

Regular Meeting of Mayor and Council June 16, 2005

PRESENT: Mayor DeIorio; Councilmembers Badillo (in at 8:00 p.m.), Harms, Murphy, Matarante, Zeglarski and Rubilla: Borough Attorney Bill Lane

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, C172. (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 & PETITIONS

Copy of Notice that the Legalized Games of Chance Control Commission intends to receive public comments regarding increasing the maximum allowable charge to participate in amusement games and increasing the maximum retail value of prizes that may be awarded in amusement games. (Received and filed).

Notice of a Public Hearing regarding a variance of a pre-existing use for a commercial building which is in an R-1 Zone located at 540 W. Lincoln Avenue that will heard by the Planning Board on June 22, 2005. (Received and filed).

Notice of a Public Hearing regarding an application filed by New Cingular Wireless seeking use and height variances along with preliminary and final major site plan approval for property at 110 East Westfield Avenue which will be before the Roselle Park Zoning Board of Adjustment on June 22, 2005. (Received and filed).

Requests were received from residents for the following block parties, which have the approval of the Roselle Park Police Department:

- . Markthaler Place – July 9<sup>th</sup> from 12:00 Noon to 10:00 p.m.
- . Charlotte Terrace (Between E. Grant & Madison) –  
July 16<sup>th</sup> from 12 Noon until 8:00 p.m.
- . 300 block of Sheridan Ave. – August 20<sup>th</sup> from 1:00 p.m. until 9:00 p.m.
- . 200 block of Sherman Ave. – Sept. 17<sup>th</sup> from 12:00 Noon to 6:00 p.m.

Councilman Badillo moved to grant permission to hold block party's for residents of Markthaler Place, Charlotte Terrace, 300 block of Sheridan Avenue and the 200 block of Sherman Avenue; seconded by Councilman Harms and adopted.

APPROVAL OF MINUTES

Councilman Matarante moved that the reading of the minutes of the Regular Meeting of April 21, 2005, the Executive Session of May 5, 2005, the Special Meeting of May 5, 2005 and the Closed Session Meetings of May 5, 2005, May 19, 2005 and June 2, 2005, be dispensed with as all members have received copies and they be approved as recorded; seconded by Councilman Harms and adopted.

APPROVAL OF TREASURER'S REPORT

Councilman Matarante moved that the Treasurer's Report for May 31, 2005, be accepted and spread upon the minutes with the exception of the budget detail; seconded by Councilman Harms and adopted.

PAYMENT OF BILLS

The following routine bills listed on a consent agenda were offered by Councilman Murphy and seconded Councilman Matarante.

Current Account Cks. #4910-5057 (Void Ck. #3059, 3470, 4273, 4636) #90136-90140

2004 Reserve	\$	22,348.45	
2005		1,888,491.07	
Reserve for Grants		<u>30,298.16</u>	1,941,137.68

Capital Account Ck. #275-281 139,401.28

Animal Control Trust Account Ck. #138

Animal Control Trust Account		3.00	
Roselle Park Payroll Debit	06/10/05	<u>51.44</u>	54.44

Recreation Trust Account Cks. #202-204 763.10

Sewer Utility Account Cks. #267-272

Sewer Utility Account	2004	.00	
Sewer Utility Account	2005	160,655.22	
Blue Cross/Blue Shield		2,414.60	
U.S. Healthcare		1,722.69	
Roselle Park Payroll Debit	05/27/05	11,041.42	
Roselle Park Payroll Debit	06/10/05	<u>11,370.45</u>	187,204.38

HUD Trust Account Ck. #201

HUD Trust Account		18.25	
Roselle Park Payroll Debit	05/27/05	954.08	
Roselle Park Payroll Debit	06/10/05	<u>1,002.88</u>	1,975.21

Trust Others Account Ck. #30

Trust Others Account		1,152.00	
Roselle Park Payroll Debit	05/27/05	813.01	
Roselle Park Payroll Debit	06/10/05	<u>5,608.01</u>	7,573.02

Public Assistance Trust Cks. #1051-1067 (Void #1038, 1044, 1047, 1061) 3,162.00

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RESOLVED: The Treasurer is hereby authorized to issue a check in the amount of \$16,906.04 to:

American Tax Funding, LLC  
PO Box 862658  
Orlando, FL 32886-2658

For the redemption of Tax Sale Certificate #06-03, held by American Tax Funding on Block 905, Lot 28 (otherwise known as 138 Berwyn Street, Roselle Park, NJ) and assessed in the name of Sievers, John & Eileen Fiducia.

