

BOROUGH OF HASBROUCK HEIGHTS

MINUTES

August 10, 2010

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on August 10, 2010 at 8:09 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, Councilwoman Pamela J. Link, Councilman John Dingertopadre, Councilman Russell A. Lipari

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 DiPisa as follows:

“Almighty God, bless our nation and make it true to the ideas of freedom and justice and brotherhood for all who make it great. Guard us from war, from fire and wind, from compromise, fear, confusion. Be close to our president and our statemen; give them vision and courage, as they ponder decisions affecting peace and the future of the world. Make me more deeply aware of my heritage; realizing not only my rights but also my duties and responsibilities as a citizen. Make this great land and all its people know clearly Your will, that they may fulfill the destiny ordained for us in the salvation of the nations, and the restoring of all things in Christ. Amen.”

COMMUNICATIONS: 1) Invitation to B.C. Senior Picnic at Van Saun Park on Tuesday, September 14, 2010 from 9 a.m. to 2 p.m.

COMMUNICATIONS (cont'd):

- 2) Letter from Senator Robert M. Gordon regarding Senate Bill 1908 - Kyleigh's Law
- 3) Letter from United Water Announcing that NJ Board of Public Utilities Grants Rate Relief
- 4) Letter from B.C. Executive Dennis McNerney announcing that the 2010 funding round of the Bergen County Open Space Trust Fund is ready to begin
- 5) Invitation from Senator Gordon and Assemblywoman Wagner to attend a People's Forum on the "Meadowlands Regionalization, Efficiency and Property Tax Relief Act of 2010" (Dissolving of Teterboro) on Wednesday, August 18 at Bergen County Academies from 7 to 9 p.m.
- 6) Thank you letter from Quigg Scholarship Recipient Ryan Latorre

Mayor Heck reported that a letter had been sent to Senator Gordon to remind him that he had previously said he would hold a meeting with the Mayors of the affected municipalities. She gave her concerns about this legislation.

When Mayor Heck asked if anyone wished to have any item read into the record, Items #3 and #5 were requested to be read into record (copies attached). She then asked for a motion to accept all correspondence which was made by Councilman Lipari, seconded by Councilwoman Link, and unanimously carried.

PETITIONS: None

APPROVAL OF MINUTES: *(March 9, 2010 Work Session, July 27, 2010 Regular Meeting)*

On a motion by Councilman DiPisa, seconded by Councilman Gonzalez, with Councilwoman Link abstaining from the July 27, 2010 Regular Meeting Minutes as she was absent, and otherwise unanimously carried, the foregoing Minutes were approved.

BILLS:

WHEREAS, claims and accounts amounting to \$3,405,696.73 specified in the schedule hereto annexed, have been examined and approved by the Finance Commissioner, or his Deputy; and

BILLS (cont'd):

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 Councilwoman Pamela J. Link
Commissioner of Finance

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

NEW BUSINESS:

- CONSENT AGENDA:**
- 149. Raffle License for Kiwanis Club of Hasbrouck Heights
 - 150. Raffle Licenses for Friends of the Hasbrouck Heights Public Library
 - 151. Raffle License for Hasbrouck Heights Parents Association for Athletes

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

- RESOLUTIONS:**
- 152. Payroll

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

- 153. Dog Licenses - Payment of Fees to State

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

- 154. Construction - Payment of Fees to State

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

- 155. Acceptance of 2009 Audit Report

RESOLUTIONS (cont'd):

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

156. Authorizing Additional Interest be Paid on Tax Title Lien #2010-2006 for Block 112, L 11

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

ORDINANCE(S) ON INTRODUCTION: None

ORDINANCE(S) ON PUBLIC HEARING:

ORDINANCE NO. 2241:

Mayor Heck asked for a motion to open the public hearing on Ordinance No. 2241 which was made by Councilwoman Link, 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. 2241 which was made by Councilwoman Link, seconded by Councilman DiPisa and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO SUPPLEMENT CHAPTER 152 ENTITLED “GARBAGE, RUBBISH AND REFUSE,” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS TO INCLUDE THEREIN A NEW ARTICLE ENTITLED “ARTICLE VII, OUTDOOR DUMPSTERS AND REFUSE CONTAINERS EXPOSED TO STORMWATER” TO REQUIRE THAT THE SAME BE COVERED AT ALL TIMES AND PROHIBITING THE DISCHARGE THEREFROM INTO THE STORMWATER SYSTEM OF THE BOROUGH OF HASBROUCK HEIGHTS”** 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 Councilman Lipari, and unanimously carried, the foregoing Ordinance was adopted.

