

Regular Meeting of Mayor and Council April 19, 2007

PRESENT: Mayor DeIorio; Councilmembers Badillo, Harms, Rubilla, Dinardo and Yakubov; CFO Ken Blum; Borough Attorney Bill Lane

ABSENT: Councilman Matarante

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.

COMMUNICATIONS

None

REPORT AND RECOMMENDATIONS OF MAYOR

- Mayor DeIorio read a report regarding the Nor-easter State of Emergency in the Borough of Roselle Park that occurred due to the storm on April 15, 2007.

Councilman Badillo thanked the Fire Department, Police Department, First Aid Squad, Emergency Management, Department of Public Works, all volunteers, the Borough Clerk and staff, Borough Engineer, the Casano Center staff, the Fire Departments from the other towns, the Red Cross and Ben Laganga from the Union County OEM. He said that the Fire Department and First Aid Squad are volunteer squads and they all insured that our residents were taken care of in an emergency. He also complimented Mayor DeIorio on his leadership, as well as Police Chief Wielgus and Fire Chief Tobe for their outstanding job.

Councilman Yakubov asked if residents should keep photographic record of the flood damage so they can report back to FEMA.

Mayor DeIorio said residents should keep as much information as possible of the damaged items, not only for insurance purposes, but if FEMA asks for additional information we may be able to forward that to them.

- Mayor DeIorio said if residents did not call the Fire Department for flood damage, but had flood damage, we have packets of information regarding the bulk pick up. He said as far as restoration of gas or electric procedures, there is additional

information about the State of Emergency that was declared by the Borough and State of New Jersey. He said residents can contact the Clerk's Office for information and it is also available on the website.

- He said there is a meeting on the issue of the FAA update for proposed noise litigations that are inadequate. He received a notice from Jerry Feder, the Chairman of the Committee and they are asking residents to attend a meeting to present their proposals from 6:30 p.m. to 9:30 p.m. on April 25th at the Sheraton Newark Airport Hotel in Newark. Mayor DeIorio said additional information will be posted on the website.
- Mayor DeIorio received a press release from PSE&G proposing investing one hundred million dollars in an initiative that would help meet aggressive energy laws laid out by the State's Energy Master Plan. He said under the plan, PSE&G will invest approximately one hundred million over the next two years to help finance the installation of solar panels and solar systems on homes, businesses and municipal buildings throughout the service area. He said the funding will provide a source of stable secure capital for additional investment in solar energy. Mayor DeIorio said as part of our review of the ultimate energy, we discussed this issue about providing incentives for residents to install solar panels or energy. He said there have been zoning and code issues regarding installation and the requirements to go before a Zoning Board for a variance. He said we will be reviewing those regulations to provide a smoother transition for homeowners who are willing to put solar energy in their homes. He said this proposal by PSE&G needs to be reviewed by the BPU and once approved, they can move ahead.
- Mayor DeIorio said regarding redevelopment we have received information from the new Solar Do Minho restaurant area. He said they have recently purchased the property adjacent to the old Tavern in the Park site and have notified the Construction Department with revisions to their plan. He said the revisions will have to go to all the inspectors for plan review. He said that the property owner is looking into purchasing more properties to expand for parking as well as changes to make the property more amiable to parties and events.
- Mayor DeIorio said within the next two months we will have a redevelopment update meeting and invites the public to attend.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Yakubov

- He said that flyers for the Neighborhood Watch will be distributed this week and next week. He said we would like to get the community involved to help the Police Department to help keep everyone safe and secure.
- He said that the businesses in Roselle Park can call the Borough Clerk's Office with your information to be put on our website, so residents that are looking to invest can find businesses available for them.
- He reminded senior citizens that we have forms available for a tax freeze; and encouraged them to apply to see if they are eligible.

Councilman Rubilla

- He said our prayers are with the families of the victims of the Virginia Tech massacre.
- He complimented the Fire Department on what a great job they did with the flooding that occurred. He said he just returned from a meeting in Maplewood with the Essex Joint Sewer and their Chief Engineer said that during any given day that they take in about 65 million gallons of water, which is purified and goes into the ocean. He said that Sunday, 280 million gallons passed through and they only have a capacity of 185. He said it was asked if this was worse than Hurricane Floyd, and he said it was approximately 40% worse and passed the 500 year flood.

Councilman Harms

- He thanked everyone that participated in helping the residents during the flood.

Councilman Badillo

- He updated the Little League Fields situation. He said the EPA has wells in one of fields, so they are ahead of schedule right now. He said this information was given to him by Joe Petrosky, Little League President and Mike Genovese, one of the Little League Officials.
- He reported on the storm drain that we have been trying to get completed between East Clay and East Grant. He said the night of the flood Nick Villano, Rick Matarante and he had an opportunity to go to the Grant Avenue side and walk along and saw that it was flowing well. He said that Nick Villano is going to put in for an emergency repair for the DEP and hopefully that will circumvent the 90 day window that they want us to wait for. He asked Ms. Cali to find out what the status of that is. Councilman Badillo said he was also going to consider topping it, which is an enclosed storm sewer instead of an open one. He said that would enclose that area and the residents properties in that area would not stop at the storm sewer it would enhance the property.

