

BOROUGH OF HASBROUCK HEIGHTS

MINUTES

February 22, 2005

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on Tuesday, February 22, 2005 at 8:07 p.m. at Borough Hall, 320 Boulevard, Hasbrouck Heights, New Jersey.

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, 2005 and transmitted to The Observer, The Record and The Herald News on January 4, 2005.

ROLL CALL: Present: Mayor Ronald R. Jones, Councilwoman Carol J. Skiba, Councilman Leonard Introna, Councilman Thomas E. Meli, Councilman Ronald F. Kistner, Councilman Justin A. DiPisa, Councilman Andrew Link III

Absent: None

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

INVOCATION: The Invocation was presented by Reverend James P. Whelan, Parochial Vicar of Corpus Christi R.C. Church

PROCLAMATION: Hasbrouck Heights Fire Department and Ambulance Squad

Mayor Jones read a Proclamation commending the Fire Department and Ambulance Squad for their professionalism and expertise in the handling of the Teterboro Airport Crash which read as follows:

“WHEREAS, at approximately 7:30 a.m. on Wednesday, February 2, 2005, a corporate jet bound for Chicago careened off the runway at Teterboro Airport, crossed Route 46 causing injury to the occupants of a passing vehicle and finally came to a stop by crashing into a warehouse on the westbound side of the highway, causing some injuries, but miraculously causing no fatalities; and

“WHEREAS, the Fire Department of the Borough of Hasbrouck Heights is a first responder to the Borough of Teterboro and enters into an agreement for fire and ambulance protection services to its neighbor, whereby Hasbrouck Heights authorizes and permits the use of its fire fighting apparatus, Volunteer Fire Department,

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PROCLAMATION (cont'd):

ambulances and ambulance crew, to provide services in Teterboro in the same manner as are presently available for the protection of life and property in Hasbrouck Heights; and

“WHEREAS, the members of the Hasbrouck Heights Volunteer Fire Department and Ambulance Squad, under the direction of First Assistant Chief Angelo Roccamo, were one of the first responders and were commended for their coordination in handling this emergency and their professionalism in keeping this major accident from escalating out of control, along with neighboring emergency personnel and special units.

“NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hasbrouck Heights, County of Bergen, State of New Jersey, hereby honors the Borough of Hasbrouck Heights Fire Department and Ambulance Squad and proudly and justly commends these volunteers for their unfaltering dedication and perseverance in this and any emergency situation.”

PROCLAMATION: Hasbrouck Heights Police Department

Mayor Jones read a Proclamation commending the Police Department for their professionalism with regard to the Teterboro Airport Crash which read as follows:

“WHEREAS, at approximately 7:30 a.m. on Wednesday, February 2, 2005, a corporate jet bound for Chicago careened off the runway at Teterboro Airport, crossed Route 46 causing injury to the occupants of a passing vehicle and finally came to a stop by crashing into a warehouse on the westbound side of the highway, causing some injuries, but miraculously causing no fatalities; and

“WHEREAS, the close proximity of Teterboro Airport to the Borough of Hasbrouck Heights and the impact on the surrounding communities of such a disaster is overwhelming and requires mutual aid from all emergency services; and

“WHEREAS, the Hasbrouck Heights Police Department immediately made themselves available; and

“WHEREAS, the members of the Hasbrouck Heights Police Department are to be commended for their professionalism and support to keep this major accident from escalating out of control, along with neighboring emergency personnel and special units.

“NOW, THEREFORE, BE IT RESOLVED that we, the Mayor and Council of the Borough of Hasbrouck Heights, County of Bergen, State of New Jersey, hereby
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PROCLAMATION (cont'd):

expresses its gratitude to the Borough of Hasbrouck Heights Police Department for its diligence and performance in this and any emergency situation.”

COMMUNICATIONS:

- 1) Request from Friends of the Library for a Banner for their Semi-annual Book and Bake Sale
- 2) Letter from B.C. Executive Dennis McNerney requesting adoption of resolution to restore Community Development Block Grant Program for 2006
- 2) Letter from Little Ferry Police Department and Borough of Teterboro thanking the departments for assistance on February 2, 2005 plane crash.
- 2) Letter to Mayor Jones and Police Chief Colaneri inviting them to read to elementary school students on Wednesday, March 2 in observance of Read Across America Day.

