

REGULAR MEETING – MARCH 16, 2006

Girl Scouts sitting for Mayor and Council

Regular Meeting of Mayor and Council March 16, 2006

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

NONE: Absent

Mayor DeIorio called the meeting to order at 7:37 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.

Mayor DeIorio welcomed the Girl Scouts who will be acting as Borough Officials this evening: Jillian Cullen/Mayor Joseph DeIorio, Danielle Antonucci/Councilman Larry Dinardo, Kelly Reed/Councilman Rick Matarante, Audrey Romano/Councilman Rob Rubilla, Sam Ardino/Councilman Loren Harms, Rachel Mucha/Councilman Robert Zeglarski, Deanna Picciano/Councilman Ricky Badillo, Lisa Siehl/Borough Clerk Doreen Cali, Sara Mass and Victoria DiLillo (Alternate)/Borough Attorney William Lane. He welcomed Girl Scouts Allison Urban, Emily Swirz, Stephanie Green, Nicole Figueiredo, Rebecca Green, Dominique Robinson and Priscilla Buscaino who participated and led in the Flag Ceremony.

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

Councilman Harms moved to suspend the reading of the following communications; seconded by Councilman Badillo and adopted.

- 1. Township of Union Planning Board notice of meeting to be held on Thursday, March 23, 2006 at 7:00 pm for the purpose of considering the adoption of a Master Plan Reexamination Report.**

Councilman Rubilla moved to approve the following minutes; seconded by Councilman Zeglarski and adopted.

Regular Meeting: December 15, 2005

Special Meeting: December 29, 2005

Reorganization Meeting: January 5, 2006

Councilman Rubilla moved to approve the following Treasurer's Report; seconded by Councilman Harms and adopted.

Treasurer's Report: January 31, 2006

Councilman Harms moved the following bills and payrolls be passed for payment; seconded by Councilman Matarante, all members present voting Aye on roll call, said motion was adopted.

The following routine bills listed on a consent agenda are to be paid by checks drawn on the Bank of America and made payable to those for whom warrants are drawn:

• Current Account	2,199,252.72
• Federal State & Grants	19,919.71
• General Capital	13,423.85
• Sewer Utility Account	222,029.46
• Recreation Trust Account	4,801.00
• Trust Others Account	8,690.52
• Animal Control Trust	3,888.62
• Hud Trust Account	1,912.04
• Public Assistance Trust II	3,043.20
• Tax Collectors Premium Account	5,500.00
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The Collector-Treasurer is hereby authorized to issue a check from the Tax Collectors Premium account in the amount of \$5,500 payable to American Tax Funding for redemption of Tax Sale Certificate #5-05.

The Collector-Treasurer is hereby authorized to issue a refund check in the amount of \$90.00 payable to McCarter & English, Attorneys for Block 314 Lot 1. This is a correction for additional money due per State Judgment that was done at February 16, 2006 meeting.

The Collector-Treasurer is hereby authorized to issue a check in the amount of \$4,548.00 payable to Nathan P. Wolf Attorney for State Court Judgment reducing assessments on Block 1114 Lot 2 (otherwise known as 300-314 E. Westfield Ave., Roselle Park, N.J.) and assessed in the name of Joseph Centanni.

Total amount of separate resolutions are included in account totals listed above.

PROCLAMATIONS/CERTIFICATES:

Certificates

- Girl Scouts
- Debbie Heiss (RB)
- Paul Cacicedo (RB)
- Fire Department Awards (RB)
- First Aid Call Response/Service Awards (RB)

Resolutions

- Mayors Wellness Campaign (Mayor)

Proclamations

- Girl Scout Week (Mayor)
- National Library Workers Day (RB)
- National Boys & Girls Club Week (Mayor)
- Autism Awareness Month (LD)

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Harms moved to interrupt the regular order of business for a 5 minute recess; seconded by Councilman Badillo and adopted.

RESUME THE REGULAR ORDER OF BUSINESS

Councilman Harms moved to resume the regular order of business; seconded by Councilman Badillo and adopted.

