

BOROUGH OF HASBROUCK HEIGHTS

MINUTES

March 22, 2005

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on Tuesday, March 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: Councilwoman Carol J. Skiba, Councilman Leonard Introna, Councilman Thomas E. Meli, Councilman Ronald F. Kistner, Councilman Andrew Link III

Absent: Mayor Ronald R. Jones, Councilman Justin A. DiPisa

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

INVOCATION: The Invocation was presented by Reverend Katherine Ellison

PROCLAMATION: Rev. Msgr. Rodrigo San Pedro - 25th Anniversary

Councilman Link presented the following Proclamation to Rev. San Pedro:

WHEREAS, Rodrigo San Pedro was ordained a priest of the Roman Catholic Church on March 1, 1980 in the Philippines; and

WHEREAS, Father San Pedro taught Theology in his home country until 1983, went to Rome to study until 1993, and then returned to the Philippines, where he taught Theology in the Seminary, became a Monsignor in 1995 and in 1999 came to the United States; and

WHEREAS, Monsignor San Pedro was placed in Our Lady of Mercy Church in Jersey City where he remained until coming to Corpus Christi R.C. Church in 2001 as an Adjunct Clergy; and

WHEREAS, Rev. Msgr. Rodrigo San Pedro has become a vital part of the church and civic community, working with the scouts, the homebound and acknowledging married

PROCLAMATION: Rev. San Pedro (cont'd):

couples by holding a Valentine's Day Mass and Reception to celebrate World Marriage Day;

NOW, THEREFORE, BE IT RESOLVED that we, the Mayor and Council of the Borough of Hasbrouck Heights, County of Bergen, State of New Jersey, do hereby congratulate Rev. Msgr. Rodrigo San Pedro on his 25th Anniversary as a Roman Catholic Priest, sincerely say thank you for being a vital part of the community and wish him good health, happiness and God's blessings always.

Dated: March 22, 2005

/s/ Mayor and Council

PROCLAMATION: Parliamentary Law

Councilwoman Skiba read the following Proclamation:

WHEREAS, Parliamentary Law is the embodiment of democratic principles, namely: obedience to law and order, justice, courtesy, and respect for the rights of all; and

WHEREAS, knowledge of parliamentary procedures insures smooth-running organizational meetings, by explaining the proper conduct of business to members, writing or amending bylaws, preparing agendas and serving conventions; and

WHEREAS, the development of leadership skills through the study and practice of Parliamentary Law is necessary for efficient functioning in our modern society; and

WHEREAS, the New Jersey State Association of Parliamentarians and all of its study units stress, teach, and foster parliamentary procedure in order to promote the spirit of justice and fairness and provide the opportunity for developing these talents;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hasbrouck Heights, County of Bergen, State of New Jersey, that we do hereby proclaim the month of April 2005 as Parliamentary Law Month in recognition of the New Jersey State Association of Parliamentarians' efforts to promote and disseminate the democratic principles of Parliamentary Law and urge all citizens to avail themselves of this opportunity to acquaint themselves with the programs carried on by these Parliamentary Study Units.

Dated: March 22, 2005

/s/ Mayor Ronald R. Jones

COMMUNICATIONS:

- 1) Thank you letter from Alex DeCroce, Assembly Republican Leader for support of property tax reform.

COMMUNICATIONS (cont'd):

- 2) Letter from Assemblyman Robert Gordon regarding a resident of Washington Place and speeding.
- 3) Letter from B.C. Sheriff Leo P. McGuire regarding Sheriff's Inmate Labor Program.
- 4) Letter from Office of the Attorney General regarding the SFY05 Statewide Local Domestic Preparedness Equipment Grant Award of \$45,000.
- 5) Letter from Bradley Campbell, Commissioner, announcing that the Borough's application for the NJ Dept. of Environmental Protection's FY2005 Statewide Livable Communities Grant for "Improvement to Woodland Park" was approved for \$40,000.
- 6) Letter from Senator Joseph Coniglio announcing the award of a \$16,000 Library Grant.
- 7) Letter from Carol Messer of B.C. Dept. of Parks announcing award of a 2005 B.C. History Re-grant for Special Projects in the amount of \$912.00.

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

APPROVAL OF MINUTES: (January 25, 2005)

On a motion by Councilman Meli, seconded by Councilwoman Skiba, and unanimously carried, the foregoing Minutes were approved.