Councilman Dinardo

- He thanked all the volunteer services and was pleasantly surprised on how organized it was.
- He attended a Library Board meeting. He thanked Kit Rubino for the autistic display that was put on for Autism Awareness Day.

REPORTS OF DEPARTMENTS

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

- Administrative Assistant Report for March 2007

- Construction Code Enforcement Report for March 2007

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

None

MOTION BILLS & PAYROLLS NOT BE READ:

MOTION BILLS AND PAYROLLS BE PASSED FOR PAYMENT

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

Current Fund	\$1,786,583.01
Federal and State Grants	7,777.78
General Capital	16,434.92
Sewer Utility Operating	22,218.55
Recreation Trust	810.00
Other Trust	2,931.51
HUD Trust Account	936.07
Public Assistance II Fund	6,202.00
C.A.A.S.A. Trust Account	200.00
Tax Collector's Premium Account	43,000.00
Total	\$1,887,093.84

CERTIFICATES/PROCLAMATIONS

Certificates

- Kwasi Bowman
- Chelsea Moukazis
- Nicholas Dunn
- Ramon Pardo

Proclamations/Resolutions

- Municipal Clerks Week
- Older Americans Month
- National Safe Kids Week
- Mayors Against Illegal Guns

ORDINANCES

Second Reading and Public Hearing

ORDINANCE # 2202A

AN ORDINANCE AMENDING SECTION 29 OF CHAPTER
170 OF THE CODE OF THE BOROUGH OF ROSELLE
PARK FOR THE PURPOSE OF ESTABLISHING THE RATE
OF CHARGES FOR SEWER USERS IN THE BOROUGH

Councilman Harms moved to open the public hearing on Ordinance #2202A; seconded by Councilman Badillo and adopted.

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

Councilman Harms moved that Ordinance #2202A be adopted on second reading and advertised as prescribed by law; seconded by Councilman Badillo and adopted.

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

ORDINANCE NO. 2202B

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

Councilman Harms moved to open the public hearing on Ordinance #2202B; seconded by Councilman Badillo and adopted.

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

Councilman Harms moved that Ordinance #2202B be adopted on second reading and advertised as prescribed by law; seconded by Councilman Badillo and adopted.

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

ORDINANCE NO. 2205

AN ORDINANCE AMENDING CHAPTER 60, SECTIONS 60-2, AND
60-3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK
REGARDING SALARIES FOR SCHOOL CROSSING GUARDS FOR THE
BOROUGH OF ROSELLE PARK FOR 2006, 2007 AND 2008

Councilman Badillo moved to open the public hearing on Ordinance #2205; seconded by Councilman Dinardo and adopted.

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

Councilman Badillo moved that Ordinance #2205 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Dinardo and adopted.

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

ORDINANCE NO. 2206

AN ORDINANCE AMENDING CHAPTER 100, SECTION 100.1A
OF THE CODE REGARDING INCREASING FEE FOR DOG LICENSING

Councilman Badillo moved to open the public hearing on Ordinance #2206; seconded by Councilman Rubilla and adopted.

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

Councilman Badillo moved that Ordinance #2206 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Rubilla and adopted.

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

ORDINANCE NO. 2207

AN ORDINANCE AMENDING CHAPTER 75, OF THE CODE OF THE
BOROUGH OF ROSELLE PARK
REGARDING ALCOHOLIC BEVERAGE CONTROL

Councilman Badillo moved to open the public hearing on Ordinance #2207; seconded by Councilman Rubilla and adopted.

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

Councilman Badillo moved that Ordinance #2207 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Rubilla and adopted.

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

ORDINANCE NO. 2208

AN ORDINANCE ESTABLISHING GUIDELINES, RULES AND
REGULATIONS FOR PHOTOGRAPHING, VIDEOTAPING OR
RECORDING PUBLIC MEETINGS AND THE ESTABLISHMENT
OF PENALTIES FOR THE VIOLATION OF SAME

Councilman Badillo moved to open the public hearing on Ordinance #2208; seconded by Councilman Rubilla and adopted.

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

Councilman Badillo moved that Ordinance #2208 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Rubilla and adopted.

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

ORDINANCE NO. 2210

AN ORDINANCE FIXING THE SALARY OF THE CONTROL PERSON IN THE ROSELLE PARK BUILDING DEPARTMENT

Councilman Badillo moved to open the public hearing on Ordinance #2210; seconded by Councilman Yakubov and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Mr. Magiera asked if the position in the Construction Office is a new position.

Mayor DeIorio said it is the position currently held by Mrs. Vail.

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

Councilman Harms moved that Ordinance #2210 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Rubilla and adopted.

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

Introduction

ORDINANCE NO. 2209

AN ORDINANCE AMENDING CHAPTER 51, OF THE CODE OF THE BOROUGH OF ROSELLE PARK

Councilman Harms moved that Ordinance #2209 be adopted on first reading and advertised as prescribed by law on second reading and public hearing on May 3, 2007; seconded by Councilman Badillo and adopted.

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

PUBLIC COMMENT

Councilman Harms moved at 8:30 p.m. to open the public comment portion of the meeting; seconded by Councilman Rubilla and adopted.

Chris Harms, 284 Seaton Avenue

- She thanked everyone that came out and worked on the night of the storm. She thanked the Fire Department, Police Department, Office of Emergency Management, the First Aid Squad, DPW and Mayor and Council.

