

Regular Meeting of Mayor and Council August 17, 2006

PRESENT: Mayor DeIorio; Councilmembers Badillo (in at 7:40 p.m.); Harms; Matarante (in at 7:40 p.m.); Zeglarski (in at 7:34 p.m.); Rubilla and Dinardo; Borough Attorney Bill Lane

ABSENT: None

Mayor DeIorio called the meeting to order at 7:30 p.m. and said it is being held in accordance with the Open Public Meetings Act and adequate notice of this meeting has been recorded 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.

Mayor DeIorio introduced Jeanne Decker the former and retired Chief Finance Officer who was there to assist them with the municipal budget.

COMMUNICATIONS & PETITIONS

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

- Request from West End Community Center to hold their annual family picnic on Saturday, August 26, 2006 from 1:00 p.m. to 7:00 p.m. They also request permission to have West Clay Avenue blocked to traffic from Hexacon Electric to West Grant Avenue and for use of the Girl Scout Park for games for the children.
- Request from residents of the 400 block of Bender Avenue to hold a Block Party on Saturday, September 2, 2006.
- Request from residents of the 500 block of Sherman Avenue to hold a Block Party on Saturday, September 16, 2006.
- Request from residents of the 600 block of Ashwood Avenue to hold a Block Party on Saturday, September 2, 2006; with a rain date of Sunday, September 3rd.
- Letter from Colfax Manor thanking the Mayor for his assistance in obtaining a definitive answer to the ongoing recycling pickup problems at Colfax Manor.

REPORT AND RECOMMENDATIONS OF MAYOR

- Extended his best wishes to Larry Torino who is retiring after 60 years of business in Roselle Park. He wished him and his family the best of luck and said many people will always remember Larry's famous subs.

- Received a very positive response from the Governor's Office regarding a letter he sent asking the Governor to consider the various proposals for property tax relief and commending him on his initiative to request that the legislature have a special summer session.
- Thanked the County Freeholder Board, County Manager and staff for meeting with him and Councilman Matarante. They discussed issues regarding speeding on County Roads. He said their response was immediate and the County Police has offered their assistance by providing radar, assisting patrol and monitoring traffic patterns on E. Lincoln Avenue.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Dinardo:

- Said Roselle Park was losing some of its charm but wished Larry Torino well in his retirement.
- Said Councilman Badillo brought up the bridge on Union Road and asked if it was going to be repaired or brought up to a safer standard. Mayor DeIorio asked Councilman Badillo to follow up on it with the Superintendent of Public Works.

Councilman Matarante:

- Reported on the Finance & Administration Committee Meeting regarding the question of time to speak during the public comment portion of the meeting. He said it was the Committee's recommendation to increase the time to 10 minutes if there is no response from Council and 15 minutes if there is give and take.

Councilman Zeglarski:

- Requested a committee discussion for a no call list during political elections. He said at the last meeting he suggested legislation but due to free speech he felt that may cause problems in the future.

REPORTS OF DEPARTMENTS

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

- Maria Bruchal, Court Administrator for July, 2006
- Nancy Nichols, Tax Collector for July, 2006
- Treasurer's Report for July, 2006

MINUTES FOR APPROVAL, PENDING ANY CORRECTIONS

Councilman Rubilla moved to approve the following minutes pending any corrections; seconded by Councilman Matarante, all members present voting Aye, said motion was adopted.

- Special Meeting: August 1, 2006
- Regular Meeting: July 20, 2006

PAYMENT OF BILLS

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

Current Fund	\$10,293,907.71
Federal State and Grants	35,207.35
General Capital	5,916.95
Sewer Utility Operating	28,104.42
Recreation Trust Account	1,349.56
Other Trust	23,469.27
HUD Trust Account	2,056.43
Public Assistance II Fund	<u>5,906.95</u>
Total Bill List:	\$10,395,918.64

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

Borough Clerk Doreen Cali said she tried to contact Larry’s Subs but due to personal reasons he was unable to attend tonight’s meeting. She said flags were ready for the Borough Wide Garage Sale and applications could be picked up in the Borough Clerk’s Office or are available on-line. She said Senior Freeze and Rebate forms are also available on line. Ms. Cali said the Police Chief reported that he has purchased new parking meters at an extremely discounted price.