Lien #06-03 (dated 10/7/03)	\$ 1,288.10
2% Flat Penalty	25.76
Recording Fee	40.00

Subsequent Charges Paid by Lien holder:

Taxes paid 11/21/03	5,257.59
Interest on above from 11/21/03-6/16/05 @ 18% interest	1,482.64
Taxes paid 2/27/04	1,211.26
Interest on above from 2/27/04-6/16/05 @ 18% interest	283.43
Taxes paid 6/4/04	1,215.04
Interest on above from 6/4/04-6/16/05 @ 18% interest	225.39
Taxes paid 9/17/04	1,505.24
Interest on above from 9/17/04-6/16/05 @ 18% interest	201.71
Taxes paid 9/24/04	6.83
Interest on above from 9/24/04-6/16/05 @ 18% interest	.89
Taxes paid 12/3/04	1,367.11
Interest on above from 12/3/04-6/16/05 @ 18% interest	131.24
Taxes paid 2/25/05	1,289.84

Interest on above from 2/25/05-6/16/05 @ 18% interest	70.94
Taxes paid 5/20/05	1,286.94
Interest on above from 2/25/05-6/16/05 @ 18% interest	16.09

Total redemption amount \$16,906.04

Further, the Treasurer is authorized to issue a check to the above named lien holder in the amount of \$7,100.00 for return of premium.

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RESOLVED: The Collector-Treasurer is hereby authorized to reduce the Sewer Utility Charges on the following accounts for the year 2005:

<u>Name</u>	<u>Block/Lot</u>	<u>Billed</u>	<u>Actual Use</u>	<u>Reduced</u>
Gould, Christopher & T&J&JP	125/14	215	83	132
O'Connor, John & Margaret	207/34	277	19	258
Chavez, Leonor	303/2	121	95	26
Delloiacono, Felice	404/11	193	137	56
Beauchamp, T&J	406/7	226	43	183
Pereira, R&M	413/12	295	143	152
Zjawin, Dorothy	413/18	183	19	164
Stewart, James & Feith, Mary	414/16	147	29	118
Sposaro, Mary Ann	418/7	182	40	142
Sokol, Barbara	501/16	237	23	214
Marzulla, Michael & T	502/8	419	82	337
Zoeller, Frederick & E	509/12	799	100	699
Zeleniak, Helene	512/42	124	33	91
Oliveira, Elia	603/2	258	120	138
Meade, Thomas & C	803/6	49	20	29
Community Methodist	809/1	175	41	134
Community Methodist T0058115	809/1	115	112	3
Ciak, Beverly & F	901/14	471	19	452
West, Charles	902/3	376	107	269
Owens, John & Diane	903/14	389	116	273
Garcia, Hortencia & LaTorre, L.	904/4	453	33	420
Tumes, Julio	910/26	358	121	237
Daley, C & Ditta, E & Seaman, E	1007/8	284	50	234
Heinrich, Erwin & Pisani, Lisa	1015/3	416	156	260
Crevani, James & Noelle	1015/13	652	58	594
Pompei, Geraldine & Andrew	421//16	204	88	116

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Roll called, all members voting Aye, said resolutions were adopted.

## PRESENTATIONS

Mayor DeIorio invited Councilman Harms, Kimberly Schaffer and her family to the dais. He said Kimberly was a 3<sup>rd</sup> place winner in the Union County Poster Contest for her poster “Centennial of the County Court House”. Mayor DeIorio presented her with a Certificate of Achievement. Kimberly thanked Mayor and Council and displayed her poster for the audience and TV34.

