

## BOROUGH OF HASBROUCK HEIGHTS

### MINUTES

May 11, 2004

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on May 11, 2004 at 8:11 p.m. at the new Municipal Building, 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 5, 2004 and transmitted to The Observer, The Record and The Herald News on January 5, 2004.

**ROLL CALL:** Present: Mayor Ronald R. Jones, Councilman Andrew Link III, Councilman Justin A. DiPisa, Councilman Garrett R. Pepe, Councilwoman Marlene Verrastro (arrived at 9:43 p.m.), Councilman Ronald F. Kistner, Councilman Thomas E. Meli

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. Lewis Papera, Pastor of Corpus Christi R.C. Church

Mayor Jones commended the Borough Clerk on being placed on the General Code Municipal Clerk=s Honor Roll, having been nominated by Laura French, secretary to Administration.

#### **MAYOR REQUESTS PUBLIC HEARING AND ADOPTION:**

Mayor Jones opening the public hearing on Ordinance No. 2045. There being no one wishing to speak, the Public Hearing was closed.

#### **ORDINANCE NO. 2045:**

**BE IT RESOLVED** that an ordinance entitled **AN ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE I ENTITLED ACREATION AND ORGANIZATION@ OF CHAPTER 55 ENTITLED APOLICE DEPARTMENT@ OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS FOR THE PURPOSE OF ALTERING THE NUMBER OF OFFICERS IN CERTAIN RANKS THEREOF TO ASSURE THE MORE EFFECTIVE AND EFFICIENT OPERATION OF THAT DEPARTMENT@** be now passed on second and final reading and the Borough Clerk be and is hereby authorized and

**PUBLIC HEARING OF ORDINANCE NO. 2045 (cont=d):**

directed to publish said Ordinance, same to be published in The Observer, a newspaper published and circulating in the Borough of Hasbrouck Heights.

On a motion by Councilman Pepe, seconded by Councilman Link, and unanimously accepted, the foregoing Ordinance was approved.

**MAYOR SWEARS IN NEWLY-PROMOTED POLICE OFFICERS:**

The Oath of Office was administered to the following Police Officers:

Kelly Ruroede, John Mullins, Thomas Tozzi and Charles Lesho to Lieutenant in the Hasbrouck Heights Police Department

Kevin Caccavella, Michael J. Vargo, George Netelkos and Nicholas Sisto to Sergeant in the Hasbrouck Heights Police Department

On a motion by Councilman Pepe, seconded by Councilman Link, and unanimously accepted, the foregoing Appointments were approved.

The Oath of Office was administered to the following by Mayor Jones:

**APPOINTMENT:** Benjamin Kest to Patrolman in the Hasbrouck Heights Police Department

On a motion by Councilman Pepe, seconded by Councilman Kistner, and unanimously accepted, the foregoing Appointment was approved.

**COMMUNICATIONS:** None

**PETITIONS:** None

**APPROVAL OF MINUTES:** (February 24, 2004)

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

**BILLS:**

**BE IT RESOLVED** that the claims and accounts amounting to \$2,526,634.45 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.

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**BILLS (cont=d):**

Signed Andrew Link III  
Commissioner of Finance

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

**NEW BUSINESS**

**CONSENT AGENDA:** None

- RESOLUTIONS:**
- 83. Payroll
  - 84. Dog Licenses - Payment of Fees to State
  - 85. Authorizing Grant Agreement with N.J. Department of Environmental Protection for Municipal Stormwater Regulation Program
  - 86. Authorizing Borough Clerk to Re-advertise for Bids for Hasbrouck Heights Safety Building Resinous Flooring

On a motion by Councilman Pepe, seconded by Councilman Link, and unanimously carried, the foregoing Resolutions were approved.

**APPOINTMENTS:** Michele Grafje to Fire Department Engine Company One

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

**RESIGNATIONS:** William J. White as a School Crossing Guard

On a motion by Councilman Link, seconded by Councilwoman Verrastro, and unanimously carried, the foregoing Resignation was accepted with regret.