Leona Seufert, 22 E. Westfield Avenue

- She said she lives in the apartment building across the street from the American Legion. She said in the last three years since they have been renting their hall there has been a noise problem. She said that last Saturday night there was a situation there and it was the worst that she has seen in 20 years in Roselle Park. She would like to know what can be done to make the American Legion responsible for the people they rent the hall to. She said if you call there, they disregard what is happening and just want to rent the hall and make the money. She said there was one party where there were small children running around in the parking lot at 1:00 a.m. She said this behavior is totally unacceptable to a residential community. She said she lives next door with her bedroom facing them and she is tired of being awakened by noise and awful behavior.

Mayor DeIorio thanked her for coming before Council and expressing her concerns as to what is happening. He said that Police Chief Wielgus had addressed this due to the recent incidents.

Councilman Badillo asked if the Court hours were 9:00 a.m. to 4:30 p.m. or 8:30 a.m. to 4:30 p.m.

Mayor DeIorio asked Ms. Cali to check with the Court Administrator to find out why the window is not open at 8:30 a.m.

Chief Wielgus said that we will check with the administrator that when it becomes time for license renewal that the ABC Board will have all complaints for any liquor establishment in the Borough. He said it is up to the ABC Board with a recommendation from him to not issue a license.

Councilman Badillo asked that a meeting be scheduled with the leader of the American Legion hall to come in and explain what is happening.

Chief Wielgus said we should first check with the Borough Attorney.

Mr. Lane asked if there are any noise violations.

Chief Wielgus said he has to have his officers come in for these situations and you don't even get cooperation from the victims. He said they are still working on it and believes there will be some arrests from it. He said it was an outside group, no one from Roselle Park.

Mayor DeIorio asked that a meeting be set up to make them aware of what is going on. He said also if a resident wants to file a complaint with the court and they are not available, how do they do that.

Chief Wielgus said he may be able to get a form for the resident and then drop it off at Police Headquarters or to the Court. He said if it is a criminal complaint, then she will have to go to Court.

Mr. Lane said they can discuss some options pertaining to this situation.

Chief Wielgus said he is meeting next week with the Court personnel and the County Administrator, and he will bring up the issue of a resident being able to make a complaint if the Court is not available.

Councilman Badillo said that the possibility of having one night court day a month would help the residents that have difficulty coming in during the day.

Mayor DeIorio said we were considering something like that.

Ms. Seufert said if they are making noise, are they violating any ordinance and shouldn't they be fined, maybe that would help.

Mayor DeIorio said there is a Peace and Good Order Ordinance that may be able to be addressed.

Ms. Cali asked that she document what is happening, because the more documentation you have will help.

Jacob Magiera, 612 Sheridan Avenue

- He asked who Resolution #114-07 pertains to.

Mayor DeIorio said the salaries set are in accordance with the contracts that were approved to the DPW and the Dispatchers which is a 3.75% increase.

Chief Financial Officer Blum said the salaries are for the non-union representation, mostly Department Heads and it is a 3.75% increase for 2006 and 2007 based on Union contracts.

- Mr. Magiera asked about Resolution #119-07 authorizing auction of abandon police vehicles.

Ms. Cali said they are Police Department vehicles that were towed and impounded.

- Mr. Magiera said at the last meeting there was an ordinance for charging a permit fee for pods, and in his opinion it is a property tax.
- He thanked the volunteer Fire Department, Police Department and First Aid Squad for their work during the flood. He asked if we could ask for some Federal Aid from Congressman Ferguson to complete Morses Creek to eliminate all the unnecessary flooding in Roselle Park.

Mayor DeIorio said they did bring several of the creeks to the attention of the Congressman, and told him that we are going to put a list together for him to consider. He said there may be some funds available because we did have a State of Emergency.

- Mr. Magiera said the residents need police presence on Chestnut Street, especially by Chestnut Hill and Chestnut Hardware at the crosswalks where people are not stopping for the pedestrians.

Mayor DeIorio said Chestnut Street will be addressed by Union County for paving, reconstruction and sanitary sewer work. He said other towns have placed at their crosswalks either stone or rumble strip material or some other indication that you are now crossing a pedestrian crosswalk. He said it makes people aware that they are going into a high density area with people, shops and restaurants.

- Mr. Magiera said this should be done before someone gets hurt. He asked how many people have been hit by a car between Westfield Avenue and Grant Avenue.
- He said at the budget meeting there was conversation about the Public Library. He attended the Library meeting and was able to get all the information he needed.

Mayor DeIorio said that by statute the Library is required to keep their own set of books. He said that maybe we should make sure that a copy of that report comes to the Governing Body.

Mr. Blum said their books are also audited once a year by state law.

- Mr. Magiera said they had a breakdown of money they have spent.
- He asked about disaster aid and if that would be a grant or a low interest loan.

Mayor DeIorio said that FEMA will come in within the next week and meet with individual homeowners, which is the normal process.

- Mr. Magiera spoke about the helmet law.
- He asked regarding FEMA what they are going to do with people that were taken out of the flood zone; will they get any reimbursement from FEMA.

Mayor DeIorio said flood insurance or not, they probably would not have gotten any money from FEMA. He said there were several families that said they should have kept flood insurance and when they described the damage, they would not have received any money from

FEMA anyway. He said if it did not go to the first floor or cause structural damage, then they would not get money.

