

Regular Meeting of Mayor and Council February 1, 2007

PRESENT: Councilmembers Badillo, Harms, Rubilla, Dinardo and Borough Attorney Bill Lane

ABSENT: Mayor DeIorio; Councilmembers Matarante and Yakubov; Borough Engineer Nick Villano

Acting Mayor Harms 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.

COMMUNICATIONS

None

Acting Mayor Harms called the Cub Scouts to the dais to participate in the meeting and that they would be receiving a certificate.

REPORT AND RECOMMENDATION OF MAYOR

Acting Mayor Harms sitting for Mayor DeIorio read his report:

- He reported on the Little League Field and that the Borough would receive the grant acceptance letter by the end of February or early March. This will authorize us to start the work on the fields sometime in March.

REPORTS OF DEPARTMENTS

Police Department – Lt. Paul Morrison (sitting in for Chief Warren Wielgus)

- Chief Wielgus is out of state and will return the following day.

Acting Mayor Harms commended the efforts of the Police Department administration on Galloping Hill Road.

Acting Mayor Harms said he submitted a letter to the Chief requesting a Traffic Safety Officer to check out limited parking on W. Grant Avenue.

Councilman Badillo asked if there is a program available for young and women taking criminal justice to fulfill their internship.

DPW – Frank Wirzbicki

- Report was submitted.

Borough Attorney – Bill Lane

- There is an ordinance on the agenda regarding property maintenance. He said he increased the minimum fine for each violation from \$5.00 to \$25.00. The maximum is \$500; it will be left to the discretion of the judge what the violation will be.
- There is a resolution authorizing the settlement of the Blackstone issue.

Borough Clerk – Doreen Cali

- She reported on behalf of Councilman Matarante who was not at the meeting. As a fundraiser for the Fourth of July he challenged all of Council to a “Dancing with the Stars.” He asked that Council get a partner and prepare a dance routine for the Fourth of July and the attendees would pay \$1 to cast their vote.

CFO – Ken Blum

- He reported that he completed his second full week of full time duties and is acclimated with everything in the office.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL MEMBERS

Councilman Rubilla

- No formal report.

Councilman Badillo

- The fundraiser that Councilman Matarante was speaking about was a junior fundraiser at the High School which was very successful.
- The fundraiser for Zack Infante is on Saturday, the dinner at 5:00 p.m. and the concert at 7:30 p.m.
- He congratulated George Bronco and Mike Lefano for becoming County wrestling champs and would like to honor the entire team that placed second in the County.
- He thanked the firemen for a very well run dinner and would like to have them in to honor them also.
- He attended a meeting for light rail which will be going between Roselle and Roselle Park; Roselle, NJ Transit and he attended representing Roselle Park. The light rail

will go through Union County from Plainfield into Jersey Gardens and back, which will open up for the entire county to utilize it.

- He said one of the Engineers at FEMA inaccurately put the flood plane on the wrong streets. It has been corrected to a degree, east and west was corrected; north and south has not. A conference call is scheduled for the following day to resolve this situation. Once we are able to resolve it, a letter will go out to the residents involved. If there are any questions, calls should be made to Ed Dec, the former Borough Engineer.

Councilman Dinardo

- No formal report.

Acting Mayor Harms

- He asked that Council review the resolutions pertaining to Robert Delarosa and Michael Frisch and that recommendations be made to the Borough Clerk; it will be put on the agenda for the next meeting.

PAYMENT OF BILLS

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

Current Fund	\$1,379,157.71
Federal State and Grants	8,352.42
General Capital	75,981.79
Sewer Utility Operating	15,657.69
Recreation Trust	750.00
Other Trust	5,024.52
Animal Control Trust	1,936.81
HUD Trust Account	882.88
Tax Collector's Premium Account	(18,000.00)
Total Bill List:	\$1,469,743.82

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

PASSAGE OF ORDINANCES

Second Reading and Public Hearing

ORDINANCE NO. 2196

BOND ORDINANCE AMENDING BOND ORDINANCE
NUMBER 2184 WITH RESPECT TO VARIOUS CAPITAL
IMPROVEMENTS FINALLY ADOPTED BY THE BOROUGH

COUNCIL OF THE BOROUGH OF ROSELLE PARK, NEW
JERSEY ON AUGUST 3, 2006

Councilman Badillo moved to open the public hearing on Ordinance #2196; seconded by Councilman Rubilla and adopted.

