

BOROUGH OF HASBROUCK HEIGHTS

MINUTES

February 27, 2007

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on Thursday, February 27, 2007 at 8:11 p.m. at Borough Hall, 320 Boulevard, Hasbrouck Heights, New Jersey.

In Mayor Jones' absence, and Council President Introna being detained, the meeting was presided over by Councilman Justin A. DiPisa.

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 2, 2007 and transmitted to The Observer, The Record and The Herald News on January 2, 2007.

ROLL CALL: Present: Councilman Justin A. DiPisa, Councilman Leonard Introna (*arrived 9:15 p.m.*), Councilwoman Carol J. Skiba, Councilwoman Maryetta Saccomano, Councilman Anthony DiNanno, Councilman Stephen Altobelli

Absent: Mayor Ronald R. Jones

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

INVOCATION: A prayer was offered by Rev. Lewis V. Papera, Pastor of Corpus Christi R.C. Church.

PRESENTATION: Certificates of Achievement to 2006 Editorial Staff of Hasbrouck Heights High School *Pilot's Log* for winning the following awards:

- 3-time Winner of NSPA Pacemaker
- 3-time Winner of NSPA/JEA Best in Show
- 6-time Winner GSSPA Best High School Newspaper in New Jersey
- 6-time Winner American Scholastic Press Overall Excellence with Special Recognition
- 2-time Winner Daily News First Place News, Features, Layout and Design
- 1st Place NSPA Design and Layout (National Award)
- Columbia Scholastic Press Gold Crown

Certificates were presented to students Matthew Connors, Wade Friedel, Harvir Kaur, Brielle Marino, Joseph Marine, Kaitlin Olcott, Prachi Parikh, Russell Piazza, Nishit Raval, Lukasz Skibicki, Robert Spindler, Caitlyn J. Walsh and Nicole Weingartner and Advisors Lora Geftic and Gary Pankiewicz.

PRESENTATION (cont'd):

Assisting Councilman DiPisa and Councilwoman Saccomano in the presentation were Assemblyman Robert Gordon and Assemblywoman Joan Voss, who also presented certificates, including those of Congressman Rothman and Senator Coniglio.

COMMUNICATIONS: 1) Request for Resignation from the Community Awareness Access for All Committee from Rosalia Tinio-Hof.

2) Letter from Robert Thomasey Declining Appointment as Special Police Officer.

3) Letter from Abbe Lewites, HHHS Key Club Advisor Requesting Permission to Place Signs on Strategic Corners Advertising Flea Market Fundraiser on March 11.

4) COAH request for Municipal Housing Liaison.

5) Request from Anthony B. Bernice, Grand Knight of Knights of Columbus, Msgr. Robert G. Fitzpatrick Council, No. 7041 with request for Borough Proclamation in Recognition of the 125th anniversary of the Founding of the Knights of Columbus.

6) Letter of request from Carol Vigorito for permission to have tenant park in municipal parking lot overnight.

Councilman DiPisa asked to have Item #3 and Item #5 read into the record. Regarding Item #3, it was recommended to ask businesses to post them in their windows. Regarding Item #4, it was noted that the COAH committee including Councilman DiPisa, Councilwoman Saccomano and Councilwoman Skiba have been designated by Mayor Jones.

On a motion by Councilwoman Skiba, seconded by Councilwoman Saccomano, and unanimously carried, the foregoing Communications were accepted.

PROCLAMATION: In Recognition of the 125th Anniversary of the Founding of the Knights of Columbus (Copy attached).

Councilman DiPisa read and presented the above named Proclamation to Knights of Columbus Msgr. Fitzpatrick Council 7041 Grand Knight Anthony Bernice.

APPROVAL OF MINUTES: (January 1, 2007 Sine Die, January 1, 2007
Reorganization Meeting, January 9, 2007 Regular Meeting)

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

PETITIONS: None

BE IT RESOLVED that the claims and accounts amounting to \$103,079.64 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.

Leonard Introna
Commissioner of Finance

On a motion by Councilwoman Saccomano, seconded by Councilman DiNanno, and unanimously carried, the foregoing Resolution was adopted.

REPORTS:

HEALTH AND PARKS: Under Health, Commissioner DiPisa reported total fees for the month of January were \$14,899, for which \$9,837.00 was certified transcripts, the remaining \$5,062.00 was dog license fees. The Child Health Conference contract for 2007 will be with the Borough of Lodi. Eliminating the fee of \$30 was being investigated. Under Parks, he reported the DPW worked snow removal at Miers, Memorial and Polify Parks and the Circle on four different occasions. Demolition of the bathrooms in Woodland Park will be done by the DPW. On February 24, he had met with Mark Dulhagen, a business owner, regarding parking problems on the Boulevard.

