

Regular Meeting of Mayor and Council September 7, 2006

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

ABSENT: Councilman Matarante (vacation) and Councilman Dinardo (vacation)

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 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.

COMMUNICATIONS & PETITIONS

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

- Request from the residents of the 500 block of Elm Street to hold a Block Party on Saturday, September 16, 2006; with a rain date of Sunday, September 17th.

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

- Request from the RPHS Marching Band for permission for “No Parking” signs to be placed on West Webster Avenue from Laurel to Larch and also for use of the DPW lot during a Marching Band competition on Saturday, September 30, 2006.

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

- Request from the residents of the 100 block of East Clay Avenue, from Walnut to Cherry, to hold a Block Party on Saturday, September 9, 2006; with a rain date of Sunday September 10th.

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

- Request from the residents of the 700 block of Hamilton Place to hold a Block Party on Saturday, September 23, 2006.

REPORT AND RECOMMENDATIONS OF MAYOR

- Invited members of the public to attend the annual “Roselle Park Remembers” prayer service to be held on September 11th, at 6:30 p.m., in Michael Mauri Gazebo Park.
- Union County Prevention Links and the Union County Municipal Alliance will be conducting a Red Ribbon Drug Prevention Week & Education Day. Mayor DeIorio requested a resolution of support and said on October 21st they will hold a “Family Fun Day” at Nomahegan Park from 11:00 a.m. to 4:00 p.m.
- Mayor DeIorio, on the recommendation of the Zoning Board, said a motion was needed to advertise for the position of part-time Clerk.
- Reported that the Uniform Crime Report figures for 2005 have been published and Roselle Park crime statistics for 2005 have again decreased.
- Said he is currently involved with helping to set up a Joint Boarder Security System on Galloping Hill Road with Roselle, Roselle Park, Elizabeth, Union and Union County Police.
- A discussion regarding a Community Informational System will be held at Borough Hall to discuss and share ideas on how to better address issues affecting the children of Roselle Park.

Councilman Rubilla moved to authorize the Borough Clerk to advertise for a part-time Zoning Board Clerk; seconded by Councilman Badillo, all members present voting Aye, said motion was adopted.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Harms:

- Requested a letter to PSE&G regarding tree trimming and stated the Superintendent of Public works has informed him they are being cut top heavy and leaning towards the homeowner’s side. He said they not only look terrible but are a potential hazard during a storm. Mayor DeIorio suggested a copy be sent to the Board of Public Utilities.
- Stated he had one closed session item to discuss regarding Blackstone and the electrical box issue.

Councilman Rubilla:

- Received several phone calls regarding noise from construction and landscaping. He said currently the Borough does not have a time frame for noise and suggested the Borough do an ordinance. He said he had a model ordinance from the City of Kearney and would like to discuss it at the next Municipal Services Committee Meeting.
- Said he had a copy of a “No Knock” resolution from Mountainside which residents can sign up for and receive a door sticker to inform solicitors and

organizations that they do not wish to be disturbed. Council decided they did not want to legislate a policy and said political parties would discuss it privately.

Councilman Badillo:

- Highlighted current activities at the Casano Community Center. Reminded motorists that school was reopening and to please drive carefully.

REPORT OF DEPARTMENTS

Borough Engineer – Donald Guarriello reported for Ed Dec:

- Reported that the sprinkler system at the Casano Community Center has been repaired.
- Topsoil will be placed on Walnut Street between the sidewalks and curbing and trees will be planted.
- Proposals for capital projects have been submitted to the Borough Clerk.

Borough Attorney – Bill Lane:

- Stated he would discuss the Blackstone mediation issue, litigation regarding Spagnolli vs. The Borough Roselle Park, negotiation of a contract with ERM in regards to Wolf Field, and potential litigation pertaining to the purchase of a new fire truck with Segrave in closed session.
- Application for the lot on Jerome Street has been completed but Council would need to decide how they would like to divide the lot on Valley Road. Council voted to divide the lot into 2 single family homes rather than 1 two family.
- Said he was currently working on the subdivision of Acker Park and planned to have the three applications prepared for approval at the October Planning Board meeting.

Borough Clerk – Doreen Cali:

- Additional information regarding concerts and the October 7th Town Wide Garage sale has been added to the webpage.