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

APPROVAL OF MINUTES: None

PETITIONS: None

BE IT RESOLVED that the claims and accounts amounting to \$118,297.29 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 therefore.

Signed Andrew Link, III
Commissioner of Finance

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

REPORTS:

FINANCE AND SOCIAL SERVICES:

Under Social Services, Commissioner Link reported that on February 14, a meeting of the Mayor, Administrator, Borough Clerk and Social Services Board was held with the members of the Clergy or a designee to discuss working together to provide a Food Bank for needy residents. It was decided that each church will solicit volunteers from their parishes, along with the Local Assistance Board members, to man the Food Bank which is proposed to be open several hours each week. Once the volunteers names are received, a schedule will be prepared. Beginning with the new year, nine families or individuals have received groceries or food certificates from the Borough Clerk's office. Under Finance, Commissioner Link gave the Finance Report for the month of January. The current fund cash balance as of January 31, 2005 was \$3,425,062.68; on December 31 was \$2,247,152.06 which represents an increase of \$1,177,910.62. The entire balance was invested and is earning 2.25%. Cash receipts for January totaled \$3,692,063.18 of which \$3,489,345.42 was for current taxes, \$45,644.38 was prior year taxes, \$157,073.38 was miscellaneous revenues. Cash disbursements for January totaled \$2,512,164.52 of which \$1,383,023.16 was local school taxes, \$538,824.00 was salaries, \$112,037.50 was for Debt Service and \$478,279.86 was for other expenses. He continued that the Annual Financial Statement due by February 10, 2005 was filed. The 2005 Budget should be introduced at the March 8, 2005 meeting.

HEALTH AND PUBLIC FACILITIES: Under Health, Councilman DiPisa gave the Health Statistics for January. He then reported on the Food Handlers Course which is available in a number of different languages, as well as an abbreviated Course in English which is held quarterly in Borough Hall. He announced the next Health Fair will be held June 3. He deferred the Public Facilities Report. Regarding the Community Awareness Access to All Committee which helps handicapped people, announced an open public meeting on April 5.

POLICE AND RECREATION: Under Recreation, Commissioner Kistner reported on the successful Andy Feintuch Memorial Wrestling Tournament with seven towns represented. He thanked Rob Brady and Michele Zahn. He reported that the Recreation Basketball Program and Traveling Team Program are coming to an end. Sign ups for softball and spring track will be held on February 23. In conjunction with the Municipal Alliance, a second Battle of the Bands will be held April 2. Under Police, Commissioner Kistner complimented the Department for their overall commitment to recent events. Reading from correspondence received from Chief Colaneri, 15 men on the force had perfect attendance or less than three days absence. The Police Cards Program is again being reinstated, and when a child collects all 32 cards from each officer, they get a reward. He reported this coming Sunday, he and Chief Colaneri will be jumping into the ocean at Point Pleasant with the Polar Bear Club for Special Olympics.

FIRE AND PARKS: Under Parks, Commissioner Meli reported that a new park will be installed on Central Avenue Under Fire, he commended them on the recent plane crash at Teterboro, enumerating their many responsibilities. They responded to 185 calls in January. He and Councilwoman Skiba will be visiting Senator Corzine's office to request aid. He also commended the Police Department who secured the area of the plane crash.

LAND USE AND SANITATION: Under Sanitation, Commissioner Introna reported on the snow storm on Monday, commending the DPW on a great job.

STREETS AND TRANSPORTATION: Under Streets and Transportation, Commissioner Skiba reported that the DPW is trying to patch potholes, and commended them for the prompt cleanup of snow. The Coalition for Public Health and Safety was hosted by Hasbrouck Heights on Valentines Day, with a good turnout. The plane accident, the environmental impact study and received word today from Environ Corporation advising that they received the signed contract from NJ DEP and the study should begin in about three months. She also noted that she and Councilman Meli will be meeting with Senator Corzine, Senator Lautenberg and Congressman Rothman's district directors to discuss aid and safety issues.