PASSAGE OF ORDINANCES

Introduction

ORDINANCE NO. 2186

AN ORDINANCE TO AMEND ARTICLE XVIII, CHAPTER 43-65 OF THE
CODE OF THE BOROUGH OF ROSELLE PARK REGARDING THE
POSITION OF ASSISTANT TREASURER

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 43-65 of the Borough Code is hereby amended as follows:

ARTICLE XVIII

Chapter §43-65, is hereby amended to add the following:

SECTION I

Position created.

There is hereby created the position of Assistant Treasurer in and by the Borough of Roselle Park, to be compensated as set forth herein:

DUTIES:

- Assists the Municipal Treasurer/Chief Financial Officer in supervising and performing the work involved in the disbursement, accounting, and auditing of funds received and disbursed, and in negotiation of loans and sale of bonds; does related work as required.

NOTE: The examples of work for this title are for illustrative purposes only. A particular position using this title may not perform all duties listed in this job specification. Conversely, all duties performed on the job may not be listed.

- Assists the Municipal Treasurer/ Chief Financial Officer in supervising and performing the work involved in preparation of varied financial reports and statements.
- Assists the Municipal Treasurer/ Chief Financial Officer in supervising and performing the work involved in negotiation of loans and sale of bonds.
- Assists the Municipal Treasurer/ Chief Financial Officer in preparing budgets.
- Gives suitable assignments and instructions to subordinates
- May plan and install auditing and accounting systems and forms.
- Handles correspondence pertaining to the Treasurer's/ Chief Financial Officer's office.
- Prepares suitable reports containing findings, conclusions, and recommendations.
- Answers inquiries of a technical nature. Compliance with additional/new/revised laws including COBRA, HIPAA, Family Leave, Worker's Compensation.

HIPAA: Privacy Officer who understands what Private Health Information various agencies are entitled to under the law. Differentiate between employer and plan functions. Develop policies and procedures to be in compliance. Realize penalties for non-compliance.

COBRA Management of offering/compliance, collection of payments for mandatory benefits continuation to employees after termination.

Family Leave Act : Administration/processing of required forms related to the Act, general knowledge of the Act.

Worker's Compensation: Increasing complexity of Laws and Claims. First claim recently exceeds on year/\$100,000.00. Attendance needed at monthly Intergovernmental Insurance Fund meetings.

- Liaison between Borough & Health Insurance carriers regarding all changes, additions to, and deletions from coverage.
- Interprets applicable laws, policies, rules and regulations of all of the above.
- Confers with employees at decision/policy-making levels.
- Mediates problems, deals with attorneys and unions regarding payroll-related labor disputes, has knowledge of union grievance procedures, and administrative principles and practices.

- New employee orientation regarding Health Insurance, Federal Compliance, Pension Compliance, drug testing, physicals, etc. Interviews individuals for needed information. Informs individuals of procedures necessary for completion of forms and/or application. Explains Borough Programs and services.
- Reads journals and professional publications for purpose of keeping aware of new laws/regulations to ensure compliance with thereof.
- Writes narrative letter, reports, notices and/or memorandum in connection with compliance of rules, health insurance issues, worker's com., etc.
- Ability to read, interpret and apply laws, rules, regulations, procedures and policies applicable to personnel administration.
- Summarizes information from files, reports, documents, research, notes or meetings to compile above.
- Answer questions about application of regulations or policies and provides technical advice to staff, peers and management.
- Supervises/prepares the establishment and maintenance of extensive bookkeeping and other needed records and files.
- Knowledge of the principles, methods, and procedures used in modern accounting and auditing.
- Knowledge of the laws, rules, and regulations governing the installation, operation, and keeping of accounts and their application to specific situations.
- Knowledge of the preparation of involved, detailed accounting and other financial reports containing findings, conclusions, and recommendations.
- Ability to analyze complex financial problems.
- Ability to give suitable assignments and instructions.
- Ability to prepare suitable reports, and to direct the establishment and maintenance of extensive financial and related records and files.
- Ability to learn to utilize various types of electronic and/or manual recording and information systems used by the agency, office, or related units.
- Ability to read, write, speak, understand, or communicate in English sufficiently to perform the duties of this position.