Police Department – Chief Warren Wielgus:

- National Night Out was held on August 1, 2006 with a nice crowd in attendance. He thanked Sergeant Peter Picarelli for taking charge of the event and Detective Richard Cocca for the fine job he did with the Union County Hazmat equipment and vehicle.
- Chief Wielgus and Ptl. Breuninger met with a representative from Metric Meter Company who gave a proposal for next year's budget. He sent them to Westfield where they purchased 35 electric meters for \$10.00 each.

- He met during the month with several residents that were asking for assistance with several small problems. Those were handled and they were satisfied with the outcome.
- Said he had his last official meeting as a member of the Board of Officers with the New Jersey State Association. He thanked Mayor and Council for backing him and allowing him to become involved.
- Reported that he would be meeting with the Superintendent of Schools and other District Officials to discuss the upcoming year. He said the Board of Education and the Police Department have been meeting for the last nine years to discuss very important and necessary issues.

PUBLIC COMMENT

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

Karen Donnelly, 345 E. Lincoln Avenue, addressed:

- Asked what a community needed to do in order to have stop signs or a traffic light installed. Mayor DeIorio said he did meet with the County where they discussed different options to address the speeding in that area. He said it is a county road and suggested that residents contact their freeholders to address their concerns.

Christina Delarosa, 341 E. Lincoln Avenue, addressed:

- Asked why residents had to wait for the County when the Borough has the power to install the stop signs. She said her street was like a landing strip and the residents have signed a petition with 70 signatures for stop signs. Mayor DeIorio said he would ask the Police Chief to fill out the necessary paperwork. He stated the Borough can do but it could be kicked back that we do not have the right because it is county road.
- She complained about the condition of Acker Park and when she called the Public Works Department they told her to call the Recreation Chairperson who told her the equipment was expensive and they were currently working on a grant. Councilman Badillo confirmed that the Borough Clerk was working on the application for a County Recreation Grant.

Jacob Magiera, 612 Sheridan Avenue, addressed:

- Concurred with Mrs. Donnelly and Mrs. Delarosa regarding the need for a stop sign.
- Said if a resident cuts a Borough tree they can be fined and years ago if PSE&G wanted to trim trees they had to go to the Public Works Department who would supervise the work.

- Urged Council to watch their nickels and times when it came to parking meters. He asked how much money the Borough was losing due to broken meters and wanted to know how many summonses were issued for overtime parking.
- Thanked the representatives of the 21st Legislative District and said they should set examples by taking a 30% cut in pay, 30% cut in pension and pay 30% towards benefits.
- Asked if Mr. Spagnolli has been paid and what his hourly rate was. Borough Attorney Bill Lane said no. He said an award of \$47,000.00 has been made. The original invoice from December was \$150,500.00 for 655¾ hours worked. \$250.00 an hour if Mr. Spagnolli did the work and \$225.00 an hour if his wife did.
- Asked if they planned to build on Acker Park and Mr. Lane said no, it is a very small portion of land and Acker Park will not change in any way.
- Mr. Magiera said the “yield to pedestrian” signs have springs so that if a car hits them they bend and spring back up. Mayor DeIorio said they have been known to be hit by a vehicle and thrown across the road.
- Said several years ago Jack Sievers did a feasibility study on what Roselle Park could do should Romerovski decide to sell their property. He asked if the Borough still had a copy of that study. Mayor DeIorio said there was no study and that Mr. Magiera was speaking of a Master Plan which the Borough is required to update every 6 years.
- Said the Borough should have a public referendum on all municipal projects of \$300,000.00 and over.
- He asked if there was an energy conservation update and Borough Clerk Doreen Cali said she would have it for the next meeting.
- Asked if there was an update on the Hawthorne property, the nail salon and the Ryan property. Mayor DeIorio said applications have to be submitted on the Ryan property, the owner of the nail salon is in negotiations and he had no information on the Hawthorne property.
- Asked if the street sweeper was in for repairs and Councilman Harms said it was.

There being no one else wishing to speak, Councilman Rubilla moved, at 9:02 p.m., to close the public comment portion of the meeting; seconded by Councilman Badillo and adopted.

Councilman Badillo moved to authorize the Police Department to proceed with the necessary paperwork for the Department of Transportation and the County to apply for the installation of stop signs along E. Lincoln Avenue on Walnut Street, Sheridan Avenue and Hemlock Street; seconded by Councilman Rubilla and adopted.

