

Executive Meeting of Mayor and Council February 2, 2006

PRESENT: Mayor DeIorio; Councilmembers Badillo, Harms, Matarante, Zeglarski, Rubilla and Dinardo; Borough Attorney Bill Lane; and Borough Engineer Ed Dec

ABSENT: None

Mayor DeIorio called the meeting to order at 7:45 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, C.172. (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.

Mayor DeIorio requested a moment of silence for former Councilman Bob Lehr and Coretta Scott King, a civil rights icon, and their families.

Deputy Borough Clerk Donna Corrigan read a short prayer followed by the Pledge of Allegiance.

COMMUNICATIONS & PETITIONS

Request from Roselle Park Girl Scouts to distribute flyers the week of April 2 to April 7, 2006 in connection with their annual "Baby Bundles" project. This has the approval of the Police Department. (Referred to Council).

Councilman Badillo moved to grant permission to the Roselle Park Girl Scouts to distribute flyers the week of April 2 to April 7, 2006 for their annual "Baby Bundles" project; seconded by Councilman Harms and adopted.

Request from the Roselle Park Youth Baseball League to sponsor a team and/or advertising sign for the upcoming 2006 season. (Referred to Council).

Councilman Badillo moved to grant permission to the Roselle Park Youth Baseball League to sponsor a team and/or advertising sign for the upcoming 2006 season; seconded by Councilman Harms and adopted.

Notice of Public Hearing by the County of Union to discuss the diversion of Green Acres property in the amount of .09 acres (part of Lot 1.10, Block 59) in exchange for .20 acres of vacant property in Hillside (Lot 5, Block 1601) for the purpose of installing a bridge to connect the Main Campus of Kean University to the East Campus of Kean University. (Received and filed).

REPORT & RECOMMENDATIONS OF MAYOR

Mayor DeIorio said the United States Environmental Protection Administration conducted soil testing in the area of Adase and Wolf Baseball Fields during 2005. He said the results were made public last week and there is an elevated level of lead on the surface soil in the outfield of Wolf Field. Mayor DeIorio said the EPA will be conducting a public availability session on February 15th, in Council Chambers, from 3:00 to 5:00 p.m. and 6:00 to 8:00 p.m. He said information is available on the EPA Web-Site www.epa.gov/region2/removal/RosellePark and there are three EPA phone numbers you can call if you have any concerns. He said information has gone out to the parents of the Youth Baseball League program to inform them of this information and to help address any other concerns they may have. Mayor DeIorio said he and Councilman Badillo have met with Heyer & Gruel Consultants who performed the Master Plan Study back in 1996. He said at the meeting they discussed the methods in which the Borough of Roselle Park can encourage economic development along Westfield Avenue. He said they have taken information and Council is expecting them to offer a proposal within the next week. Councilman Zeglarski asked if they would propose a study to be done or actually give study results. Mayor DeIorio said they will send a proposal to do work for the Borough and will give a menu option from which the Borough can choose from. Mayor DeIorio handed out pictures to Councilmembers from the Holiday Decorating Contest and thanked Irene LaVecchia for riding around with him to look at all the homes. He congratulated the residents because of what a difficult job it was. Mayor DeIorio thanked former Councilman D'Errico saying that his house was on the top of their list.

REPORT OF DEPARTMENTS

Borough Engineer

Borough Engineer Ed Dec reported that they have just completed a bid opening for Walnut Street and it will begin sometime in early spring. He said work on Markthaler Place will also begin at that time. Mr. Dec said he will be meeting again with the Community Development Block Grant Committee next week and they are hoping to get funding from the County for two streets. Councilman Harms asked if he looked into a generator for the First Aid Squad. Mr. Dec said he is aware of the need for a generator at the First Aid Squad, but needs to determine if monies were appropriated last year and if not, they would have to be appropriated for this year's budget. Councilman Matarante asked if Jenicar did the Colfax Avenue reconstruction project. Mr. Dec said they did. Councilman Matarante said the question of re-seeding was raised and asked if it was done. Mr. Dec said it was probably done twice already, but he would ask again. Mr. Dec said the residents have to be informed that they are responsible for watering the seeds, otherwise the grass will take, but die out. Councilman Badillo said once the First Aid Squad gets a generator, they will be able to be cut free from the Fire Department. Mr. Dec said at present the two are linked and one cannot operate without the other being affected. Councilman Badillo asked when the Hemlock Street project would begin and Mr. Dec said early Spring. He said at the last meeting he asked Mr. Dec to come up with

some figures for Phase 2 of Morses Creek and asked if he could also come up with the figures of what a study would cost for Dalton and Union in the First Ward. He asked Mr. Dec to try and get those figures home to Council next week. Mr. Dec said he would speak to the company that did the previous study for the First Ward. Councilman Zeglarski asked whatever happened with the Fifth Ward depression in the Webster Garden parking lot. Mr. Dec said he would look the next time it rains because there was no evidence of ponding. Councilman Zeglarski said rain was in the forecast tomorrow and asked Mr. Dec to take a look at it and Mr. Dec said he would.

