

Executive Meeting of Mayor and Council March 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 7:35 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 procedure to be followed in case of fire.

Borough Clerk Doreen Cali read a short prayer followed by the Pledge of Allegiance.

COMMUNICATIONS & PETITIONS

Councilman Badillo moved the following communication; seconded by Councilman Harms, all members present voting Aye, said motion was adopted.

Received request from Relay For Life for the American Cancer Society to hang a banner from April 19th through June 5th at the gazebo area reminding all residents that the Roselle Park High School will be hosting the American Cancer Society's Relay for Life on June 3-4, 2006.

Notice from Sun Tavern for an application to the Planning Board for an ordinance to utilize the existing patio area for outdoor seasonal patron seating.

Notice from the City of Elizabeth of an ordinance to adopt proposed amendments to Elizabethport Phase II Redevelopment plan and also an ordinance for Supplementary Zone Section 17.36.160, Schedule IF, PO Professional Office Zone.

Received request from the Girl Scouts asking Mayor and Council to declare the week of March 12-18 Girl Scout Week in Roselle Park.

REPORT & RECOMMENDATIONS OF MAYOR

Mayor DeIorio:

- Thanked the Roselle Park Education Association and all the volunteers involved with Read Across America he was fortunate enough to participate in all three elementary schools and looked forward to it every year.
- Received information from the Union County League of Municipalities regarding their presentation from Honeywell. Energy conservation and ways for Municipal Governments to enact conservation policies. Members of the Finance & Administration Committee could meet with Honeywell and discuss their proposals.
- Spoke with Mike Cerra from the NJ League of Municipalities agreed to provide Union County Officials as part of the Union County League of Municipalities monthly meeting discussions regarding the State Budget and most importantly the effect municipal taxes with the on going issue of municipal aid.
- Municipal Elected Officials Certificate Program and the course schedule for any member of the Governing Body who would like to attend courses in the Fall. Borough Clerk Doreen Cali said she would copy Councilmembers.
- Governing Body has been diligently working on the municipal budget.
- Members of the public may have opportunity to read article in the Star Ledger regarding the Governors proposal to make cuts to Municipal Aid. Governors message will be addressed to members of the State Assembly and State Senate on March 20th. Will be able to get a better handle on what the municipal figures for Roselle Park will be at that time.
- Governing Body moving forward with introducing Borough's budget for the next meeting.
- Borough applying for Extraordinary Aid.
- Question regarding the cost of chairs purchased. Chairs for the dais cost \$357.50 and the chairs for the conference room were \$170.50, not real leather, as stated in the newspaper, if public wishes to inspect them they can.
- Assembly Joint Resolution 88 sponsored by Assemblymen Munoz and McKeon was approved today. Congratulated the members for their activism and both parties in the Assembly for passing the resolution which will now head to the Senate for consideration.
- Had an opportunity to attend the FAA hearing and thanked everyone for their efforts to push the issue forward. Mayor DeIorio thanked Mr. Magiera for introducing him that evening.

REPORT OF DEPARTMENTS

Borough Engineer:

- Borough Engineer Ed Dec said pre-construction meetings will be held for the upcoming projects beginning next month. Councilman Badillo asked if the catch basin on the corner of Hemlock and Lincoln was part of the reconstruction product and Mr. Dec said it was.

Borough Attorney Bill Lane:

- Two matters to discuss in closed session.
- Litigation regarding Spagnoli vs. The Borough of Roselle Park.
- Solicitation and offer of negotiation of a contract.
- Councilman Zeglarski said Council talked a lot about disclosure statements which are suppose to go along with contracts. Response he has gotten is because there is no specimen available on the State website the Borough can not go forward with having contractors fill out the appropriate disclosure statement. Mr. Lane said that was true. Councilman Zeglarski said Cranford created a 271 disclosure statement and he would like Roselle Park to create one as well. He said since they know what the elements of the specimen are the Borough should create one so they are in compliance with the law, would make him more comfortable with those contracts. Borough Attorney Bill Lane said he had no problem with doing that and would contact the Township of Cranford.