REPORT OF DEPARTMENTS – (Con’t)

DPW – Frank Wirzbicki:

- Cardboard for business is picked up every other Tuesday.

- Trash cans emptied twice a week and the street sweeper is out five.
- White goods are picked up daily by appointment only.
- One crew is cutting grass throughout the Borough, one is picking up debris and one man is cleaning the Police Department.
- Sewer camera is still out of service they are trying to find out why it shorts out.
- Catch basin tops are being cleaned of debris on rainy days.
- SLAP worked with the department during the month of August.
- Grant and Dalton curbs were painted extended yellow for the new Borough Ordinance.
- Replaced new stop signs on the corner of W. Clay Avenue and Locust Street.
- Crosswalks are being painted.
- Flags on East & West Westfield Avenue will be replaced as soon as new flags come in.
- Pear tree split on August 5th and on August 6th a large limb at 187 E. Clay Avenue was removed.
- Tree was removed at 624 Laurel Avenue by Nelson Tree Service at no cost to the Borough. All trees were trimmed at 200 W. Webster Avenue.
- Catch basin and sink hole was repaired at the corner of Maplewood and West Webster Avenue.
- SLAP has cleaned the parking lots on Chestnut Street, Borough Hall and the empty lot on Lehigh Avenue.
- All basins have been cleaned of high weeds.
- Over grown weeds were removed at the bike path fences and Grove Street was cut and cleaned of over grown weeds also.
- All trees in front of parking lot at the Youth Baseball Field were elevated.
- One man cleaned weeds at Loretta Park and along the embankment at E. Lincoln Avenue.
- All debris was removed behind the First Aid Squad Building and the gutters were cleaned and flushed.
- One crew is filling list of pot holes with black top and Walnut Street Bridge has been filled.
- “Watch Children” signs were installed on Dalton Street and speed sign was moved.

Administrative Assistant – Karen Intile:

- Triad Security Systems has installed the alarm for the fire suppression system. Cerullo Fire Protection, Inc. who had reconfigured the system has updated it as recommended by the Borough’s Fire Sub Code Inspector.
- Fatima Construction Company has received a purchase order to replace the ceiling and floors. They may decide on another floor than originally specified.
- The Motor Vehicle Commission Mobil Unit will be visiting the Casano Community Center on Friday, September 8th from 10:00 a.m. to 2:00 p.m. to issue driver license renewals and non-driver identification cards.

- Received proposal from John Verona of Christmas Spectacular for downtown decorations.
- Donna Evaristo of RE/MAX Action Group Realty is giving the senior citizens of Roselle Park a free brunch from 11:30 a.m. to 1:00 p.m. on Wednesday, October 11th, at the Casano Community Center.
- The Casano Community Center will be running a “Family Day Picnic” on Saturday, September 30th, from 3:00 pm. to 5:00 p.m. and a “Cruisin’Night” Car Show & Swap Meet from 4:00 to 7:00 p.m.
- She is currently working with Susan Calantone, our Library Director, to organize a day of festivities tentatively scheduled for Saturday, October 21st from 1:00 p.m. to 3:00 p.m. They will hold an “Oktoberfest” coinciding with a Halloween Costume contest for dogs.
- The Casano Community Center has recently received a donation from the Roselle Park/Roselle Rotary Club of a defibrillator.
- The food pantry is very low and has no canned meat, fish, cereal or snacks for children.

Borough Clerk Doreen Cali said she was waiting for a call from the DCA to see if the State will give a private seminar on ethics. She said one will be held in Edison on September 15th and she would e-mail that information home to Council.

Mayor DeIorio announced that the Library will be holding their Fall Concert Series. A Jazz Concert will be held on September 14th and on September 28th an Oldies Concert will be held on the lawn of the Veteran’s Memorial Library from 6:00 p.m. to 8:00 p.m.