COMPENSATION:

The salary for such office shall be as provided from time to time as follows and shall be payable in biweekly payments.

	<u>Minimum</u>	<u>Maximum</u>
Assistant Treasurer	40,000.00	60,000.00

SECTION II. All ordinances and parts of ordinances inconsistent with the terms hereof are hereby repealed to the extent of such inconsistency.

SECTION III. This ordinance shall take effect at the time and in the manner prescribed by law.

RESOLUTIONS

Councilman Rubilla moved the following resolution; seconded by Councilman Badillo, all members present voting Aye, said resolution was adopted.

RESOLUTION NO. 125-06

WHEREAS, the local municipal budget for the year 2006 was approved on the 16th day of March, 2006 and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget, now

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Roselle Park, County of Union, that the following amendments to the approved budget of 2006 be made:

<u>CURRENT FUND BUDGET</u>	<u>FROM</u>	<u>TO</u>
Anticipated Revenues:		
3. Miscellaneous Revenues – Section B: State Aid without Offsetting Appropriations		
Extraordinary Aid	0.00	100,000.00
Consolidated Municipal Property Tax Relief Aid	678,292.00	648,209.00
Energy Receipts Tax	643,663.00	673,745.00
Total Section B: State Aid without Offsetting Appropriations	1,472,817.00	1,572,816.00
SUMMARY OF REVENUES		
3. Miscellaneous Revenues:		
Total Section B: State Aid without Offsetting Appropriations	1,472,817.00	1,572,816.00
Total Miscellaneous Revenues	2,119,380.19	2,219,379.19
4. Receipts from Delinquent Taxes	242,000.00	242,001.00
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
a. Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	8,598,140.22	8,498,140.22
Total Amount to be Raised by Taxes for Support of Municipal Budget:	8,598,140.22	8,498,140.22

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 17th day of August, 2006.

Councilman Rubilla moved the following resolution; seconded by Councilman Badillo, all members present voting Aye, said resolution was adopted.

RESOLUTION NO. 128-06

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2005 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6 and a copy has been received by each member of the Governing Body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the Governing Body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local Governing Body, who after a date fixed for compliance, fails to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle Park, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Councilman Rubilla moved that Ordinance #2186 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on September 7, 2006; seconded by Councilman Harms, all members present voting Aye, said motion was adopted.

Councilman Rubilla moved the following resolution; seconded by Councilman Badillo, all members present voting Aye, said resolution was adopted.

RESOLUTION NO. 129-06

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that Robert McGillis, Jr., 227 Bender Avenue, Roselle Park be and is hereby appointed to the position of Deputy Code Enforcement Officer for the Borough of Roselle Park, effective September 1, 2006, at a salary of \$30,574.42.

Councilman Rubilla moved the following resolution; seconded by Councilman Badillo, all members present voting Aye, said resolution was adopted.

RESOLUTION NO. 130-06

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Borough Clerk be and is hereby authorized to advertise for bid for the Roof Replacement at the Roselle Park Library.

Councilman Rubilla moved the following resolution; seconded by Councilman Matarante. Roll called, 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.

RESOLUTION NO 131-06

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of union, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein as set forth as appropriations, and authorization of the amount of \$8,498,140.22 for municipal purposes and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

General Revenues	
Surplus Anticipated	\$ 1,220,000.00
Miscellaneous Revenues Anticipated	2,219,379.19
Receipts from Delinquent Taxes	242,001.00
Amount to be raised by taxation for Municipal Purposes	8,498,140.22
TOTAL REVENUES	12,179,520.41
GENERAL APPROPRIATIONS WITHING "CAPS"	
(a & b) Operations Including Contingent	7,471,638.77
(e) Deferred Charges and Statutory Expenditures – Municipal	280,130.40
EXCLUDED FROM "CAPS"	
(a) Operations – Total Operations Excluded from "CAPS"	2,651,167.24
(b) Capital Improvements	19,000.00
(d) Municipal Debit Service	1,039,584.00
(e) Deferred Charges – Municipal	20,000.00
(m) Reserve for Uncollected Taxes	698,000.00
TOTAL APPROPRIATIONS	12,179,520.41