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

Councilman Badillo moved that Ordinance #2196 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Rubilla, all members present voting Aye, said ordinance was adopted.

ORDINANCE NO. 2197

AN ORDINANCE TO AMEND §128-97 (PERMITTED USES) IN
ARTICLE XXIII (B-3 ARTERIAL BUSINESS DISTRICT) IN CHAPTER 128
(LAND USE) OF THE CODE OF THE BOROUGH OF ROSELLE PARK
TO PERMIT MORTGAGE COMPANIES AND MORTGAGE BROKERS IN
THE B-3 ZONING DISTRICT.

Councilman Badillo moved to open the public hearing on Ordinance #2197; seconded by Councilman Rubilla and adopted.

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

Councilman Badillo thanked Mayor and Council for supporting this ordinance. It is a move in the right direction for this Borough, making it friendlier for businesses to come into town.

Councilman Badillo moved that Ordinance #2197 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Rubilla, all members present voting Aye, said ordinance was adopted.

Introduction

ORDINANCE NO. 2198

AN ORDINANCE AMENDING CHAPTER 231 OF THE
LAND USE ORDINANCE OF THE BOROUGH OF
ROSELLE PARK REGARDING PROPERTY MAINTENANCE

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter 231 of the Borough Code is hereby amended as follows:

A. § 231-2(A) PROHIBITED DISPOSAL BY OWNER OR OCCUPANT

Subject to the provisions of the following Section (B), it shall be unlawful for any owner, lessee or occupant of any lot or land to dump or deposit or permit to be dumped or deposited thereon, or allow to accumulate thereon and fail to remove within five (5) days after service of notice hereinafter provided for in Section 231-5 any barrels, boxes, cans, containers or other debris; or any obnoxious growth, filth, garbage, discarded building materials, sewage or trash.

§ 231-2(B) All owners, lessees or occupants of land within the Special Improvement District (SID) as defined in Chapter 189 of Borough Ordinance shall remove all discarded papers, containers, refuse, litter or debris deposited upon the sidewalk and 18” into paved street in front of the premises, within two (2) hours of said material having been deposited on said land, during the time period between 9:00 a.m. and 9:00 p.m. and no later than 10:00 a.m. of the following day for said material having been deposited during the time period between 9:00 p.m. and 9:00 a.m.

§ 231-2(C) It shall be unlawful for any individual to use Borough supplied litter baskets and/or containers to dispose of any material (including but not limited to household garbage, building materials, sewage, toxic liquids or waste, etc.) other than sidewalk litter. For the sake of this section, the term “sidewalk litter” shall include candy wrappers; cigarette wrappers; empty beverage containers (cans, plastic or glass bottles); used newspapers, etc.

§ 231-7 VIOLATIONS AND PENALTIES

Any person violating any provision of this Chapter shall be punished by a fine of not less than \$25.00 or more than \$500.00 and, a fine of no less than \$25.00 and no more than \$500.00 for each day in which the violation continues, constituting separate offenses.

B. Any section not specifically amended by this ordinance shall remain unchanged and in full force and effect.

C. All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

D. If any part of this ordinance is determined to be invalid, such determination shall not affect the validity of the remaining portions of the ordinance.

E. This ordinance shall take effect upon the final passage and publication in accordance with the law.

Councilman Badillo moved that Ordinance #2198 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 15, 2007, seconded by Councilman Rubilla.

Roll called, all members present voting Aye, said ordinance was introduced.

