

Executive Meeting of Mayor and Council February 3, 2005

PRESENT: Mayor DeIorio, Councilmembers Badillo, Harms, Murphy, Matarante, Zeglarski and Rubilla; Borough Attorney Bill Lane; Finance Officer Greg Mayers; Donald Guarriello (sitting for Borough Engineer Ed Dec)

ABSENT: None

Mayor DeIorio called the meeting to order at 7:30 p.m. and said it is being held in accordance with the Open Public Meetings Act and adequate notice of this meeting has been provided as required by law.

All contracts awarded by Mayor and Council must comply with the affirmative action requirements of P.L. 1975, C127. (NJAC 17:27).

As required by the Fire Prevention Code, he indicated the fire exits and the procedure to be followed in case of fire.

Borough Clerk Arlene Triano read a short prayer followed by the Pledge of Allegiance.

COMMUNICATIONS AND PETITIONS

Resolution from the Roselle Park Zoning Board of Adjustment denying application for a side yard variance at 475 Elinor Avenue. (Received and filed).

Resolution from the Borough of New Providence supporting Senate Bill S-1023 and Assembly Bill A-1835, which require the State to reimburse municipalities for payment of exempt disabled veterans property taxes. (Received and filed).

Resolutions from the Township of Clark and the Borough of New Providence expressing opposition to A-2121/S-191 which would expand local responsibilities under the Condo Services Act. (Received and filed).

Ordinance from the City of Elizabeth amending their Land Use Ordinance to add "Wireless Telecommunications Towers and Antennas" which was adopted on January 25, 2005. (Received and filed).

NJ Transit Public Hearing Notice regarding proposed bus, rail, etc., Fare Change Proposal. (Received and filed).

Request to use the Gazebo for a wedding on April 29, 2005. (Referred to Council).

Letter from Roselle Park High School PTSA requesting contribution for 2005 Project Graduation. (Referred to Council).

Request from the Union County Saint Patrick's Day Parade Committee to hang a banner over Chestnut Street (Northbound) between East and West Lincoln Avenue, and on Westfield Avenue (Eastbound and Westbound) between Seaton Avenue and Gordon Street from February 27th through March 14, 2005 for the purpose of advertising the Union County St. Patrick's Day Parade. (Referred to Council).

Councilman Badillo moved to grant the request to use the Gazebo for a wedding on April 29, 2005; seconded by Councilman Harms and adopted.

Councilman Badillo moved to grant the request from the Union County Saint Patrick's Day Parade Committee to hang banners for the purpose of advertising the Union County St. Patrick's Day Parade; seconded by Councilman Harms and adopted.

Mayor DeIorio asked the Borough Clerk to check if the Roselle Park Community Alliance Against Substance Abuse planned to donate \$1,000.00 for Project Graduation. He also requested having a resolution for the reimbursement of exempt disabled veterans property taxes prepared for the next Council meeting.

REPORT AND RECOMMENDATIONS OF THE MAYOR

Mayor DeIorio said there was a recent article in the Star Ledger that listed property taxes for all the municipalities in the State of New Jersey and their average property tax rate increases. He reported that Roselle Park, when compared to the average taxes in Union County, actually stayed at the same 6% increase. He said, when comparing that number to a 5 and 10 year average, Roselle Park's percentage was actually less than the County's average in both categories. He said any increase is an unfortunate burden to the residents, but he believes it showed diligence on Council's part. He said it also points out that the State should get involved in a manner that can lessen the burden to the residents, and yet provide the services for the health, safety and welfare of our community.

REPORT OF DEPARTMENTS

Borough Engineer

Donald Guarriello, sitting for Ed Dec, said this year the Department of Transportation Grant was going to be done much sooner, and Council will need to make their decisions for next year's projects. Mayor DeIorio noted that there was an ongoing list with the DOT, and Mr. Guarriello said the Walnut Street resurfacing project from Colfax to Grant was discussed last year. Mayor DeIorio suggested Council have their list of projects ready for the Executive Session in March.

Councilman Badillo asked for an updated letter on the flood situation, so he and Councilman Matarante could update the residents. Mr. Guarriello said he did not know the status and would speak to Mr. Dec about it. Councilman Badillo said he has someone who volunteered to rebuild the umpire shed at the little league field and said core samples were done a couple of years ago. He asked Donald if he could get the results of those samples. He also requested an estimate on the Morses Creek wall which is deteriorating. He said a fence on Clay Avenue has collapsed because the wall collapsed and the footing of the fence is gone, and those residents are concerned because they want the fence up to use their pool.