PUBLIC COMMENT:

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

Mark Tucci, 620 Chestnut Street, addressed;

- Pedestrian crossing beacons on Chestnut Street and Locust Street are not needed because of the amount of warnings already in place. He said the flashing lights may cause more of a problem because people will think the cars are suppose to stop for them. He said the money spent would out weight the benefits and urged Council to allow the Police to conduct study to see if they are necessary.

Jacob Magiera, 612 Sheridan Avenue, addressed;

- Lights under the bridges would not be the responsibility of Conrail. He said Conrail is responsible only for the tracks and NJ Transit is responsible for the bridges.
- Asked what time the Public Portion was scheduled for at Budget Meetings. Mayor DeIorio said it was held at the beginning of the meeting and answers were given at the end.
- Questioned the \$3,000.00 a year bill for bottled water and suggested using tap water.
- Fireworks should be held during National Night Out rather then the 4th of July to save \$10,000.00.
- Thanked the Governing Body for Resolution #49-06 opposing the Air Space Redesign Proposal from the FAA.
- Next FAA meeting will be held on March 21st at the Holiday Inn in Springfield, NJ.
- Complimented the Borough Clerk on the great job she is doing.

- Committee report for the Union County Air Traffic and Noise Advisory Board. Mr. Magiera said he takes his appointment seriously by representing the Borough and stated that the FAA wanted to change the flight plan which will have an impact on Roselle Park and reduce the value of homes by 10%.

Michael Peterson, 45 E. Colfax Avenue, addressed;

- Said the crosswalks at the bridges were not a big a problem in the summer but were during the winter due to darkness.
- Would like the Governing Body to propose a resolution opposing Golden Parachutes.
- Government is proposing cutting State Aid to Municipalities that do not share services.

Mayor DeIorio said he would come up with a comprehensive list for services that the Borough shares. He said examples would be sharing the Council Chambers and the audio and video equipment with the Board of Education, the SLAP Program which provides physical labor at a small cost, the County printing services, co-operative purchases and bulky waste services.

Robert Zeglarski, 521 Chester Avenue, addressed;

- Asked if the ordinance to establish a bank cap was related to the municipal budget. Mayor DeIorio explained that the State allows for a cap of 2% or the cost of living adjustment and municipalities are allowed to bank if they do not spend up to their cap amount.
- Resolution #48-06 for professional services for Linda Nieweske, Esq. for legal consulting and labor relation matters. He said the year is for 2005 and said Council was authorizing the amount of a contract for professional services for 2005 and asked if it was a misprint. Mayor DeIorio said this was for an amount exceeding the original contract.
- Resolution #59-06 regarding the temporary budget being amended. He asked if that was 9 million dollars more than was originally appropriated in the original temporary budget. Mayor DeIorio said the temporary budget cannot exceed what the Borough ends up adopting. He said the 9 million dollar amount is to allow the Borough to continue operations.
- He questioned the resolution on transfers. Mayor DeIorio said the transfers are for last year to cover any bills that may come in after the 1st of the year.
- He asked if the audit was done. Mayor DeIorio said the financial statement was but not the audit.

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

Councilman Rubilla moved to open the public hearing on Ordinance #2168; seconded by Councilman Badillo and adopted.

Jacob Magiera, 612 Sheridan Avenue, asked if the Ordinance was going to be posted on the internet and the Borough Clerk said it would be posted tomorrow.

Councilman Rubilla moved to close the public hearing on Ordinance #2168; seconded by Councilman Badillo and adopted.

Councilman Rubilla moved that Ordinance #2168 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Harms, all members present voting Aye, said ordinance was adopted.

Ord. No. 2168 An Ordinance amending Chapter 128 of the Code of the Borough of Roselle Park Regarding Land Use

Councilman Rubilla moved that Ordinance #2169 be adopted on first reading and advertised as prescribed by law for first reading and public hearing on April 20, 2006; seconded by Councilman Matarante, all members present voting Aye, said motion was adopted.

Ord. No. 2169 An Ordinance establishing sewer user charges for 2006

Councilman Harms said this has been 6 months in the making and will benefit the Construction Department. He thanked Borough Attorney Bill Lane, the Planning Board Attorney Mike Tripodi and Planning Board Chair Joel Reed.