FINANCE: Under Finance, Deputy Commissioner Saccomano read the following Finance Report: the current fund cash balance as of January 31, 2007 was \$2,892,755.31; on December 31, 2006 was \$2,049,518.11, which represents an increase of \$843,237.20. The entire balance was invested and is earning 5.25%. Cash receipts for January totaled \$3,768,000.92 of which \$3,565,674.29 was for current taxes, \$55,692.34 was delinquent taxes, and \$146,633.29 was miscellaneous revenues. Cash disbursements for January totaled \$2,924,763.72 of which \$1,567,165.75 was local school taxes, \$550,115.36 was salaries and \$807,482.61 was for other expenses. The Annual Financial Statement and Annual Debt Statement were filed by statutory deadlines.

SANITATION: Under Sanitation, Deputy Commissioner DiNanno reported that the DPW had videotaped three areas where complaints of laterals being blocked were received, which showed to be fully operational. A video inspection of the main line along the Boulevard between Madison Avenue and Washington Place revealed a build up. Preventive inspections will be made along the Boulevard to assure that food establishments are in compliance with grease trap requirements.

FIRE AND LAND USE: Under Fire, Commissioner Skiba reported for the month of January 135 calls were made, with 26 Fire calls, 12 non-emergency fire, 80 EMS, and 17 miscellaneous calls. The Lodi Ambulance Rescue Squad sent a letter to our EMS that they are now licensed by the State of New Jersey Department of Health and Senior Services and will begin a third party billing service effective Feb. 1. Under Land Use, she reported the Building Department issued 53 permits for a total of \$11,286. Under Property Maintenance, she reported six complaints received which were resolved, one complaint referred to Municipal Court, 21 verbal warnings for ice and snow, one work stop order to a contractor working on Sunday and two warnings to contractors to remove business signs on lawns.

POLICE AND STREETS: Under Police, Commissioner Saccomano reported NJ Department of Corrections inspected the cell block area, which was in compliance. Chief Colaneri attended a Court Security Summit held at the County Justice Center with Mayor Jones and Judge Jones. An independent assessment was requested from the B.C. Sheriff's Department which reported that security at H.H. Municipal Court was better than some County courthouses. Under Streets, she reported snow and ice storms brought out the DPW plows on several occasions. A water main leak caused a hazardous icing condition on Terrace Avenue in front of the Hilton Hotel, which was repaired by Fletcher Creamer Construction Company, and although the portion of the road in that area is owned by NJ DOT, the borough maintained it during that time.

TRANSPORTATION AND RECREATION: Under Transportation, Commissioner DiNanno reported Oak Grove Avenue punch list is underway, including sewer grates and handicap accessible curb cuts. Madison Avenue will be repaved under the 2007 Road Program this spring, total cost \$90,000, \$75,000 from NJ DOT, \$15,000 from existing funds.. Under Recreation, he reported there were 28 boys and girls basketballs teams, the Wrestling team hosted the championship on Sunday, winning 36 medals, and finishing the season with 467 individual wins. Winter programs are winding down, and some of the Spring programs will be starting in two weeks. The Recreation Center is well utilized. Under the S.A.S.P Program comprised of local students 38 homes of senior residents have been shoveled. A tax preparation service will be available free for local seniors. Under the Depken Field Improvements, he reported Job & Job along with Maser Consulting are working in preparation for bids for the field improvements.

PUBLIC FACILITIES AND SOCIAL SERVICES: Under Public Facilities, Commissioner Altobelli reported fire alarm and sprinkler inspections were conducted by a state certified company at Borough Hall and the Public Safety Building and the automated doors at the Library entrance on Madison Avenue were repaired. On January 23, a sanitary sewer backup at Borough Hall was repaired by the DPW. Under Social Services, he reported, the Food Pantry shelves received donations from the First Reformed Church, Bill Takacs, Joan Turner, Carla Kling, Mrs. DeSantis, St. John's Episcopal Church, Troop 1097, Harold Jacobus, Lincoln School PTA, Audrey Maisch, and Troop 595. A Microwave oven donated by Lynn and Rick Taylor. As Library liaison, he reported an upcoming event to be held at The Ivy Inn on March 25 to raise funds for the Library Endowment Fund.

