

BOROUGH OF HASBROUCK HEIGHTS

MINUTES

September 10, 2013

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on September 10, 2013 at 8:03 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 2, 2013 and transmitted to The Observer, The Record and The Herald News on January 2, 2013.

ROLL CALL: Present: Mayor Rose Heck, Councilman Justin A. DiPisa, Councilwoman Sonya Buckman, Councilman David Gonzalez, Councilwoman Pamela J. Link, Councilman Russell A. Lipari, Councilman Christian Semencz

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 Mayor Rose Heck as follows:

“Opening Prayer for Meeting. Lord, we are meeting today to conduct matters of business. Guide our hearts and our minds in the spirit of fairness, right thought and speech. Impart your supreme wisdom upon our activities so that our affairs may reach a successful conclusion. Thank you for being our source of guidance today. Amen.”

- COMMUNICATIONS:**
- 1) Invitation from Board of Health to Senior Wellness Luncheon on September 19, 2013 from 11 a.m. to 2 p.m.
 - 2) Notice from Board of Health that Flu Shots will be offered to Seniors on Tuesday, September 24, 2013 from 10 a.m. to 12 noon
 - 3) Invitation to Bergen County residents to attend Town Hall

COMMUNICATIONS (cont'd):

Meetings for Cultural Planning

4) Invitation to B.C. Division on Disability Services 35th Anniversary on Thursday, Sept. 19, 2013 from 11 a.m. to 2 p.m. at The Moses Family & Meeting Center, Bergen Community College

Mayor Heck asked if anyone wished to have any item read into the record. Item #2 was requested. (Copy attached).

Mayor Heck requested a motion to accept the correspondence which was made by Councilman DiPisa, seconded by Councilwoman Link, and unanimously carried.

APPROVAL OF MINUTES: None

BILLS:

WHEREAS, claims and accounts amounting to \$2,902,038.32 specified in the schedule hereto annexed, have been examined and approved by the Finance Commissioner, or his Deputy; and

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.

/s/ Councilman Justin A. DiPisa
Deputy 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:**
- 155. Payroll
 - 156. Dog Licenses – Payment of Fees to State
 - 157. Construction - 2nd Quarter Payment of Fees to State

CONSENT AGENDA (cont'd):

158. Raffle License for Knights of Columbus Council 7041
159. Authorizing Approval of Person-to-Person Liquor License Transfer from Liquor & Deli Master Corp. to ZZ Spirits LLC

Mayor Heck requested a motion to approve the foregoing Consent Agenda which was made by Councilwoman Link, seconded by Councilman DiPisa, and unanimously carried.

Councilman Semencz told Mayor Heck she had no right to ask people to make motions, because the motion has a right to die according to Robert's Rules. Mayor Heck advised him to read the resolution (bylaws) that was passed January 1, 2013. Mr. Chandless said that under the bylaws the Mayor presides and has the right. Robert's Rules applies where it is not covered by our rules.

APPOINTMENTS: Ronald Ellis as Trustee of the Hasbrouck Heights Free Public Library

Mayor Heck requested a motion to approve the foregoing Appointment which was made by Councilwoman Buckman, seconded by Councilman DiPisa, and unanimously carried.

RESIGNATIONS: None

REPRESENTATIVES FROM PUBLIC SERVICE ELECTRIC & GAS COMPANY:

Dave Hollenbeck, PSEG Regional Public Affairs Manager for Bergen County, and Guy Vogt, Vegetation Management Department which takes care of tree issues, were invited to attend tonight's meeting to address the Borough's and residents' concerns regarding electric outages. He gave an update on what they have been doing since the storm. He thanked the Council for passing the Energy Strong support. He reported upgrades in the region include the Willow Street switch yard in East Rutherford, in Bergenfield, Teaneck, Englewood, Paramus, Fair Lawn and Carlstadt. All of these feed into this area. Mayor Heck asked if they were planning to take the substation out of the flood zone, he said right now there are no plans as it would have to be moved someplace else. With the increase in electricity use, the system is being upgraded to a 69kv system which is the taller pole (55 feet), state of the art which is called gas insulated switching. Where they run one of those circuits, it would take three 26kv circuits to run. If a pole had solar panel, it would be replaced. He had talked to the project manager the other day who said they have hit their quota. He said there is a huge switch yard at the Bergen Generating Station which has the second largest geographic insulated switch gear in the world. The energy strong proposal was an investment before the BPU a total of

