

OFFICIAL MINUTES  
OF THE MAYOR AND COUNCIL  
REGULAR MEETING  
FEBRUARY 8, 2011

**CALL TO ORDER:** Mayor Raguseo called the meeting to order at 7:05 p.m.

**ROLL CALL:** Present: Mayor Mauro Raguseo, Council President George Muller, Councilman Ronald Anzalone, Councilwoman Roberta Henriquez, Councilman Thomas Sarlo, Councilwoman Sue Schuck, Councilwoman Peggy Steinhilber

Absent: None

**SUNSHINE STATEMENT:**

Adequate notice of this meeting was approved by resolution adopted by the Governing Body on January 7, 2011, approved unanimously and transmitted to The Record and Star Ledger as provided by the Open Public Meeting's Act. A copy of meeting notice was filed outside of the Borough Clerk's Office and has been posted on the bulletin board outside of the Borough Clerk's Office.

**PRESENTATION:** Craig Hartless, CERT Coordinator, gave certificates out to all CERT Members upon completion of the program.

**REPORTS:**

COUNCILWOMAN HENRIQUEZ reported that the Finance Committee has met and the 2011 budget will be a challenge. All Departments were instructed to keep line items the same or if possible reduce them. Any increase would need to be approved by the Finance Committee. She said all bills have been reviewed and ready for payment.

Mr. Capabianco explained that Resolutoiuon No. 75 is in reference to Refunding Bonds. He explained how it will save the Borough money this year and next year. Councilwoman Henriquez said the Borough's debt went down.

Mayor Raguseo spoke about Richard Whitaker, Fireman and DPW worker who passed away this week. Mayor Raguseo asked for a moment of silence in his memory.

COUNCILWOMAN SCHUCK reported progress on policy and personnel.

COUNCILMAN ANZALONE reported the DPW has been very busy with snow plowing and sewer blockages. A salter driven by DPW worker Garry DeFilippis caught on fire. Fortunately, Mr. DeFilippis was not injured. The salter has been replaced at a significant savings. He said the DPW has been doing an excellent job with the snow removal and they have received numerous commendations. Councilman Anzalone said two trucks are in need of repair. Councilman Anzalone said he gave Mr. Capabianco a list of active servicemen who served in the Gulf and Iraq Wars and the names have been posted.

Mayor Raguseo said he has also heard many compliments on the DPW in reference to the snow plowing.

COUNCILWOMAN STEINHILBER wished her best to Ryan Portela who will be serving in the military. She said Mr. Portela was a very active member of the ambulance corps. She reported progress on recreation.

**REPORTS CONTINUED:**

COUNCILMAN SARLO gave the police report for the month of January. The department answered 2,169 calls, 102 first aid calls, 22 fire calls and 77 accident reports were taken. The department issued a total of 371 summonses. They responded to 4 domestic violence calls and (10) 9-1-1 calls. The department also responded to 67 calls to Teterboro. Councilman Sarlo said the 5K Run Walk will be held on June 5<sup>th</sup> with more details to follow in the upcoming months.

COUNCIL PRESIDENT MULLER reported that the insurance renewal for the first aid and fire department did not have any rate increase.

Mayor Raguseo said he would be requesting a detailed report as to why there is an increase of cost for fire hydrants.

Attorney Monaghan said he would be requesting a closed session for matters of litigation.

MAYOR RAGUSEO said that the Borough has met with the Bergen County Utilities Authority asking for an increase over last year's increase of \$20,000. He said he has not heard back from them. He said the amount of money they are providing the Borough is not enough to keep up with the rising costs the Borough is facing. He said that he, along with Councilman Sarlo, Mr. Capabianco and Police Chief Verdi had the opportunity to meet with the new Executive Director of the Meadowlands Commission, Marcia Karrow. He said another request was made to review the tax sharing formula. She indicated that was one of her objectives. He said he would keep everyone updated.

MR. CAPABIANCO reported that in conjunction with the shared services agreement for the school's IT Department to install the police server has been completed. It was paid for by capital surplus. The energy upgrade, phase II, is going to be a partnership with the school. The school will have almost 450 lights replaced. The Council Chambers is going to have a sensor light.

KEN JOB, BOROUGH ENGINEER, reported that the Washington Ave./Liberty Street intersection preliminary plans have been reviewed by the County. He said he is working with the Attorney and Assessor to get two additional small easement areas. The pre-construction meeting for Franklin Street will be held next week. The Borough has been notified by the Department of Transportation that the Borough will receive money for the improvement of Lakeview Avenue. The grant amount is enough to cover 100% of the construction costs.

Mayor Raguseo expressed his concerns in reference to all the changes the County is making in reference to the Washington Ave./Liberty Street intersection improvement.