ORDINANCE NO. 2242:

Mayor Heck asked for a motion to open the public hearing on Ordinance No. 2242 which was made by Councilman Gonzalez, seconded by Councilwoman Link, and unanimously carried.

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

ORDINANCE NO. 2242 (cont'd):

There being no one wishing to speak, Mayor Heck asked for a motion to close the public hearing on Ordinance No. 2242 which was made by Councilman Lipari, seconded by Councilwoman Link and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO SUPPLEMENT CHAPTER 235 ENTITLED “STORMWATER DRAINAGE SYSTEMS,” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS TO INCLUDE THEREIN A NEW ARTICLE ENTITLED “ARTICLE IA, PRIVATE STORM DRAIN INLET RETROFITTING” GOVERNING THE RETROFITTING OF EXISTING STORM DRAIN INLETS THAT ARE IN DIRECT CONTACT WITH REPAVING, REPAIRING, RECONSTRUCTION OR RESURFACING OR ALTERATIONS OF FACILITIES ON PRIVATE 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 newspaper circulating and published in the Borough of Hasbrouck Heights.

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

ORDINANCE NO. 2243:

Mayor Heck asked for a motion to open the public hearing on Ordinance No. 2243 which was made by Councilman Lipari, seconded by Councilwoman Buckman, and unanimously carried.

Anthony Bernice, 232 Passaic Avenue, urged the Council to reject this motion, noted that he observed three places where sandwich boards were already being used and thought it made the Boulevard look sloppy.

There being no one else wishing to speak, Mayor Heck requested a motion to continue this ordinance on public hearing to allow for Planning Board review which was made by Councilwoman Link, seconded by Councilman Gonzalez, and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO SUPPLEMENT CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO PERMIT UNDER CERTAIN SPECIFIED LIMITS AND CONDITIONS “SANDWICH BOARD” SIGNS AS THE SAME ARE DEFINED HEREIN IN CERTAIN SPECIFIED LOCATIONS IN THE B-1 CENTRAL BUSINESS DISTRICT”** be continued on public hearing until the meeting of August 24, 2010.

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

ORDINANCE NO. 2244:

Mayor Heck asked for a motion to open the public hearing on Ordinance No. 2244 which was made by Councilman DiPisa, seconded by Councilwoman Link, and unanimously carried.

Anthony Bernice, 232 Passaic Avenue, asked if there would be any objection by the establishments that do not serve alcohol. He was told those establishments already have a sidewalk café option for many years. This ordinance extends that right to premises who have an ABC license, but does not permit the service of alcohol at a sidewalk café.

There being no one else wishing to speak, Mayor Heck requested a motion to continue this ordinance on public hearing to allow for Planning Board review which was made by Councilwoman Link, seconded by Councilman DiPisa, and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO AMEND CHAPTER 275 ENTITLED “ZONING,” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO ALLOW SIDEWALK CAFES AS A LAWFUL ACCESSORY TO CERTAIN PREMISES HAVING A PLENARY RETAIL ALCOHOL CONSUMPTION LICENSE PURSUANT TO § 84-3 AND § 84-13 OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS”** be continued on public hearing until the meeting of August 24, 2010.

MISCELLANEOUS FROM PUBLIC:

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

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

WORK SESSION:

At 8:38 p.m., Mayor Heck announced that the meeting would continue to Work Session, to which she invited all present to stay.

ADJOURN:

There being no further business to be conducted by the Mayor and Council, the meeting was adjourned at 8:52 p.m. on a motion by Councilman DiPisa, seconded by Councilman Gonzalez 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 August 10, 2010.

Rose Marie Sees
Borough Clerk