Councilman Rubilla moved that Ordinance #2170 be adopted on first reading and advertised as prescribed by law for first reading and public hearing on April 20, 2006; seconded by Councilman Matarante. Roll called, Councilmembers Badillo, Harms, Matarante, Rubilla and Dinardo voting Aye; Councilman Zeglarski voting No. There being five affirmatives and one negative, said ordinance was adopted.

ORDINANCE NO. 2170

ORDINANCE TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.5% or the cost of living adjustment of 3.5% over the previous years final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations subject to the 2.5 % cap and the 3.5% cost of living adjustment when said difference is not appropriated as part of the final budget; and,

WHEREAS, the governing body of the Borough of Roselle Park, County of Union, hereby determines that this difference in the amount of \$74,512.00 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

The following routine resolutions, listed on a consent agenda, were offered by Councilman Rubilla and seconded by Councilman Badillo, all members present voting Aye, said resolutions were adopted.

RESOLUTION NO. 46-06

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the fees for services in connection with the Board of Education Elections are fixed as follows:

Borough Clerk – \$50.00 per hour

Deputy Borough Clerk – \$40.00 per hour

BE IT FURTHER RESOLVED that the Roselle Park Board of Elections will reimburse the Borough the full amount payable to the designated election officials.

RESOLUTION NO. 47-06

RESOLVED, that Robert McGillis, Jr., 227 Bender Avenue, Roselle Park, is hereby appointed as Special Marshall to conduct the 2006 Dog/Cat Canvass at a salary set by Borough Ordinance/Resolution for an amount not to exceed \$700.00, effective immediately.

RESOLUTION NO. 49-06

WHEREAS, on March 2, 2006 Assembly Joint Resolution 88 sponsored by Assemblyman Eric Munoz and Assemblyman John McKeon which opposes NY/NJ/Philadelphia Metropolitan Airspace Redesign proposals of Federal Aviation Administration, was overwhelmingly approved by the General Assembly and now heads for the Senate for consideration; and

WHEREAS, the basic air traffic structure of the New York/New Jersey/Philadelphia Metropolitan Area airspace was designed and implemented in the 1960's and last modified in 1987 with the Expanded East Coast Plan (EECP); and

WHEREAS, the EECP proved inadequate in addressing the changes in volume and type of aircraft used by the National Airspace System, and also caused major noise problems that resulted in a congressional mandate in the 1990 Aviation Safety and Capacity Act requiring the Federal Aviation Administration (FAA) to perform an Environmental Impact Study of the EECP and mitigate the noise; and

WHEREAS, in the 1995 final Environmental Impact Study, the FAA committed to mitigate noise in a "follow-up regional study"; and

WHEREAS, in 2001, the FAA determined that aircraft noise pollution was the strongest and most widespread concern raised by the public; however, the FAA failed to include the reduction of aircraft noise as a formal goal of its regional redesign project; and

WHEREAS, on December 20, 2005, the FAA issued a Draft Environmental Impact Statement containing several proposals to redesign the New York/New Jersey/Philadelphia Metropolitan Airspace; and

WHEREAS, the airspace design involves a 31,000 square mile, five-state area with a population of 29 million residents and 21 airports, with particular focus placed on air traffic operations at five major airports, including Newark Liberty International Airport and Teterboro Airport in New Jersey; and

WHEREAS, two of the FAA proposals would affect almost 190,000 people and the third more than 330,000 people with a substantial noise increase, while benefiting relatively few; and

WHEREAS, the proposed plans would raise environmental concerns for the State and would cost an estimated \$2.5 billion; and

WHEREAS, the FAA admits that none of the proposed plans would result in major improvements in delays or throughput; and

WHEREAS, the New Jersey Coalition Against Air Noise and the Union County Air Traffic Advisory Board oppose these proposals, arguing that the interests of the citizens of New Jersey have not been considered and that the proposals no longer promote aircraft noise reduction; and

WHEREAS, it is in the best interest of the State to oppose the FAA's proposal to redesign the New York/New Jersey/Philadelphia metropolitan Airspace; now, therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that:

1. This resolution opposes the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals set forth in the Draft Environmental Impact Statement issued on December 20, 2005 by the Federal Aviation Administration.
2. Duly authenticated copies of this resolution shall be transmitted to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of Congress elected from this state, 21 municipalities of Union County, Union County Legislature and the Administrator of the Federal Aviation Administration.