PETITIONS: None

BE IT RESOLVED that the claims and accounts amounting to \$1,089,109.34 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

BILLS (cont'd):

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

REPORTS:

FINANCE:

Under Finance, Councilman Meli gave the Finance Report for the month of February. The current fund cash balance as of February 28, 2005 was \$3,861,527.39; on January 31 was \$3,425,062.68 which represents an increase of \$436,464.71. The entire balance was invested and is earning 2.30%. Cash receipts for February totaled \$3,749,566.45 of which \$3,595,606.57 was for current taxes, \$48,558.08 was prior year taxes, and \$105,401.80 was miscellaneous revenues. Cash disbursements for February totaled \$3,295,548.61 of which \$1,499,419.16 was local school taxes, \$540,818.08 was salaries, \$671,024.49 was for County Taxes and \$548,286.88 was for other expenses. He continued that the 2005 budget was introduced on March 8, 2005 and public hearing is scheduled for April 12, 2005, however this would not take place until word was received on the extraordinary aid application.

HEALTH: Under Health, Commissioner Introna reported 60 burials from out of town, nine marriages, six deaths and one birth from Hasbrouck Heights. Dog licenses issued were 106 with \$1,088 received, making the total amount collected in fees \$5,689.00.

POLICE AND RECREATION: Under Recreation, Commissioner Kistner reported the second Battle of the Bands will take place April 2. A resident Al DeAngelo will be holding a "Fright Night at the Movies" on April 16 for the Recreation Center 8th thru high school students. There will be three family-type concerts in Woodland Park on the third Thursday in June, July and August. A shuffleboard will be set up in the Recreation Center for residents, especially the Leisure Club members. Under Police, Commissioner Kistner reported the Lodi council honored those officers involved in the recent murder that occurred in Lodi, including those from Hasbrouck Heights. He had observed the DWI inspection in progress on the past Friday, and commended those officers.

FIRE AND PARKS: Under Parks, Commissioner Meli reported on the new pocket park on Central Avenue, and a \$40,000 grant for Woodland Park through the efforts of Councilman Kistner. Under Fire, although he did not have the statistics, he commended the volunteers on their continued service to the community. He reported two more planes had gone off the runway at Teterboro, to which our fire department was summoned. A domestic preparedness equipment grant was received which will go toward thermal imaging cameras and scott packs. A FEMA grant is to be prepared

FIRE AND PARKS (cont'd):

as well. Under Library, he reported a grant received of \$16,000 for lap top computers.

SANITATION: Under Sanitation, Commissioner Introna reported three snow storms had occurred and commended the DPW for the quick clean up. To date \$9,480 was received from Bergen County to plow the major streets and \$6,450 for salt.

STREETS AND TRANSPORTATION: Under Streets and Transportation, Commissioner Skiba reported the DPW is making pothole repairs. She was advised that catch basins will begin to be cleaned. The Woodland Avenue sanitary sewer repair will be discussed at the next meeting. A leaf committee meeting was held and more details will follow. She had received an anonymous letter regarding garbage and she requested an address to rectify the problem.

REPORT OF MAYOR: Councilman Link had no report, but gave a short commentary on operation of equipment, in light of the grant monies received for new equipment.

APPOINTMENTS: None

RESIGNATIONS: Jason Schell from Fire Department Hook and Ladder Company

Joann Decongelio from Mayor's Celebrations Committee

On a motion by Councilman Meli, seconded by Councilman Kistner, and unanimously carried, the foregoing Resignations were accepted with regret.

NEW BUSINESS:

CONSENT AGENDA: None

RESOLUTIONS: 59. Renewal of Bond Anticipation Note #2-2004.

60. 2004 Appropriation Reserve Transfers

61. Directing Borough Engineer to Correct Zoning Map

62. Appointing a Special Tax Attorney (Steven Muhlstock, Esq.)
To Represent the Borough if Needed

RESOLUTIONS (cont'd):

62. Authorizing Execution of the Developer's Agreement for ADPP Enterprises as to 404 Route 17 North Approved by the Planning Board on December 1, 2004

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

ORDINANCE(S) ON INTRODUCTION:

ORDINANCE NO. 2078:

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE TO SUPPLEMENT SECTION 261-47 ENTITLED "SCHEDULE XVII: TIME LIMIT PARKING: OF CHAPTER 261 ENTITLED "VEHICLES AND TRAFFIC" OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO IMPOSE A TWO HOUR RESTRICTION ON PARKING ON A CERTAIN PORTION OF LA SALLE AVENUE** 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 April 12, 2005.

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE TO SUPPLEMENT SECTION 261-45 ENTITLED "SCHEDULE XV: PARKING PROHIBITED CERTAIN HOURS" OF CHAPTER 261 ENTITLED "VEHICLES AND TRAFFIC" OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO PROHIBIT PARKING ON CERTAIN PORTIONS OF WASHINGTON PLACE ADJACENT TO THE BOULEVARD AT CERTAIN TIMES"** 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 April 12, 2005.