ORDINANCE NO.2199

AN ORDINANCE TO AMEND ORDINANCE NO. 1966 AN ORDINANCE TO AMEND ORDINANCE NO. 1184 ENTITLED, “AN ORDINANCE REGULATING TRAFFIC WITHIN THE BOROUGH OF ROSELLE PARK TO INCLUDE BUS STOPS”

BE IT ORDAINED, by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Ordinance No 1966 be and is hereby amended and supplemental as follows:

SECTION 1. Schedule XII, Bus Tops, is hereby amended to include the following under paragraph:

State Roads

S6 along Westfield Avenue (Route 28), Westbound, on the northerly side at:

J. Union Road - beginning at the easterly curb line of Union Road and extending 105 feet easterly therefrom.

SECTION 2. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 3. If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

SECTION 4. This Ordinance shall take effect at the time and in the manner prescribed by law

Councilman Badillo moved that Ordinance #2199 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 15, 2007; seconded by Councilman Rubilla.

Roll called, all members voting Aye, said ordinance was introduced.

RESOLUTIONS

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

RESOLUTION NO. 47-07

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby reconfirms the Planning Board's appointment of Michael Tripodi, as Attorney for the Planning Board, effective January 4, 2007 for a one year term ending December 31, 2007, at a salary set by Borough resolution.

RESOLUTION NO. 48-07

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby reconfirms the Zoning Board's appointment of John Fitzpatrick, Jr., as Attorney for the Zoning Board, effective January 4, 2007 for a one year term ending December 31, 2007, at a salary set by Borough resolution.

RESOLUTION NO. 49-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that Heyer, Gruel & Associates be and is hereby awarded a contract in the amount not to exceed \$17,000 for the completion of the Housing Element/Fair Share Plan for the Roselle Park Planning Board.

RESOLUTION NO. 50-07

WHEREAS, education related legislation was recently introduced and listed for voting consideration by both the New Jersey State Assembly and Senate, i.e.,

- i) S7/A8 which establishes a pilot program in the State Department of Education for the governance and operation of a countywide administrative school district
- ii) S10/A4 which includes a county superintendent with local veto powers; and

WHEREAS, this legislation was rewritten and suddenly re-introduced without public discussion or legislative committee consideration; and

WHEREAS, even though these pieces of legislation did not receive required support in the State Senate on December 14, 2006, they are eligible for re-introduction as early as January 8, 2007; and

WHEREAS, S7/A8 if amended would

- i) make Union County eligible to become a pilot program for a countywide school system, thereby eliminating our local Board of Education's governance of our local schools and
- ii) open the door for elimination of our local school board altogether; and

WHEREAS, S10/A4 would

- i) remove the sole focus of a school superintendent and related resources from Roselle Park schools, instead shifting focus to towns other than Roselle Park;
- ii) open the door for the county executive superintendent to
 - a) replace existing local school system personnel and services (e.g. transportation, payroll, accounting, purchasing) with county personnel and services of county superintendent's choice
 - b) assess the respective municipality for such personnel and services; and

WHEREAS, such actions would likely have the effect of channeling a significant portion of Roselle Park property taxes, currently intended for Roselle Park schools, away from Roselle Park and into other towns; and

WHEREAS, such actions of reduced funding and focus would deteriorate the quality of education in Roselle Park schools; and

WHEREAS, such actions would lead to a reduction of property values in Roselle Park, as property values are directly tied to the quality and record of education in our local schools; and

WHEREAS, the Roselle Park Governing Body

- i) fully endorses and supports efforts and related legislation that mitigate property taxes without
 - a) damaging the quality of education within Roselle Park
 - b) undermining Roselle Park property values
 - c) having the potential of inverse effect, i.e., increasing property taxes within Roselle Park, but
- ii) realizes this legislation does not satisfy any one of those objectives and in fact appears to be in direct conflict with such goals, i.e., failing to deliver property tax savings while damaging our local education systems as well

as reducing our property values; and

WHEREAS, such legislation, i.e., S7/A8 and S10/A4, further removes power from the residents it should be serving and instead places such power with government and political entities further removed from those residents and their best interests; and

WHEREAS, the Roselle Park Governing Body's direct responsibility is to the welfare and best interests of its residents;

NOW, THEREFORE, BE IT RESOLVED that the Roselle Park Governing Body recognizes such legislation to be clearly detrimental to the best interests of the residents and community of Roselle Park; and

BE IT FURTHER RESOLVED that the Roselle Park Governing Body strongly opposes such legislation; and