**ORDINANCE (S) ON INTRODUCTION:**

**ORDINANCE NO. 2046:**

**BE IT RESOLVED** that an Ordinance entitled **AAN ORDINANCE TO FIX THE SALARY AND COMPENSATION OF MEMBERS OF THE HASBROUCK HEIGHTS POLICE DEPARTMENT FOR THE YEAR 2004 IN ACCORDANCE WITH THE TERMS OF A CONTRACT BETWEEN THE BOROUGH OF HASBROUCK HEIGHTS AND THE**

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**ORDINANCE(S) ON INTRODUCTION (cont=d):**

**POLICEMEN=S BENEVOLENT ASSOCIATION LOCAL 102"** 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 25, 2004.

**ORDINANCE NO. 2047:**

**BE IT RESOLVED** that an Ordinance entitled **AN ORDINANCE SUPPLEMENTING SECTION 236-20 ENTITLED ASIDEWALK AND DRIVEWAY SPECIFICATIONS@ OF ARTICLE III ENTITLED AUSE OF STREETS AND SIDEWALKS@ OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO INCLUDE THEREIN THE REQUIREMENT THAT SIDEWALKS LOCATED WITHIN THE CENTRAL BUSINESS DESIGN DISTRICT AS THE SAME HAS BEEN OR MAY BE DESIGNATED PURSUANT TO SECTION 275-44 OF BOROUGH CODE SHALL BE IN ACCORDANCE WITH THE DESIGN REQUIREMENTS RECOMMENDED BY THE CENTRAL BUSINESS DISTRICT ADVISORY COMMITTEE AND ADOPTED BY THE PLANNING BOARD PURSUANT TO SECTION 275-49 HEREOF@** 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 May 25, 2004.

**ORDINANCE NO. 2048:**

**BE IT RESOLVED** that an Ordinance entitled **AN ORDINANCE AUTHORIZING THE ACQUISITION OF FURNITURE, FURNISHINGS AND FITTINGS FOR USE THROUGHOUT THE NEW PUBLIC SAFETY BUILDING ON HAMILTON AVENUE AND FOR THE OFFICE OF EMERGENCY MANAGEMENT IN THE NEW BOROUGH HALL ON THE BOULEVARD AND TO APPROPRIATE THE TOTAL SUM OF \$380,000.00 COMPRISED OF \$245,000.00 IN INSURANCE PROCEEDS, \$115,000.00 IN INTEREST EARNED@** 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 May 25, 2004.

On a motion by Councilman DiPisa, seconded by Councilman Link, and unanimously carried, the foregoing Ordinances on Introduction were approved.

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

Mayor Jones opened the Public Hearing on Ordinance Nos. 2040, 2041, 2042, 2043 and 2044. There being no one wishing to speak, the Public Hearing was closed on these ordinances.

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

**ORDINANCE NO. 2040:**

**BE IT RESOLVED** that an Ordinance entitled **AN ORDINANCE TO RATIFY AND CONFIRM ORDINANCE NO. 1882 AND ORDINANCE NO. 1906 WHICH WERE INTENDED TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED AN ORDINANCE TO PROVIDE FOR THE SUBDIVISION OF LAND AND SITE PLAN REVIEW OF DEVELOPMENTS WITHIN THE BOROUGH OF HASBROUCK HEIGHTS PURSUANT TO THE MUNICIPAL LAND USE LAW** ORDINANCE 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 circulating in the Borough of Hasbrouck Heights.

**ORDINANCE NO. 2041:**

**BE IT RESOLVED** that an Ordinance entitled **AN ORDINANCE TO RATIFY AND CONFIRM AN ORDINANCE ENTITLED, AN ORDINANCE TO SUPPLEMENT SECTION 275-20 ENTITLED REGULATIONS GOVERNING CERTAIN PRINCIPLE USES AND SUPPLEMENTING SCHEDULE 1 ENTITLED SCHEDULE OF DISTRICT USE REGULATIONS BOTH OF CHAPTER 275 ENTITLED ZONING OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO PERMIT WITHIN CERTAIN LIMITED AREAS OF THE B-1 CENTRAL BUSINESS DISTRICT FARMER'S MARKETS SPONSORED AND APPROVED BY THE NEW JERSEY DEPARTMENT OF AGRICULTURE AND BY THE HASBROUCK HEIGHTS CHAMBER OF COMMERCE BETWEEN THE HOURS OF 10:00 A.M. AND 8:00 P.M. ONE DAY OF ANY WEEK EXCLUSIVE OF SATURDAY AND SUNDAY BETWEEN JUNE 15 AND OCTOBER 31 OF ANY YEAR AFTER APPROVAL OF THE SAME BY THE GOVERNING BODY, THE CHIEF OF POLICE AND THE BOARD OF HEALTH** BEING ORDINANCE NO. 1883 AS THE SAME WAS AMENDED BY ORDINANCE NO. 1927 TO EXTEND THE PERMITTED PERIOD FOR THE SAME TO JUNE 1 THROUGH OCTOBER 31 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 circulating in the Borough of Hasbrouck Heights.