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE TO SUPPLEMENT SECTION 261-35 ENTITLED "SCHEDULE V: PROHIBITED TURNS AT INTERSECTIONS" OF CHAPTER 261 ENTITLED "VEHICLES AND TRAFFIC" OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO PROHIBIT A DESIGNATED TURN ON CERTAIN PORTIONS OF WILLIAMS AVENUE AT ALL TIMES"** was introduced this date be and the same is hereby passed on first reading

ORDINANCE(S) ON INTRODUCTION (cont'd):

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 April 12, 2005.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 25 ENTITLED “ENVIRONMENTAL COMMISSION” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO INCORPORATE THEREIN AS ITS FURTHER PURPOSE MATTERS RELATED TO PUBLIC TRANSPORTATION”** 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 April 12, 2005.

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

ORDINANCE(S) ON PUBLIC HEARING:

Councilman Link opened the public hearing on Ordinance No. 2074, Ordinance No. 2075, Ordinance No. 2076, Ordinance No. 2077. There being no one wishing to speak on these ordinances, the public hearing was closed.

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) CALENDAR YEAR 2005”** 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 Meli, seconded by Councilman Kistner, with Councilwoman Skiba abstaining, the foregoing Ordinance was approved.

ORDINANCES CONTINUED ON PUBLIC HEARING:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO STABILIZE AND REGULATE RENTS WITHIN THE BOROUGH OF HASBROUCK HEIGHTS AND TO**

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

ESTABLISH A RENT BOARD, WHICH ORDINANCE IS TO BE COMMONLY KNOWN AS THE "2005 RENT LEVELLING ORDINANCE" was continued on public hearing until April 12, 2005 as the seven day publication period had not been met.

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 ADD TO THE LIST OF PERMITTED PRINCIPAL USES IN THE B-2 HIGHWAY COMMERCIAL ZONE "BUSINESS AND PROFESSIONAL OFFICES" AS THE SAME WERE PERMITTED IN THAT ZONE BY REFERENCE TO PERMITTED USES IN THE B-1 ZONE PRIOR TO THE AMENDMENT"** was continued on public hearing until April 12, 2005 to await Planning Board review.

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE CORRECTING TYPOGRAPHIC ERRORS IN AN ORDINANCE ENTITLED, "AN ORDINANCE TO AMEND AND SUPPLEMENT CERTAIN PROVISIONS OF BOTH ARTICLE VI OF THE SUBDIVISION AND SITE PLAN REVIEW ORDINANCE BEING ORDINANCE NO. 1407 ADOPTED ON MARCH 23, 1987 AS THE SAME HAS BEEN HERETOFORE AMENDED AND SUPPLEMENTED AND ALSO CERTAIN PROVISIONS OF ARTICLE VII OF CHAPTER 275 ENTITLED "ZONING" OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO ELIMINATE THEREFROM THE CURRENT REQUIREMENTS TO PROVIDE CERTAIN SPECIFIED NUMBERS OF PARKING PLACES IN RELATION TO CERTAIN SPECIFIED USES WITHIN THE B-1 CENTRAL BUSINESS DISTRICT OF THIS BOROUGH AND TO REPLACE THOSE REQUIREMENTS WITH A SINGLE REQUIREMENT THAT PREMISES WITHIN THE SAID ZONE SHALL BE REQUIRED TO MAINTAIN THE SAME NUMBER OF PARKING PLACES AS PRESENTLY PROVIDED, ALL OF WHICH PARKING PLACES SHALL BE FOR THE EXCLUSIVE USE OF THE PARKING OF MOTOR VEHICLES IN RELATION TO THE USE CONDUCTED UPON SUCH PREMISES"** BEING ORDINANCE NO. 2051 ADOPTED JULY 13, 2004" was continued on public hearing until April 12, 2005 to await Planning Board review.

On a motion by Councilman Meli, seconded by Councilman Introna, and unanimously carried, the foregoing Ordinances On Continued Public Hearing were accepted.

MISCELLANEOUS FROM PUBLIC:

Councilman Link invited anyone wishing to speak to please come forward.

John Fitzin, 232 Columbus Avenue, asked for layman wording with regard to ordinances, and that with the borough attorney absent, the legalese could not be explained, but copies were available when published as well as in the Clerk's office.

Joseph Livecchi, 304 Division Avenue, asked if any changes were made in the cell phone ordinance. He was advised that the agreement had been sent to the expert, that he would be present at the Planning Board meeting the next night.

There being no one else wishing to speak, the public portion was closed.

ADJOURN FOR CLOSED SESSION:

RESOLUTION: 64. Personnel

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

There being no further business to be conducted by the Mayor and Council, the public portion of the meeting was adjourned at 9:06 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 March 22, 2005.

Rose Marie Sees, RMC
Borough Clerk