Mayor Raguseo reminded everyone that on February 15<sup>th</sup> there will be a joint meeting with the Mayor and Council and the Little Ferry Board of Education.

**CITIZENS HEARING:**

Mayor Raguseo entertained a motion to Open Citizens Hearing.

Motion by: C/W Henriquez

Second by: C/W Schuck

All ayes

Eileen DeLeeuw, 11 Chapman Drive, came forward to speak. She spoke about the soccer field concession stand and her disapproval of the costs. Councilwoman Schuck explained what the concession stand would be used for and how it would be a good facility for the children. Mr. Capabianco explained why the costs were high. Mr. Job said the area is in a flood zone and all the extra requirements that add to the costs. Mayor Raguseo said the Borough is looking into grants. The Borough is looking into every option and if the project is not affordable it will be put on hold. Ms. DeLeeuw said she was very happy to hear that Council Members are no longer receiving benefits from the Borough. She also asked about the Opt Out Program. Attorney Monaghan informed her that the Opt Out Program is no longer in effect.

Peter Kelly, 11 Ludwig Street, came forward to speak. He wanted to know if Little Ferry advertised or broadcast anything on the cable channel. Mayor Raguseo said we do not. The only meeting televised is the Reorganization Meeting. Mr. Kelly asked about town information on the public access channel. Mayor Raguseo said it could be looked into. Mr. Capabianco said it is very time consuming, but he would be looking into it. Mr. Capabianco reported that the calendar on the Borough Website is not up to date.

Since no one else wished to speak, Mayor Raguseo entertained a motion to close Citizens Hearing.

Motion by: C/W Henriquez

Second by: C/M Muller

All ayes

Mayor Raguseo entertained a motion to add Resolution No. 86 on tonight's agenda – Resolution Requiring Mandated Anti-Discrimination Training.

Motion by: C/W Henriquez

Second by: C/W Steinhilber

All ayes

#### **ORDINANCES FOR FINAL PASSAGE:**

**ORDINANCE NO. 1316-01-11** - AN ORDINANCE AMENDING AN ORDINANCE ENTITLED 'SNOW AND ICE REMOVAL' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

Mayor Raguseo entertained Motion to Open Public Hearing on Ordinance No. 1316-01-11.

Motion by: C/W Steinhilber

Second by: C/M Anzalone

All ayes

Since no one wished to speak, Mayor Raguseo entertained a motion to Close Citizens Hearing on Ordinance No. 1316-01-11.

Motion by: C/W Henriquez

Second by: C/W Steinhilber

All ayes

Mayor Raguseo entertained a motion to Vote on Final Adoption of Ordinance No. 1316-01-11 with notification of said adoption published in The Record.

Motion by: C/W Steinhilber

Second by: C/M Sarlo

Roll Call: Ayes: Muller, Anzalone, Henriquez, Sarlo, Schuck, Steinhilber

Nays: None

Absent: None

**ORDINANCES FOR FINAL PASSAGE CONTINUED:**

**ORDINANCE NO. 1317-02-11** - AN ORDINANCE AMENDING AN ORDINANCE ENTITLED 'SUPERINTENDENT OF PUBLIC WORKS' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

Mayor Raguseo entertained a Motion to Open Public Hearing on Ordinance No. 1317-02-11.

Motion by: C/W Steinhilber

Second by: C/M Anzalone

All ayes

Since no one wished to speak, Mayor Raguseo entertained a motion to Close Public Hearing on Ordinance No. 1317-02-11

Motion by: C/W Henriquez

Second by: C/W Steinhilber

All ayes

Mayor Raguseo entertained a motion to Vote on Final Adoption of Ordinance No. 1317-02-11 with notification of said adoption published in The Record.

Motion by: C/W Steinhilber

Second by: C/M Sarlo

Roll Call: Ayes: Muller, Anzalone, Henriquez, Sarlo, Schuck, Steinhilber

Nays: None

Absent: None

**ORDINANCE NO. 1318-03-11** – A BOND ORDINANCE AMENDING BOND ORDINANCE NO. 1308-18-10 OF THE BOROUGH OF LITTLE FERRY, IN THE COUNTY OF BERGEN NEW JERSEY, RE: INSTALLATION OF TRAFFIC LIGHT AT LIBERTY/WASHINGTON.

Mayor Raguseo entertained a motion to Open Public Hearing on Ordinance No. 1318-03-11.

Motion by: C/W Steinhilber

Second by: C/M Muller

All ayes

Since no one wished to speak, Mayor Raguseo entertained a motion to Close Public Hearing on Ordinance No. 1318-03-11.

Motion by: C/W Steinhilber

Second by: C/M Muller

All ayes

Mayor Raguseo entertained a motion to Vote on Final Adoption of Ordinance No. 1318-03-11 with notification of said adoption published in The Record.

