

OFFICIAL MINUTES
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF LITTLE FERRY
REGULAR MEETING
APRIL 13, 2010

CALL TO ORDER: Mayor Raguseo called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: Mayor Raguseo led the Pledge of Allegiance

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

SUNSHINE STATEMENT:

Adequate notice of this meeting was approved by resolution adopted by the Governing Body on January 5, 2010, approved unanimously and published in 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.

REPORTS:

COUNCILWOMAN STEINHILBER reported that Summer Recreation sign ups will take place on May 5th.

Mayor Raguseo commended Councilwoman Steinhilber on the "Visit with the East Bunny" event.

COUNCILMAN SARLO reported that during the month of March the Police Department answered 2,545 calls. The department assisted at 65 First Aid calls and 33 Fire calls. A total of 44 accident reports were taken and 354 summonses were issued. The department responded to (10) 9-1-1 calls and received 58 calls from Teterboro. Councilman Sarlo read a letter from the Passaic County Sheriff's office, dated February 11, 2010 and addressed to Police Chief Verdi. The letter commended the department for their assistance in apprehending two suspects who fled from a crime in Secaucus.

COUNCILMAN MULLER reported on various safety courses taken by departments which cut the cost of lost time. The Borough received a \$1,000 check for the reduction of lost time. The Joint Insurance Fund provides an incentive and each town can accumulate points. The town also received another \$1,000 check, plus a plaque, for coming in third place for receiving most points. Another \$500.00 check was received for obtaining 70 points in the program. He thanked all departments for participating in this program and doing their best. He reported that in May the Insurance Committee, along with the Risk Management, will go over the insurance program to make sure the Borough has enough coverage. If there is too much coverage, they will cut back to try and save some money on the Risk Management Program.

Mayor Raguseo thanked everyone for a job well done.

COUNCILMAN ANZALONE gave the DPW report for the month of March. He said the DPW has been very busy. They had to repair the pump station on Franklin Street. They have been using the chipper due to all the downed trees because of the storms. They have also been working on pothole repairs. They also did some painting at Borough Hall. He said the goose machine has also been

used at the park cleaning up geese droppings. Councilman Anzalone reported that fill will not be placed on the Boys Club field until the fall because baseball season has begun. Councilman Anzalone reported that the responses have been poor in obtaining the names of active servicemen, but he will continue to work at receiving more names.

COUNCILWOMAN SCHUCK thanked Administrator Mr. Capabianco and the Personnel Committee on all their hard work in putting together the personnel manual which will be passed at tonight's meeting. They all worked very hard on the MEL changes. She expressed her condolences to the family of former Councilman Anton Boel who had recently passed away.

COUNCILWOMAN HENRIQUEZ reported that the Finance Committee has presented their budget. She said there will be numerous budget presentations. She said the budget presentation may also be seen on the Borough's website. She said there are severe cuts in the budget. She said she is hoping for more State Aid, which she did not feel would happen right now. She reported the Finance Committee has reviewed all bills and found them ready for payment. She reported progress on the Fire Department.

Mayor Raguseo thanked the Finance Committee for all their hard work.

KEN JOB, BOROUGH ENGINEER, reported that the work done at Bassano Field in the fall has sprouted the grass and is looking good. He also reported that in 2008 the cost of oil and blacktop skyrocketed. Due to the increase in costs, the Local Public Contract Law has been amended and must include specs with a mechanism to adjust the price of blacktop over 1,000 tons in any Road Improvement Programs.

Mayor Raguseo reported that he, along with Councilman Sarlo and Michael Capabiano, Borough Administrator, had a productive meeting with the BCUA. He said they met with special committee and informed them of the Borough's financial situation and gave a history of the relationship between the BCUA and the Borough of Little Ferry. They informed the committee about the money that used to be given to the Borough. He said the special committee agreed to bring the Borough's case before a full board of Commissioners and they will then get back to the Borough. Mayor Raguseo said they made it clear that the Borough will be exploring other avenues which will include special legislation and lawsuits. He said he let them know the reaction of the public in reference to the BCUA numbers when presented to the public. He said he also hinted that demonstrations might begin on their property because residents are so angry. He said he is hopeful the Borough will receive some money which will be applied to bring down the tax rate on the Borough's end.

Mayor Raguseo asked everyone in attendance to stand for a moment of silence in honor of former Councilman Anton Boel.

Mayor Raguseo entertained a motion to open Citizens Hearing.