Mayor DeIorio invited Roselle Park High School Wrestling Coach John Ranieri to the dais. Mr. Ranieri thanked Mayor and Council for honoring the Varsity Wrestling Team tonight. He said they accomplished an overall record of 12 and 2. He said they placed 4<sup>th</sup> in the Princeton Tournament; 3<sup>rd</sup> in the Park Tournament; Mountain Valley Conference Championship; 2<sup>nd</sup> place in the Union County Tournament; Central Jersey Group 1 finalists; 2<sup>nd</sup> place in the District 10 Tournament; and are the #7 ranked team in Region 3. Certificates of Achievement were presented to: Craig Montgomery, Kevin Blatt, Joe Blackford, Ross Soares, Brian Soares, Brian Swick, Joe Signorello, Mark Mross, Eric Wright, Troy MacDermant, Rich Benner, Mike Kurant, James Sinatra, Anthony Weiland, Mike Lefano, Jorge Bronco, Burim Kadrijaj, Mike Montgomery, Tom Krynicki, Brian Skiff, Peter Dercole and Jesse Milara.

## PASSAGE OF ORDINANCES

### Second Reading and Public Hearing

An Ordinance (#2156) entitled, “AN ORDINANCE AMENDING ORDINANCE NO. 2065 REGARDING CHANGES IN BOROUGH OF ROSELLE PARK RECREATION BASKETBALL AND WRESTLING FEES”, was brought up and read by title only on its second reading and public hearing.

Councilman Matarante moved that the public hearing on Ordinance #2156 be opened; seconded by Councilman Harms and adopted.

There being no one wishing to speak, Councilman Matarante moved to close the public hearing; seconded by Councilman Harms and adopted.

Councilman Matarante moved that Ordinance #2156 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Harms.

Roll called, all members voting Aye, said ordinance was adopted.

An Ordinance (#2157) entitled, “BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$901,742 FOR VARIOUS CAPITAL IMPROVEMENTS BY AND FOR THE BOROUGH OF ROSELLE PARK IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$856,655 IN BONDS OR

NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION”, was brought up and read by title only on its second reading and public hearing.

Councilman Matarante moved that Ordinance #2157 be opened; seconded by Councilman Harms and adopted.

Jacob Magiera, 612 Sheridan Avenue, asked for an explanation of Section 8. Borough Attorney Bill Lane explained, saying the bond ordinance will be paid by the Borough through property taxes. Mr. Magiera asked if they were going to raise property taxes, Mr. Lane said he did not know if it requires an increase in taxes, but it would be paid through that revenue source. Mayor DeIorio said these are the same sections that have been written in ordinances for many years, and when Mr. Magiera served on this Governing Body. He said this allows the Borough the means to pay for items through property taxes. Mr. Magiera said it has been a long time since anyone questioned Section 8, and he needed the public to know that they can be charged on their home taxes to satisfy any outstanding debts and if the Borough needs money they just raise property taxes. Mr. Lane said that is not what it says, it states the Borough can use tax revenue in order to pay this off which is the standard language.

There being no one else wishing to speak, Councilman Matarante moved to close the public hearing; seconded by Councilman Harms and adopted.

Councilman Matarante moved that Ordinance #2157 be adopted on seconded reading and advertised as prescribed by law; seconded by Councilman Harms.

Mayor DeIorio said the Ordinance you see here this evening is for different capital improvements around the Borough. He said a good portion of it is the imposition of a capital cost imposed by the Rahway Valley Sewerage Authority. He said Roselle Park is serviced by two sewerage authorities, the Joint Meeting and Rahway Valley Sewerage Authority. He said this year they have been hit quite hard by the Rahway Valley Sewerage Authority, for an improvement to their treatment plant. Mayor DeIorio said in addition to that there are several other capital items such as resurfacing of several streets in the Borough which were either paid for by a grant or necessary for public safety.

An Ordinance (#2158) entitled, “AN ORDINANCE REGULATING STREET PARKING WITHIN THE BOROUGH OF ROSELLE PARK ADOPTED MAY 2005 TO SPECIFY RESIDENT PERMIT PARKING”, was brought up and read by title only on its second reading and public hearing.