- Mr. Magiera asked why the bank would require flood insurance in a flood zone when the only coverage would be for the foundation.

Councilman Badillo said that it depends on the designation and FEMA's standards, but in Roselle Park we were not in that. He said we were able to get the residents in the entire Morses Creek to below 12 inches. He said with the insurance that these residents have been carrying for all these years, their house would have to float down stream for them to collect something. He said by removing these individuals from the flood zone, what we did was now give them the option to carry insurance or not. He said in an X shaded zone according to FEMA standards it is not mandated by FEMA for these homeowners to carry insurance. He said the lenders know this and will not require them to have insurance. He said there are lenders that will require insurance; we cannot dictate those terms to a lender.

- Mr. Magiera asked Councilman Harms about a number of trees that had to be taken down in the 600 block of Sheridan Avenue for reconstruction of the road.

Councilman Harms said he did not say that, perhaps he was talking about one tree that he mentioned at 607 Sheridan Avenue. He said it is one tree that needs trimming and that is when you asked about the full trim and the partial trim. He said it was not several trees; it was just the one tree.

- Mr. Magiera asked about a trim and full trim and Councilman Harms said he did explain that at a prior meeting. He also asked about a trim and a full trim.

Councilman Harms said that Mr. Magiera had a list of trees that come in from the Borough residents and we then give that list to perspective vendors and they go and give us prices per tree. He said by law we must go by the lowest price and it is state approved.

Glenn Marczewski, 622 Sherman Avenue

- He said he is there about an issue regarding a tree problem at 616 Sherman Avenue. He said the branches are very low and he has been poked in the eye by the branches of this tree. He said he has spoken to the owner and he has complained for a year and has been denied.

Mayor DeIorio said it is a serious situation. He said there is a list that we submit to the Elite Tree Service to maintain the trees. He said we will cross check that with that service and if it was on that list to be trimmed. He said the Borough is in the process of retaining a certified tree person to maintain trees.

- Mr. Marczewski said most of those trees have not been maintained for over 40 years. He said it is good to plant new trees, but we need to take care of the ones that we have.

- He asked if there would be police patrol on the railroad to see if gangs are congregating there.

Chief Wielgus will do follow-ups on any complaints that may come in.

- Mr. Marczewski asked if there are any pictures or police reports to prove that gangs exist.

Mayor DeIorio said there is an investigation pending with the Police Department. He said we have information from the Union County Prosecutor's Office regarding the location of gang members. There has been an application submitted to Roselle for grant money because they want to do the program. He said the Mayor is very supportive, but they may not want to spend the dollars for the border patrol. We have submitted an application for a grant and are waiting for them to pass a resolution to submit that grant to the State of New Jersey. He said if we are able to get that grant through a shared services agreement, then we would be able to accomplish that goal.

Councilman Badillo said that there are people trying to make the town look bad and the records show that we do not have a problem.

- Mr. Marczewski said why have Police Officers patrol the area and risk their lives because you don't know when trains are coming through.

Mayor DeIorio said the area we are talking about is an inactive line between Roselle and Roselle Park. He said that he has never denied one way or the other the issues revolving around gangs, drugs or alcohol and a lot of these issues are intertwined. He said when there are any programs for young people in the town; you are effectively addressing gang issues and giving them a sense of self.

- Mr. Marczewski asked how the issue with the ballfields came about concerning the EPA.

Mayor DeIorio said the ballfield issue began when a resident sent a letter to the EPA at the federal level making accusations about contamination at the fields. He said based on a resident's complaint the EPA sent in their team to investigate. Mayor DeIorio said that initially they said that there was no concern because it did not meet the superfund criteria by the EPA, but then later a different division of the EPA looked at it from the issue of lead contamination and unsafe conditions. He said that they determined that one of the fields needed to be closed for further examination. He said by EPA regulations, that information goes to the State DEP and then when they looked, they had a higher set of criteria for contaminated soil. He said the soil did not cause any health concerns with a child, but they claimed it was clinically dirty soil. He said it would not harm you medically, but by environmental standards you must clean up the soil. Mayor DeIorio said it requires us to do soil testing by an environmental engineer to test certain levels and report back to us to submit to the DEP. He said if the DEP says the soil samples don't meet any soil contamination criteria then we can remediate; if they say we need to do more testing and clean up, it could take some time.

- Mr. Marczewski asked that in case of fire and you have nowhere to go, what can you do?

Mayor DeIorio said if there is a fire and the homeowners are displaced, we immediately contact the Red Cross, and in the past we have been able to put them in a hotel for an extended period of time.

Joe Caporaso, 348 Galloping Hill Road

- Mr. Caporaso expressed his appreciation to Mayor and Council, Chief of Police and the Police Department for the presence of the police on Galloping Hill Road. He said that last year an incident was brought up about speeding on Galloping Hill and there was no police presence. He said since that time police presence has increased tremendously and there is a definite improvement on that county road.