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Roselle Park support AJR88 and urge members of the State Senate and Governor Corzine to approve a similar measure.

RESOLUTION NO. 50-06

WHEREAS, the Borough of Roselle Park will hold its Memorial Day Parade on Monday, May 29, 2006, beginning at 10:00 a.m.; and

WHEREAS, the parade will commence at the Sherman School, proceed down Grant Avenue to Chestnut Street, and continue along Chestnut Street, ending at the Veterans Memorial Library; now therefore

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby requests approval from the Union County Board of Chosen Freeholders to close Chestnut Street, from Grant Avenue to Webster Avenue, on May 29, 2006, in order to hold its Memorial Day Parade.

RESOLUTION NO. 51-06

BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle Park that Karl Kielbasa, 260 East Westfield Avenue, Roselle Park, be and is hereby upgraded to the position of Operator in the Department of Public Works, at a salary set by Borough Ordinance/Resolution, effective January 1, 2006.

RESOLUTION NO. 52-06

BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle Park that Robert Marasco, 21 Francis Drive, Clark, be and is hereby upgraded to the position of Operator in the Department of Public Works, at a salary set by Borough Ordinance/Resolution, effective January 1, 2006.

RESOLUTION NO. 53-06

BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle Park that Rachel LaSpina, 10 Epping Drive, Kenilworth, be and is hereby appointed as Welfare Director for the Borough of Roselle Park, at a salary set by Borough Ordinance/Resolution, for a five year term expiring on March 27, 2011.

RESOLUTION NO. 55-06

RESOLVED, that Willie Williams, 1312 Coventry Court, Iselin, be and is hereby appointed to the position of part-time Evening Director for the Casano Community Center, effective immediately, at a salary of \$8.89 per hour.

RESOLUTION NO. 56-06

RESOLVED, that Geva Yechezkel, 1221 Magie Avenue, Apartment 18D, Union, be and is hereby appointed to the position of part-time Bus Driver in the Borough of Roselle Park, effective immediately, at a salary of \$14.24 per hour.

RESOLUTION NO. 57-06

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to enter into Cooperative Pricing Agreements; and

WHEREAS, the County of Union, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and

WHEREAS, the Borough of Roselle Park, County of Union, State of New Jersey desires to participate in the Cooperative Pricing System;

NOW, THEREFORE, BE IT RESOLVED on March 16, 2006 by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, as follows:

This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Roselle Park.

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor of the Borough of Roselle Park is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

The Lead Agency entering into contracts on behalf of the Borough of Roselle Park shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

This resolution shall take effect immediately upon passage.

RESOLUTION NO. 58-06

BE IT RESOLVED, that Resolution No. 34-06, appointing Jeanne K. Decker as Roselle Park Budget Officer, be and is hereby increased in the amount of \$3,000.00 for a total not to exceed \$8,000.00.

RESOLUTION NO. 59-06

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2006 temporary budget are insufficient to meet the financial obligations as set forth below and the payroll for municipal officers and employees, and

WHEREAS, the permanent budget for the year 2006 has not yet been adopted, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2006 pursuant to the provisions of N.J.S.A.40A:4-20 including this resolution total \$12,016,755.41 and utility budget \$1,294,904.00

NOW, THEREFORE, BE IT RESOLVED by (not less than two-thirds (2/3) of all the members thereof affirmatively concurring) that in accordance with the aforementioned statute the 2006 temporary budget be and the same is hereby amended to provide for an emergency temporary appropriation in the amount of \$9,146,841.76 and utility budget \$979,681.50, said appropriations as follows:

	<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Mayor and Council	\$	61,854.25	\$ 2,900.00
Municipal Clerk	\$	165,785.99	\$ 113,400.00
Financial Administration	\$	75,665.25	\$ 33,600.00
Audit Services	\$	-	\$ 38,375.00
Assessment of Taxes	\$	8,401.25	\$ 4,074.00
Revenue Administration	\$	40,527.25	\$ 7,687.50
Liquidation of Tax Title Liens	\$	-	\$ 75.00
Legal Services & Costs	\$	24,167.25	\$ 31,750.00
Human Resources	\$	-	\$ 33,500.00
Tax Appeals	\$	-	\$ 1,500.00
Municipal Prosecutor's Office	\$	10,044.00	\$ 67.50
Engineering Services & Costs	\$	20,638.50	\$ -
Buildings & Grounds	\$	-	\$ 60,300.00
Planning Board	\$	3,285.00	\$ 5,132.50
Board of Adjustment	\$	3,285.00	\$ 375.00
Employee Group Insurance	\$	-	\$ 918,850.00
Liability Insurance	\$	-	\$ 174,750.00
Workers Compensation Insurance	\$	-	\$ 126,782.00
Other Public Works Functions	\$	-	\$ 1,131.25
Fire	\$	25,305.00	\$ 66,850.00
Supplemental Fire Services	\$	-	\$ 607.58
Fire Protection	\$	8,442.75	\$ 600.00
Police	\$	1,878,692.34	\$ 123,361.25
Traffic Control (Schools)	\$	133,627.86	\$ 7,606.25
Aid to Volunteer Ambulance Company	\$	-	\$ 9,637.50
Office of Emergency Management	\$	12,189.75	\$ 4,550.00
Maintenance of Vehicles	\$	-	\$ 47,000.00
Streets & Roads Maintenance	\$	449,266.10	\$ 84,398.75
Solid Waste Disposal Costs	\$	-	\$ 342,500.00
Solid Waste Collection	\$	-	\$ 285,000.00
Recycling	\$	2,595.00	\$ 146,250.00

<u>APPROPRIATIONS</u>		<u>SALARIES & WAGES</u>		<u>OTHER EXPENSES</u>
Board of Health	\$	2,515.50	\$	87,717.50
Animal Control	\$	-	\$	4,875.00
Administration of Public Assistance	\$	8,586.25	\$	515.00
Community Alliance Program	\$	-	\$	41,309.00
Recreation Services	\$	1,506.75	\$	20,520.00
Maintenance of Parks	\$	-	\$	2,250.00
Celebration of Public Events	\$	-	\$	17,954.00
Youth Center	\$	-	\$	112,500.00
Community Center	\$	12,500.00	\$	2,637.50
Historical Sites Office	\$	-	\$	7,500.00
Senior Citizen Activities	\$	-	\$	0.75
Environmental Services	\$	-	\$	75.00
State Uniform Construction Code	\$	115,008.00	\$	6,712.50
Shuttle Bus	\$	-	\$	18,750.00
Union County S.L.A.P. Program	\$	-	\$	29,828.40
Municipal Services Act	\$	-	\$	58,750.00
Farmers Market	\$	2,322.00	\$	1,125.00
Prior Years Bills	\$	-	\$	8,508.70
Utilities:				
Street Lighting	\$	-	\$	123,000.00
Fire Hydrant Service	\$	-	\$	78,237.00
Cable TV 34	\$	-	\$	3,380.00
Telephone	\$	-	\$	42,750.00
Electricity	\$	-	\$	62,000.00
Water	\$	-	\$	10,000.00
Natural Gas	\$	-	\$	60,000.00
Gasoline	\$	-	\$	62,500.00
Contingent	\$	-	\$	1,500.00
Contribution to:				
PERS	\$	-	\$	38,639.75
Social Security (OASI)	\$	-	\$	167,533.00
Consolidated PFRS	\$	-	\$	9,229.45
PFRS	\$	-	\$	205,061.00
State Unemployment Insurance	\$	-	\$	30,750.00
Municipal Court	\$	117,160.85	\$	10,728.75
Public Defender	\$	5,105.00	\$	-
Maintenance of Free Public Library	\$	-	\$	271,890.55
Police Dispatch/"911"	\$	36,363.25	\$	36,450.00
PEOSHA Act/Board of Health	\$	-	\$	-
L.O.S.A.P. Program	\$	-	\$	38,400.00
Snow Emergency	\$	(3,250.00)	\$	(1,750.00)
Matching Funds For Grants	\$	-	\$	1,500.00
Community Alliance Grant	\$	-	\$	25,306.00
Community Alliance Grant Match	\$	-	\$	6,326.00