Councilman Matarante moved that the public hearing on Ordinance #2158 be opened; seconded by Councilman Murphy and adopted.

Joyce McCoy, 107 Pershing Avenue, asked Council to please consider passing Ordinance #2158 and said she had a letter from 121 Pershing Avenue explaining the

parking problems and supporting the implementation of permit parking on their street. Mayor DeLorio asked her to submit the letter to the Borough Clerk for the record.

Sister Rose from St. Joseph's said she is the caretaker for her father who resides on the corner of Pershing Avenue and Madison. She said she would like this ordinance passed, because her father is disabled and when there are that many cars she cannot get him in and out of the house.

Margaret Leustech, 117 Pershing Avenue, said she does not have a driveway and many times she comes home from work and has nowhere to park on her own street. She said a business in Roselle Park should be an asset, not destroy a neighborhood.

(Councilman Badillo in at 8:00 p.m.)

The daughter of residents at 116 Pershing Avenue said her parents did not have a driveway and the people from Century 21 take up a lot of parking and block driveways. She said it would be good if they had permit parking.

There being no one else wishing to speak, Councilman Matarante moved to close the public hearing; seconded by Councilman Harms and adopted.

Councilman Matarante moved that Ordinance #2158 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Badillo.

Councilman Murphy said he would not be voting on this ordinance because he is an affected party. He said the residents have eloquently described the conditions and said a car was hit this morning and the taillight knocked off. He said that is commonplace, and he hoped that everyone would do the right thing when it comes time to vote. Mayor DeLorio commended Councilman Murphy's work for bringing this to the forefront. He said for the record there were 8 people in the audience in show of support for this ordinance.

Roll called, Councilman Badillo, Harms, Matarante, Zeglarski and Rubilla voting Aye; Councilman Murphy abstained. There being five affirmatives and one abstention, said ordinance was adopted.

### Introduction

An Ordinance (#2160) entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1930 REGARDING CHANGES IN BOROUGH OF ROSELLE PARK COMMUNITY CENTER AEROBICS FEES", was introduced and read by title only on its first reading. (See app. pg. # ).

Councilman Matarante moved that Ordinance #2160 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on July 21, 2005; seconded by Councilman Badillo and adopted.

Roll called, all members voting Aye, said motion was adopted.

## RESOLUTIONS

The following routine resolutions, listed on a consent agenda, were offered by Councilman Matarante and seconded by Councilman Murphy. (See app. pg. # ).

- #85-05 – Authorizing renewal of 2005-2006 liquor licenses
- #86-05 – Endorsing the submission of the Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection
- #87-05 – Authorizing estimated tax bills for 3<sup>rd</sup> quarter 2005
- #88-05 – Supporting legislation to impose limits on the annual New Jersey Budget
- #89-05 – Appointment of part-time Custodian for Municipal Building
- #90-05 – Approving insertion of an item in the 2005 budget for “Clean Communities Act” in the amount of \$386.91
- #91-05 – Approving an extended unpaid leave of absence for Judy Mack as Code Enforcement Officer in the Construction Department

Roll called, all members voting Aye, said resolutions were adopted.

**Resolution #92-05, increasing the maximum amount specified for legal consulting and labor relations to an amount not to exceed \$16,000.00 (Linda Niedweske), was offered by Councilman Matarante and seconded by Councilman Harms. (See app. pg. # ).**

Councilman Zeglarski said during budget time Council discussed allocating legal fees and asked if this resolution was expanding that amount. Mayor DeIorio said Resolution #91-05 that was voted on is one issue, and also changes in the Construction Code Department involving a back up Code Enforcement Officer. Councilman Zeglarski said he only mentioned it, because so soon after passing the budget they are raising a line item. Mayor DeIorio said that was a good point. He said if Councilman Zeglarski would prefer, Resolution #92-05 could be postponed until next month.

Roll called, Councilmembers Badillo, Harms, Murphy, Matarante and Rubilla voting Aye; Councilman Zeglarski voting No. There being five affirmatives and one negative, said resolution was adopted.