Borough Clerk:

- Requested computer upgrades since some of them are in Windows 95 and 97.
- Municipal Code Book will soon be on line and the public will be able to obtain all of the ordinances from home.
- Municipal licensing program which is currently in DOS will be brought into a new 2006 program.
- Will be links on the webpage for all forms that the public would need to come to municipal offices for.
- Forms are already available and changes are being made daily.
- Councilman Zeglarski thanked her for putting the minutes on line.
- Mayor DeIorio commended the Clerk's Office to make the information available to the Public.
- Mayor DeIorio noted that OPRA requests forms were available on line
- Ms. Cali stated that the recycling calendar was also available.

Police Department:

- He and Borough Clerk would be working on the Vest Partnership Grant.

- Safe and Secure Grant was still intact and the Borough will receive \$60,000.00.
- He has applied for another Homeland Security Grant for \$580,000.00.
- Councilman Zeglarski asked about the certification progress he read about in the Chief's Report last month.
- Chief Wielgus said Accreditation Process is something the Borough has not yet participated in. He said he has to dedicate someone to 20 hours a week for 2 years to the Accreditation Commission to get it accredited, going to try to do it but if it involves overtime the only thing that would offset it is you do get a discount on the insurance.
- Councilman Badillo said the pedestrian sign by the Fire Department is still there and Chief Wielgus said it was moved off the side of the road today and he would have it moved.

DPW:

- Unsafe toy at Acker Park has been removed.
- He thanked Doreen for helping him during budget time and stated that she helped to save the Borough some money.
- Next Wednesday he will not be attending the Department Head meeting.
- Will be taking a course sponsored by the New Jersey Foundation of Trees.
- Borough will be getting 20 trees and the Boys & Girls Club is going to help plant them behind the Casano Community Center.

Administrative Assistant:

- Cerullo Fire Protection, Inc. started work on reconfiguration of the Sprinkler system.
- Tax Counseling for the Elderly (TCE) is providing free tax assistance at the Center.
- Cruisin' Night Car Shows tentatively scheduled for June 24th and September 30th.
- Working with Ray Smith from Premiere Cycling Promotions on scheduling 4th of July bike races.
- Applications sent to the New Jersey Tree Foundation and to the State of NJ Forest Service for free Arbor Day trees.

REPORT OF STANDING COMMITTEES

Councilman Zeglarski:

- Reinvesting money from cell tower lease into technology for the Borough.
- Hiring a full-time technology person.

Councilman Harms:

- Mentioned hiring a professional regarding codification of the Borough Code Book. Coded Systems representative will come and give a presentation and supply all of the Borough Ordinances on disc to be transferred to the Borough website.
- Mayor DeIorio instructed the Clerk to put it on the agenda for the next Finance & Administration Committee Meeting.
- Borough Attorney Bill Lane suggested inviting the Planning Board Attorney Michael Tripodi.
- Councilman Harms said the Borough has four parcels of land to send to committee to discuss selling. Two on Jerome and two on Valley Road can be used to bring in tax revenue.
- Mayor DeIorio said put on agenda for discussion at the next Municipal Services Committee Meeting.
- Councilman Harms approached about Arbor Day and getting several high school students to participate in tree planting.
- Suggested an “Adopt-A-Bike Path” program dedicating the area to those taking care of it.
- Mayor DeIorio asked for a list of names of the individuals involved and invite them to a meeting of the Governing Body and formalize it in a resolution.

PUBLIC COMMENT

Councilman Rubilla moved to open the public comment portion of the meeting; seconded by Councilman Harms and adopted.

Jacob Magiera, 612 Sheridan Avenue, addressed;

- Ethics meeting on April 27th and asked if the discussion would include the Sunshine Law.
- Mayor DeIorio said he discussed it with Mr. Cerra who would let him know after he puts the agenda together because of the amount of time available.
- Mr. Magiera said Ms. Cali has made a lot of great progress in the short time she has been there.
- Asked if the State was requiring all municipalities to do all the correspondence by e-mail and Ms. Cali said they were not.
- Asking Mayor and Council not to take a pay raise for 2006.
- February 16th closed session meeting Mayor referred to contractor and EPA and asked what it was for.
- Mayor DeIorio said the contractor was with ERM who will be the Environmental Engineer who will put the plan together for the DEP to perform the necessary test at the little league field. He said the EPA asked Mr. Griffin to stay in case the Borough needed of any technical assistance or advice. Mayor said the Governing Body agreed not to take an increase for 2006 and has already been calculated in the Borough’s budget.

