

Regular Meeting of Mayor and Council October 4, 2007

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

ABSENT: Councilman Badillo (entered meeting at 7:35 p.m.)

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

All contracts awarded by Mayor and Council must comply with the affirmative action requirements of P.L. 1975, C.172. (NJAC 17:27).

As required by the Fire Prevention Code, he indicated the fire exits and the procedure to be followed in case of fire.

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

Mayor DeIorio asked for a moment of silence to remember Vince Sweeney who had passed away this week. He said this evening he presented Mrs. Betty Sweeney with a proclamation on behalf of the Governing Body and residents in memory of Vince and his commitment to his community. He said Mrs. Sweeney and her family send their regards and thanks for the touching memorial that we offered to them.

COMMUNICATIONS AND PETITIONS

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

- Request from 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 Tournament of Bands Competition on Saturday, October 13, 2007.
- Request from County Educators Federal Credit Union and Enterprise Rent-A-Car to hold a one day special car sale (only for members and employees of the representing credit units) on November 10, 2007 from 9:00 am until 2:00 pm.
- Request from Puppy Love Pet Rescue to participate in the Casano Center’s Pet Appreciation Day on Sunday, October 28, 2007.

REPORT AND RECOMMENDATIONS OF MAYOR

- He conducted a meeting with Postmaster Tony Abramo, a representative from the Community Affairs and Municipal Clerk Doreen Cali to discuss the issues that were brought to the attention regarding the Post Office. He said as part of the discussion, we came to the agreement with the assistance of the Post Office to conduct a survey. It is essentially a survey that was distributed to the community about 1 ½ years ago.

It will be used as a means to gauge the public's sentiments about the Post Office. He said the Clerk and he conveyed their displeasure about some of the issues that have been brought to their attention and to make the public aware and to get their participation in voicing their concerns. He said on November 3rd from 9:00 a.m. to 12:00 noon there will be representatives from the Post Office in front of the Post Office and they will have surveys available as well as online. He said they will also be available at all the Municipal Buildings, Casano Center, Library and other government buildings. He said they will also have information to identify theft issues.

- He recognized the grand opening of Solar do Minho and wished the owners best of luck in their business venture. He said it was suggested there be a Roselle Park only open house, so the residents may see the restaurant.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Dinardo

- He said Grant Avenue is in bad shape and he requested it be done as soon as possible. He said at first it slowed traffic down but it is dangerous.
- His said this Sunday there will be an Autism Walk in Cranford and he invited anyone who would like to attend.

Councilman Badillo

- He extended his condolences to the Sweeney family. Mr. Sweeney always attended the Council Meetings and served Roselle Park for many years. He said he will be missed.
- He said the opening of Solar do Minho was great and will help Roselle Park to move forward. He thanked them for investing in our community. He said he also thanked the staff, Borough Clerk and her staff, the Construction Department, the Police Department, the DPW and Councilmembers for a job well done.
- He said we would like to consider a turn off by the restaurant. He said they spoke to Mike Antonucci, Traffic Safety Officer to have that median turned into a drop off lane so when there are affairs traffic will not back up on Westfield Avenue.
- He said CAASA was at Back to School Night and they will be having a movie night, which is a fundraiser for CAASA on October 23rd.

Councilman Harms

- He has received several calls pertaining to the railroad by Seaton Avenue and asked if they can find out what is carried in the boxcars. He said there is terrible stench that comes from the train when it passes and then it lingers. He said anyone that lives along that line should experience that when sitting out in their backyard.

Mayor DeIorio said it is Conrail holdings and CSX Northfolk Southern. He said you can find out what substances are being transported through that line through the Freedom of Information Act because the movement of freight traffic is governed by the federal government.

- Councilman Harms asked if the Mayor could direct the Borough Clerk to investigate what is being carried. He said taxpayers should not be exposed to that; the noise is bad enough, but has never had this stench in all the years he has lived in that area. He said he is sure that everyone would appreciate this being taken care of.

Councilman Rubilla

- He echoed the sentiments of everyone on Council with the passing of Vince Sweeney. He said he was a fine gentleman and a proud Roselle Parker and will be dearly missed.
- He said he does not have the final report on the activity from Conrail vs. the Code Enforcement Department, but he expects to have that for the next meeting. He said he will be able to let everyone know about bridge infrastructure and what we have discussed.

Councilman Yakubov

- He said there have been drastic improvements in the grove area by the High School by the Board of Education and their department with the help of Frank Wirzbicki. He said the area looks good and it is a big step forward. He said he wrote a letter to the Superintendent because there are still some signs that have graffiti and they need to be removed, cleaned or replaced.
- He said he had many positive replies from residents that they are happy with the person who trims the trees. He said they are pleased with the work he does and he is respectful in the way that he does the work.
- He said Councilman Dinardo and he have been working on a neighborhood watch project and they are having the second meeting in Borough Hall on October 26th from 7:00 p.m. to 9:00 p.m. He said if senior citizens are in need of a ride, it will be arranged for them. He said there may be a guest speaker from the Prosecutor's Office and may be joined by Senator Thomas Kean.
- He said he has received phone calls about an increased amount of planes flying too low and making too much noise. He asked if anyone can provide an update on that issue.
- He said he has one closed session item regarding a possible contract negotiation with Union County.