**Resolution #93-05, awarding a contract to Qscend Technologies, Inc. for website development/design services, was offered by Councilman Zeglarski and seconded by Councilman Matarante. (See app. pg. # ).**

Councilman Murphy said even though the amount of money is small in relationship to the rest of the budgeted items, Council concurred that the website needs improvement and decided not to take the recommendation of the Mayor when he was



looking for consideration of cuts on other projects. He said as a result, this resolution was prepared and will probably pass, but at this point in time he was not comfortable with it so he was going to vote No.

Mayor DeLorio commended the work of the Governing Body and the Technology Committee for putting this program together. He said it was during the League of Municipalities Conference that several Councilmembers met with representatives from Qscend. He said they felt their presentation was second to none, and they would be able to provide an excellent, more user friendly service for the Borough. He said their proposal was pared down to give basically the bare bones, and during the budget process he did recommend that because of the additional cuts that this would be another cut and that Council should look to the school board to help provide a minimal information website. He said, however, the resolution is up this evening and he would like to encourage the viewing audience to take an opportunity to advertise on the website to help subsidize the cost.

Councilman Zeglarski said in this technological era it is important for Governments to reach out to the public in new and different ways. He said a website is so mainstream that he felt it is a disservice for the public to be unable to interface with them using that form of medium. He said in the past Council has tried to have volunteers work on the website, but it has not worked out. He said it does cost money to create a website, but he thinks of it as an investment and selling advertising on the website is a good revenue source. He said the Borough will still be accepting volunteer help in creation of content and helping Qscend manage it. Councilman Zeglarski said residents will even be able to pay their taxes on line through this service and said he will be voting Yes.

Roll called, Councilmembers Badillo, Harms, Matarante, Zeglarski and Rubilla voting Aye; Councilman Murphy voting No. There being five affirmatives and one negative, said resolution was adopted.

#### MATTERS FOR REFERRAL

Councilman Murphy reminded everyone that this Saturday is the Cruzin' Night Car Show at Gazebo Park. He said as a member of the board for Joint Meeting he wanted to touch upon capital budgets. He said Joint Meeting is the second sewer authority that services Roselle Park. He said in the next several years you are going to hear a lot about clean air and waste water, and how it is being discharged in the Arthur Kill. He said unfortunately there are residents as well as businesses that have improperly installed sump pumps, roof drains, connections to roof leaders, building foundations or basement drains, damaged manhole covers, connected catch basins and storm sewers and deteriorating sewers. He said we have a mandate from the NJ Department of Environmental Protection that is telling us we have to clean it up, and if all the communities that are serviced by Joint Meeting do not make an effort, the cost to upgrade the facility is going to be estimated at 300 million dollars which will be passed on to

communities like Roselle Park. He said the bottom line is that it is coming and will arrive anywhere between 2006 and 2009.

Councilman Harms said the Municipal Services Committee met and discussed the use of the Youth Center and leaf pickup. He said it was a draw as to whether or not to let anyone other than Roselle Park residents use the Youth Center. Councilman Harms explained that reason he voted No is because it is a Youth Center, and he did not want it to become an Adult Center. He noted that the people that want to use it are not covered under any insurance through the Borough. He said he has many other issues such as giving them a key, security code and using the air conditioning, lights, etc. after hours. He felt it would be a burden to the taxpayers and taking time away from the youth. Councilman Rubilla respectfully disagreed with his colleague, saying there was a demand for about 8 or 9 men that were forty something to continue playing basketball, but because the schools were under construction they were looking for an alternate location. He said one of the factors he felt was in his favor was that it seems like it is underutilized, and to put 8 or 9 men in there one night a week as a test to see how it works would not harm the citizenry. He said there was an associated cost of \$5.00 to \$10.00 a person, will not be open to non-residents, and takes place once a week. Councilman Rubilla said he felt it was an effective and efficient use of a building that is in the Borough's asset inventory, and since they cannot use any of the schools it might be a reasonable idea to try it there. Councilman Rubilla said they were all responsible adults and therefore moved for its passage. Councilman Matarante said one of the main issues he had was that they were not covered under the Borough's insurance.