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Safe and Secure Grant	\$ -	\$ 60,000.00
Safe and Secure Grant Match	\$ -	\$ 141,856.00
Drunk Driving Enforcement Fund Grant	\$ -	\$ 1,893.60
Body Armor Grant	\$ -	\$ 3,066.35
Recycling Tonnage Grant	\$ -	\$ 2,605.74
Capital Improvement Fund	\$ -	\$ 11,250.00
Sidewalk Replacement	\$ -	\$ 3,000.00
Bond Principal	\$ -	\$ 539,500.00
Interest on Bonds	\$ -	\$ 249,009.00
Reserve for Uncollected Taxes	\$ -	\$ 535,500.00
Total Current Fund	\$ 3,221,590.14	\$ 5,925,251.62

Sewer Utility Budget

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Joint Meeting Sewer	\$ -	\$ 317,097.00
Rahway Valley Sewerage Authority	\$ -	\$ 305,047.00
Operations	\$ 227,200.00	\$ 71,587.50
PERS	\$ -	\$ 2,840.00
Social Security	\$ -	\$ 17,375.00
Unemployment Compensation Insurance	\$ -	\$ 2,250.00
Capital Outlay	\$ -	\$ 3,750.00
Maintenance of Vehicles	\$ -	\$ 3,750.00
Bond Principal	\$ -	\$ 18,750.00
Interest on Bonds	\$ -	\$ 10,035.00
Total Sewer Utility	\$ 227,200.00	\$ 752,481.50

RESOLUTION NO. #60-06

WHEREAS, it shall become necessary to expend for some of the purposes specified in the budget, an excess of the respective sums appropriated, and

WHEREAS, there is an excess in one or more appropriation reserve over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

WHEREAS, N.J.S.A. 40A:4-59 provides for the transfer of such amounts deemed in excess, to appropriations the amount of which are deemed to be insufficient to fulfill the purpose of such appropriations, and

WHEREAS, the transfers about to be authorized do not affect any appropriation reserves to which or from which transfers are prohibited under the statutes, and

NOW, THEREFORE BE IT RESOLVED, that the following transfers between appropriation reserves to be authorized pursuant to N.J.S.A. 40A:4-59:

TRANSFERS TO:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
01-0140-00-01052-204	Assessment of Taxes - Other Expenses	\$ 300.00
01-0140-00-01112-210	Legal Services and Costs - Other Expenses	\$ 7,000.00
01-0140-00-01122-210	Human Resources - Other Expenses	\$ 5,000.00
01-0140-00-01192-223	Public Buildings and Ground - Other Expenses	\$ 1,000.00
01-0140-00-01332-204	Fire - Other Expenses	\$ 1,000.00
01-0140-00-01332-209	Fire - Other Expenses	\$ 100.00
01-0140-00-01332-232	Fire - Other Expenses	\$ 200.00
01-0140-00-01371-101	Police - Salaries and Wages	\$ 12,500.00
01-0140-00-01372-204	Police - Other Expenses	\$ 200.00
01-0140-00-01372-214	Police - Other Expenses	\$ 3,500.00
01-0140-00-01392-239	Traffic Controls Schools - Other Expenses	\$ 1,000.00
01-0140-00-01432-215	Emergency Management - Other Expenses	\$ 1,000.00
01-0140-00-01472-210	Garbage and Trash Removal Disposal - OE	\$ 1,500.00
01-0140-00-01492-210	Recycling - Other Expenses	\$ 1,500.00
01-0140-00-01672-204	Code Enforcement - Other Expenses	\$ 1,000.00
01-0140-00-01752-210	Municipal Services Act - Other Expenses	\$ 12,000.00
01-0140-00-01842-235	Electricity - Other Expenses	\$ 100.00
Total		<u><u>\$ 48,900.00</u></u>