Mrs. Joseph Iungerman, 824 Prospect Street

- She said she was at the budget meeting several weeks ago and there was a misstatement made which she would like to clarify. She said the Chief of Police said that her husband, Joe, issued 130 tickets for the month of March; but according to records that she obtained through OPRA, he issued 189 tickets. She said that at \$34 a ticket that is \$6,426.00. She said at \$18.00 per hour, 35 hours per week, equals \$2,520.00 per month, which leaves an excess of \$3,906.00 profit. Mrs. Iungerman said she spoke to Councilman Matarante and he told her that they were losing money on Joe and she cannot understand how that can be happening. She said that for the period of time he has worked for the town, he issued a total of 23,363 tickets. She said the number of parking summons was approximately 14,590 which was 62.4% of the total of all the summons written. She said the number of parking summons written for the Police Department for this period was 8,773 tickets which was 37.6% of the total. She said that Crossing Guard position is approximately three times a week at approximately 10 hours per week. She said out of the one month that the Chief is using Joe, he was working at least four weeks as a Crossing Guard in front of Seven Eleven, which takes approximately 3½ to 4 hours a days and he was still able to write tickets and answer First Aid calls. She said she cannot understand how they are losing money on him. When he is gone, they will also have to pay an extra Crossing Guard. She said last year Joe was also the Code Enforcement Officer for about four months.

Mayor DeIorio said that the numbers she is looking at are in the per ticket total. What is not being looked at is the portion that goes to the State.

Mr. Blum said that out of \$34.00 the Borough received \$22.50 per ticket. He said the amount of tickets that were reported to us was provided by the Municipal Court, but he does not have that information with him this evening.

Councilman Badillo said the average was 153 tickets a month, and that was what the Court gave them. He said that he was the one that brought this position before Council to be created, and no one has questioned Joe's tenacity or work ethics. He has done a great job. He said it was 153 tickets at \$22.50 per ticket and it costs us \$50,000 to keep that job on the payroll and it was only bringing in \$40,000. We were losing \$10,000.

Mrs. Iungerman said what are you going to do when you need another Crossing Guard; then we will have to pay a Police Officer, which is more expensive.

Mayor DeIorio said we could effectively appoint Joe as a Crossing Guard, so he can serve in that way.

Mrs. Iungerman said the point is that she feels it is bringing money into the town and saving money for the town.

Mayor DeIorio said we discussed looking at this position at the end of the year and seeing the number of tickets that were generated between the time the position was eliminated until the end of the year. He said when he started he was generating 2,100 tickets and each year the number has gone down.

Mrs. Iungerman said what are you going to do, if at the end of the year, you are \$20,000 down as far as tickets are concerned.

Mayor DeIorio said we can take a look at the amount of tickets generated and it may be at the same level; then we can say that we saved that money. He said we will not just end on April 30th and not look at the position anymore. We will see if the Police Department did their job and issued those tickets, or if we need that position back.

Councilman Badillo said we, as Councilmembers, during budget time have to ask, do we continue to fund the program that we know is losing money. He said it all worked well in the beginning, but right now we are losing \$10,000.

Mrs. Iungerman said if you put someone new into that job and take away time for the Crossing Guard, you will be taking away valuable time from them.

Mr. Blum said based on the records provided by the Court for 2006 the following tickets were issued: January had 127 tickets; February had 117; March had 128; April had 137; May had 144; June had 112; July had 149; August had 140; September had 139; October had 187; November had 224; and December had 236 totaling 1,840 tickets, which averages 153 tickets a month. Mr. Blum said he has records provided by the Court from April 2001 through December, that 2,729 tickets were issued; 2002 had 2,698; 2003 had 2,547; 2004 had 2,488; 2005 had 1,736; 2006 had 1,840; and January and February 2007 had 349 tickets issued.

Mayor DeIorio asked for the breakdown in money, as to what goes to the State and what goes to the town.

Mr. Blum said on a \$34.00 parking ticket, \$22.52 goes to the municipality. He said with the State Ordinance, \$30.52 goes to the municipality.

Councilman Badillo said that Joe did such a good job, people are not parking illegally and with the station opening in Union people are parking there and the numbers have declined.

Mrs. Iungerman asked about Resolution #114-07, which pertains to setting salaries for officials and employees in the Borough. She said with the budget so tight and cutting positions, why are we giving \$25,000 in raises.

Mr. Blum said the 3.75% increase is according to union contracts. He said according to State Statute, the Borough Clerk, Chief Financial Officer, Tax Collector, Tax Assessor must be given a least the minimum of the average of union contracts.

Councilman Badillo said it is lower than the average state percentage, which is 4.5%.

Suzanne Kinloch, 336 Sheridan Avenue

- She said she is there to remind everyone that May 1st is May Day for Relay and the kickoff to paint Roselle Park purple. She thanked Mayor and Council for the proclamation at the last meeting. She is encouraging the communities and businesses to help by displaying purple in decorating their homes and businesses. She said they have many ideas and anyone is free to contact her at 908-803-6688 or email her at rosellepark_pinkpanthers@yahoo.com. The Relay for Life will take place on June 9th and 10th at the Roselle Park High School track and she wanted to thank everyone personally on behalf of the American Cancer society.
- She read a letter regarding Virginia Tech from her Relay Director on behalf of the South Atlantic Division of the American Cancer Society.

Kevin Murphy, 115 Pershing Avenue

- Mr. Murphy spoke about the elimination of Mr. Iungerman's position. He said after calculating this, if the Police Department does this next year instead of losing \$10,000 you would be losing \$30,000.