Motion by: C/M Muller

Second by: C/W Steinhilber

All ayes

George Stauble, 9 Chapman Drive, came forward to speak. He questioned the work being done by an environmental company on Moonachie property that is along the Little Ferry border. Mr. Job explained in detail what the company was going to do. He told Mr. Stauble that all permits were obtained and the environmental company can begin their pilot program. When the program is complete, a plan will be submitted. Mr. Stauble also spoke about ditch cleanup

on Chapman Drive. Mayor Raguseo and Mr. Job told Mr. Stauble that surface debris can be removed without a permit. Mr. Stauble also wanted to know if the Library pays the DPW to cut their grass. Councilwoman Henriquez said she believes this to be true. Legally, the Library is a separate entity. Councilwoman Henriquez said she is sure the DPW charges much less than a private company. Attorney Monaghan explained how the Library operates. Mr. Capabianco also explained to Mr. Stauble various charge back items.

Santo Miele, 26 Main Street, came forward to speak. He said he still has the same problem with water going onto his property from an adjacent property. Mr. Job explained that the developer has not been cooperating with the Borough. Attorney Monaghan said he sent a letter to Mr. Faustini, the owner of the property and the next step would be to revoke his certificate of occupancy. Barabara Maldonado said she heard from Mr. Faustini and he informed her that his Attorney Dennis Francis would be responding to the letter. Attorney Monaghan said he would reach out to Mr. Francis. Mayor Raguseo said he will be sure to do everything possible to make Mr. Faustini comply.

George Stoft, 28 Main Street, came forward to speak. He said he had the same complaint as Mr. Miele. Mayor Raguseo informed Mr. Stoft of what the plan was to have Mr. Faustini comply.

Dennis Gill, 12 Lincoln Street, came forward to speak. He complained about the exhaust fans at the Empire Club. He also complained about the employees of the Empire Club parking in the residential area. Mayor Raguseo informed Mr. Gill that he would have Property Maintenance, Board of Health and the Borough Administrator follow-up on these issues. Mr. Gill also reported that the sewers on Mehrhof and Liberty Street were collapsing. Mayor Raguseo assured Mr. Gill that everything would be looked into.

Bernie Sobolewski, 153 Eckel Road, came forward to speak. He spoke about flooding east of Mehrhof Road during a very bad storm. He spoke about his concerns about a Senior Citizen and the flooding of her property. He provided the Mayor and Council with photographs he took of the problem. He gave the Mayor and Council suggestions as to what he felt should be done and presented them with questions. Ken Job answered Mr. Sobolewski's question about the catch basin. Mr. Job said that if the flood gate is open on the catch basin, when the river comes up, it will back in and that is why catch basins work in reverse. Bill Holley, DPW Superintendent, explained to Mr. Sobolewski the reason Industrial Ave. has been flooding. Mr. Holley said he would go over to the area and look into it. Mayor Raguseo said many factors led to the flooding. It was the perfect setting for this particular storm which led to much of the flooding. Mr. Job said this storm was a unique storm. Mayor Raguseo told Mr. Sobolewski that the DPW does regular maintenance of the gates and the pumps. He said he will try to find out what happened during this particular storm. Mr. Holley said the reason the generator on Dietrich Street did not run was because of a lightning strike. Councilman Anzalone said the Fire Department was overwhelmed with calls during this storm. He said his own house took in water and it rarely does. It was a very rare storm. Chief Verdi said he along with Councilman Sarlo, toured Little Ferry to assess the problems around the town.

Mr. Jocely, 22 Lincoln Street, came forward to speak. He wanted to know if sandbags are available to prevent flooding in a storm. Mayor Raguseo said sandbags are available at the DPW. Unfortunately, with a storm this severe, sandbags would not prevent flooding. Councilman Sarlo said the Borough has a reverse 9-1-1- available to help residents become aware of flooding. Police Chief Verdi said in this storm, the reverse 9-1-1- would not have helped.

Regina Coyle, 69 Grove Street, came forward to speak. She said St. Margaret's Church opened their auditorium in case anyone needed shelter the night of the storm. She said although the economy is bad and the budget is tight, she feels the town does need some generators. Mayor Raguseo said he agreed that more generators are needed. She advised anyone to call the First Aid or Police Department should they ever need an evacuation shelter in times of flooding. She said she felt the Borough handled the storm very well.

Mayor Raguseo said that emergency generators had been placed on the capital budget list for this year, as well as in the Borough's Federal appropriations.

Bernie Sobolewski came forward again. He expressed his further concerns about a contaminated site. Mr. Job explained the makeup of a lot of different materials and how and why some areas are contaminated. Mayor Raguseo asked Mr. Sobolewski to leave the pictures. Mayor Raguseo said he would be speaking with the Riverkeeper, Ken Job, Michael Capabianco and Bill Holley about this matter. He said he will report back to Mr. Sobolewski at the next meeting.

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

Motion by: C/W Schuck
Second by: C/W Steinhilber
All ayes

Mayor Raguseo commented about a letter was sent out to all registered voters in Little Ferry. The letter did not even have a signature on it. It pertained to the Little Ferry School Superintendent running for Mayor of Union City. He said the letter suggested he take action against the School Superintendent running for office. Mayor Raguseo said anyone who lives in Bergen County realizes that there is a clear line of separation between the Mayor and Council and the Board of Education. He felt the letter more than likely came from Hudson County. He said the School Superintendent has a constitutional right to run for office.