TRANSFERS FROM:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
01-0140-00-01012-202	Municipal Clerk - Other Expenses	\$ 2,000.00
01-0140-00-01032-353	Financial Administration - Other Expenses	\$ 4,000.00
01-0140-00-01192-210	Public Buildings and Grounds - Other Expenses	\$ 2,000.00
01-0140-00-01192-214	Public Buildings and Grounds - Other Expenses	\$ 7,900.00
01-0140-00-01482-210	Garbage and Trash Removal Collection - OE	\$ 9,000.00
01-0140-00-01802-210	Street Lighting - Other Expenses	\$ 9,000.00
01-0140-00-01832-210	Telephone - Other Expenses	\$ 3,000.00
01-0140-00-01842-210	Electricity - Other Expenses	\$ 8,000.00
01-0140-00-01872-210	Gasoline - Other Expenses	\$ 4,000.00
Total		<u><u>\$ 48,900.00</u></u>

BE IT FURTHER RESOLVED, that a copy of this resolution be filed forthwith with the Chief Financial Officer.

RESOLUTION NO. 62-06

WHEREAS, the Borough of Roselle Park is desirous of additional work in the contract with Vienna Electric to provide and install a natural gas powered AC 120/230 volt electric generator at the DPW Yard, and

WHEREAS, said change order has been approved by the Borough Engineer, and

WHEREAS, Resolution No. 103-05 authorized \$44,480.00 and the Finance Officer certified funds available in Ordinance Number 2157 (04-2150-55-07270-800) in the amount of \$12,000.00 and Ordinance Numbers 1999/2017/2030 (04-2150-55-07050-800) in the amount of \$32,480.00 for a grand total of \$44,800.00, now therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Change Order #1 in the amount of \$2,740.00 and Change Order #2 in the amount of \$2,112.00 for a total of \$4,852.00, available in Ordinance No. 2157 (04-2150-55-07270-800), resulting in a total contract amount of \$49,332.00, is hereby approved and the Mayor and Clerk are authorized to enter into a formal Change Order with Vienna Electric on behalf of the Borough.

The following resolution was offered by Councilman Harms and seconded by Councilman Rubilla. Councilmembers Badillo, Harms, Matarante, Rubilla and Dinardo voting Aye; Councilman Zeglarski voted No. There being five affirmatives and one negative, said resolution were adopted.

Councilman Zeglarski voted no to bring attention to the budgeting process. He said Council was voting on the appropriation of funds for consideration of a line item that was appropriated 2005.

RESOLUTION NO. 48-06

BE IT RESOLVED, that Resolution No. 24-05, authorizing the award of a contract for Professional Services to Linda Niedweske, Esquire, of the firm Niedweske Barber, P.C., is hereby amended to increase the maximum amount specified for legal consulting and labor relations matters to an amount not to exceed \$36,403.28 for the year 2005.

The following resolution was offered by Councilman Matarante and seconded by Councilman Badillo, all members present voting Aye, said resolution were adopted.

Councilman Matarante said the Kinsley's were in the audience and he wanted to thank them for their patience.

RESOLUTION NO. 54-06

WHEREAS, N.J.S.A. 40A:12-13.2, **Sale of real property: right of first refusal of contiguous owners**, states. Notwithstanding any provision of law to the contrary, whenever any municipality intends to sell real property which is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvements thereon, it shall accord the owner or owners of any real property contiguous to such real property the right to prior refusal to purchase such land;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk and Borough Attorney be and hereby authorized to negotiate offer to purchase, or the right of refusal of Block 709, Lot 11 in the Borough of Roselle Park to Brian & Kimberly Kinsley, Block 709, Lot 12.

The following resolution was offered by Councilman Matarante and seconded by Councilman Harms. Councilmembers Badillo, Harms, Matarante and Rubilla voting Aye; Councilmembers

Zeglarski and Dinardo voting No. There being four affirmatives and two negatives, said resolution was adopted.

Mayor DeIorio spoke of the time and hard work Council put into preparation of the 2006 budget. He thanked them for their time and participation.

Councilman Zeglarski said he would be voting against the budget. He said sale of assets money was being used at a lower level but still being used. They were increasing the reserve for uncollected taxes and rolling over the surplus from last year into the current budget. He said his biggest reason for voting no was the technology issue. He said as Chair of that committee he made a recommendation to hire a full-time technology person which was not taken up in the budget and Could cost the Borough in terms of consultant fees.