Mayor DeIorio said our goal is to have our Police Officers patrol our streets so there will be more police presence.

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

RESOLUTIONS

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

RESOLUTION NO. 110-07

WHEREAS, the Borough of Roselle Park wishes to purchase gasoline from an authorized vendor under the Union County Cooperative Purchasing Program; 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, National Fuel Oil, Inc., 175 Orange Street, Newark, New Jersey 07103 has been awarded Union County Coop No. UCCP2-2007; and

WHEREAS, the actual cost for the purchase of gasoline is set at .039 mark up; now therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that National Fuel Oil, Inc. be awarded a contract for the purchase of gasoline.

RESOLUTION NO. 111-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the permit fees for electrical and/or plumbing permits for flood damage repairs from the Nor-Easter on April 15, 2007 be and are hereby waived.

RESOLUTION NO. 112-07

WHEREAS, the Mayor of the Borough of Roselle Park declared a state of emergency within the Borough of Roselle Park on April 15, 2007 and the Office of the Governor declared a State of Emergency in the State of New Jersey on April 16, 2007 by reason of a severe Nor'easter with major flooding,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Mayor and/or the Borough Clerk are authorized pursuant to N.J.S.A. 40A:11-6 to enter into an emergency agreement with Suburban Disposal for the emergency bulk pick up of flood damaged items in accordance with a quote solicited and submitted in the amount not to exceed \$6,000.00.

RESOLUTION NO. 113-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey upon the recommendation of the Borough Engineer, Michael J. Neglia, that the Contract for:

CHESTER AVENUE RECONSTRUCTION
BOROUGH OF ROSELLE PARK
UNION COUNTY, NEW JERSEY

Be awarded to Jenicar Builders Contractors, Inc., 573 Belgrove Drive, Kearny, NJ 07032 for the sum of Ninety Five Thousand Four Hundred Sixty Five Dollars and Sixty Eight Cents \$95,465.68 and Alternate Bid "A", Elm Street/Lincoln Avenue Drainage Improvements in the amount of Twenty Three Thousand Fifty Five Dollars and One Cent \$23,055.01; for a total amount of One Hundred Eighteen Thousand Five Hundred Twenty Dollars and Sixty Nine

Cents, \$118,520.69 which represents the Base Bid and Alternate Bid 'A'. This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 114-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that pursuant to the provisions of Ordinances 2194, 2118, 2186 & 2181, the annual 2006, 2007 salaries of certain officials and employees of the Borough of Roselle Park hereinafter named, be and are hereby fixed in the following amounts set forth opposite each name respectively, and salaries to be retroactive to January 1, 2006 unless an alternative effective date is specified herein:

	EFFECTIVE	EFFECTIVE
TITLE	01/01/06	01/01/07
Borough Clerk/Assessment Search	72,625.00	75,348.44
Deputy Borough Clerk	44,999.84	46,687.34
Chief Financial Officer	N/A	100,000.00
Superintendent of Public Works	68,569.25	71,140.60
Assistant Treasurer	50,760.24	52,663.75
Assistant Tax Collector	39,299.83	40,773.58
Court Administrator	50,018.09	51,893.77
Deputy Court Administrator-1*(R.C.)	27,316.15	28,340.51
Deputy Court Administrator -2*(T.Z.)	24,471.91	25,389.61
Chief of Police	106,778.36	110,782.55
Captain of Police	90,225.34	93,608.79
Control Person	36,312.18	37,673.89
<u>Administrative Assistant</u>	47,672.98	49,460.72
Welfare Director	11,876.59	12,321.97

RESOLUTION NO. 115-07

WHEREAS, the United States Department of Homeland Security has funds available through its FY2007 Assistance to Firefighters Grant Program to provide financial assistance directly to fire departments to enhance their abilities with respect to fire and fire-related hazards, and more effectively protect the health and safety of the public and emergency response personnel; and

WHEREAS, the Mayor and Council of the Borough of Roselle Park are in support of the Assistance to Firefighters Grant Program and wish to file an application with the United States Department of Homeland Security, not to exceed \$200,000 in grant funding, for OSHA required Firefighter Personal Protective Equipment; and

WHEREAS, the United States Department of Homeland Security FY2007 Assistance to Firefighters Grant program requires a cash match not to exceed 10% of the funds awarded; and

WHEREAS, the Mayor and Council of the Borough of Roselle Park endorse and support this application because of its safety and health benefits, and it is in the best interests of the people of the Borough of Roselle Park.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE PARK THAT:

1. The Mayor and Council of the Borough of Roselle Park hereby endorse, support and authorize the filing of a United States Department of Homeland Security FY2007 Assistance to Firefighters Grant application.
2. Upon receipt of the Grant Agreement from the United States Department of Homeland Security, the signature of the Mayor and/or any other municipal official, or their successors in said titles, which is required on the agreement and any other documents necessary in connection therewith, is hereby approved.