### PUBLIC COMMENT

Councilman Matarante moved, at 8:30 p.m., to open the public comment portion of the meeting; seconded by Councilman Rubilla and adopted.

Joyce McCoy, 107 Pershing Avenue, thanked Mayor and Council for passing Ordinance #2158.

Jacob Magiera, 612 Sheridan Avenue, said in the last flyer for bulk pickup it stated June 23<sup>rd</sup> for the East Side and June 30<sup>th</sup> for the West Side, but inside on the calendar it is the 16<sup>th</sup> for the East Side and the 23<sup>rd</sup> for the West Side. He said he hoped that no one got a summons because of it. He said the Mayor has forgotten to mention mosquitoes to the general public this year. Mr. Magiera said he cannot get an answer from anyone regarding the \$50,000.00 charged to the Board of Education for reviewing their blueprints. He said it is his understanding that the \$50,000.00 was put into the general fund presumably to reduce our budget, and the Board of Education's budget went up 2 points. He asked Council what happened with that \$50,000.00. Mayor DeIorio said he felt he had adequately answered and addressed those issues at prior meetings. Mayor DeIorio said the school board approached the Governing Body because they had a situation with the renovations to our schools and in doing so they needed a particular level of certification of a Code Official to review their plans. He said they approached Council, saying it was going to cost the School Board \$100,000.00. They

asked if there was a way to have one of the Borough Officials provide that service for half that amount. Mayor DeIorio said they entered into an agreement and fulfilled the Borough's obligation. He said the Construction Code Official, Mr. Risso, had said in writing that Mr. Delarosa was asked to obtain a higher level certificate which would be required by the State. He said that certificate was not acquired by Mr. Delarosa and that what needed to be done at the time was to go ahead and proceed and have an individual with that higher level certificate perform the duties necessary for the review of the school plans. Mayor DeIorio said the Construction Code Official is certified by the State of New Jersey and is the one that guides us and provides us with his opinions of what is mandated and required by the State. He said they rely on his level of expertise, and if he tells us that they require a Class One certificate, then that is what the Borough needed. Mayor DeIorio said the Borough provided the services and the School Board was very appreciative, and he felt it was a good working relationship with the school in providing that service at a much reduced cost. Mr. Magiera asked who the person was and how much he was paid. Mayor DeIorio said that was done a year ago, and he would have to review those documents. Mr. Magiera asked if he was paid \$10,000.00, and Council charged the Board of Education \$50,000.00, if the Board of Ed gets the \$40,000.00 back as an overcharge. Councilman Matarante said the Borough did not charge anything, and the Board of Ed set the price. He said Council agreed to it and at the time felt they were doing something good. Councilman Zeglarski asked if John Risso provided an explanation, and the Mayor said he provided one in writing. Councilman Matarante said one of the things stated in Mr. Risso's letter is that you cannot just pick and choose someone, and the Borough had to hire someone with the certification. He asked Councilman Matarante if he was the Police Commissioner and was told he was the liaison. Mr. Magiera asked if he was the head of the Public Safety Committee and was told that Councilman Badillo was. Mr. Magiera asked Council if they were going to adopt the Union New Jersey Resolution regarding closed sessions, and Mayor DeIorio said Council has it under consideration.

A letter was submitted from a resident of 125 Pershing Avenue thanking Mayor and Council for passing the permit parking ordinance on their block.

There being no one else wishing to speak, Councilman Matarante moved, at 8:45 p.m., to close the public comment portion of the meeting; seconded by Councilman Badillo and adopted.

#### Resume Discussion Re: Use of Youth Center for Men's Basketball

Councilman Matarante said even though the Borough has blanket coverage everyone that uses the facilities need to have their own insurance as well. Councilman Rubilla said that was a provision he was unaware of. He said that precluded everything and withdrew his insistence. Councilman Badillo said originally he had supported the idea but if this was talking time away from the youth during the hours of operation he would be against it. He said he would not be in favor of giving anyone a key, and that someone from the Boys & Girls Club would have to be there. Mayor DeIorio said the building was created for the sole purposes of serving our youth, and the Boys & Girls

Club are contracted by the Governing Body. He said some have complained that other Boys & Girls Clubs do allow similar programs, but reminded the public that this was not a Boys & Girls Club building and was paid for with Roselle Park taxpayers dollars. He said when the building was created it was made very clear that the dollars would be spent on our Youth, and he has to commit to that promise, and said he was not in favor of any adult groups. Councilman Rubilla said he appreciated Council's consideration on the initiative.