Councilman Matarante said there is the possibly that sale of assets will be increasing by \$500,000.00 and once that was on the table Council was advised that using the sale of assets would not be a burden. He said Council did not agree that a full-time technology person was feasible at this time.

RESOLUTION NO. 61-06

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for year 2006:

BE IT FURTHER RESOLVED, that said Budget be published in the Union Park Leader in the issue of March 23, 2006.

The Governing Body of the Borough of Roselle Park does hereby approve the following as the Budget for the year 2006:

Notice is hereby given that the Tax Resolution was approved by the Mayor and Council of the Borough of Roselle Park, County of Union on March 16th, 2006.

A Hearing on the Budget and Tax Resolution will be held at Borough Hall, on April 20, 2006 at 7:30 o'clock (p.m.) at which time and place objections to said Budget and Tax Resolution for the year 2006 may be presented by taxpayers or other interested persons.

General Appropriations for:	
Appropriations within "CAPS"	
Municipal Purposes	\$ 7,748,089.17
Appropriations excluded from "CAPS"	
Municipal Purposes	3,734,231.24
Total General Appropriations	
Excluded from "CAPS"	3,724,231.24
Reserve for Uncollected Taxes-Based on Estimated	
97.53% of Tax Collections	698,000.00

Total General Appropriations	12,180,320.41
Less Anticipated Revenues Other Than Current Property Tax (i.e., Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)	3,581,780.19
Difference: Amount to be Raised by Taxes for Support of Municipal Budget	
Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	8,598,540.22

The following resolution was offered by Councilman Badillo and seconded by Councilman Matarante, all members present voting Aye, said resolution were adopted.

Councilman Zeglarski asked if it was the contract in connection with the re-mediation of the ball fields and Mayor DeIorio said it was. He said this was only one part of the phase but was concerned that when they are through it would exceed the amount to go out for a bid. Borough Attorney Bill Lane said the Environmental Resource Management has been supplied with the requisite forms. He said it is professional services and does not require a particular bid.

RESOLUTION NO. #63-06

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park That a professional service contract be and is hereby awarded to Environmental Resources Management for services pursuant to the attached agreement for the project Wolf Field in the amount not to exceed \$5,000.

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

Councilman Rubilla moved that the Borough Clerk be authorized to advertise for a part-time evening/day receptionist for the Casano Community Center; seconded by Councilman Dinardo, all members present voting Aye, said motion was adopted.

Councilman Rubilla moved to authorize the mayor to sign off on the 2006 S.L.A.P. Agreement; seconded by Councilman Matarante, all members present voting Aye, said motion was adopted.

Borough Attorney Bill Lane said he was authorized by the Mayor that he will be forming a not for profit corporation in furtherance of the Borough's SID Ordinance. He said he had 3 items to discuss in closed session.

Councilman Matarante asked Council to approve a letter to the Union Mayor and Council regarding discussions with them about approving the potential of speed bumps on Prospect and Maple Street which partly reside in Union. Council agreed and Mayor DeIorio authorized him to proceed.

Councilman Badillo announced the Boy Scout Food Drive on April 1st and Team Roselle Park who was having a fund raiser at Cheeseburger/Cheeseburger in Westfield on March 28th.

Councilman Harms asked Council to review the alcohol re-licensing fees. He said if there are no questions by next Friday the Borough Clerk will have them put into ordinance form for introduction in April. He announced the Easter Egg Hunt scheduled for April 1st at Acker Park.

Mayor DeIorio read the Closed Session resolution said Council would be discussing the following matters:

- Negotiations of a Contract with Sunesys
- Litigation regarding Spagnoli vs. The Borough of Roselle Park
- Litigation regarding Blackstone vs. The Borough of Roselle Park

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Matarante moved, at 10:30 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 Badillo 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:

- Negotiations of a Contract with Sunesys
- Litigation regarding Spagnoli vs. The Borough of Roselle Park
- Litigation regarding Blackston vs. The Borough of Roselle Park

There being no further business to come before the meeting, Councilman Badillo moved, at 10:45 p.m., to adjourn; seconded by Councilman Matarante and adopted.

Attest:

Borough Clerk