**ORDINANCE NO. 2042:**

**BE IT RESOLVED** that an Ordinance entitled **AN ORDINANCE RE-ADOPTING AN ORDINANCE ENTITLED, AN ORDINANCE TO AMEND THE SCHEDULE OF DISTRICT USE REGULATIONS OF CHAPTER 275 ENTITLED ZONING OF THE CODIFICATION OF ORDINANCES OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS IN RESPECT TO PERMITTED PRINCIPAL USES IN THE B-1 CENTRAL BUSINESS DISTRICT ZONE** BEING ORDINANCE NO. 1956

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

**ADOPTED ON MARCH 12, 2002** 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 circulating in the Borough of Hasbrouck Heights.

**ORDINANCE NO. 2043:**

**BE IT RESOLVED** that an Ordinance entitled **AN ORDINANCE RE-ADOPTING AN ORDINANCE ENTITLED, AN ORDINANCE TO SUPPLEMENT SECTION 275-6 ENTITLED >DEFINITIONS= OF ARTICLE II ENTITLED >WORD USAGE AND DEFINITIONS= OF CHAPTER 275 ENTITLED >ZONING= OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO INCLUDE AMONG THE WORDS AND PHRASES DEFINED IN SAID CHAPTER THE PHRASE >COMMUNITY-ORIENTED= AS SUCH PHRASE APPLIES TO PERMITTED BUSINESSES IN THE B-1 >CENTRAL BUSINESS DISTRICT= ZONE** BEING ORDINANCE NO. 1957 ADOPTED MARCH 12, 2002 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 circulating in the Borough of Hasbrouck Heights.

**ORDINANCE NO. 2044:**

**BE IT RESOLVED** that an Ordinance entitled **AN ORDINANCE RE-ADOPTING AN ORDINANCE ENTITLED, AN ORDINANCE TO AMEND SECTION 275-37 ENTITLED >ENFORCEMENT= OF ARTICLE X ENTITLED >ADMINISTRATION AND ENFORCEMENT= OF CHAPTER 275 ENTITLED >ZONING= OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO ABOLISH THE SEPARATE OFFICE OF ZONING ENFORCEMENT OFFICER AND TO REDEFINE THE DUTIES OF OTHER BOROUGH OFFICIALS IN RELATION THERETO** BEING ORDINANCE NO. 1996 ADOPTED ON DECEMBER 20, 2002" 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 circulating in the Borough of Hasbrouck Heights.

On a motion by Councilman Link, seconded by Councilman Meli, and unanimously carried, the foregoing Ordinances on Introduction were approved.

**MISCELLANEOUS FROM PUBLIC:**

Marilyn MacDonall, 52 Washington Place, was concerned with the new leaf regulations regarding bagging and asked that this issue be revisited. The borough engineer

**MISCELLANEOUS FROM PUBLIC (cont=d):**

summarized the Stormwater regulations instituted by the State of New Jersey including one provision that the town must implement a yard waste ordinance collection program which lists that an ordinance that prohibits yard waste including leaves being placed at the curb at least seven days before collection and must not be within 10 feet of catch basins which encourages the use of bags or barrels. Mrs. MacDonall was concerned with the time and effort that must now be expended with the use of bags. She was emphatic in asking for other options. DPW Supt. Heck said when the leaves are at their heaviest it would be extremely difficult to schedule pick ups. One option to consider could be the use of teenagers who are asked to perform community service.

Jim MacDonall, 52 Washington Place, reinforced what Mrs. MacDonall was saying and questioned the regulations. He was concerned with the erosion of municipal services over the years, and to put the responsibility on the residents to following the seven day rule. He was told that this decision was reached after many meetings and much discussion, that it should be more efficient and less costly, and this decision will continuously be looked at and changed if necessary.

Marilyn MacDonall, 52 Washington Place, asked again to revisit this issue.

#### **RECESS FOR WORK SESSION**

Mayor Jones announced that the meeting would be recessed for Work Session.

#### **ADJOURN:**

There being no further business to be conducted by the Mayor and Council, the meeting was adjourned at 9:25 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 11, 2004.

Rose Marie Sees, RMC  
Borough Clerk