this event will bring us together and turn our thoughts toward helping each other to fight and vanish the terrorism out of the world. I pray for all those who might be tempted to think that violence accomplishes anything of lasting value. We've see too much of it in the

INVOCATION (cont'd):

recent years. Lastly, I pray for every peace lover in this world. May God break the cycle of violence to make a difference for His Peace and Grace in this sinful world. God Bless America." *David Cohen*

PROCLAMATION: Honoring Walter F. Kübler on his 100th Birthday

WHEREAS, Walter F. Kübler, a resident of Hasbrouck Heights since 1926 celebrated his 100th Birthday on Saturday, July 17, 2009; and

WHEREAS, Mr. Kübler was born in New York City and started working as a teenager in Local #3 Electrical Union, including such sites as Madison Square Garden, Riverside Church and the Empire State Building; and

WHEREAS, during the war years he worked at Bendix Corporation in Teterboro and started his own electrical business in 1946; and

WHEREAS, in 1959 his son W. Ken Kübler joined him as a partner in the electrical business trading as Walter F. Kübler and Son, Electricians, with Mr. Kübler retiring in 1981; and

WHEREAS, Mr. Kübler and his wife Tillie (who sadly passed away in 2006) were married for over 70 years and raised two children, W. Ken and Kathy; and

WHEREAS, the Kübler family has always been a vital part of the community of Hasbrouck Heights.

NOW, THEREFORE, BE IT RESOLVED that we, the Mayor and Council of the Borough of Hasbrouck Heights, State of New Jersey, United States of America, extend our heartfelt wishes for a Happy 100th Birthday to Walter F. Kübler and thank him wholeheartedly for his friendship, community spirit and dedicate today, September 8, 2009 as "Walter F. Kübler Day" in the Borough of Hasbrouck Heights.

Dated: September 8, 2009

/s/ Mayor Rose Heck
and Members of the Council

Mr. Kubler was invited to come forward with his family as Council President Buckman read the proclamation in his honor.

PROCLAMATION: Honoring Elizabeth Kress on her 100th Birthday

WHEREAS, Elizabeth Kress, a former resident of Hasbrouck Heights, celebrated her 100th Birthday on January 13, 2009 in Williamsburg, Virginia, where she now resides; and

PROCLAMATION (cont'd):

WHEREAS, Mrs. Kress and her husband Charles (now deceased) were residents of Madison Avenue, Hasbrouck Heights, for over 57 years and raised one daughter, Susan; and

WHEREAS, during her many years as a resident of Hasbrouck Heights, Mrs. Kress was very active in the community, including being a member of the Contemporary Club, Woman's Club and the Hasbrouck Heights Leisure Club; and

WHEREAS, Mrs. Kress also volunteered her time to drive for REACH, a vital service that drives residents back and forth to medical appointments who cannot drive themselves; and

WHEREAS, Mrs. Kress is a most kind and gentle woman who makes you feel special whenever you see her.

NOW, THEREFORE, BE IT RESOLVED that we, the Mayor and Council of the Borough of Hasbrouck Heights, State of New Jersey, United States of America, extend our heartfelt wishes for a Happy 100th Birthday to Elizabeth Kress and thank her wholeheartedly for her friendship and community spirit.

Dated: September 8, 2009

*/s/ Mayor Rose Heck
and Members of the Council*

As Mrs. Kress was now living in Virginia, the Proclamation would be mailed to her.

- COMMUNICATIONS:**
- 1) BCUA Notice of Public Hearing regarding Computation of Connection Fees to the Sanitary Wastewater Collection and Treatment System
 - 2) Letter from Motiva Enterprises informing that they will be conducting an environmental investigation at 300 Boulevard and Central Avenue
 - 3) Letter and CD from NJ Office of Homeland Security & Preparedness on Terrorism Awareness and Prevention
 - 4) Letter from Bergen County Improvement Authority regarding receipt of the Outstanding Achievement Award for the Bergen Muni Banc which is a capital equipment leasing program.
 - 5) Letter from Meredith Yorkin, Quigg Scholarship Recipient

COMMUNICATIONS (cont'd):

6) Letter from Tyree Environmental Corp. Of their public notification of investigating and remediating environmental contamination at the Getty Service Station, 123 Route 17 South

7) Letter from Ellen M. Davenport, Secretary of the Senate, confirming receipt of Resolution No. 146 (Righetti)

8) Copy of letter to Atlantic Richfield BP from N.J. Dept. Of Environmental Protection regarding Underground Storage Tank regulations for BP Service Station at Boulevard and Williams Avenue

9) Public Hearing Notice from Passaic Valley Sewerage Commissioners to be held October 21, 2009 regarding proposes Change 13 to PVSC Rules and Regulations

10) B.C. Freeholders hosting session aimed at connecting Bergen County working families in economic distress with resources to help on September 22 from 6-8:30 p.m.

11) Letter from County Executive Dennis McNerney regarding updated Countywide Master Plan

12) Invitation to "Good Neighbor Day" at Bill O'Shea's Florist on September 9, 2009

13) Public Notification of Investigation of Environmental Conditions at Exxon, 24 Route 17 North and 423

Items #1, 2, 3 and 11 were requested to be read into the record (copies attached).

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

PETITIONS: None

APPROVAL OF MINUTES: *(August 11, 2009)*

On a motion by Councilman DiPisa, seconded by Councilman Gonzalez, with Councilman DiNanno abstaining as he was absent from that meeting, the foregoing Minutes were approved.