NEW BUSINESS:

Councilwoman Skiba regarding a notice from the Ethical Standards Board about a Reorganization meeting on March 12, including discussion of "Pay to Play issues regarding Borough appointments." She questioned if special counsel should be appointed and offered the name of Eric Bernstein or another professional who teaches the Ethics Class for the State of New Jersey. The Borough Attorney said he will recuse himself if there is an issue. When polled, comments included letting the Ethics Board members have input, the Chairman of that Board had spoken with Mr. Ortiz and had no problem with him serving as that board's attorney and only if there was an issue requiring it. It was agreed to have the Chairman of the Ethics Board poll its members regarding the attorney.

Councilwoman Skiba, in response to the Mayor's request that a letter of investigation be sent to the B.C. Prosecutor's office, questioned why more information wasn't provided, and was told more detailed information will be provided if asked.

APPOINTMENTS: Mary Barone to Local Assistance Board 3 Years

On a motion by Councilwoman Saccomano, seconded by Councilman Altobelli, and unanimously carried, the foregoing appointment was approved.

RESIGNATIONS: Robert Thomasey as Special Law Enforcement Officer Class
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Rosalia Tinio-Hof from Community Awareness Access for All Committee

On a motion by Councilwoman Skiba, seconded by Councilman Altobelli, and unanimously carried, the foregoing Resignations were accepted.

CONSENT AGENDA: 41. Designating the Month of March as "Women's History Month"

CONSENT AGENDA (cont'd):

42. Adopting Provisions of State Health Benefits Program with Regard to Coverage of Certain Retirees
42. Authorizing Change Order with Infante Associates for Public Safety Building

On a motion by Councilman Introna, seconded by Councilwoman Skiba, with Councilwoman Saccomano voting Nay on Resolution No. 42, and Yes to all others, the foregoing Consent Agenda Resolutions were approved (Copies attached).

RESOLUTIONS: None

ORDINANCE(S) ON INTRODUCTION:

ORDINANCE NO. 2154:

BE IT RESOLVED that an Ordinance entitled **“AN ORDINANCE TO AMEND SECTION 275-16 ENTITLED “YARD REGULATIONS” OF CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS AND TO SUPPLEMENT SUBSECTION A ENTITLED “ACCESSORY STRUCTURES AND USES IN RESIDENTIAL DISTRICTS” OF SECTION 275-21 ENTITLED “REGULATIONS GOVERNING CERTAIN ACCESSORY STRUCTURES AND USES” OF CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO ALLOW DECKS THAT EXCEED A HEIGHT OF THREE FEET OVER THE NATURAL GRADE UNDER CERTAIN LIMITED CIRCUMSTANCES**” 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 March 13, 2007.

On a motion by Councilwoman Saccomano, seconded by Councilman Introna, and unanimously carried, the foregoing Ordinance on Introduction was approved.

ORDINANCE(S) ON PUBLIC HEARING:

Councilman DiPisa opened the public hearing on Ordinance No. 2153.

Chris Semencz, 415 Jefferson Avenue, was curious as to why this ordinance was being changed to allow real estate signs, and the Key Club would not be allowed to put up signs as previously discussed. He recommended allowing such signs under the same requirements.

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

There being no one else wishing to speak, the public hearing on this ordinance was closed.

ORDINANCE NO. 2153:

BE IT RESOLVED that an Ordinance entitled: **“AN ORDINANCE TO SUPPLEMENT SUBSECTION E ENTITLED “SIGNS” OF SECTION 275-21 ENTITLED “REGULATIONS GOVERNING CERTAIN ACCESSORY STRUCTURES AND USES OF” OF CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO INCLUDE A NEW PROVISION THEREIN GOVERNING ALL DIRECTIONAL RESIDENTIAL REAL ESTATE OPEN HOUSE SIGNS AND TO FURTHER SUPPLEMENT OTHER SECTIONS OF SAID CHAPTER IN ACCORDANCE THEREWITH”** 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 Councilwoman Skiba, seconded by Councilman Introna, and unanimously carried, the foregoing Ordinance on Public Hearing was approved.

MISCELLANEOUS FROM PUBLIC:

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

Mario Sasso, 205 Lawrence Avenue, said his garage and driveway are located on the Boulevard and now there is a bus stop in front of it. He asked to have it moved to the front of BeJay Drug Store as he was very upset over the condition of his property caused by those waiting for the bus. Chief Colaneri noted that the County and NJ Transit had looked into this possibility but it was not considered safe.