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to Governor Jon Corzine; New Jersey Senate President Richard Codey; New Jersey Assembly Speaker Joseph Roberts; Senator Thomas Kean; Assemblymen Eric Munoz and Jon Bramnick; the Union County Board of Chosen Freeholders; the sponsors of S7/A8, i.e., Senators Bob Smith and Joseph Kyrillos, Jr. and Assemblymen John Wisniewski, Robert Gordon, Linda Greenstein, Bonnie Watson Coleman, Joseph Vas, Pamela Lampitt, Louis Greenwald, Nilsa Cruz-Perez, David Mayer, John Burzichelli; and the sponsors of S10/A4, i.e., Senator Bob Smith of District 17 (S10) and Assemblymen Joseph Roberts, Jr., John Wisniewski, Jerry Green, Robert Gordon, Louis Greenwald, Pamela Lamitt, Bonnie Watson Coleman, Douglas Fisher and Nilsa Cruz-Perez.

RESOLUTION NO. 51-07

WHEREAS, the Borough of Roselle Park sued Blackstone Group, LLC and others for deficiencies in the construction of the Roselle Park Youth Center located at 234 Chestnut Street, in the Borough of Roselle Park, County of Union, State of New Jersey; and

WHEREAS, the Borough retained a total of \$25,065.00 of the original contract amount due to the Defendant, Blackstone Group, LLC to ensure the remediation of the onsite and offsite deficiencies; and

WHEREAS, there were numerous change orders during the construction increasing the total amount due the Defendant, Blackstone Group, LLC, resulting in a total amount due Blackstone Group, LLC of \$44,359.00; and

WHEREAS, Defendant, Blackstone Group, LLC has satisfied the Borough of Roselle Park by correcting the deficiencies both on-site and off-site and arranging for the dismissal of all claims by sub-contractors; and

WHEREAS, the Borough incurred additional sums of money for the repair of the water leak in the electrical box and the payment of utilities, which were the responsibility of the Defendant, Blackstone Group, LLC; and

WHEREAS, all of the parties having resolved the outstanding issues; and

WHEREAS, the Borough has agreed to pay to the Defendant, Blackstone Group, LLC and the Defendant, Blackstone Group, LLC has agreed to accept from the Borough the sum of \$34,000.00 as payment in full of all claims between the parties; and

WHEREAS, the Chief Financial Officer has indicated that there are sufficient funds to meet the agreed-upon settlement amount of \$34,000.00; and

WHEREAS, it is in the best interest of the Borough and its citizens that this matter be resolved in its entirety;

THEREFORE, BE IT RESOLVED THAT the Borough of Roselle Park shall pay to the Defendant, Blackstone Group, LLC the sum of \$34,000.00, representing all of the retainage and change orders claimed by Blackstone Group, LLC; and

BE IT FURTHER RESOLVED THAT said payment will result in the exchange of Releases between the Borough of Roselle Park and the Defendant, Blackstone Group, LLC; and

BE IT FURTHER RESOLVED THAT, on the payment of \$34,000.00 all Complaints and Counter-Claims by the parties will be dismissed with prejudice as to all parties; and

BE IT FURTHER RESOLVED THAT, the Mayor is authorized to execute all documents, including but not limited to a General Release, in order to accomplish the above settlement; and

BE IT FURTHER RESOLVED THAT, the Mayor and Council of the Borough of Roselle Park hereby authorize the Chief Financial Officer to arrange for the payment of \$34,000.00 by check, made payable to Thomas J. Hirsh, attorney for the Defendant, Blackstone Group, LLC.

RESOLUTION NO. 52-07

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2007 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 2007 has not yet been adopted, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2007 pursuant to the provisions of N.J.S.A.40A:4-20 including this resolution total \$4,120,099.28 and utility budget \$354,196.48

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 2007 temporary budget be and the same is hereby amended to provide for an emergency temporary appropriation in the amount of \$72,495.00 and utility budget \$500.00, said appropriations as follows:

<u>APPROPRIATIONS</u>		<u>SALARIES & WAGES</u>		<u>OTHER EXPENSES</u>
Mayor and Council	\$	-	\$	-
Municipal Clerk	\$	31,000.00	\$	17,700.00
Financial Administration	\$	-	\$	5,250.00
Audit Services	\$	-	\$	-
Assessment of Taxes	\$	-	\$	-
Revenue Administration	\$	-	\$	300.00
Liquidation of Tax Title Liens	\$	-	\$	-
Legal Services & Costs	\$	-	\$	-
Human Resources	\$	-	\$	-
Tax Appeals	\$	-	\$	-
Municipal Prosecutor's Office	\$	-	\$	-
Engineering Services & Costs	\$	-	\$	-
Buildings & Grounds	\$	-	\$	4,000.00
Planning Board	\$	-	\$	200.00
Board of Adjustment	\$	-	\$	-
Employee Group Insurance	\$	-	\$	-
Liability Insurance	\$	-	\$	-
Workers Compensation Insurance	\$	-	\$	-
Other Public Works Functions	\$	-	\$	-
Fire	\$	-	\$	2,000.00
Supplemental Fire Services	\$	-	\$	-
Fire Protection	\$	-	\$	-
Police	\$	5,845.00	\$	500.00
Traffic Control (Schools)	\$	-	\$	-
Aid to Volunteer Ambulance Company	\$	-	\$	200.00
Office of Emergency Management	\$	-	\$	-
Maintenance of Vehicles	\$	-	\$	-
Streets & Roads Maintenance	\$	-	\$	4,500.00
Solid Waste Disposal Costs	\$	-	\$	-
Solid Waste Collection	\$	-	\$	-
Recycling	\$	-	\$	-

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Board of Health	\$ -	\$ 200.00
Animal Control	\$ -	\$ -
Administration of Public Assistance	\$ -	\$ -
Community Alliance Program	\$ -	\$ -
Recreation Services	\$ -	\$ -
Maintenance of Parks	\$ -	\$ -
Celebration of Public Events	\$ -	\$ -
Youth Center	\$ -	\$ -
Community Center	\$ -	\$ -
Historical Sites Office	\$ -	\$ -
Senior Citizen Activities	\$ -	\$ -
Environmental Services	\$ -	\$ -
State Uniform Construction Code	\$ -	\$ 500.00
Shuttle Bus	\$ -	\$ -
Union County S.L.A.P. Program	\$ -	\$ -
Municipal Services Act	\$ -	\$ -
Farmers Market	\$ -	\$ -
Prior Years Bills	\$ -	\$ -
Utilities:		
Street Lighting	\$ -	\$ -
Fire Hydrant Service	\$ -	\$ -
Cable TV 34	\$ -	\$ -
Telephone	\$ -	\$ -
Electricity	\$ -	\$ -
Water	\$ -	\$ -
Natural Gas	\$ -	\$ -
Gasoline	\$ -	\$ -
Contingent	\$ -	\$ -
Contribution to:		
PERS	\$ -	\$ -
Social Security (OASI)	\$ -	\$ -
Consolidated PFRS	\$ -	\$ -
PFRS	\$ -	\$ -
State Unemployment Insurance	\$ -	\$ -
Municipal Court	\$ -	\$ 300.00
Public Defender	\$ -	\$ -
Maintenance of Free Public Library	\$ -	\$ -
Police Dispatch/"911"	\$ -	\$ -
PEOSHA Act/Board of Health	\$ -	\$ -
L.O.S.A.P. Program	\$ -	\$ -
Snow Emergency	\$ -	\$ -
Matching Funds For Grants	\$ -	\$ -
Community Alliance Grant	\$ -	\$ -
Community Alliance Grant Match	\$ -	\$ -

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Safe and Secure Grant	\$ -	\$ -
Safe and Secure Grant Match	\$ -	\$ -
Drunk Driving Enforcement Fund Grant	\$ -	\$ -
Body Armor Grant	\$ -	\$ -
Recycling Tonnage Grant	\$ -	\$ -
Union County Kids' Recreation Trust Fund:		
Grant	\$ -	\$ -
Matching Funds	\$ -	\$ -
Capital Improvement Fund	\$ -	\$ -
Sidewalk Replacement	\$ -	\$ -
Bond Principal	\$ -	\$ -
Interest on Bonds	\$ -	\$ -
Reserve for Uncollected Taxes	\$ -	\$ -
Total Current Fund	<u>\$ 36,485.00</u>	<u>\$ 35,650.00</u>