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Rubilla moved, at 8:00 p.m., to interrupt the regular order of business for a Special Meeting; seconded by Councilman Badillo and adopted.

RESUME THE REGULAR ORDER OF BUSINESS

Councilman Rubilla moved, at 10:00 p.m., to resume the regular order of business; seconded by Councilman Badillo and adopted.

REPORT OF DEPARTMENTS

Borough Attorney

Borough Attorney Bill Lane said there was a motion before Judge Malone on the Spagnoli case. He said it did not dispose of the entire matter, but significantly limited the amount of the plaintiff's claim by cutting it in half. He said he did have an issue he wanted to speak about in closed session concerning the Blackstone matter. He said there were a number of items that remained unaddressed as far as the construction was concerned. He said the primary concern was penetration coming in from the electric panel box. He said Borough resident Patrick White came to the rescue and offered a series of steps to keep the penetration from continuing. He said that issue, as well as many others, have been addressed to the satisfaction of the Youth Center Director Joe DeMaio. He said not all of the problems have been solved in their entirety, but more progress has been made in the past 2 weeks than they have in the preceding year. He said there was a Municipal Services Subcommittee from which they discussed the Municipal Land Use Law. He said there was a recognition that the current Land Use Ordinance, which is 150 pages, needs a substantial overhaul. He said that is going to be time consuming and expensive, so Construction Official John Risso offered his immediate concern. He said it was decided those concerns could be addressed by amending ordinances and updating the current fees, and it was his opinion that the Borough charged an unreasonably low amount of money. He said he will be meeting with members of the Planning Board to try and achieve that without a substantial expense. Mr. Lane said he wanted to discuss the Spagnoli litigation in closed session and asked if anyone had any questions over what he discussed or any of the letters they received from him. Councilman Zeglarski asked about the Campaign Contribution Disclosure Statements. Mr. Lane said as of this afternoon, they are still not on the web. He said he has called the

Division of Local Government Services, but as of today, he has not gotten a response from them.

Borough Clerk

Received report from Deputy Borough Clerk Donna Corrigan. (See app. pg. #

Police Department

Received report from Lieut. Paul Morrison on behalf of Chief Warren Wielgus. (See app. pg. #). Councilman Matarante said the Fire Department has requested that the yield sign on Chestnut Street be moved to grant them easier access in and out of the station. Lieut. Morrison said he would look into it and get back to him tomorrow.

DPW

Received report from DPW Superintendent Frank Wirzbicki. (See app. pg. #

Mr. Wirzbicki said a check was received for the damaged fence at Aldene Park. He reported that the DPW was still picking up leaves and giving out notices. He said four summonses have been issued and two are pending. Councilman Harms said five warnings are given prior to a summonses being issued. Councilman Badillo asked that a couple of garbage cans be placed along the bike path. Mr. Wirzbicki said he would put a couple there, but if they keep disappearing Council would have to think of using something else. Mayor DeIorio asked Councilman Badillo and Frank to come up with a couple of suggestions.

Administrative Assistant

Received report from Administrative Assistant Karen Intile. (See app. pg. #

REPORT OF STANDING COMMITTEES

Councilman Dinardo said he attended a Municipal Services Meeting with Councilman Harms and Mr. Lane. He said it was very informative and even though it went pretty late, everything on the agenda was covered. He thanked Councilman Harms for his support.

Councilman Badillo said he attended the EPA meeting and discussed several options with the Little League representatives that were there. He said he will discuss them with Council once the DEP and EPA make their determinations on what to do at the fields. He said the Mayor attended the Little League meeting last night to answer any questions and thanked him for making himself available to be there. Councilman Badillo congratulated the Basketball Team for the nice write up in The Leader and possibly winning their conference.

Councilman Rubilla said the Code Enforcement Department has gotten very aggressive to the tune of 18 warnings, 17 summonses for illegal conversions, and 19 summonses for home inspections and certificates of occupancy. He said he wanted the public to know that the Code Enforcement Department was out there and working very aggressively.

Councilman Matarante said he was presented with a report from the Chief of Police and Administrative Assistant Karen Intile who met with Ray Smith regarding the bicycle race, and they did a drive through around town. He submitted the report to the Clerk for distribution to Council. He said he met with Jeanne Decker and put together a plan of action. He asked the Clerk to advertise the budget meetings for the following: Tuesday, February 7th at 7:00 p.m.; Wednesday, February 8th at 6:00 p.m.; and Wednesday, February 15th at 6:00 p.m. Mayor DeIorio commended Councilman Matarante on his work. Councilman Matarante gave his report on Joint Sewer where they introduced and inducted the new President and Officers of the organization. He said they then spent about an hour in closed session discussing litigation issues.