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

RESOLUTION NO. 132-06

WHEREAS, in accordance with the Single Audit Act, US Office of Management and Budget Circular A-133 and the New Jersey Office of Management and Budget Circular Letter 98-07, and regulations of the Division of Local Government Services, all municipalities are required to prepare and file a Corrective Action Plan; and

WHEREAS, this plan must be filed with the Division within sixty (60) days from the date the statutory audit is received by the governing body; and

WHEREAS, such a plan was prepared by the Chief Financial Officer and reviewed by the members of the governing body of the Borough of Roselle Park;

NOW, THEREFORE, BE IT RESOLVED that the Corrective Action Plan is hereby approved by the Mayor and Council of the Borough of Roselle Park and filed with the Division of Local Government Services.

PUBLIC COMMENT

Jacob Magiera, 612 Sheridan Avenue, addressed:

- Asked if Resolution #129-06 was a Union position and Mayor DeIorio said it has been a unionized position and will continue to be.
- How much money has been collected in street parking meters and how many are not working. He also asked how many overtime parking tickets have been issued.
- Reminded the Mayor to mention the Town Hall Meeting next week with Assemblymen Munoz and Bramnick.
- Informed Council there was standing water near the catch basin by the handicap ramp to the Municipal Building.
- Asked if there was a warranty on the Library roof. Mayor DeIorio said it the old roof causing problems and is not part of the new addition.
- Asked Councilman Matarante if there was a Joint Meeting report. Councilman Matarante said they do not meet during the summer.
- Asked how much the taxes have been reduced and Mayor DeIorio said the final increase for the Municipal portion of the taxes will be \$113.00 which will be slightly over \$20.00 per homeowner.
- Said the branches are still hanging down on Sheridan Avenue between E. Lincoln Avenue and E. Clay Avenue. He said it has been three months and the street sign on Sheridan Avenue is not visible.
- He stated that Jenicar Construction has not replaced the crab grass on Galloping Hill Road and Hemlock Street.
- Said something had to be done about children not wearing safety helmets while riding bicycles, skate boarding and roller blading.
- Vehicles are still not yielding to pedestrians on Chestnut Street. Mayor DeIorio said the cones can pose a problem and go flying if they should get hit. He said

they are considering purchasing delineators which make the street appear narrower and causes cars to slow down.

- Said the storm sewer catch basin on the corner of Spruce and E. Lincoln has been paved over by the contractor. Councilman Matarante said the engineer was being sent to look at it as well as the flooding issue further down. Mr. Magiera asked why the streets have not been stripped. Councilman Matarante said when they paint the line down the middle they are also going to include parking lines down both sides of Lincoln.
- Mr. Magiera showed a photo of a public service pole on the corner of Filbert and W. Westfield Avenue. He said the poles and the concrete have been there for many years and do not look nice. He said there is also a photo of a catch basin with trees growing in it.

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

Councilman Rubilla moved to grant a raffle license to the Sherman School PTA for an off-premise raffle to be held on October 5, 2006; seconded by Councilman Harms and adopted.

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

- Personnel Issue – Regarding Ken Blum who has been riced and notified acknowledged that Council would be discussing him in closed session.

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman moved to interrupt the regular order of business for a closed session meeting; seconded by Councilman Badillo and adopted.

RESUME THE REGULAR ORDER OF BUSINESS

Councilman Harms moved, at 8:47 p.m., to resume the regular order of business; seconded by Councilman Harms and adopted.

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

- Personnel Issue – Regarding Ken Blum who has been riced and notified and acknowledged that Council would be discussing him in closed session.

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

Attest:

Borough Clerk