REPORT OF MAYOR:

APPOINTMENTS: None

RESIGNATIONS: None

UNFINISHED BUSINESS:

1. Alley Behind Certain Berkshire Road Properties

A letter from Borough Attorney Chandless to the Honorable Mayor and Council regarding the above was read in full (copy attached).

A brief history was given by Councilman DiPisa on Councilwoman Skiba's request, and it was noted that a tree had fallen and the owner of the property was under the impression that it was the Borough's responsibility. An investigation was conducted.

On a motion by Councilman DiPisa, seconded by Councilman Meli, and unanimously carried, the foregoing Unfinished Business was accepted.

NEW BUSINESS:

CONSENT AGENDA: 38. In Support of Immediate and Comprehensive Property Tax Reform

39. Endorsing National Education Association's Read Across America and Read Across America-NJ

40. Supporting the Military Death Benefit Improvement Act of 2005
Raffle License for Hasbrouck Heights High School Parents for Athletes

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

RESOLUTIONS:

42. In Support of Lowering the Number of Flights at Teterboro Airport

Authorizing Quitclaim as to Lot 5 in Block 71 Which Borough Sold to State of New Jersey in 1967

Authorizing Rejection of Bids for 2005 Rayco Stump Cutter or Equal

Approve Library's request to erect banner under the usual conditions and according to the requirements of the Supt. of Public Works

Councilman Link questioned Resolution No. 43, with Borough Attorney Chandless giving a brief history of improper recording of deeds.

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

ORDINANCE(S) ON INTRODUCTION: None

ORDINANCE(S) ON PUBLIC HEARING:

ORDINANCE NO. 2073:

Mayor Jones opened the public hearing on Ordinance No. 2073.

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ORDINANCE NO. 2073 (cont'd):

Matthew Ahearn, Esq., 17 Hanover Road, Florham Park, New Jersey, and attorney for those opposing the cell tower in the Methodist Church. He was proposing to the

governing body what steps should follow in addition to the two cell tower ordinances, referring to the Borough of Demarest's ordinance where cell towers are considered a public utility, which could have an impact on a residence market value and is compensable under those provisions of the constitution. He commented on the ability to regulate these installations, which the industry is looking at, and to allow it as a conditional use does in an ordinary land use sense. He recommended to maximize home rule in residential zones, you have to make it a conditional use in the residential zones where science dictates, as a public utility is liable for inverse condemnation and that public utility should be liable for any property value, that the provisions really need to apply to the residential areas, with the increased need as years go on. He volunteered to work with the borough attorney. The borough attorney advised the governing body to conduct further discussion in closed session pending the current application with the Planning Board.

Gail Handy, 319 Division Avenue, questioned Mr. Ahearn that if cell towers are classified as a public utility, don't they need approval.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CERTAIN PROVISIONS OF CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO FURTHER DESIGNATE AS A CONDITIONAL USE THE “B-2” HIGHWAY COMMERCIAL AND “I” INDUSTRIAL ZONES COMMUNICATION TOWER OR ANTENNA FACILITIES IN ACCORDANCE WITH CERTAIN SPECIFIED RESTRICTIONS AND LIMITATIONS”** 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 Kistner, with Councilwoman Skiba voting yes only if the council would do something more substantive to protect the residents and property owners and go the next step forward, (at which time the council was polled, and all voting aye in agreement) which was unanimously carried, the foregoing Ordinance on Public Hearing was approved.

MISCELLANEOUS FROM PUBLIC:

Mayor Jones invited anyone wishing to speak to please come forward. There being no one wishing to speak, the public portion was closed.

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ADJOURN FOR CLOSED SESSION:

RESOLUTION: 46. Litigation

On a motion by Councilman Link, seconded by Councilman Meli, and unanimously carried, the foregoing Resolution to Close was approved.

being no further business to be conducted by the Mayor and Council, the public portion of the meeting was adjourned at 9:23 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 Regular Meeting held on February 22, 2005.

Rose Marie Sees, RMC
Borough Clerk