

**BOROUGH OF HASBROUCK HEIGHTS**

**MINUTES**

**May 11, 2010**

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on May 11, 2010 at 8:07 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 4, 2010 and transmitted to The Observer, The Record and The Herald News on January 4, 2010.

**ROLL CALL:** Present: Mayor Rose Heck, Councilman Justin A. DiPisa, Councilwoman Sonya Buckman, Councilman David Gonzalez, Councilman John Dingertopadre, Councilman Russell A. Lipari

Absent: Councilwoman Pamela J. Link

**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 Gonzalez as follows:

“For each new day with its light, for rest and shelter of the night, for health and food, for love and friends, for everything, thy goodness ends, let us be thankful now. Amen”

**PRESENTATION:** Certificates to Environmental/Transportation Commission Poster Contest Winners

Certificates were presented to the following by Mayor Rose Heck and Jack Stavash, Co-chairmen of the Contest, and Councilman David Gonzalez, Environmental/Transportation Commission council liaison:

**Lincoln School**  
**Kindergarten**

First Place:

Heather Cali - Mrs. Dussault

Paige McGuire - Miss Rodriguez

Second Place:

Antonio Mancini - Miss Rodriguez

**PRESENTATION (cont'd):**

Third Place: Chiara Alvarez - Mrs. Rodriguez  
Honorable Mention: Victoria Vitelli - Mrs. Rodriguez  
Evan Morrow - Miss Rodriguez  
James Toscano - Miss Rodriguez

**1<sup>st</sup> Grade**

First Place: Ethan Ortiz - Ms. Jarosiewicz  
Second Place: Madison Murray - Mrs. Kroncke  
Ananda Thool - Mrs. Rau

**2<sup>nd</sup> Grade**

First Place: Tejasi Thool - Miss Platania  
Second Place: Joseph Toscano - Mrs. Abramo  
Jacqueline Jera - Miss Platania  
Tommy Murray - Ms. Cannizzo

Third Place:

**4<sup>th</sup> Grade**

First Place: Sara Herron - Mrs. Mastello

**5<sup>th</sup> Grade**

First Place: Ramneet Saini - Mrs. Mancuso

**Euclid School**

**1<sup>st</sup> Grade**

First Place: Vatsal Baherwani - Ms. Cavanagh  
Second Place: Nithin Vadakken - Mrs. Lambe

**4<sup>th</sup> Grade**

First Place: Megan Longo - Mrs. Incognito  
Second Place: Giana Marie DiLascio - Mrs. Dubofsky  
Third Place: Jacqueline DeLorenzo - Mrs. Dubofsky

**Corpus Christi School**

**Kindergarten**

First Place: Daphne Dzugay - Mrs. Rocha  
Second Place: Emily Cosgrove - Mrs. Rocha  
Third Place: Azmat Fatema Sheliya - Mrs. Rocha

**1<sup>st</sup> Grade**

First Place: Joshua Mackiewicz - Mrs. Carris  
Second Place: Rachel Fraile - Mrs. Donovan  
Nicholas Hubay - Mrs. Carris

**2<sup>nd</sup> Grade**

First Place: Zachary Mackiewicz - Mrs. Clem  
Danielle Pinto - Ms. Deppert  
Second Place: Chiara Colletti - Mrs. Clem  
Natalie Pinto - Ms. Deppert  
Third Place: Ethan Cabral - Ms. Deppert

**PRESENTATION (cont'd):**

**3<sup>rd</sup> Grade**

First Place: Andrew Marrero - Ms. Lemaire  
Second Place: Joseph DeFelice - Mrs. Paladino  
Samantha Cosgrove - Mrs. Paladino  
Third Place: David Fraile - Mrs. Lemaire

**4<sup>th</sup> Grade**

First Place: Isabelle Impalli - Mrs. Calabrese

**5<sup>th</sup> Grade**

First Place: Frank DeFelice - Mrs. Scanlon  
Second Place: Michael Hubay - Mrs. Scanlon

**COMMUNICATIONS:** None

**PETITIONS:** None

**APPROVAL OF MINUTES:** *(February 23, 2010 Closed Session, April 27, 2010 Regular Meeting)*

On a motion by Councilman Lipari, seconded by Councilman Dingertopadre, with Councilman DiPisa and Councilwoman Buckman abstaining from the February 23, 2010 Closed Session as they were absent, and otherwise unanimously carried, the foregoing Minutes were approved.

