

Regular Meeting of Mayor and Council August 3, 2006

PRESENT: Mayor DeIorio; Councilmembers Badillo (in at 7:35 p.m.), Harms, Matarante, Zeglarski and Rubilla; Borough Attorney Bill Lane

ABSENT: Councilman Dinardo

Mayor DeIorio called the meeting to order at 7:30 p.m. and said it is being held in accordance with the Open Public Meeting 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.

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

COMMUNICIATIONS & PETITIONS

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

- Request from Giesel Laracuenta to use the gazebo in Michael Mauri Park to take wedding pictures on Saturday, August 12, 2006 from 5:00 p.m. to 6:00 p.m.

REPORT & RECOMMENDATIONS OF MAYOR

- TV34 will be dedicating Friday as a day to airing Historical Videos.
- In regards to the water retention at Webster Gardens a plumber was called in to blow out the line and hopefully the blockage has been cleared or a larger line will have to be installed.
- Spoke with several tenants who are frustrated with trying to get matters resolved in a timely fashion. He said in the past there was a Landlord Tenant Committee that worked well and suggested revisiting that committee or perhaps the Borough could institute a biannual or quarterly meeting with different complexes.
- As a follow up to the previous meeting the Mayor and Councilman Matarante met with Mr. Crossett. He said one of the problems discussed was speeding on Galloping Hill Road and boarder patrolling the area by sharing personnel with the Township of Union and the County of Union. He said he would forward that information to Chief Wielgus who is currently working on boarder patrol with Roselle.
- Reported that the Borough of Roselle Park will be receiving \$100,000.00 in Extraordinary Aid.

- On July 28th Governor Corzine made a historical moment when he called the State Legislature back into session during the summer to focus on Property Tax Reform. Mayor DeIorio said he was very enthusiastic about many of the Governor's proposals such as the Homestead Rebate and the waste of State dollars by sending out a check with the Governor's name on it. The Governor said by next year he will have a system in place where the rebate will go directly against the property tax bill. He stated that those meetings will continue throughout the summer but unfortunately some of the proposals will not take place until next year. He said he was also concerned with pension cost going up approximately 82% more than this year.
- He said on August 22nd there will be a town wide meeting held in Borough Hall to hear the particulars and ask questions about the special session of the State Legislature.
- Stated that when residents factor their sewer tax bill it is very important to consider the water consumption on their property. He said to find that information you can call the Tax Office and they will be glad to help as well as give guidance on how to reduce their water consumption.
- Estimated property tax bills went out and residents are multiplying them by four. He explained that the first two property tax bills are your third and fourth quarter which will be higher but the first and second quarter of 2007 will be lower. He said if you need to know specifically what your property tax bill will be you can call the Tax Office and give your lot and block number.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Rubilla:

- Reported that a Special Meeting of Mayor and Council was held on Tuesday regarding Organization SES and grants to save the Borough money. Mayor DeIorio stated he was very impressed by the list of grants this company would be able to get which the Borough has not been able to secure for one reason or another.

Councilman Matarante:

- Read a letter thanking and praising Sgt. Pete Picarelli for his quick response to a seizure victim who was diagnosed as a diabetic and preventing him from going into a coma.
- Reported that the Finance and Administration Committee met and interviewed candidates for the position of Code Enforcement. He said the two candidates that were interviewed are extremely qualified and capable but unfortunately there is only one position and the committee has recommended Robert McGillis. Mayor DeIorio said a resolution appointing him to the position will be prepared for the next meeting.

- Asked if Ed Dec had an opportunity to talk to the County regarding E. Lincoln Avenue. Mr. Dec said he had spoken to Councilman Harms and they plan to send a letter from his office and that he would draft a letter from Council. He explained that there is a problem on the south side where the covert passes because the sidewalk area is lower than the street and causes a ponding problem.