Councilman Harms said he discussed with the DPW Superintendent Frank Wirzbicki and Borough Engineer Ed Dec the upcoming leaf pickup. He said leaves cannot be put in the curb or near the curb and it was decided to pursue brown bagging as the only way to protect the Borough and residents. He said Roselle has used this method and Frank is going to contact them for information. Councilman Harms suggested having a Special Meeting to discuss how to pursue this and recommended doing it soon. He said any resident that puts leaves in the street or near the curb or catch basin will be fined. Councilman Matarante said it was important to know the fine was not coming from the Borough and Mayor DeIorio said it comes from the State DEP through there regulations and may be filtered down through the Counties. Councilman Harms said it is called the New Jersey Pollutant Discharge Elimination System and said everything has to be done by ordinance and every year you have to submit how you are doing what your doing. He said they are suppose to meet with representatives of the Church of Assumption and the Committee but they canceled, because they did not have information on the properties on Clay Avenue and Chiego Place. Borough Attorney Bill Lane said Council should discuss it in closed session.

**Councilman Matarante moved to authorize the Mayor to sign off on the Board of Education's lease for the Youth Center; seconded by Councilman Harms and adopted.**

**Councilman Matarante moved that a raffle license be granted to the Roselle Park Community Center Association for an on-premise 50/50 raffle to be held July 16, 2005; seconded by Councilman Harms and adopted.**

Councilman Matarante reported that the Public Safety Committee met and went over Councilman Milici's request for a street fair. He said one of the concerns the committee had was the date which was a Saturday in September, and the request to block off W. Webster Avenue when there may be activity at the school that day. He said he contacted Mr. Milici and asked him to contact the school to make sure there were no conflicts. He said Mr. Milici gratuitously agreed to change the date to his raindate which was Sunday the 18<sup>th</sup> and the raindate for the following Sunday. He said he did not have a problem with that and asked for Council's approval. Mayor DeIorio said a contract needed to be drawn up and the issues of clean-up and port-a-potty's addressed. He suggested having Mr. Milici provide a contract and have it reviewed by Mr. Lane. Borough Attorney Bill Lane said he would contact Mr. Milici. Councilman Matarante said the committee also considered a request from Councilman Rubilla regarding permit parking on E. Clay Avenue. He said he has asked the Traffic Safety Officer to look into

the situation, and he responded that he did not see any problems with it. He said he also spoke with the Chief of Police and said the committee was concerned, with the 45 minute parking restrictions being an issue with having someone mark a tire and coming back 45 minutes later. He said Chief Wielgus and Officer Antonucci had no issues and as far as he was concerned, he was satisfied that Council could proceed with that also. Councilman Matarante said the west side was not doable but the east side was. He thanked Jackie Taluba the Recreation Chair regarding what was going on at Acker Park, and because of the disturbing stories they had to make the difficult decision to remove the basketball rims from the courts. He said he has received several thank you phone calls stating that things have seemed to calm down. Councilman Matarante said, on Monday, if you have the opportunity please join them in Trenton because this is your opportunity to be heard regarding property taxes. Mayor DeIorio said there will be an Assembly and Senate meeting taking place that afternoon and felt the public should be aware and go.

Councilman Badillo apologized for being late saying he had a court matter in Woodbridge and got back as soon as he could. He said there are three young men that won district champions and he had their charts framed to show all that they had to wrestle in order to win their flight. He said he attended the library meeting and wanted to remind everyone that the summer reading program will be starting shortly. He said the base has been put down on E. Colfax Avenue between Hemlock and Galloping Hill Road, and said he wanted the residents to know that it was not the final coat. He said the sewer system being done on Walnut Street between Westfield Avenue and Grant is underway. Councilman Badillo congratulated Joyce Kinney on the feast at the Assumption Church, saying she did a great job. He said field work is going to start on the 600 block of Hemlock because it is a health concern with the standing water. Councilman Badillo said he did get a lot of calls with the basketball rims at Acker Park and a couple residents got their tires slashed along with other vandalism.