BILLS:

WHEREAS, claims and accounts amounting to \$2,508,739.97 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
Deputy 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: 157. Raffle Licenses for Msgr. Robert Fitzpatrick Council
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On a motion by Councilman Gonzalez, seconded by Councilman DiNanno, and unanimously carried, the foregoing Resolution was approved. (Copy attached)

RESOLUTIONS: 158. Payroll

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

159. Dog Licenses - Payment of Fees to State

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

160. Authorizing a Refund of Taxes Overpaid for Block 177, Lot 1

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

162. Authorizing Remediation of Property Maintenance Code Violations at 24 Woodland Drive , Block 3.01, Lot 27, and Impressing a Lien for Costs Thereof upon the Premises.

RESOLUTIONS (cont'd):

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

APPOINTMENTS: None

RESIGNATIONS: Matthew Albanese from Fire Department Engine Company 2

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

ORDINANCE(S) ON INTRODUCTION:

ORDINANCE NO. 2215:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX THE SALARY AND COMPENSATION OF CERTAIN EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF HASBROUCK HEIGHTS, NEW JERSEY, FOR THE YEAR 2009"** 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 September 22, 2009.

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

ORDINANCE NO. 2216:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO FIX THE SALARY AND COMPENSATION OF CERTAIN OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF HASBROUCK HEIGHTS, NEW JERSEY, FOR THE YEAR 2009"** 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 September 22, 2009.

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: None

MISCELLANEOUS FROM PUBLIC:

Council President Buckman requested a motion to open the meeting to the public which was made by Councilman DiPisa, seconded by Councilman Gonzalez, and unanimously carried.

Marianne Mini, 254 Kipp Avenue, regarding the choices of controlling traffic on Kipp Avenue, asked who decided to make No Parking on the south side. She did not consider this a way to slow down traffic. She was advised that this was decided to eliminate traffic congestion. Mrs. Mini thought it an inconvenience, especially when visitors to her home had to park on Burton Avenue. She was advised to talk to Chief Colaneri who then addressed Mrs. Mini and the council that the original recommendation was to make it a one-way street. Several residents came to the council and expressed it to be an inconvenience. It had been decided to try several options on a trial basis, the no parking on the south side one of those options. This will be brought back to the Police committee. Mrs. Mini had talked to some of her neighbors who agreed on the one way if the timing of the light could be faster. He would accept any suggestions or recommendations. Borough Attorney Chandless noted there was no ordinance adopted, it is temporary emergency action to determine what works.

Michael Asplund, 258 Kipp Avenue, did not know if the 4-way stop helped as speeders continue. He is concerned for the safety of his children, the 12-15 children in the area and the children walking to and from school. He recommended the one-way even though it would be an inconvenience, and suggested speed bumps.

Chief Colaneri said the traffic counter would be put out which also measures speed.

John Fargo, 59 Frankin Avenue, questioned each of the council to address how they feel about the removal of the mature trees on the Boulevard Streetscape, and if they were in favor of that same action as the project may continue. Borough Engineer Job began that all the trees taken down were Sycamores, a dirty tree, problem tree, overgrowing over the curb and sidewalk. The tree grates could not be put in. They will be replaced with Quonzon Cherry and Bradford Pear trees, more suited for an urban environment. They flower in the spring and are decorative. Councilman DiPisa said if they were not being replaced, he would be upset and as a former owner of a business on the Boulevard, he thought it a safety issue increasing the scope of vision and the foliage was very messy. He named Westwood and Wood-Ridge as towns who did the same. The whole picture when done would be breathtaking. Councilman DiNanno agreed, for the uniformity, safety and cleanliness of the Boulevard and would look great. Council President Buckman felt the same way, people complain how we are not upgrading our town, and here is our opportunity, this will entice retailers and would also be upset if the trees were not replaced. Councilman Gonzalez understanding the scope of the project and the reason why the trees were removed, was surprised when he first saw the Boulevard, there is an element of shock, but looks forward to seeing the

MISCELLANEOUS FROM PUBLIC (cont'd):

finished product. Councilwoman Link was taken aback but when she recognized and realized what happened in front of Bill O'Shea's only six months ago, when a tree came down, there is safety involved here, that the grates would not fit over the old trees. She asked if trees could be planted now along the rest of the Boulevard, but the engineer said until the design is done, it is not known where the trees will be placed. Mr. Fargo asked if trees larger than 3 inches could be used, the engineer responding that 3 inches is about the biggest tree commercially available. Regarding an arborist, he said when this project was first looked at in 1998, an arborist walked the entire Boulevard with himself and councilpersons at that time, said the Sycamores had to come down. When asked, yes types of trees had been thoroughly investigated before a decision was made. The State DOT approved the plans and the trees were ordered.

Jean Greenstein, 165 Central Avenue, agreed with Mr. Fargo that there were disadvantages in taking down the trees, namely shade, higher electric bills and the trees provided homes for birds and animals, and why the sidewalks could not have been replaced around the trees. Mr. Job said if one or two sidewalk slabs were repaired, it could possibly be done. This is a Boulevard Streetscape project and the trees could not conform.

Councilman DiPisa, on Mayor Heck's behalf, thanked the Fire, EMT, Police and Captain Joseph Cronin for their assistance during her recent accident, and sent her best regards.

John Avidon, 63 Kipp Avenue, regarding the Boulevard, questioned how long is the program going and how much of the Boulevard would it affect. He was told they were trying to do one side at a time, this is only a two block stretch, with the curb and sidewalk scheduled to be done by the end of next week.

There being no one else wishing to speak, Council President Buckman asked for a motion to close the public portion which was made by Councilman Gonzalez, seconded by Councilman DiNanno, and unanimously carried.

WORK SESSION:

Council President Buckman announced that the meeting would continue to Work Session, to which she invited all present to stay. On a motion by Councilman DiPisa, seconded by Councilman Gonzalez, 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 9:12 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 September 8, 2009.

Rose Marie Sees
Borough Clerk