PSEG:

\$3.9 billion over 10 years. \$1.7 billion would be used to relocate 31 electric switching and substations affected by recent storms as well as those newly designed in flood zones. New Milford and Hackensack are targeted for that. Right now there are 21 municipalities in Bergen County and the B.C. Freeholders supporting this. A pump facility has been installed for the larger pipe cable. They were working on circuitry backup measures to get power back more quickly when it goes down. When asked, he said 10 days was the longest power was out during Sandy and the nor'easter. Hopefully the BPU will decide to move on some portions within the next weeks.

Mayor asked the public for questions.

Lori Cintron, 164 Oldfield Avenue, was representing the Oldfield block and presented a petition stating their concern of a small section from 187 to 140 Oldfield loses power for no apparent reason, occurring at least 10 times in the last couple of months. Field Avenue is also affected. Mr. Hollenbeck said there are circuits and if they identify the homes affected, they will bring it back to the operations manager. Mr. Vogt said he would look at the circuit map and the tree conditions in that area. Mr. Hollenbeck said it is isolated and could be a fuse.

PETITIONS: A petition signed by the concerned residents of Oldfield Avenue to the management of Public Service Electric and Gas Company for a change to a more reliable grid for more consistent service. We, the undersigned residents have been out of power more frequently than any other area in the Borough of Hasbrouck Heights and for longer periods of time. We will not tolerate any more outages nor will we continue to pay you for service not rendered. If we do not get results you will force us to take this matter to the next level. (35 signatures)

Debra Bruno, 420 Franklin Avenue, said she has had this type of problem for at least 10 years. On a regular basis at least three times a week the power goes off. She has called PSEG repeatedly who say she is on a separate circuit. She was advised to write a letter to the Mayor when this type of problem arises. She asked if Mr. Hollenbeck could come back in 90 days to give an update.

Robert LaMorte, 336 Springfield Avenue, has been living there seven years and the light post at Terrace and Springfield Avenues has been out four times, and after two calls since July, it is not fixed.

Mr. Hollenbeck said addressing outage of street lights is (1) the town identifies, (2) as a residence, there is a spot on the PSEG website "my account" and report it, (3) call the police department with the pole number.

PSEG (cont'd):

Brendan McMann, 180 Oldfield Avenue, and married to Ann Ciavaglia, who live with Bobby Ciavaglia, both have Muscular Dystrophy and are on life sustaining equipment including a ventilator that Ann uses 20 hours a day. He quit counting the blackouts at nine, from 2008 to 2010. During Sandy they were told they were on a different line staggered up to Rutherford and the pole in front of 180 Oldfield is the last on that line. He was assured they would look at this tomorrow. When it happens, Mr. McMann said there is no one to contact, he would like contact information. He was told work through your local PD which has a direct line to the operations department. Chief Colaneri said to let the PD know this is a special situation.

Joe Colangelo, 168 Oldfield Avenue, said when he calls when the power is out, he talks to a machine and doesn't get a call back. For the 30 years he has owned on that block, the first 28 were okay, in the last two years it has been many more. He wants an answer right away.

Alise Knehr, 138 Division Avenue, said there are wires outside her house that arc with sparks flying out of the wires when the wind blows. PSEG came the next day and removed the caution tape without doing anything. Secondly, there has been a gas leak issue in the street for 10 years which was never addressed, except for holes drilled in the street. She was advised to call whenever there is a gas odor. Mayor Heck asked that if this is one of the streets to be done, it would be appreciated if PSEG would do it before the road is paved.