- Borough Attorney Bill Lane said there were no negotiations with the EPA or DEP but needed to know what criteria they were going to require. He said the Governing Body had to determine what services would be needed from ERM.
- Mr. Magiera agreed with Assemblyman Bramick regarding taxes and that local control be demanded when it comes to a new income tax revenue being collected and not having the decisions made by the leaders in Trenton.
- Asked at the last meeting if the DPW had any format to counteract with the general public for snow removal. He said Kenilworth had a format which was mentioned in today's leader and it has a lot of teeth in it.
- He was in court as an observer last Thursday and was amazed to see 4 or 5 Police Officers. Told they are required by State law to be there and said since the State required them the State should pay for them. He stated that was a lot of overtime the taxpayers in Roselle Park are paying.
- Wanted to go on record as saying the State Gas Tax should be raised by 3% over 5 years or 10 cents immediately to pay the 8 million dollar interest bill.
- Thanked Mayor for his help in passing Assembly Bill 8-88.
- Gave report on Union County Air Traffic & Noise Advisory Board.
- Mayor DeIorio requested that he submit a copy of his report to the Clerk's Office.
- Mr. Magiera asked when Mayor and Council was going to going to adopt a resolution opposing the Federal Aviation Administration Flight Plan.
- Borough Clerk Doreen Cali said the resolution was on the agenda for the March 16th Council Meeting.

Michael Peterson, 45 E. Colfax Avenue, addressed;

- Said Mayor DeIorio was at the Union County Air Traffic & Noise Advisory Board but did not know if he had opportunity to look at all the charts that were available. Each chart had it's own experts in front of it who were only able to answer questions about that specific chart. Not very pleased with the way it was run but stated it was important with how it impacts Roselle Park. FAA chart there was a yellow zone that included Roselle Park and that zone would suffer a 3 fold increase in decibel levels, would be devastating for the residents of Roselle Park residents should actively oppose it.
- Golden parachutes on all levels and could not simply be rescinded. Two articles in the Star Ledger. He said one was about the UMDNC eliminating the practice completely and the other was an article from Tom He said taxes are going up and people are losing their health care benefits and public employees should suffer the same brunt.
- He commended Mayor and Council for not taking a pay hike this year.
- Went to his first Shade Tree Advisory Board meeting and said it is important to recognize the problem with Asian long horn beetle and that 14,000 maple trees have been destroyed, huge problem
- Foley addressing the pension and how it was achieved for the retiring Police Chief in Edison, especially in Rahway and Linden.

- If you have maple trees you should be alert and on the lookout for perfectly circular holes and said they need to be closely inspected or Roselle Park could lose every maple tree in the Borough.

Robert Zeglarski, 521 Chester Avenue, addressed;

- Congratulated members of Council for all the time they are spending on the 2006 Municipal Budget process. He said at the end of the year the Borough has come up with a million in surplus that was generated during 2005. He said in the pass the Borough has ended up with 2.4 million in surplus with only an 11 million dollar budget. He said when that money is added to tax relief for many years it is not really tax relief. He said Council needed to find out what is causing the Borough to generate so much surplus. He hoped that Councilman Matarante could help solve the riddle of how the Borough generates so much of a surplus every year. Mr. Zeglarski said after hearing the Mayor speak the debt service is going to be \$30,000.00 dollars less on a million dollars. He said when you pay down the same debt you pay less in year 2 because there is less of a principle and you also pay less interest. He said that Council is still generating more debt because all of the bond ordinances are short-term notes.
- Rahway Valley Sewage Utility fees going up \$70,000.00 more in the new fiscal year. Roselle Park needs to find out more on what is causing the additional fees.