MINUTES TO BE APPROVED, PENDING ANT CORRECTIONS

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

- Regular Meeting: August 03, 2006
- Regular Meeting: August 17, 2006

PAYMENT OF BILLS

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

Current Fund	\$426,104.56
Federal State and Grants	16,108.23
Sewer Utility Operating	22,590.72
Other Trust	17,638.27
HUD Trust Account	1,893.92
Public Assistance II Fund	<u>1,232.24</u>
Total Bill List:	\$485,567.94

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

PASSAGE OF ORDINANCES

Second Reading and Public Hearing

An Ordinance (#2186) entitled, "AN ORDINANCE TO AMEND ARTICLE XVII, CHAPTER 43-65 OF THE CODE OF THE BOROUGH OF ROSELLE PARK REGARDING THE POSITION OF ASSISTANT TREASURER", 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 #2186; seconded by Councilman Badillo and adopted.

Jacob Magiera, 612 Sheridan Avenue, asked what the ordinance was about. Mayor DeIorio said they are amending the ordinance to combine the bookkeeping and assistant treasurer positions and stated the new position would not be part of the bargaining unit. He said the same person will be performing the work and there is no increase in salary.

There being no one else wishing to speak, Councilman Rubilla moved to close the hearing on Ordinance #2186; seconded by Councilman Badillo and adopted.

Councilman Rubilla moved that Ordinance #2186 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; seconded by Councilman Badillo, all members present voting Aye, said resolutions were adopted.

RESOLUTION NO. 133-06

WHEREAS, the Governing Body of the Borough of Roselle Park is aware that Friday, September 15, 2006 has been declared as "POW/MIA Remembrance Day"; and

WHEREAS, all Americans everywhere owe a special debt of gratitude and a responsibility for remembering and honoring those who have given so much to make all of us free and secure in this, our national homeland, and a recognition day is a fitting testament and remembrance for all of us, for the sacrifices of our POW/MIA Veterans; and

WHEREAS, in honor of this special day, a ceremony will be held in front of the Union County Courthouse, Broad Street, Elizabeth, New Jersey at 11:15 a.m.; now therefore

BE IT RESOLVED that I, Joseph DeIorio, Mayor of the Borough of Roselle Park, on behalf of the Governing Body, do hereby declare Friday, September 15, 2006 as:

"POW/MIA REMEMBRANCE DAY"

in the Borough of Roselle Park and urge all citizens to make a special effort to give thanks and to remember the sacrifices rendered to us by all of these noble sons and daughters of America; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Union County Legislators, Union County Board of Chosen Freeholders, Union County Mayors and to the Roselle Park Veteran's Central Planning Committee.

RESOLUTION NO. 134-06

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that Netta Architects be and are hereby awarded a contract in the amount of \$6,500.00 for architectural services for roof replacement at the Roselle Park Public Library.

This Resolution to take effect upon certification of the Resolution by the Borough Treasurer/CFO that sufficient funds are available.

RESOLUTION NO. 135-06

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the resignation of Robert McGillis, Jr. as Deputy Code Enforcement Officer, effective September 7, 2006, be and is hereby accepted.

RESOLUTION NO. 136-06

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that Carl Pluchino, 203 Walnut Street, Roselle Park be and is hereby appointed to the position of Deputy Code Enforcement Officer for the Borough of Roselle Park, effective October 2, 2006, at a salary of \$30,574.42.

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

- Litigation – Spagnolli vs. The Borough of Roselle Park and
The Borough of Roselle Park vs. Blackstone
- Potential Litigation – The Borough of Roselle Park vs. Seagrave
- Negotiation – Discussion of contract with ERM regarding ball fields.

INTERRUPT THE REGULAR ORDER OF BUSINESS

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

RESUME THE REGULAR ORDER OF BUSINESS

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

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

- Litigation – Spagnolli vs. The Borough of Roselle Park and
The Borough of Roselle vs. Blackstone
- Potential Litigation – The Borough of Roselle Park vs. Seagrave
- Negotiation – Discussion of contract with ERM regarding ball fields.

Councilman Badillo moved to instruct ERM to continue work and not object to closing Adase Field and to prepare the necessary paper work for an investigatory work plan; seconded by Councilman Rubilla, all members present voting Aye, said motion was adopted.

Councilman Badillo moved to withdraw the appeal in regards to Spagnolli vs. The Borough of Roselle Park; seconded by Councilman Rubilla, all members present voting Aye, said motion was adopted.

Councilman Badillo moved to release a letter to Seagrave regarding problems with the new fire truck; seconded by Councilman Rubilla and adopted.

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

Attest:

Borough Clerk