Councilman Zeglarski apologized to residents because he would not be able to make it to the rally down in Trenton. He said being the sole democrat he felt it was important to be there, but unfortunately he has a trial that he was unable to get adjourned. He said he was very disappointed in our State Legislators on both sides of the isle. He said he felt it was a foregone conclusion that real tax reform was not a reality and that maybe they leverage some of the hype and publicity and the public support for it in their elections but are not now following through. He said it was very disheartening. Councilman Zeglarski said by going down to Trenton and telling them how we feel is very important, especially now because it is not going anywhere this year and felt it would do good to keep the heat and pressure on. Mayor DeIorio said he agreed and based on the legislative schedule from now until the end of the month when they have to pass the State budget, there are no additional opportunities for certain bills especially the Constitutional Convention Bill to get moved out of committee on to the floor, especially in the Senate where it has been log jammed. He agreed with what Councilman Zeglarski was saying and felt everyone was feeling the frustrations and stated that the Homestead Rebate was not the answer to the ever raising property taxes.

Mayor DeIorio said he had a meeting with Councilman Matarante and Joe DeMaio of the Boys & Girls Club to discuss 2 issues. He said one issue was the interaction between the Boys & Girls Club and their proposal for a summer camp and the school boards long existing summer camp. He said out of that discussion they had a follow up meeting with Sam Appello, who runs the camp at the school, and they agreed that for this year what they would do is, being that the Boys & Girls Club has many opportunities to run field trips, that they would work hand and hand with the summer camp program with the school to ask those children if they are interested to participate in those trips. He said Sam did write a letter following up to the Superintendent, and hopefully look forward to a favorable response. Mayor DeIorio said they also had a discussion about surveying the public regarding the Youth Center Activities. He said there has been an increase in the numbers and right now they stand at 600 members and that is a wonderful accomplishment. He said it has been 6 months since they have opened their doors and they will survey the membership, parents and general public to get their opinions on their perceptions, interactions and willingness to participate in the Youth Center.

Borough Attorney Bill Lane said there were a few closed session items to discuss. He said one involves the M&E Railroad STB Application, and the other is correspondence from Woodside Gardens, and the issue raised by Councilman Harms regarding the Church of the Assumption.

Mayor DeIorio said on Monday the Assembly will be voting on Assembly Joint Resolution #105 which is sponsored by our representatives from the 21<sup>st</sup> District, as well as representatives from the 18<sup>th</sup> District. He said it is a bipartisan bill that will create a study commission to review the 2 train lines that are being reactivated, one in Union County and one in Middlesex County. He said the key component of the legislation is the momentum on the expenditure of additional dollars.

Mayor DeIorio read the Closed Session Resolution and said Council would be discussing the following:

- . Litigation – M&E Railroad STB Application
- . Potential Litigation – Woodside Gardens Complaints Re: Bulk Pickup
- . Negotiations – Church of the Assumption regarding Chiego Place and adjacent property

#### INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Matarante moved, at 9:20 p.m., to interrupt the regular order of business to go into closed session; seconded by Councilman Harms and adopted.

RESUME THE REGULAR ORDER OF BUSINESS

Councilman Matarante moved, at 9:45 p.m., to resume the regular order of business; seconded by Councilman Harms and adopted.

Mayor DeIorio said during closes session Council discussed the following:

- . Litigation – M&E Railroad STB Application
- . Potential Litigation – Woodside Gardens Complaints Re: Bulk Pickup
- . Negotiations – Church of the Assumption regarding Chiego Place and adjacent property

There being no further business to come before the meeting, at 9:45 p.m., Councilman Matarante moved to adjourn; seconded by Councilman Harms and adopted.

Attest:

Borough Clerk