Marlene Verrastro, 117 Oldfield Avenue, located on the other side of Henry Street, who experience outages and surges constantly. They can hear the transformers exploding. 136 Oldfield is the only home that never goes out. Her son at 250 Paterson Ave. experienced four outages in one week. She said there are 12 townhouses being built in her area, what will happen then.

Rosemarie DiPisa, 176 Oldfield Avenue, have lived there for 47 years and up to three years ago, had never lost power. They were told that their grid was changed and put on one with Route 17 and Teterboro Airport. Half the street never loses power. She lives next door to the Ciavaglias and has helped them many times.

Mayor Heck said that in 30 days if they don't hear that corrections are in progress, she will go to see the President of PSEG.

Thomas Verrastro, 117 Oldfield Avenue, said a few months ago Public Service came to trim trees on Oldfield and Passaic. They drove down Oldfield, made a right and kept on going and hasn't seen them since. Mr. Vogt said they don't just blanket the town and trim every tree. They follow a method.

PSEG (cont'd):

Mr. Vogt said they cover 65 municipalities and work on a four year trim cycle, they trim every circuit over that period. He is a certified arborist and makes sure the work is done properly. He will take a look at the location.

Jennifer Buckman, 219 Longworth Avenue, said before Sandy PSEG was to cut the tree in front of her house. They marked the tree.

Councilman Gonzalez, 322 Washington Place, said recently at his house power has gone out three times in a day and asked what could be going on.

Borough Engineer Ken Job reported four phases of the Boulevard Streetscape involved Cobra lights that were supposed to come out two years ago and one year ago. The projects can't be closed until this is done. Mr. Hollenbeck advised him they would bring this to Mr. Rodriguez' attention.

Mr. Kronyak said Walter Avenue had been paved and the next day PSEG was painting the street to dig it up. He notified Dennis O'Connor who said what they were doing wasn't emergency work. Mayor Heck said we do notify PSEG before road paving is done. Mr. Kronyak said at a meeting at Congressman Pascrell's office there was talk of a tree replacement program and we were waiting for an update. Mr. Hollenbeck said there are some areas where they can help out.

Councilman Semencz asked if we were getting 65 foot poles how the town would be notified. Mr. Hollenbeck said there is a project in the works that may be going through town, that typically the administrator is called about the project, and various personnel are in attendance. Probably where you have 26kv (55 foot) circuits, the line would be followed with several options. Advance notice is given with the voltage difference by line. Some benefits are the poles are sturdier, on top is a shield wire or lightening arrester which is fiber optic and very safe, new transformers and insulators and infrastructure are upgraded.

Councilman Lipari asked if they are going to remove and replace, not add. Mr. Hollenbeck said if there is a 26kv pole, they would replace in kind. Most of the poles are jointly owned by PSEG and Verizon and telecommunications. What PSEG is responsible for is putting in the pole, replacing their infrastructure and top the pole where their service ends. Cablevision and Verizon will transfer their systems and remove and repair anything left.

Councilman DiPisa asked if it is privileged information to know where their immediate source of power comes from. Mr. Hollenbeck said yes, for security reasons. Knowing the grid doesn't matter, know where your fuse is. The problem has gotten more serious, continuous outages and longer. They think some change was made a few years ago

PSEG(cont'd):

which has changed their quality of life. It would be worth it to know if they are on the smallest grid connected to Teterboro, and need to be place somewhere else. Mayor Heck said they need to solve the problem.

Rose Marie Sees, who lives in the southern end of town, experienced outages with even a little wind. Whatever PSEG did, they fixed it.

Matthew Macginley, 110 Jefferson Avenue, referring to a report written by Edward J. Markey entitled 'Electric Grid Vulnerability" and in the report in January PSEG was asked to provide information to ensure electric grid assets are protected from a cyber or physical attack or geomagnetic storm. As of May their response incomplete or not responsive. He sees a pattern of not being responsive. He provided a copy. Mr. Hollenbeck said they are responsive. Mayor Heck reminded about the 30 days and that the public in attendance would be notified.