RESOLUTION NO. 116-07

WHEREAS, the Police Department of the Borough of Roselle Park is a Public Safety Answering Point (PSAP) and it has requested the Borough Council to authorize the filing of a 911 Public Safety Answering Point (PSAP) Grant application with the New Jersey Department of the Treasury, Division of Information Technology, Office of Emergency Telecommunications Services in an amount not to exceed \$160,000; and

WHEREAS, the Borough of Roselle Park PSAP meets the minimum eligibility requirements because it also serves the Borough of Kenilworth, the Township of Union, the Township of Cranford, and a portion of Elizabeth, New Jersey; will be configured with two fully-equipped call-taker positions; and will maintain a minimum staffing level of two certified call-takers/dispatchers; and

WHEREAS, authorization of this application is in the best interest of the Borough of Roselle Park;

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF ROSELLE PARK that the Council hereby authorizes the submission of an application for a 911 Public Safety Answering Point Grant in the amount not to exceed \$160,000;

BE IT FURTHER RESOLVED that the Borough of Roselle Park Mayor and Chief of Police are hereby authorized to execute said application and any necessary related paperwork;

BE IT FURTHER RESOLVED that the Borough of Roselle Park is hereby authorized to enter into a PSAP grant agreement with the New Jersey Office of Emergency Telecommunications Services;

BE FURTHER RESOLVED that the Borough Clerk is authorized to submit one original and all required copies of the grant application, and a certified copy of this resolution to the New Jersey Department of the Treasury, Division of Information Technology, Office of Emergency Telecommunications Services.

RESOLUTION NO. 117-07

WHEREAS, pursuant to N.J.S.A. 40A: 14-155 Sgt. Iungerman of the Roselle Park Police Department has requested the retention of attorney Albert N. Stender, Esq. to represent his interests in a pending matter,

WHEREAS, the said attorney has agreed to provide the necessary legal services at the rate of \$100.00 per hour, now therefore, be it,

RESOLVED, by the Mayor and Council of the Borough of Roselle Park, that:

1. The Town hereby approves the retention by Sgt. Iungerman of Albert N. Stender, Esq. to defend him pursuant to N.J.S.A. 40A:14-155 at the rate of \$100.00 per hour.
2. The total fee shall not exceed \$1,500 unless specifically approved by the Mayor and Council.

RESOLUTION NO. 118-07

WHEREAS, the Borough of Roselle Park desires to enter into a contract with the Town of Westfield for the purpose of the Town providing health services of a technical and professional nature; and

WHEREAS, the Board of Health of the Borough of Roselle Park has recommended to the Mayor and Council that a contract be entered into with the Board of Health of the Town of Westfield in accordance with N.J.S.A. 26:3A2-1 et seq. and N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, the Town of Westfield has agreed to provide health related services to the Borough of Roselle Park; and

WHEREAS, the funds are now available in the 2007 Municipal Budget under Board of Health, Other Expenses (01-0240-00-01512-205), now therefore

BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle Park that the Mayor is hereby authorized to execute a contract on behalf of the Borough, wherein the Borough agrees to pay the Board of Health of the Town of Westfield, the sum of \$118,536.00 per annum for 2007, payable semi-annually in advance.

RESOLUTION NO. 119-07

WHEREAS, the Borough of Roselle Park no longer has use for the attached automobiles, now therefore,

BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle Park that the Borough Clerk be and is hereby authorized to sell the attached items, as is, at public sale at a date within 60 calendar days. The auction will be advertised in the following media: The Union Leader and the Roselle Park Web Site.

This sale shall be in accordance with the provisions of The Abandoned and Unclaimed Motor Vehicle Law, R.S. 39: 10A-1.

1. Said sale shall be conducted by the Roselle Park Police Department.
2. Said property is being sold "as is".
3. All prospective purchasers are put on notice to personally inspect the property.
4. At the time of said sale, the purchaser shall deposit the entire purchase price with the Roselle Park Police Department. If the purchaser fails to take title and possession within ten (10) days of the date of purchase, the Governing Body of the Borough of Roselle Park may declare the contract of sale to be terminated and may retain all monies paid there under as liquidated damages, and the Borough may resell said property or pursue such other and further legal and equitable remedies as it may have. If the purchaser fails to take title or possession within said ten (10) days, purchaser will be liable for reasonable storage fees.

5. If the title to this property shall prove to be unmarketable, the liability of the Borough shall be limited to the repayment of the amount of any sums paid by said purchaser to the Borough without any further costs, expense, damage, claim against or liability upon the Borough.
6. The Borough of Roselle Park reserves the right to reject all bids and shall not be obligated to accept any bids.
7. All prospective purchasers are put on notice that no employee, agent, officer, body or subordinate body has any authority to waive, modify or amend any of the within conditions of sale.
8. Minimum bid for these vehicles will be towing and storage, along with repair fees due to the towing agency.
9. Purchase must be made by cash or certified check by 4:00 p.m. the same day.

RESOLUTION NO. 120-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the time restrictions regarding the placement of bulk items placed at the curb, for flood damage items only from the Nor-Easter on April 15, 2007, be and are hereby waived.

RESOLUTION NO. 121-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the heavy metal fees, for appliances damaged during the Nor-Easter on April 15, 2007, be and are hereby waived.

RESOLUTION NO. 124-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that effective immediately, the fees charged to an individual requesting off-duty police services from the Roselle Park Police Department are fixed as follows:

1. Except as indicated below, the hourly rate charged for off-duty police services will be \$45.00 for the first eight (8) hours (with a four hour minimum call out time). After eight (8) hours, the hourly fee will be increased to \$67.50. In addition to the above fees, the Borough of Roselle Park will charge ten percent (10%) to cover administration expenses.
2. In addition to the above fees charged, if a police vehicle is required by the requesting individual, a fee of \$12.00 per hour will be charged for said use.
3. For all Borough or Board of Education events, the hourly fee charged will be \$35.00 per hour, with a minimum three (3) hour call out time.