Borough Attorney

Borough Attorney Bill Lane said on the agenda at the Special Meeting tonight is the result of negotiations with Buday & Schuster, the Architects who had proposed to offer their services for the Historical Society Museum. He explained that they have agreed to give a modest estimate for preliminary plans, without committing to the larger fee. He said if that is approved tonight, Council can limit the cost until they know for sure what it will be. He said there was also a bid package for the wireless communication monopole that was circulated. He said there are two closed session items to be discussed, one involving a claim from a law firm for legal fees, and one for potential litigation by the service agent regarding the Youth Center.

Borough Clerk

Received report from Borough Clerk Arlene Triano. (See app. pg. #).

Mayor DeIorio said he wanted a Council discussion regarding the potential effect of the stormwater sewer regulations on the municipalities.

Finance Officer

Received report from Finance Officer Greg Mayers. (See app. pg. #).

Police Department

Acting Lieut. Paul Cusmano gave the report for Police Chief Warren Wielgus. (See app. pg. #).

Councilman Badillo said recently there has been a rash of tire thefts and asked the Police Department to respond in writing to Council.

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Matarante moved, at 8:05 p.m., to interrupt the regular order of business for a Special Meeting; seconded by Councilman Badillo and adopted.

RESUME REGULAR ORDER OF BUSINESS

Councilman Matarante moved, at 8:08 p.m., to resume the regular order of business; seconded by Councilman Badillo and adopted.

DPW

Ben Cosentino gave the report for Superintendent Frank Wirzbicki. (See app. pg. #).

Administrative Assistant

Report received from Administrative Assistant. (See app. pg. #).

REPORT OF STANDING COMMITTEES

Councilman Murphy said he attended the First Aid Installation Dinner and he would like to recognize the individuals that received on-calls awards at the Council meeting on February 17th. He said he attended the Keystoner's meeting of the Boys & Girls Club, and he was extremely proud of them. He said budget meetings have begun and are held on Tuesdays and Wednesday evenings. He said he had an individual from the First Ward that would like to be appointed to a seat on either the Planning or Zoning Board.

Councilman Harms said he also attended the First Aid Squad Installation Dinner. He said at the next Council meeting he would like to recognize Donato's Florist, who have been in business in Roselle Park for over 80 years, and the Ardente Family, who has been running it for 30 years.

Councilman Matarante thanked everyone who wished him well on his surgery. He said he attended a meeting last night sponsored by the PTA on Teen Suicide. He said it was a very good meeting, but he was disappointed with the attendance. He said, if Mayor and Council approved, he would like to videotape their presentation and play it on TV34. He said suicide is the third largest cause of death, the second in teens from 14 to 19, and the fastest growing in youth from 10 to 14. He suggested having John Longo, from the Crisis Center, put a program together in conjunction with this group. Councilman Matarante said he felt it was important to get this out to a wider audience. Mayor DeIorio it was a great idea and asked him to forward any contact information to the Borough Clerk to schedule them.

Councilman Rubilla welcomed back Councilman Matarante. He said the budget meeting was well attended, and he looked forward to the upcoming meetings.

Councilman Badillo said he also attended the First Aid Squad Dinner, and the Little League Dinner. He said he has a Second Ward resident that would also like to be appointed to the Planning Board. He said he had a Public Safety Committee meeting,

and one of the things discussed was a loading zone for a local merchant in town. He said the Traffic Safety Officer will be sending him a letter that it is not possible to allow him to have that loading zone. He said another resident questioned certain signs on her street and he informed her of how to go about having them removed, if the other residents were in favor. He said there are “no parking for street sweeping” signs in a certain area of town, and a resident complained that they are only in that area and not throughout town.

Councilman Zeglarski said he had two issues to discuss at committee meetings one is the Web-Site issue and the other is downtown development. He said the idea of having a SID was championed by Former Councilman D’Errico, and they are going to re-evaluate the process at a committee meeting. He said the other issue he had was the “no left turn” sign by the train station, at the intersection of West Lincoln and Locust. He asked if anything could be done about having that sign moved to an appropriate place, so drivers approaching that stop sign would have more of a warning. Councilman Harms said when Frank Wirzbicki returns to work the sign will be moved back and the tree trimmed. Councilman Badillo said the former Traffic Safety Officer, Carl Hokanson, gave a written report that the sign is actually where it is suppose to be, and that was where the idea came to trim the tree. Councilman Harms said the other suggestion was putting one on the other side of Locust Street because the sign has to be, a certain height and distance.