Linda Bright, 136 Columbus Avenue, asked if funding allocated in the budget for snow removal that was not used could be allocated to Project Graduation. She asked if a different newspaper could be considered for next year. She asked for respect for Mr. Ortiz.

Robert Call, 231 Paterson Avenue, with the improvements to Ravine Avenue and extension of Oldfield Avenue, that the Borough map be revised to reflect the changes of these streets as well as others he pointed out. He was advised that some of the streets he mentioned could be paper streets.

Patricia Godfrey, in her capacity as said there is a huge map which was corrected in the Office of Emergency Management which could be consulted.

MISCELLANEOUS FROM PUBLIC (cont'd):

John Gall, Central Avenue, was annoyed with the party infighting and asked the council to think of the Borough first.

Sonya Buckman, 239 Central Avenue, had received a letter from four council people using Borough letterhead and if this was proper. She was advised as long as it wasn't political. She thought it was a very political letter. She questioned what the attorneys salaries would be. She was advised of the salaries with the 6.5% decrease.

Robert Searle, 51 Henry Street, regarding Councilman DiNanno's report and the purchase of Swim Club property, thought that engineering had been done by the previous engineer. He was told that engineering had been done on the property sold. He was concerned with overlapping or duplication of fees.

Marlene Verrastro, 117 Oldfield Avenue, questioned why Dr. Napolitano and Dr. Bellavia were not reappointed. She also questioned the 6.5% decrease of attorney salaries and if Maser Consulting had a Bergen County office. She was advised that where their office is located is irrelevant as to the service they can provide. She also questioned their fee of \$185 versus \$140. She was advised that a lot of the work can be done in house, that they have done work in Bergen County. She questioned if there were contracts received for attorneys.

Bill Coughlin, 129 Baldwin Avenue, was concerned about tractor trailers pulling in and out of the Elks Lodge parking lot, had met with the organization members, and asked if they could move them behind the building, which had not as yet been done. He presented some pictures. He recited some parking ordinances (275-23, 24D) he had investigated and considered these trucks not in compliance. It was referred to Police Chief Colaneri who would meet with the Zoning Officer.

Helayne Weiss, Collins Avenue, regarding the Feb. 17 letter sent out by the four councilpersons, asked who did the work and was told the Bergen County Democratic Organization referred them to the vendors used. She also asked who had input on the contents. Councilwoman Skiba also took issue with this. Ms. Weiss, on the upcoming Ethical Standards Board meeting, asked if the issue of pay to play and the recent appointments of attorneys would be discussed, and then questioned how Mr. Ortiz could preside as borough attorney. She questioned some of the information that appeared on e-mails between council members that she had read.

John Goehrig, 262 Lawrence Avenue, complimented the DPW on the plowing of snow, and questioned who was responsible for shoveling corners. He was also concerned with litter on the Boulevard.

Gail Handy, 319 Division Avenue, regarding a request for permission to park in a municipal lot overnight. She used the word disgusted in referring to volunteer appointments and the submission of resumes.

Doreen Rutt, 15 MacArthur Avenue, who had attended the last council meeting and discussed the no parking between 8-9 a.m. signs, and had been advised to get a petition to have them taken down, asked if there was one to put the signs up. She was advised that a Police committee meeting was held and a survey will be conducted on three blocks including MacArthur Avenue on this issue.

Juan Hernandez, Springfield Avenue, was disappointed with the answers given to Mr. Sasso. Councilman DiPisa gave a history of this ongoing problem. He commented on council members family members being on boards.

Joseph Bonacci, 10 Ottawa Avenue, regarding the letter of Feb. 17, said it was perceived improper and felt it was used for a political purpose, and questioned if the Sunshine Law was violated.

Robert Thomasey, presented a flyer that he observed being distributed at the meeting tonight and questioned the impropriety of doing this here. The contents of the flyer was discussed which related to political donation reports.

Christian Semencz, 415 Jefferson Avenue, said his recent OPRA request was incomplete and asked for the e-mails and attachments. He was advised that the attachments were the resolutions of February 5, which were public record and already seen. He was requested to make another request.

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

ADJOURN:

There being no further business to be conducted by the Mayor and Council, the public portion of the meeting was adjourned at 11:06 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 February 27, 2007.

Rose Marie Sees, RMC
Borough Clerk