Mayor DeIorio responded to Mr. Zeglarski's question regarding the use of surplus each year. He said since 2002 Council has increased the amount of surplus that the Borough used for property tax reductions. He said the State of New Jersey only allows Municipal Governments to use surplus for one purpose which is to appropriate an anticipated amount to offset any increase in the amount of taxation that has to be collected from the residents. He said in 2002 Council anticipated using \$960,000.00 in 2003 they increased that amount to \$1,010,000.00; 2004 increased to \$1,040,000.00; 2005 to \$1,220,000.00. Mayor DeIorio said if you look in any municipal budget textbook it is strongly recommended that you attempt to regenerate the surplus you anticipate in any given year. He said in 2005 the Borough did not regenerate the 1.2 million and actually dipped into the existing fund balance to offset the municipal tax rate. He said the problem with doing that each and every year is that you have to appropriate more and more surplus to forgo any spike in the municipal tax rate. He said Council has been increasing the use of the surplus against the Borough's existing fund balance. Mayor DeIorio said every year Council continues to look at that number to see how much can be anticipated and last year he sent notices to all the departments to look at the revenue side. He said in some cases the fee structure was changed to bring them up to today's price standards and to make sure the cost of a permit pays for the cost associated with performing that function.

Al Costanzo, 25 E. Grant Avenue;

- Agreed with Councilman Zeglarski regarding technology there is a need for the Borough to have a point person.
- Submitted proposal for maintenance contract which provided unlimited phone service and 5 hour on-site service which could be adjusted to include more or less. Has clients that have cap off amounts who pay one fee no matter how many times service is needed. Borough may want to consider instead of a full-time employee would probably save money and get the same result.
- Mayor DeIorio requested that Mr. Costanzo give a copy of his proposal to the Borough Clerk.

There being no one else wishing to speak, Councilman Rubilla moved, at 9:15 p.m., to close the public comment portion of the meeting; seconded by Councilman Badillo and adopted.

REPORT OF STANDING COMMITTEES – (Con't)

Councilman Matarante:

- Thanked everyone for attending the budget meetings and for all of the hard work they put into them.
- He mentioned one statistic regarding surplus is that from 2001 through 2005 the rate of what they have used has gone up from 60% to 67%.

Councilman Rubilla:

- Stated Mayor DeIorio was elected “Man of the Year” at the Italian Service Organization Unico National. He congratulated the Mayor and wished him well.

Councilman Badillo:

- Budget meetings are advertised and opened to the public.
- Sent his condolences to the Marciano Family and the McCafferty Family on behalf of the Governing Body.
- Attended the little league meeting and gave an update on the EPA and DEP matter.
- At ended the Fire Department Dinner and wanted to invite those volunteers who were honored there to a future Council meeting to be recognized by the Governing Body.
- Requested that the Borough Clerk send a letter to the Superintendent of Schools to get information on the Girl’s Basketball Team who are Conference Champions and invite them and the wrestling team who took second in both the County’s and District 10 to a future meeting.

- Thanked the school staff and PTA's for putting together Read Across America. He said it is always a fun time reading to the kindergarten class and thanked them for inviting him.

Councilman Dinardo:

- Stated Council was putting a lot of time into the budget.
- Enjoyed reading during "Read Across America" and said the children seemed to really enjoy it.

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

- Ongoing Litigation – Spagnoli vs. Roselle Park
- Contract Proposal – Sunesys

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Harms moved, at 9:25 p.m., to interrupt the regular order of business for a closed session meeting; seconded by Councilman Badillo and adopted.

RESUME REGULAR ORDER OF BUSINESS

Councilman Rubilla moved to resume the regular order of business; seconded by Councilman Matarante and adopted.

Mayor DeIorio said during closed session Council discussed matters pertaining to:

- Ongoing Litigation – Spagnoli vs. Roselle Park
- Contract Proposal – Sunesys

There being no further business to come before the meeting Councilman Matarante moved to adjourn; seconded by Councilman Dinardo and adopted.

Attest:

Borough Clerk