Councilman Zeglarski:

- Said it has come to his attention that Larry's Sub has been in businesses in Roselle Park for 60 years and that he wanted to do something at the next meeting to show the Borough's appreciation.
- Stated that he looked into advertising on the website and it appears that Qsend does not have a formal system in place. They recommended that he look into Hackensack and Washington Township to see how they are generate money for their sites.
- He said the town has had grant writing interviews which he felt would be a great asset to the Borough. He said there is a County Recreation Grant which he felt the Borough could do without spending unnecessary money. He said the issue of a well needed extension to the refreshment stand for Pop Warner was brought to his attention. He said the grant is due September 15th and he would work on it closely with the Borough Clerk.
- Has spoken with Great Northern regarding recycling issues at the apartment complexes. They are going to hold meetings with the various complexes to work them out.
- Mr. Crossett gave very compelling insight into the concerns of residents in Roselle Park. He appreciated his comment about the calls made on election night and said he would present a resolution at the next meeting to create a political no-call list in the Borough and will forward it to Council for review.

REPORT OF DEPARTMENTS

Borough Engineer – Ed Dec:

- Reported that the Markthaler, Hemlock and Walnut Street projects have been completed and work on Franklin Place will begin in August.

Borough Attorney - Bill Lane:

- Reported that the subdivision applications for Jerome and Lehigh should be submitted and hopefully will be on for September's meeting. He said that would make those two lots into four and available for public sale.
- Heard from Mr. Kingsley who indicated he would be interested in acquiring the title under the terms and conditions that the Borough had outlined. He said hopefully the subdivision of that lot can be listed at the same time.
- He said two decisions were made in Superior Court. One the East Coast Sanitation vs. Roselle Park which was a challenge on a bid. They rejected the

appeal and dismissed the compliant. He said East Coast Sanitation was going to appeal the decision. He said the other matter Spagnolli vs. The Borough of Roselle Park which was a collection compliant filed by Mr. Spagnolli for the appeal of a conviction of a Police Officer. He stated the original claim was \$150,500.00 which was reduced to \$47,875.00 and he has ordered the transcript of that decision. He said he would discuss the later further in closed session.

Borough Clerk – Doreen Cali:

- At the next meeting she will be requesting the award of a contract to Netta Architects for the plan specifications and contract management for repair of the library roof.
- Councilman Badillo has requested a closed session discussion to review the vacation of Woodside Road. She stated that Council will also need to review a salary request for an alternate prosecutor in closed session.

Police Department – Sgt. Peter Picarelli reported for Chief Warren Wielgus:

- The Fourth of July Extravaganza was successful and everyone had a great time. He thanked all the volunteers who helped and said it was refreshing to see the town residents enjoying the games and rides. He especially thanked Doreen Cali who worked hard on getting everything coordinated.
- New Police Officer John Deegan III started the John H. Stamler Police Academy this month and attended one week of agency training in the department. He said John has a great attitude and he looked forward to seeing him in December after academy graduation.
- National Night Out was held on Tuesday and they had a nice crowd but not as large as usual due to the heat. He thanked the First Aid Squad, Fire Departments, DPW, Karen Intile, Hazmat and Mayor and Council. He especially expressed gratitude to Dee Antonuncci who also supplied a lot of things for the kids and purchased competition notebooks, folders and candy.

DPW – Frank Wirzbicki:

- Street sweeper is out early Friday mornings, five days a week.
- Borough trashcans emptied twice a week and cardboard for business is picked up every other Tuesday.
- White goods are picked up daily by appointment only.
- Catch basin markings are still being installed.
- Sewer camera is still out of service.
- SLAP worked with the Department the whole month of July and cleaned the following areas: Center Island, Westfield Ave., cleaned and cut Acker Park, weeds were removed at Aldene Park, the gazebo and the library. Weeds were cut next to Webster Gardens, and SLAP also cleaned the high school field after July 4th.

- One crew worked with the school setting up for July 4th, dismantled plywood from fence and broke down the bandstand.
- Tree was removed during the week of storms at 225 Filbert Street, 304 Bender Avenue, broken limbs at Henry Street, 535 Ashwood Avenue, 412 Birch Street and all dead trees from Gazebo were removed and stumps were grind.
- Mulch was spread at Borough Hall around the trees and flowers plus stone was spread.
- Bridges are being washed at least twice a week.
- Roots were cut at 218 E. Webster Avenue on Hemlock Street, mulch was spread around the trees on Chestnut Street and Westfield Avenue.
- Lot on Valley Road was cut and cleaned.
- Total bulk for the past 4 months: March 188.6, May 157.65, June 110.46, July 124.87. Total tonnage of bulk collected is 581.6.
- In 2002 nets were placed on two of the bridges and they have come down. He called bird control and received a price of \$8,636.00.
- Notified PSE&G about 200 W. Webster Avenue where trees are growing through the power lines.
- Spoke with the Township of Rahway regarding shared tree services.
- Signs for the speed humps were ordered.
- Gate at Acker Park would not close and a company was called in to repair it so the police could lock it at night.