Councilman Harms said the Municipal Services Committee met this past Monday and came up with 14 different Land Use Ordinance changes and/or additions. He said he was hoping the Borough Attorney would be able to have them ready for introduction on February 16th. He said this was a band-aid approach, but would give the Construction Department the opportunity to work more efficiently than they had in the past. He said the Construction Department has to be given the ability to stop people from just doing whatever they want and noted it was not done to be cruel, but to protect the community from having blacktop front yards. Councilman Harms said the Borough Attorney and Planning Board Attorney have agreed to put a format together and with that, a professional has to be hired. He asked Council to consider putting money aside during budget time to hire a professional because the Land Use Ordinance has to be overhauled. He said the band-aid approach has been used for years and if this is not done now, it could really come back to hurt the Borough. He asked the Deputy Borough Clerk to send a letter to the same persons invited to the last Municipal Services Committee Meeting and add that they will be strictly going over the fees. Councilman Harms said it was his understanding that the lettering for the Youth Center will be arriving shortly. He said Council has requested that the DPW put the lettering up, but he has concerns with doing that. He suggested getting a price to have a professional do the lettering and stated that the Borough could use the money donated by Antonette and Joe Signorello. Councilman Badillo agreed saying he had the utmost confidence with the DPW's ability, but added that it was the finishing touch to a building that was long awaited for. Councilman Harms said Clean Communities had money awarded to the community and said one of the things they did was plan for 5 puppet shows; one at each of the three elementary schools and two at the Roselle Park Public Library. He said during the show there will be a question and answer period with free tee shirts given out to the children that answer correctly.

Councilman Zeglarski said he wanted to follow up on an issue that he addressed at the last meeting regarding the termination benefit package and the interest by some

residents to seize those type of practices in the future. He said he was assured tonight by the Labor Attorney that he would get all the agreements necessary to evaluate the situation. He said he wanted the public to know it is in the process of being evaluated and Council will see how they can deal with the current agreements that exist. He said he was not going to repeat on the air traffic noise, but said he would bring the issue to the Environmental Commission. Councilman Zeglarski said he wanted to give the Planning and Zoning Boards the opportunity to have their meetings televised. He offered to draft a letter to both boards asking them to make a decision. He said before the Reorganization Meeting, he asked Council if he could be appointed as Council Liaison to the Boys & Girls Club and asked if there has been any movement on that. Mayor DeIorio said Council has been inundated with more pressing problems and has not been able to get to that yet. He said when he does appoint an ad-hoc committee, he appoints an individual that could be there at a moments notice. Councilman Zeglarski said he felt someone from Council should be on that committee and said he was asking to be the one to do it. Councilman Rubilla agreed, and suggested the liaison to the Recreation Committee as a likely candidate. Councilman Zeglarski said the Mayor appointed Frank Wirzbicki as Council Liaison to the Boys & Girls Club, but stated he was not a member of Council.

Councilman Badillo said he would like to invite Debbie Heiss to a future meeting to honor her. He said Hank Calabrese has continually praised her throughout the year for her diligence and the help she gives to the seniors. He said she was a great help, a great asset and a great person. He asked the Deputy Borough Clerk to send Debbie a letter inviting her to the next meeting.

Borough Attorney Bill Lane said since there was nothing else to discuss in closed session he would summarize his report regarding Spagnoli vs. The Borough of Roselle Park. He said there was going to be a case management conference tomorrow, which he wanted to report to Council.

PUBLIC COMMENT

Councilman Harms moved, at 10:50 p.m., to open the public comment portion of the meeting; seconded by Councilman Badillo and adopted.

Jacob Magiera, 612 Sheridan Avenue, said the Mayor was sent an information packet from the Union County Air Traffic Noise and Advisory Board. He asked the Mayor if he received it and the Mayor said he did. Mr. Magiera said the Mayor of Teterboro is doing an environmental study and is looking to close that airport. He said the FAA spent two and a half million dollars in soundproofing schools and certain buildings in Elizabeth. He said the Union County Air Traffic Noise and Advisory Board is considering bringing meetings to the local communities and the general public will be invited. He said next Thursday at the Freeholders Building on February 9th, at 7:00 p.m., there will be a presentation by Jerry Feder and everyone is invited.

There being no one else wishing to speak, Councilman Rubilla moved, at 10:55 p.m., to close the public comment portion of the meeting; seconded by Councilman Badillo and adopted.

There being no further business to come before the meeting, at 10:55 p.m., Councilman Harms moved to adjourn; seconded by Councilman Badillo and adopted.

Attest:

Deputy Borough Clerk