ORDINANCE(S) ON INTRODUCTION: None

ORDINANCE(S) ON PUBLIC HEARING:

ORDINANCE NO. 2309:

Mayor Heck requested a motion to open the public hearing on Ordinance No. 2309 which was made by Councilwoman Link, seconded by Councilman Semencz, and unanimously carried.

Thomas Verrastro, 117 Oldfield Avenue, asked if this was Third Street by the VFW, and if it would mean that the street was to be opened. He was told this was with reference to Three Buildings, LLC application and was assured it was not.

There being no one else wishing to speak, Mayor Heck requested a motion to close the public hearing on Ordinance No. 2309 which was made by Councilwoman Link, seconded by Councilman Semencz, and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE TO VACATE A PORTION OF THIRD STREET BEGINNING AT THE SOUTHERLY SIDE OF ITS INTERSECTION WITH VETERANS PLACE AND RUNNING TO ITS SOUTHERLY TERMINUS, ALL AS THE SAME WERE HITHERTO LAID OUT WITHIN 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.

Mayor Heck requested a motion to approve Ordinance No. 2309 which was made

ORDINANCE NO. 2309 (cont'd):

by Councilman Semenezc, seconded by Councilman DiPisa and unanimously carried, the foregoing ordinance was approved.

ORDINANCE NO. 2310:

Mayor Heck requested a motion to open the public hearing on Ordinance No. 2310 which was made by Councilwoman Link, seconded by Councilman DiPisa, and unanimously carried.

There being no one wishing to speak, Mayor Heck requested a motion to close the public hearing on Ordinance No. 2310 which was made by Councilwoman Link, seconded by Councilman DiPisa, and unanimously carried.

ORDINANCE NO. 2310:

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE TO FIX THE SALARY AND COMPENSATION OF CERTAIN OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF HASBROUCK HEIGHTS, NEW JERSEY, FOR THE YEAR 2013"** 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.

Mayor Heck requested a motion to approve Ordinance No. 2310 which was made by Councilwoman Link, seconded by Councilman DiPisa, with Councilman Semenezc voting Nay, and unanimously carried, the foregoing ordinance was approved.

Councilman Semenezc commented after doing a lot of research in regard to this ordinance, and when first proposed it was said the non-union employees had not had an increase in two or three years. It turns out they did have one in 2012 and one employee got a \$12,000 raise and feels certain people were missed and voted No. Mayor Heck said she was present when Councilman Semenezc asked the question, and Mr. Kronyak said they had missed a couple of years, he did not say they missed 2012. Mr. Kronyak said in his recollection there were no raises for non-union employees for 2010 and 2011, raises not exceeding the CAP in 2012 and this year again not exceeding across the board. Councilman Semenezc said this information came out in closed regarding the several positions he questioned.

ORDINANCE NO. 2311:

Mayor Heck requested a motion to open the public hearing on Ordinance No. 2311 which was made by Councilwoman Link, seconded by Councilman DiPisa, and unanimously carried.

There being no one wishing to speak, Mayor Heck requested a motion to close the public hearing on Ordinance No. 2311 which was made by Councilwoman Link, seconded by Councilman DiPisa, and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX THE SALARY AND COMPENSATION OF CERTAIN EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF HASBROUCK HEIGHTS, NEW JERSEY, FOR THE YEAR 2013"** 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.

Mayor Heck requested a motion to approve Ordinance No. 2311 which was made by Councilwoman Link, seconded by Councilman DiPisa, and unanimously carried, the foregoing ordinance was approved.

ORDINANCE NO. 2312:

Mayor Heck requested a motion to open the public hearing on Ordinance No. 2312 which was made by Councilman DiPisa, seconded by Councilman Lipari, and unanimously carried.