**BILLS:**

WHEREAS, claims and accounts amounting to \$3,217,838.86 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 Councilman Dingertopadre, and unanimously carried, the foregoing Resolution was approved.

**NEW BUSINESS:**

**CONSENT AGENDA:** None

**RESOLUTIONS:** 90. Payroll

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

91. Dog Licenses - Payment of Fees to State

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

92. Authorizing Refund of Taxes Overpaid for Block 28, L 40

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

93. Authorizing Redemption of Tax Title Lien #2009-0011 for Block 48, L 24

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

94. In Opposition to Repealing Bergen County Blue Laws

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

95. Authorizing an Interlocal Services Agreement with the Borough of Carlstadt for use of Hasbrouck Heights Pistol Range

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

96. Authorizing an Interlocal Services Agreement with the Borough of Wood-Ridge for "911" Services

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

97. Authorizing Sale of Borough Owned Property No Longer Needed for Public Use

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

**RESOLUTIONS (cont'd):**

**Public Hearing on 2010 Budget:**

Mayor Heck requested a motion to open the public hearing on the 2010 Budget which was made by Councilman DiPisa, seconded by Councilman Gonzalez and unanimously carried.

Christian Semenez, 415 Jefferson Avenue, asked if this public hearing would be continued and was told there was no requirement to continue, that the Borough was a town that was allowed to self-exam the budget this year, that all certifications were sent to Trenton. The governing body is free to adopt tonight. Mr. Semenez restated his opposition to the increasing over the CAP. He also questioned that the education funds for the Fire Department had been cut. He was told there was no cut in the Fire Department budget. Regarding the CAP, an ordinance was done to increase the CAP, but in actuality the Borough was under the CAP, and this was done to create and preserve the bank if needed in the next two years.

Mayor Heck requested a motion to close the public hearing on the 2010 Budget which was made by Councilman Gonzalez, seconded by Councilman DiPisa, and unanimously carried.

98. Authorizing Adoption of 2010 Budget

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

**APPOINTMENTS:** None

**RESIGNATIONS:** None

**ORDINANCE(S) ON INTRODUCTION:** None

**ORDINANCE(S) ON PUBLIC HEARING:**

**ORDINANCE NO. 2235:**

Mayor Heck asked for a motion open the public hearing on Ordinance No. 2235 which was made by Councilman DiPisa, seconded by Councilwoman Buckman, and unanimously carried.

There being no one wishing to speak, Mayor Heck asked for a motion to close the public hearing on Ordinance No. 2235 which was made by Councilwoman Buckman, seconded by Councilman DiPisa and unanimously carried.

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

It was requested that this Ordinance be continued on public hearing until the Planning Board could meet to review this zoning ordinance.

**BE IT RESOLVED** that an Ordinance entitled “**AN ORDINANCE TO SUPPLEMENT SCHEDULE 1 ENTITLED "SCHEDULE OF DISTRICT USE REGULATIONS" OF CHAPTER 275 ENTITLED "ZONING" OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO INCLUDE THE REFERENCE TO CERTAIN MOTOR VEHICLE SALES AS A PERMITTED USE IN THE “I” INDUSTRIAL ZONE AND TO SUPPLEMENT § 275-5 OF THE SAID CHAPTER SO AS TO INCLUDE A DEFINITION OF SUCH “MOTOR VEHICLES SALES PERMITTED IN THE ‘I’ INDUSTRIAL ZONE”**”

On a motion by Councilman Lipari, seconded by Councilwoman Buckman, and unanimously carried, the foregoing Ordinance was continued on public hearing until May 11, 2010.

**ORDINANCE NO. 2236:**

Mayor Heck asked for a motion open the public hearing on Ordinance No. 2236 which was made by Councilman DiPisa, seconded by Councilwoman Buckman, and unanimously carried.