Motion by: C/W Steinhilber

Second by: C/M Anzalone

Roll Call: Ayes: Muller, Anzalone, Henriquez, Sarlo, Steinhilber

Nays: None

Abstained: Schuck

Absent: None

**ORDINANCE NO. 1319-04-11** – A CAPITAL ORDINANCE AMENDING AND SUPPLEMENTING CAPITAL ORDINANCE 1295-05-10 OF THE BOROUGH OF LITTLE FERRY, IN THE COUNTY OF BERGEN, NEW JERSEY APPROPRIATING AN ADDITIONAL \$3,000 FROM CAPITAL FUND BALANCE.

**ORDINANCES FOR FINAL PASSAGE CONTINUED:**

Mayor Raguseo entertained a Motion to Open Public Hearing on Ordinance No. 1319-04-11

Motion by: C/W Steinhilber

Second by: C/W Henriquez

All ayes

Since no one wished to speak, Mayor Raguseo entertained a motion to Close Public Hearing on Ordinance No. 1319-04-11

Motion by: C/W Henriquez

Second by: C/M Muller

All ayes

Mayor Raguseo entertained a Motion to Vote on Final Adoption of Ordinance No. 1319-04-11 with notification of said adoption published in The Record.

Motion by: C/W Henriquez

Second by: C/M Muller

Roll Call: Ayes: Muller, Anzalone, Henriquez, Sarlo, Schuck, Steinhilber

Nays: None

Absent: None

**PROCLAMATION, RESOLUTION(S) & ORDINANCE(S) FOR INTRODUCTION:**

NOTE: Proclamation, Resolutions and Ordinance(s) for Introduction will be voted upon as one unit as part of the consent agenda.

Mayor Raguseo entertained a motion to vote on Proclamation, Resolution Nos. 54 through 86 and Ordinance for Introduction Nos. 1320-05-11 and 1321-06-11.

Motion by: C/W Henriquez

Second by: C/M Sarlo

Roll Call: Ayes: Muller, Anzalone, Henriquez, Sarlo, Schuck, Steinhilber

Nays: None

Abstain: Muller, Anzalone & Steinhilber abstained on Resolution No. 78

Absent: None

Councilwoman Schuck wanted to know who would be responsible for the soft costs associated with the installation of the traffic light at Liberty/Washington. Mayor Raguseo said he was under the impression that the applicant would be responsible for that.

Councilman Anzalone thanked fireman John Teel and wished him well on his retirement.

Mayor Raguseo congratulated Police Chief Verdi for his 31 years of service to the Borough of Little Ferry.

**PROCLAMATION:**

Read Across America

**RESOLUTIONS:**

54. Closed Session Resolution

55. Approval of Minutes – Sine Die Meeting – January 7, 2011

56. Authorizing Refund of Tax Overpayment to BAC Tax Services

57. Dedication by Rider – Requesting Approval of the Director of Local Government Services to Establish a Dedicated Trust by Rider for Annual Donations for the Matt Fenton 5K Run/Walk

**RESOLUTIONS CONTINUED**

58. Entering into an Agreement for Provision of Services for the Matt Fenton Memorial 5K Run/Walk
59. Release of Escrow – Mr. Louis Ravennati
60. Release of Escrow – Mr. David Santi
61. Mutual Aid Agreement with Village of Ridgefield Park Fire Department
62. Proposed Settlement – Tax Appeal (Lip Life Realty, Inc.)
63. Authorizing Borough Engineer to Prepare Existing Conditions-Location/Topographical Survey, Taking Sketches & Civil Engineering Plans for Improvement/Signalization of Liberty/Redneck Intersection.
64. Request for Emergency Contract Award – Acquisition of a DPW Vehicle (Salter)
65. Emergency Temporary Appropriation in Accordance with N.J.S.A. 40A:4-20 – Capital Improvements – Acquisition of DPW Vehicle
66. Temporary Capital Budget Resolution
67. Retirement of John Teel – “Active Member” of Little Ferry Hook & Ladder Company No. 1
68. Appointment – Kelvin Fernandez – “Active Member” of Little Ferry Hook & Ladder Company No. 1
69. Approval of Military Leave of Absence – Ryan Portela – “Active Member” of Little Ferry Hook & Ladder Company No. 1
70. Authorizing Redemption of Certificate No. 10-00004 Robert U. Del Vecchio
71. Refund of Building Permit – Reiner Group
72. Authorizing the Granting of a Drainage Easement to Joan Pasqua
73. Acceptance of Bid for Lease of Real Property for the Construction of Equipment Shed in Secondary Use for the Existing Monopole Cellular Tower at 95 Main Street
74. Claims Resolution
75. Resolution of the Borough of Little Ferry Providing for the Issuance of Refunding Bonds for the Refunding Portion of the Borough’s 2002 General Improvement Bonds; and Providing for the Forms, Maturities and Other Details of said Bonds; Authorizing a Preliminary Official Statement and an Official Statement; Providing for the Sale of the Refunding Bonds; and Approving and Authorizing the Execution and Delivery by the Borough of a Continuing Disclosure Certificate, a Bond Purchase Agreement and an Escrow Deposit Agreement
76. Authorizing Borough Engineer to Prepare Quantity/Cost Estimate for Improvement of Mehrhof Road Park Skating Rink
77. Authorizing Borough Engineer to Prepare Plans & Specifications for the State Aid Improvement of Lakeview Avenue
78. A Resolution Accepting and Authorizing the Submission of the 2010 LOSAP Points Certification List from the Little Ferry Fire Department – Hose Co. & Ladder Co. & First Aid Corps
79. Authorizing Increase in Deferred School Taxes for Local District School Taxes
80. Temporary Capital Budget Resolution
81. Approval of Application for Raffle License – St. Margaret of Cortona Church
82. Appointment of School Crossing Guard – Darian D. Osborne
83. Appointment of School Crossing Guard – Royal W. Ehrenberg
84. Authorizing Shared Services Contract with the Borough of Wood-Ridge for Use of Wood-Ridge Pistol Range
85. Establishing a Review Committee for the Check’Em Out Program
86. Resolution Requiring Mandated Anti-Discrimination Training