There being no one wishing to speak, Mayor Heck requested a motion to close the public hearing on Ordinance No. 2312 which was made by Councilman Semencz, seconded by Councilman Gonzalez, and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE TO APPROPRIATE THE SUM OF \$190,000.00 TO PROVIDE FOR THE ACQUISITION OF A NEW STREET SWEEPER FOR THE USE OF THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF HASBROUCK HEIGHTS, TO APPROPRIATE THE SUM OF \$10,000.00 FROM THE CAPITAL IMPROVEMENT FUND AND FURTHER TO AUTHORIZE THE FINANCING OF THE BALANCE OF COST THEREOF IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL BOND LAW BY THE ISSUANCE OF BONDS OR NOTES NOT TO EXCEED THE SUM OF \$180,000"** 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.

ORDINANCE NO. 2312 (cont'd):

Mayor Heck requested a motion to approve Ordinance No. 2312 which was made by Councilman Gonzalez, seconded by Councilwoman Buckman, and unanimously carried, the foregoing ordinance was approved.

ORDINANCE NO. 2313:

Mayor Heck requested a motion to open the public hearing on Ordinance No. 2313 which was made by Councilman DiPisa, seconded by Councilman Gonzalez, and unanimously carried.

There being no one wishing to speak, Mayor Heck requested a motion to close the public hearing on Ordinance No. 2313 which was made by Councilman DiPisa, seconded by Councilman Lipari, and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE TO APPROPRIATE THE SUM OF \$40,000.00 TO PROVIDE FOR THE ACQUISITION OF A FOUR WHEEL DRIVE VEHICLE FOR THE USE OF THE POLICE DEPARTMENT OF THE BOROUGH OF HASBROUCK HEIGHTS, TO APPROPRIATE THE SUM OF \$2,000.00 FROM THE CAPITAL IMPROVEMENT FUND AND FURTHER TO AUTHORIZE THE FINANCING OF THE BALANCE OF COST THEREOF IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL BOND LAW BY THE ISSUANCE OF BONDS OR NOTES NOT TO EXCEED THE SUM OF \$38,000"** 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.

Mayor Heck requested a motion to approve Ordinance No. 2313 which was made by Councilman DiPisa, seconded by Councilman Gonzalez, with Councilman Semencz voting Nay, and otherwise unanimously carried, the foregoing ordinance was approved.

ORDINANCE NO. 2314:

Mayor Heck requested a motion to open the public hearing on Ordinance No. 2314 which was made by Councilman Gonzalez, seconded by Councilman Semencz, and unanimously carried.

There being no one wishing to speak, Mayor Heck requested a motion to close the public hearing on Ordinance No. 2314 which was made by Councilman Semencz, seconded by Councilwoman Link, and unanimously carried.

BE IT RESOLVED that an Ordinance entitled: **"AN ORDINANCE TO APPROPRIATE THE TOTAL SUM OF \$300,000.00 TO PROVIDE FOR THE ROAD RESURFACING**

ORDINANCE NO. 2314 (cont'd):

PROGRAM INCLUDING NECESSARY APPURTENANCES THERETO AS PROVIDED FOR IN THE 2013 CAPITAL BUDGET, TO APPROPRIATE THE SUM OF \$15,000.00 FROM THE CAPITAL IMPROVEMENT FUND AND TO AUTHORIZE THE FINANCING OF THE COST THEREOF IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL BOND LAW BY THE ISSUANCE OF BONDS OR NOTES NOT TO EXCEED THE SUM OF \$285,000.00" 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.

Mayor Heck requested a motion to approve Ordinance No. 2314 which was made by Councilman Gonzalez, seconded by Councilman Semencz, and unanimously carried, the foregoing ordinance was approved.

MISCELLANEOUS FROM PUBLIC:

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

WORK SESSION:

Mayor Heck requested a motion to recess for work session which was made by Councilwoman Link, seconded by Councilman Lipari, and unanimously carried.

ADJOURN:

There being no further business to be conducted by the Mayor and Council, the meeting was adjourned at 10:42 p.m. on a motion by Councilman Gonzalez, seconded by Councilman DiPisa, 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 September 10, 2013.

Rose Marie Sees
Borough Clerk