Administrative Assistant – Karen Intile:

- Triad Security Systems has installed the alarm for our fire suppression system. Cerullo Fire Protection, Inc. will be back to check the switchers for the dry system.
- Fatima Construction Company, Inc. has received a purchase order to replace our ceiling and floors.
- The back air-conditioning unit has been replaced and both units are now working perfectly.
- Received a brand new water cooler that dispenses both hot and cold water.
- The next “Cruisin’ Night” Car Show and Swap Meet is Saturday, September 30th from 4:00 p.m. to 7:00 p.m.
- Assisted Sgt. Peter Picarelli in getting a DJ that would donate his time for National Night Out.
- The Motor Vehicle Commission (MVC) Mobil Unit will be visiting the Casano Community Center on Friday, September 8, 2006 from 10:00 a.m. to 2:00 p.m. They will issue driver license renewals or upgrade the customer’s paper/photo driver license to a digital. Non-driver identification card will also be available and applicants must meet the 6 points of identification and address verification requirements.
- John Verona from Christmas Spectacular will be sending a proposal for decorating the town during the holidays.

- As of July 31, 2006 the “Seniors in Motion” van which was given to us by the County to use to transport our senior citizens, has become the property of the Borough of Roselle Park. She stated that they turned over the title to the van and the Borough must get it registered.

PUBLIC COMMENT

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

Vince Sweeney, 162 W. Sumner Avenue, addressed:

- Reported that the County was cutting up the road in front of the Schering Building and Galloping Hill Road. He said there are detour signs directing traffic onto Sumner Avenue which is a light traffic street and said it is turning into Route 1 and 9. He questioned why they did not direct traffic onto a County Road. Mayor DeIorio said he would check with the Police Department and Joe Starkey the Government Liaison for Schering Plough. Councilman Zeglarski said he would call the County tomorrow and try to figure out a resolution.
- TV34 advertises that the Council Meetings are aired on Monday at 10:00 a.m. and 6:00 p.m. and on Thursday at 12 Noon and 9:00 p.m. He said it did not air on Monday or Thursday evening. Councilman Zeglarski said it had been happening quite frequently and needed to be discussed by the Municipal Services Committee. Councilman Rubilla suggested he call the individual responsible and deal directly with them. Mayor DeIorio agreed with Councilman Rubilla.
- Mr. Sweeney said he looked forward to viewing Historic Times on TV34 and asked what time they would play. Mayor DeIorio said the Historical Society had so many tapes with different times that they have to work out the particulars.

Jacob Magiera, 612 Sheridan Avenue, addressed:

- The property re-evaluation that the State of NJ is suggesting would be fair to all homeowners and businesses.
- Favored the 30/30/30 cut in pensions, health benefits and pay for elected officials.
- Asked what tier number would qualify Roselle Park to be considered an Urban Enterprise Zone so the Borough could receive the 3½ sales tax and be eligible for grant money.
- Asked how much money has been collected from parking meters and overtime parking violations.
- Last Friday he met Councilman Matarante, Ed Dec and Donald Guarriello and showed them a clogged catch basin on the corner of Spruce and E. Lincoln Avenue.
- Addressed the Mayor from when they were on Council in 1990 and kept reports of catch basins to make sure they were cleaned.
- He showed Councilman Matarante the low tree branches on E. Lincoln and E. Colfax Avenue where the kids have pulled them down and covered the street

signs. He said there are many other signs covered by branches and it was up to Mayor and Council to remedy the problem.