**ORDINANCE(S) FOR INTRODUCTION:**

**ORDINANCE NO. 1320-05-11** – A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$100,000 FOR ACQUISITION OF A DPW VEHICLE – (SALTER) TO BE UNDERTAKEN BY THE BOROUGH OF LITTLE FERRY AND TO APPROPRIATE \$100,000 FROM CAPITAL SURPLUS.

Public Hearing for Ordinance No. 1320-05-11 shall be held on March 8, 2011 at 7:00 p.m. Upon completion of the Public Hearing, the Ordinance shall be considered for final adoption.

**BOND ORDINANCE NO. 1321-06-11** – AN ORDINANCE OF THE BOROUGH OF LITTLE FERRY, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO LAKEVIEW AVENUE LOCATED IN THE BOROUGH AND APPROPRIATING \$225,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$75,000 IN BONDS OR NOTES OF THE BOROUGH OF LITTLE FERRY TO FINANCE THE SAME.

Public Hearing for Ordinance No. 1321-06-11 shall be held on March 8, 2011 at 7:00 p.m. Upon completion of the Public Hearing, the Ordinance shall be considered for final adoption.

**CLOSED SESSION:**

Mayor Raguseo entertained a motion to go into Closed Session for matters of litigation

Motion by: C/W Schuck

Second by: C/W Steinhilber

All ayes

Return from Private Session:

Present: Mayor Raguseo, Council President Muller, Councilman Anzalone, Councilwoman Henriquez, Councilman Sarlo, Councilwoman Schuck, Councilwoman Steinhilber

Absent: None

Mayor Raguseo entertained a motion to add Resolution Nos. 87, 88 and 89 and Ordinance No. 1322-07-11.

Motion by: C/W Henriquez

Second by: C/W Steinhilber

All ayes

Mayor Raguseo entertained a motion to vote on Resolution Nos. 87, 88 and 89 and Ordinance No. 1322-07-11.

Motion by: C/W Henriquez

Second by: C/W Steinhilber

Roll Call: Ayes: Muller, Anzalone, Henriquez, Sarlo, Schuck, Steinhilber

Nays: None

Absent: None

**RESOLUTIONS:**

87. Awarding Contract to Appraisal Systems, Inc. to Prepare Appraisal Report in the Matter of United CLC v Borough of Little Ferry
86. Proposed Settlement – Tax Appeal (Little Ferry Amoco, LLC)
89. Proposed Settlement – Tax Appeal (Anthony Antinori)

**ORDINANCE FOR INTRODUCTION:**

**ORDINANCE NO. 1322-07-11** – AN ORDINANCE AMENDING AN ORDINANCE ENTITLED ‘ZONING MAP’ OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

Public Hearing for Ordinance No. 1322-07-11 shall be held on March 8, 2011 at 7:00 p.m. Upon completion of the Public Hearing, the Ordinance shall be considered for final adoption.

Since there was no other business to be discussed, Mayor Raguseo entertained a motion to adjourn.

Motion by: C/W Henriquez

Second by: C/M Muller

All ayes

Meeting adjourned at 9:00 p.m.

Minutes transcribed by Deputy Borough Clerk Patricia Lazzaro and respectfully submitted by Borough Clerk Barbara Maldonado. I hereby certify the foregoing Minutes to be a true account of the Regular Meeting of the Mayor and Council held on February 8, 2011.

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Barbara Maldonado, Borough Clerk