There being no one wishing to speak, Mayor Heck asked for a motion to close the public hearing on Ordinance No. 2236 which was made by Councilman DiPisa, seconded by Councilwoman Buckman and unanimously carried.

**BE IT RESOLVED** that an Ordinance entitled “**AN ORDINANCE TO RE-ENTITLED CHAPTER 181 OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS AS “LICENSING OF CERTAIN MOTOR VEHICLE SALES ENTERPRISES,” AMENDING AND SUPPLEMENTING §181-1 OF THAT CHAPTER IN RESPECT TO THE TYPE OF COMMERCIAL ENTERPRISES GOVERNED THEREBY AND TO FURTHER RE-ENTITLED §133-21.1 OF CHAPTER 133 ENTITLED “FEES” TO CORRESPOND THERETO**” 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 circulating and published in the Borough of Hasbrouck Heights.

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

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

**ORDINANCE NO. 2237:**

Mayor Heck asked for a motion open the public hearing on Ordinance No. 2237 which was made by Councilman Gonzalez, seconded by Councilwoman Buckman, and unanimously carried.

There being no one wishing to speak, Mayor Heck asked for a motion to close the public hearing on Ordinance No. 2237 which was made by Councilman Lipari, seconded by Councilman DiPisa and unanimously carried.

**BE IT RESOLVED** that an Ordinance entitled “**AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE II ENTITLED “SANITATION” OF CHAPTER 124 ENTITLED “DOGS” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO CLARIFY BOTH ITS REQUIREMENTS AND ITS PROHIBITIONS AND SO AS TO UPDATE THE PENALTY FOR THE VIOLATION THEREOF**” 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 circulating and published in the Borough of Hasbrouck Heights.

On a motion by Councilman DiPisa, seconded by Councilwoman Buckman, and unanimously carried, the foregoing Ordinance was adopted.

**ORDINANCE NO. 2238:**

Mayor Heck asked for a motion open the public hearing on Ordinance No. 2238 which was made by Councilman Gonzalez, seconded by Councilman DiPisa, and unanimously carried.

There being no one wishing to speak, Mayor Heck asked for a motion to close the public hearing on Ordinance No. 2238 which was made by Councilman DiPisa, seconded by Councilman Lipari, and unanimously carried.

**BE IT RESOLVED** that an Ordinance entitled “**AN ORDINANCE TO APPROPRIATE THE SUM OF \$175,000.00 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 MUNICIPAL AID PROGRAM IN THE SUM OF \$140,000.00, 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 \$25,000.00 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

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

published in The Observer, a newspaper circulating and published in the Borough of Hasbrouck Heights.

On a motion by Councilman Lipari, seconded by Councilwoman Buckman, and unanimously carried, the foregoing Ordinance was adopted.

**MISCELLANEOUS FROM PUBLIC:**

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

Dorothy Imbrugia, 519 Burton Avenue, corner of Route 46 West. She presented pictures of the damage that was done to her fence. She had written to the DOT two years ago. Mayor Heck would approach the DOT on this. Mrs. Imbrugia noted she had been told that if the town recommended it, the DOT would put up a guard rail.

Lavelle Palmer, 322 Charlton Avenue, also considered it a dangerous situation and was concerned for the safety of her two children.

Paul Fitzpatrick 145 Boulevard, who was reporting for The Observer, was advised to bring his questions after the meeting.

Christian Semenez, 415 Jefferson Avenue, referring to the meeting a few weeks previously when PSEG was present, asked when they would be removing a telephone pole that was in two pieces lying in the gutter on Madison Avenue. Response was that PSEG was aware of this, and they would be contacted again tomorrow. He also questioned the property on Jefferson and Burton Avenues, that it was between the insurance company and the contractor.

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

**WORK SESSION:**

At 8:53 p.m., Mayor Heck 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 approved.

**ADJOURN:**

There being no further business to be conducted by the Mayor and Council, the meeting was adjourned at 9:27 p.m. on a motion by Councilman Gonzalez, seconded by Councilwoman Buckman and unanimously carried.

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 11, 2010.

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Rose Marie Sees  
Borough Clerk