- Spoke with two senior citizens this morning that complained to him and asked him to mention to Mayor and Council that they are leaving Roselle Park because of high taxes.
- Stated that Trenton extended the rebate filing date for the homestead and senior freeze until October 1st and asked the Mayor to explain something on that. Mayor DeIorio said senior citizens that have applied but did not receive their rebate or have not applied still have an opportunity to participate in the program. Seniors that are not sure if they have filed can contact the Legislative Offices and they will provide them with that information. Mr. Magiera suggested advertising in the newspaper because many of the senior citizens seem to overlook it.
- Asked for an update on the Energy Savings Program. Mayor DeIorio said an agreement has been signed with an energy conservation company and they are performing their initial audit for the Borough's review.
- Stated there are many children not wearing safety helmets. He said on Monday at the Little League Field there was a young child riding a motorized scooter which are illegal in the State of New Jersey and should be confiscated by the Police Department.
- He said on August 10th the Mayor and Freeholder Mirabella will be meeting to discuss the speeding on E. Lincoln Avenue which he said will now be Speedway E. Lincoln due to the nice job they did there.
- Asked how the water estimate for watering lawns during the summer is commuted on the sewer tax bills. Mayor DeIorio said the amount of water consumption is giving to the Borough by the water company. He said it is not segregated by whether it is used for a pool or a lawn.
- Stated that the library roof was only about 10 years old and wanted to know which part was being repaired. Mayor DeIorio said the old portion of the roof is leaking water into the children's area. He said the front doors at the library does not close properly.
- Agreed with Mr. Crossett about no more golden parachutes and no more fancy retirement benefits.

Councilman Matarante responded to Mr. Magiera and said all the issues they talked about on Friday have been reported to the DPW. He spoke with Chief Wielgus who assured him that the Traffic Safety Officer would do a survey around town to see what signs are being blocked by trees and bushes.

Michael Peterson, 45 E. Colfax Avenue, addressed:

- Congratulated Council for passing Councilman Zeglarski's resolution to remove the limits on speech during the public portion of the meetings and said that more residents should attend Council Meetings and become active participants.

Keith Heyman, 300 E. Westfield Avenue, addressed:

- Historical Society tapes will be viewed on Friday's at 10:00 a.m., 2:00 p.m. and 10:00 p.m. He said a special summer showing will be at 8:30 p.m. on Wednesday and 8:00 p.m. on Thursday.

Paul Endler, 143 E. Grant Avenue, addressed:

- Stated that he receives a pension from two municipalities and that everyone pays into the State pension and social security. He said about 5½ percent of your income goes into social security and 6½ percent for your State pension. In 1997 the State pension had a surplus of billions of dollars and when the State needed money they borrowed against the pension fund and stopped contributing towards pensions and social security. He said for 10 years the State, counties and municipalities have not been contributing and that is why it is such bad shape. He said all that money in 10 years time could not be invested which is how pensions work and now the State is asking municipalities to pay that money back in.

Mayor DeIorio said Paul was correct because back in 1997 there was a surplus of billions of dollars in the pension system. He said it was decided to use the surplus as a method of property tax relief and what happened is that there is no longer any surplus left. He said towns like Roselle Park who would have paid it back then are now being penalized trying to recoup and put into a system that has not been funded properly for years.

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

Mayor DeIorio said Urban Enterprise Zones can only be designated through legislation. He said if he hears of any movement he will give an update but noted it was not an application and can only happen through law. He said because so many municipalities have gotten into that program he doubted that new municipalities would be put into such a designation due to the budget crisis.

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

- Regular Meeting: July 6, 2006

REPORTS OF DEPARTMENTS

- Treasurer's Report for June 30, 2006
- Tax Collector Reports for January through June 2006

PASSAGE OF ORDINANCES

Second Reading and Public Hearing

ORDINANCE NO. 2183

An Ordinance (#2183) entitled, "AN ORDINANCE PROVIDING FUNDING FOR VARIOUS CAPITAL IMPROVEMENTS AND APPROPRIATING \$149,368 FROM CAPITAL SURPLUS FOR SUCH PURPOSE", brought up and read by title only on its second reading and public hearing.

Councilman Rubilla moved that Ordinance #2183 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Badillo and adopted.

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

Councilman Badillo moved that Ordinance #2183 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Badillo, all members present voting Aye, said ordinance was adopted.