NOW, THEREFORE, BE IT RESOLVED that, the above fees herein said shall be effective immediately and shall remain in effect until revised by a future Resolution of the Mayor and Council.

Councilman Harms moved the following resolution, seconded by Councilman Badillo.

RESOLUTION NO. 122-07

WHEREAS Gov. Jon S. Corzine was critically injured on Thursday, April 12, 2007 when his motorcade crashed on the Garden State Parkway; and

WHEREAS Gov. Jon Corzine suffered broken ribs, a broken leg and several other fractures and was in critical condition at Cooper University Hospital in Camden; and

WHEREAS Gov. Jon Corzine underwent surgery and is in critical but stable condition,
NOW THEREFORE BE IT RESOLVED that Mayor Joseph DeIorio and the Borough of Roselle Park Council would like to take this opportunity to wish Governor Jon Corzine a speedy recovery and pray that he heals soon and resumes his leadership role to the State of New Jersey.

Mayor DeIorio, on behalf of the Governing Body and the residents of Roselle Park, wished Governor Corzine a speedy recovery.

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

Councilman Harms moved the following resolution, seconded by Councilman Badillo.

RESOLUTION NO. 123-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Joseph Signorello, be and is hereby appointed to the position of Deputy Coordinator for Emergency Management, effective immediately, at a salary of \$1.00 for the purpose to recruit volunteer members to the Office of Emergency Management, pending approval of the Emergency Management Coordinator.

Mayor DeIorio said that after the flood situation this weekend, Joe Signorello approached him with his willingness to recruit more members to the Office of Emergency Management. He has discussed it with the Police Chief and he offered to do it for \$1.00 and his responsibility will be to recruit new volunteer members.

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

Police Chief Wielgus said the storm this past weekend was the worst he has ever seen in this Borough. He said he saw the detention basin built on Warren Avenue and never thought he would ever see it overflow as it did. He said through the efforts of one of his Deputy Coordinators, we purchased a 30 foot trailer from the Federal Government and we will be using it for a mobile command center. He said it is brand new worth \$40,000 and he paid \$100 for it. Chief Wielgus said the only additional cost is the purchase of a trailer hitch and we will be able to tow it where we need it. He said today he received word from the Office of Emergency Management and the NJ Consumer Affairs about flood victims being scammed. He said it is contractors coming in to do work, taking money and not showing up again. He complimented the Mayor and the Fire Department on their participation during the flooding. He said that many residents think that the Fire Department and OEM can pump out their cellars, but that is difficult to do especially when it is raining because the water goes back in.

Mayor DeIorio said that in Cranford they did not do any pumping until the following day; so any requests that came in during the flooding were followed up on the following day. He said in some cases if you have a certain level of water in your basement and you pump it out you can cause what is called positive pressure which can damage your basement. He said if the Borough did that during the flood, you could collapse the basement and then the Borough would be liable for that.

Chief Wielgus said the Fire Department and the First Aid Squad did a phenomenal job, and the volunteers in this town are fantastic. He mentioned the number of summonses that Joe Iungerman gave out in March and he said he did not even have figures for that month. He had January and February of this year, and never mentioned March. He said he was also giving the figure of \$34.00 per ticket, so he was actually boosting the amount and then found out the next day the amount was less. Chief Wielgus said that the Court Attendant is not on overtime; it is one of our Community Police Officers we are using right now.

Mayor DeIorio said that was approved by the Union County Court Administrator.

Mr. Blum said for 2006, Mr. Iungerman issued 1,840 tickets and at \$22.50 per ticket it would have brought in \$41,436.80. He said if we kept the same level compared to what you would have paid out, you would have been losing \$10,000.

Councilman Badillo said if we kept the position at \$50,000 and he only brought in \$40,000 last year; in order to realize a \$30,000 loss, he would had to make an addition \$40,000 which hasn't been made.

Police Chief Wielgus said the Police Department is getting paid whether they are issuing the summonses or not. He said he wanted to clarify the number of tickets because he is being misquoted.

Councilman Yakubov said that numbers could go down because of compliance and the Police Officers are doing a better job of ticketing.

MATTERS FOR REFERREL TO COMMITTEE OR COUNCIL

Mayor DeIorio appointed Joseph Mazza, 24 W. Sumner Avenue, Roselle Park as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Central Ladder Company #2, all members present voting Aye, said appointment was granted.

Councilman Harms moved that the following raffle licenses be granted to the Church of the Assumption, seconded by Councilman Badillo.

- Raffle license be granted to the Church of the Assumption for an Off-Premise 50/50 Raffle to be held on June 10, 2007.
- Raffle license be granted to Church of the Assumption for a Non-Draw Raffle to be held on June 7, 8, 9 & 10, 2007.

- Raffle license be granted to the Church of the Assumption for an On-Premise 50/50 Raffle to be held on June 10, 2007.
- Raffle license be granted to the Church of the Assumption for an On-Premise Nightly 50/50 Raffle to be held on June 7, 8, 9 & 10, 2007.

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

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

Attest:

Borough Clerk