RESOLUTIONS & ORDINANCES FOR INTRODUCTION:

NOTE: Resolutions and Ordinances for Introduction will be voted upon as one unit as part of the consent agenda.

Mayor Raguseo entertained a motion to vote on Resolution Nos. 115 through 135 and Introduction of Ordinance No. 1295-05-10.

Motion by: C/W Henriquez
Second by: C/W Steinhilber

Roll Call: Ayes: Muller, (except abstained on Resolution No. 132), Anzalone, (except abstained on Resolution Nos. 123 & 132), Steinhilber, (Except abstained on Resolution No. 132), Henriquez, Sarlo, Schuck

Nays: None

Absent: None

RESOLUTIONS:

115. Approval of Minutes – Workshop Meeting – February 9, 2010, Regular Meeting – February 9, 2010, Workshop Meeting – March 2, 2010, Workshop Meeting – March 9, 2010, Regular Meeting – March 9, 2010
116. Refund of Building Permit – Buildmore II Corp.
117. Authorizing Acceptance of Resignation of Officer Anthony Mattessich
118. Authorizing Redemption of Certificate 09-00005 US Bank CUST Pro Capital 1 LLC
119. Release of Escrow – Mr. & Mrs. Pasqua
120. Authorizing Refund of Tax Overpayment BAC Tax Services

RESOLUTIONS CONTINUED

121. Authorizing Redemption of Certificate No. 06-01 Robert U. Del Vecchio
122. Approval of Application for Raffle License – H.S.A. Transfiguration Academy
123. Appointment – Ryan Buchmuller – “Reserve Member” of Little Ferry Fire Department Hose Company No. 1
124. Authorizing the Execution of a Contract Agreement Between the Borough of Little Ferry and Johnny Zeppoli Concessions, Inc.
125. A Resolution Authorizing the Borough of Little Ferry to Apply for Tonnage Grants for the Calendar Year 2009
126. Resolution in Support of Millionaires’ Fair Tax Legislation
127. Resolution in Opposition to Repealing Bergen County Blue Laws
128. Opposing United Water’s Billing and Proposed Fire Hydrant Rate/Tax Increase
129. Resolution Opposing State Budget Cuts to School Districts in Bergen County
130. Claims List
131. Resolution Amending Risk Management Loss Control Plan and Employee Manual
132. Ratifying – Adoption of Resolution No. 108 – Submission of 2009 LOSAP Points Certification
133. Ratifying – Adoption of Resolution No. 109 – Payment of Claims
134. Tax Reimbursement Certification
135. Temporary Capital Budget

ORDINANCES(S) FOR INTRODUCTION:

ORDINANCE NO. 1295-05-10 – A CAPITAL ORDINANCE
APPROPRIATING THE SUM OF \$70,000 FOR ACQUISITION OF POLICE VEHICLES AND COMPUTER EQUIPMENT TO BE UNDERTAKEN BY THE BOROUGH OF LITTLE FERRY AND TO APPROPRIATE \$70,000 FROM CAPITAL SURPLUS.

Public Hearing for Ordinance No. 1295-05-10 shall be held on May 11, 2010 at 7:00 p.m. Upon completion of the Public Hearing, the ordinance shall be considered for final adoption.

Mayor Raguseo entertained a motion to go into Private Session for purposes of litigation and personnel.

Motion by: C/W Henriquez
Second by: C/W Steinhilber
All ayes

Return from Private Session:

Roll Call: Present: Mayor Raguseo, Councilman Muller, Councilman Anzalone, Councilwoman Henriquez, Councilman Sarlo, Councilwoman Schuck, Councilwoman Steinhilber

Absent: None

Mayor Raguseo entertained a motion to add Resolution No. 136.

Motion by: C/W Henriquez
Second by: C/W Steinhilber

Roll Call: Ayes: Muller, Anzalone, Henriquez, Sarlo, Schuck, Steinhilber
Nays: None
Absent: None

Mayor Raguseo entertained a motion to vote on Resolution No. 136
Motion by: C/W Henriquez
Second by: C/W Steinhilber
Roll Call: Ayes: Muller, Anzalone, Henriquez, Sarlo, Schuck, Steihilber
Nays: None
Absent: None

RESOLUTION:

136. Private Session Resolution

Councilwoman Henriquez asked if the two Fire Department retirees could be honored at the “Mayor For A Day” Meeting. The Governing agreed to this.

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

Motion by: C/W Schuck
Second by: C/W Steihilber
All ayes

Meeting adjourned at 9:50 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 April 13, 2010.

Barbara Maldonado, Borough Clerk