ORDINANCE NO. 2184

An Ordinance (#2184) entitled, "BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$809,420 FOR VARIOUS CAPITAL IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF \$409,000 IN BONDS OR NOTES FOR FINANCING PART OF THE APPROPRIATION", was brought up and read by title only on its second reading and public hearing.

Councilman Rubilla moved to open the public hearing on Ordinance #2184; seconded by Councilman Dinardo and adopted.

Jacob Magiera, 612 Sheridan Avenue, addressed:

Questioned why the Borough needed a new mason dump truck. Councilman Harms said the current one is 20 years old and there is only 1 spare truck. He said it that breaks down the Public Works Department will not be able to plow this winter. Mr. Magiera said the Borough leases police cars and asked if they could lease dump trucks. Councilman Harms said it was not practical and stated the Borough has had trucks for 20 years.

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

Councilman Rubilla moved that Ordinance #2184 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Badillo, all members present voting Aye, said ordinance was adopted.

ORDINANCE NO. 2185

An Ordinance (#2185) entitled, "AN ORDINANCE PROHIBITING PARKING ON EAST GRANT AVENUE AT DALTON STREET WITHIN 50 FEET FROM CORNER", was brought up and read by title only on its second reading and public hearing.

Councilman Rubilla moved to open the public hearing on Ordinance #2185; seconded by Councilman Badillo and adopted.

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

Councilman Rubilla moved that Ordinance #2185 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Badillo, all members present voting Aye, said ordinance was adopted.

RESOLUTIONS

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. 122-06

WHEREAS, Karl Krynicki, Equipment Operator for the Department of Public Works, of the Borough of Roselle Park has requested an unpaid leave of absence under the Family Medical Leave Act from August 3, 2006 to September 18, 2006; and

WHEREAS, the Mayor and Council of the Borough of Roselle Park desire to make clear the terms of Karl Krynicki's leave for the purpose of record keeping;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Karl Krynicki be and is hereby granted an unpaid leave of absence under the Family Medical Leave Act effective August 3, 2006 to September 18, 2006.

RESOLUTION NO. 123-06

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that Irene Tavernaris be and is hereby appointed to the part time position of Bus Operator, at the current hourly salary of \$14.24 effective July 26, 2006.

RESOLUTION NO. 124-06

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the donation of a 1999 Jeep Cherokee from Public Service Electric & Gas Company be and is hereby accepted.

RESOLUTION NO. 125-06

Postponed until August 17, 2006

RESOLUTION NO. 126-06

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that an overpayment for copies of Police records in the amount of \$21.00 to Joel I. Rachmiel, Esq. be and is hereby authorized to be refunded.

RESOLUTION NO. 127-06

WHEREAS, N.J.A.C. 5:23-4.5A requires that a municipality solicit proposals for third party on-site elevator inspections, and

WHEREAS, the Borough of Roselle Park has solicited quotes from those agencies designated by the Department of Community Affairs as eligible companies to provide said third party on-site elevator inspections, and

WHEREAS, the Borough of Roselle Park has received three proposals for said services, and

WHEREAS, the Borough of Roselle Park is satisfied that the proposal submitted by EIC Inspection Agency Corporation, Jersey City, New Jersey is complete in all aspects and has been reviewed by the Construction Official, and

WHEREAS, EIC Inspection Agency Corporation has provided these services under the last contract term in a very proficient manner,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the quote of EIC Inspection Agency Corporation be accepted for a one year period of June 12, 2006 through June 11, 2007, in an amount not to exceed \$4,000.00, and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to enter into a contract for said third party on-site elevator inspections, subject to the approval of the Borough Attorney.

Roll called, all members present voting Aye, said

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

- Litigation – Spagnolli vs. The Borough of Roselle Park
- Negotiation – Regarding vacation of Woodside Avenue

INTERRUPT THE REGULAR ORDER OF BUSINESS

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

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

- Litigation – Spagnolli vs. The Borough of Roselle Park
- Negotiation – Regarding vacation of Woodside Avenue

There being no further business to come before the meeting, Councilman Badillo moved to adjourn; seconded by Councilman Rubilla and adopted.

Attest:

Borough Clerk