Sewer Utility Budget

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Joint Meeting Sewer	\$ -	\$ -
Rahway Valley Sewerage Authority	\$ -	\$ -
Operations	\$ -	\$ 500.00
PERS	\$ -	\$ -
Social Security	\$ -	\$ -
Unemployment Compensation Insurance	\$ -	\$ -
Capital Outlay	\$ -	\$ -
Maintenance of Vehicles	\$ -	\$ -
Bond Principal	\$ -	\$ -
Interest on Bonds	\$ -	\$ -
Total Sewer Utility	<u>\$ -</u>	<u>\$ 500.00</u>

RESOLUTION NO. 53-07

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>
01-0140-00-01032-204	Financial Administration OE - Maintenance of Equipment	\$ 1,000.00
01-0140-00-01032-205	Financial Administration OE - Professional Fees and Outside Services	\$ 2,000.00
01-0140-00-01192-205	Buildings & Grounds OE - Professional Fees and Outside Services	\$ 7,000.00
01-0140-00-01332-231	Fire OE - Clothing Allowance	\$ 1,000.00
01-0140-00-01371-101	Police S&W - Regular	\$ 4,000.00
01-0140-00-01372-204	Police OE - Maintenance of Equipment	\$ 1,000.00
01-0140-00-01472-210	Solid Waste Disposal Costs OE - Miscellaneous	\$ 10,000.00
01-0140-00-01492-210	Recycling OE - Miscellaneous	\$ 3,000.00
01-0140-00-01512-214	Board of Health OE - Other Materials & Supplies	\$ 1,000.00
01-0140-00-01642-210	Historical Sites Office OE - Miscellaneous	\$ 1,000.00
01-0140-00-01752-210	Municipal Services Act OE - Miscellaneous	\$ 2,800.00
01-0140-00-01802-210	Street Lighting OE - Miscellaneous	\$ 1,000.00
01-0140-00-01852-210	Water OE - Miscellaneous	\$ 3,000.00
01-0140-00-03012-210	Court OE - Miscellaneous	\$ 1,000.00
Total		<u>\$ 38,800.00</u>

TRANSFERS FROM:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
01-0140-00-01872-210	Gasoline OE - Miscellaneous	\$ 38,800.00
Total		<u>\$ 38,800.00</u>

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

RESOLUTION NO. 54-07

WHEREAS, the Roselle Park Municipal Court handles numerous court cases and tickets, and

WHEREAS, there is a need in the Roselle Park Municipal Court to increase funds to make change for these individuals,

WHEREAS, the Mayor and Council may approve the increase in the change fund by resolution,

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

1. The Chief Financial Officer be and hereby is authorized and directed to increase the change fund for the Roselle Park Municipal Court from \$150.00 to \$200.00 from the general funds of the Borough of Roselle Park.
2. The change fund shall be maintained in the Roselle Park Municipal Court.

RESOLUTION NO. 55-07

BE IT RESOLVED, the Borough of Roselle Park wishes to have Borough Trees Trimmed and Removed from an authorized vendor under the State of New Jersey Cooperative Purchasing 1-NJCP; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Elite Tree Service, 2 Fox Run, Manalapan, New Jersey 07726, has been awarded New Jersey State Contract Number A58860 Tree Trimming and Removal; and

WHEREAS, the actual cost for the Tree Trimming and Removals is expected not to exceed \$34,150; and

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Elite Tree Service from Manalapan be awarded the contract for Tree Trimming and Removals.

RESOLUTION NO. 56-07

BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle Park authorize the execution of the Municipal Alliance Grant application for the period from January 1, 2007 to December 31, 2007. This resolution shall authorize the Mayor, Borough Clerk and Chief Financial Officer to execute this application through the Union County Department of Human Services, Division of Planning in the following amounts:

Alliance Grant Funds	\$33,306.00
Matching Funds (Cash)	8,326.00
Matching Funds (In-Kind)	<u>24,980.00</u>
Total	\$66,612.00

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL MOTION

Acting Mayor Harms moved that a raffle license be granted for the Church of the Assumption for a Tricky Tray Raffle to be held on February 3, 2007, seconded by Councilman Badillo.