Mayor DeLorio said, because of the attention in the press, a lot of vendors are interested in the Web-Site. He said since we are in the budget process, vendors should be invited to a meeting to give a presentation.

Councilman Harms asked if other ideas could be substituted with regard to SID. Councilman Zeglarski said if Councilmembers would like to submit their ideas in writing they could forward them to him and he would submit them to Committee. Mayor DeLorio asked Councilmembers to submit their ideas prior to the meeting of the Finance & Administration Committee Meeting on the 15th. Mayor DeLorio also asked Councilmembers to bring a list of vendors interested in the Web-Site, so they can be invited to do a presentation.

UNFINISHED/NEW BUSINESS

Mayor DeLorio said there was a resolution proposed regarding the constitutional convention and property taxes. He said he wanted the record to reflect several resolutions that this Governing Body has adopted over the years. He said the original resolution was proposed by Councilwoman Melanie Selk, Resolution #140-02, back in September 2002 and was seconded by Councilman D’Errico; Resolution #131-03 on School Property Tax Reform was offered by Councilman Harms and seconded by Councilman D’Errico; Resolution #64-04 offered by Councilman Murphy and seconded by Councilman Harms and Resolution #173-04 offered by Councilman Murphy and seconded by Councilman Badillo. He said all of the resolutions were supported by the entire Governing Body. He said this Governing Body has been consistent, since the legislation was introduced.

PUBLIC COMMENT

Councilman Matarante moved, at 8:25 p.m., to open the public comment portion of the meeting; seconded by Councilman Badillo and adopted.

Fire Chief Joe Signorello, 625 Woodland Avenue, addressed the comments made by Robert Delarosa regarding his son David. He said he was confident when all is said and done it will be apparent that Mr. David Delarosa was treated appropriately. He proposed that Mayor and Council schedule a hearing, public or private, with only eyewitnesses being allowed to testify. He requested that no further statements be made to the press, so the matter could be handled in the proper forum.

Mayor DeIorio asked Councilmembers to allow Borough Attorney Bill Lane to review this matter for its appropriateness. Mr. Lane said he had no problem as long as due process is followed. He agreed with Chief Signorello in having only eyewitness testimony, and no hearsay being allowed. He said, whatever Mr. David Delarosa is asking for, he should put his request in writing. Mayor DeIorio suggested having the Fire Chief's proposal referred to Counsel for his review.

Jacob Magiera, 612 Sheridan Avenue, said at the last meeting he made a mistake in quoting the total electric bill for the town and said the correct figure is \$248,036.16; he suggested turning some of the lights off to save taxpayers money. When he asked when the parking meters were going to be repaired, Mayor DeIorio said that issue was being addressed. Mr. Magiera asked if Council rescinded their pay increase for 2005; Mayor DeIorio said that will be discussed during the budget process. Mr. Magiera asked if the E. Colfax Avenue reconstruction from Galloping Hill Road to Hemlock Street was going to be done this year, and Donald Guarriello said yes it would. He asked how many Councilmembers reviewed the \$12.00 ethics retraining tape, and Councilman Zeglarski said they did not receive the tape as of yet. Mr. Magiera suggested having a municipal property tax convention in Roselle Park and have Councilman Zeglarski as Chairperson. Mr. Magiera said in President Bush's speech last night he is supporting the constitutional amendment opposing same sex marriages.

Councilman Matarante moved, at 8:35 p.m., to close the public comment portion of the meeting; seconded by Councilman Badillo and adopted.

Mayor DeIorio read the closed session resolution and said Council would be discussing the following:

- . Potential litigation regarding the Youth Center Service Agent
- . Potential litigation regarding an attorney's bill

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Matarante moved, at 8:35 p.m., to interrupt the regular order of business for a closed session meeting; seconded by Councilman Harms and adopted.

RESUME THE REGULAR ORDER OF BUSINESS

Councilman Harms moved, at 8:45 p.m., to resume the regular order of business; seconded by Councilman Badillo and adopted.

Mayor DeIorio said during closed session Council discussed potential litigation regarding the Youth Center Service Agent and potential litigation regarding an attorney's bill.

There being no further business to come before the meeting, at 8:45 p.m., Councilman Harms moved to adjourn; seconded by Councilman Badillo and adopted.

Attest:

Borough Clerk