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

Acting Mayor Harms asked the Cub Scout Troop, Leader and Assistant Leader to come forward to present them with certificates.

PUBLIC COMMENT

Councilman Badillo moved at 8:20 p.m., to open the public comment portion of the meeting, seconded by Councilman Rubilla and adopted.

Mr. Edward Leonard, 504 Laurel Avenue

- He asked when the new recycling calendars will go out.
- He also spoke about the severe graffiti at the train station, the leaking roof, broken glass, speaker system and general maintenance.

Mr. Jacob Magiera, 612 Sheridan Avenue

- Spoke about graffiti and that pictures be taken.
- He asked that the bike path be taken care of immediately and have a Detective take pictures.
- The corners of E. Colfax Avenue and Walnut Street, storm sewers (6) are full of debris and leaves
- He said he has submitted his report from the Union County Air Traffic and Advisory Board to Mayor and Council and asked that they review it. He said they want them to go back over the ocean.
- He asked the Borough Attorney if there is an update on Spagnoli.

Mr. Lane responded saying that is over and it was \$47,000-\$48,000 in court verdict.

- He asked if there is an update on speeding on East Lincoln and Chestnut Street; also the yield to the pedestrian signs on Chestnut Street from Westfield Avenue to the train station.

Acting Mayor Harms responded as Lt. Morrison said tonight the County is out on Lincoln and traffic has slowed down. There are police vehicles on Chestnut Street doing traffic. He will ask the Borough Clerk where the new pedestrian crossing signs are.

Councilman Badillo said since the new productivity policy has been initiated in the Police Department, they are out there giving tickets and doing a great job.

- He asked about lights under the bridges on Chester Avenue at the intersections of W. Lincoln and E. Lincoln Avenues.

Acting Mayor Harms responded saying he got in touch with Public Service and they were not going to put the lights up that we requested because of drivers being blinded by the lights. They are investigating another alternative to those lights and we are still working on that issued.

- He said the Crossing Guards are to protect the children and residents in town and some have been threatened by drivers; there should be a safety meeting to address these problems.

Robert Zeglarski, Sr., 512 Chester Avenue

- He questioned the change in the temporary budget pertaining to Resolution #52-07. He said the largest is the \$31,000 in the salary line item for the Municipal Clerk and the \$17,700 increase the Municipal Clerk's other expense line item.

Chief Financial Officer Blum responded that the \$31,000 is for the final settlement of the retired Clerk's contract. The \$17,700 increase for the Clerk's other expense budget is for the consulting contract for Fair Housing Plan.

- He asked if the annual audit will be conducted soon.
- He asked if the CFO gives a final report to Council regarding the revenue and expenditures and if that is a public document.

Chief Financial Officer Blum said it is on file in the Clerk's Office.

- He asked about interest on investments and why zero dollars were budgeted. He asked if anyone knows how many dollars were received on interest on investments. He said last year he was ignored by Council and everyone knew that there would be interest on investments last year; he just wanted to know a reason why we weren't able to achieve dollars on investments. He said it was a political decision that it would be better to put zero even though more than \$100,000 would be earned in interest. It would be \$100,000 of pure surplus being accrued, instead of reducing the tax rate 1 and putting \$30,000 in that line item. He asked that when the budget is adopted that a budget document be available to the public. He also asked what the 4% cap will do to the Roselle Park budget.

Barbara McGrath, 28 E. Lincoln Avenue

- She asked about the signs that are being put on new stores and why we do not start implementing the changes for the future instead of waiting.

Acting Mayor Harms responded saying that there is a sign on the books regarding what size sign you can put up and the Code Official addresses the signs that are not legal according to the ordinance. There is no ordinance stating the style of the sign only the size; that would have to be done by ordinance.

Councilman Badillo said that will be part of the redevelopment process and Acting Mayor Harms said that the theme of the town has not yet been decided.

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

Councilman Badillo said that the public is always encouraged to attend budget meetings and that the dates will be advertised on Channel 34.

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

Attest:

Borough Clerk