REPORTS OF DEPARTMENTS

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

- Police Chief's Report for September 2007

- Neglia Engineering Report for October 2007
- DPW Report for September 2007

Borough Engineer – Nick Villano

- He said the project on Chestnut Street has been finalized and it is a matter of closing it with the contractor.
- He said Madison Avenue is under construction and the curbs are being replaced and the milling and paving should be done within the next few weeks.
- He said the application for the Westbrook Stream Improvements has been submitted to the DEP and we did get back a response today, but they are requiring us to notify all property owners within 200 feet of the project. We are requesting the Borough assistance in preparing these mailings, and they will forward the green slips to the NJDEP for verification.
- He said the Governing Body has approved their proposal for the Sanitary Sewer Replacement on Webster Avenue from the DPW yard to Laurel Avenue.
- They have prepared specifications for the purchase and installation of the First Aid Squad Emergency Generator and the bid is scheduled for Tuesday, October 16th at 10:30 a.m.
- They have addressed all the County's comments pertaining to the Stormwater Management Plan and we are waiting for them to review, and once it is accepted we can adopt it as our Stormwater Management Plan.
- He said we did not receive any bidders for the Union Avenue Storm Sewer Repair on September 19th. It has been re-advertised and we are will be accepting bids on October 16th.
- He said the contract has been awarded for the Fire Station Bathroom Renovations and the contractor began the work a few weeks ago and is progressing with the improvements.
- He said at the last meeting the resident of 237 Sherman Avenue provided us with a video tape of the flooding that has been occurring. He said there is a storm sewer that runs along the front of the property off the street and we can put in an additional inlet along the curb and connect it to the existing chamber in front of 237 Sherman Avenue He said there is money available according to the Borough CFO and they can solicit for this work.

Councilman Badillo moved that bids for Sherman Avenue will be accepted upon the adoption of the ordinance, seconded by Councilman Harms, all members present voting Aye, said motion was adopted.

Councilman Badillo asked that a letter be sent to the resident of Sherman Avenue keeping them abreast of what is going on with this situation. He also asked if there is anyway they can improve the capacity of the Hawthorne Basin.

Borough Attorney – Bill Lane

- He said the issue with the FAA flight patterns involves litigation and this should be an item for closed session.

Borough Clerk – Doreen Cali

- She received a letter from the County Clerk informing us that the State will not be paying for the Presidential Primary and the cost will be subject to the Borough in the amount of \$5,777.

Mayor DeIorio asked that a resolution be put together of our displeasure for the State not subsidizing the cost for a law that they passed.

Mayor DeIorio said as part of our efforts to acquire funding for our parks and playgrounds, we need to have a public hearing for potential grant application if the Governing Body wants to acquire funds through Green Acres. He said they need a fifteen day window as required by Green Acres to apply. He asked the Borough Clerk to poll Councilmembers for a date for that hearing.

DPW Superintendent – Frank Wirzbicki

- He said at the end of October, depending on if the pick up is light or heavy, a crew will be out for leaf pickup. He said on November 1st everyone is out.

Councilman Yakubov asked when the street sweeper operates and Mr. Wirzbicki said the sweeper is out everyday starting at 7:00 a.m. He said Monday through Thursday the sweeper has a route and then sweeps in between; he is also in early on Friday morning.

Councilman Badillo thanked Mr. Wirzbicki and his staff for cleaning up the bike path and also the Westbrook stream.

Mayor DeIorio said in November at the League of Municipalities Conference in Atlantic City Mr. Wirzbicki will be recognized as the Superintendent of the Year by the American Public Works Association. He congratulated Mr. Wirzbicki on this award.

POLICE DEPARTMENT – Sgt. Dan McCaffery (sitting in for Acting Police Chief Paul Morrison)

Councilman Badillo asked that the Acting Chief Morris please address the issue with Solar do Minho restaurant.

Mayor DeIorio said he has had several discussions with Acting Chief Morrison about increased patrols in the downtown area. He said more officers are now being sent out in that area.

Sgt. McCaffery said they are assigning additional officers in that area on the day shift as well as nights when manpower permits. He said they have had officers drop out of their motor patrols and check the beat area, speak to residents and enforce the parking.

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

- Regular Meeting: August 2, 2007

MOTION BILLS & PAYROLLS NOT BE READ
MOTION BILLS AND PAYROLLS BE PASSED FOR PAYMENT

Councilman Harms moved that bills and payrolls not be read and passed for payment, seconded by Councilman Badillo, all members present voting Aye, said motion was adopted.

PASSAGE OF ORDINANCES

Second Reading and Public Hearing

| ORDINANCE NO. 2217

AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN PURSUANT
TO N.J.S.A. 40A:12A-7 FOR THE ROMEROVSKI SITE LOCATED IN THE
BOROUGH OF ROSELLE PARK

Councilman Harms moved to open the public hearing on Ordinance #2217 seconded by Councilman Badillo and adopted.

Jacob Magiera, 612 Sheridan Avenue

- He asked if Resolution #214-07 pertaining to increase of money has anything to do with this ordinance and Mayor DeIorio replied that it does not.

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

Councilman Harms moved that Ordinance #2217 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Badillo, all members present voting Aye, said ordinance was adopted.

ORDINANCE NO. 2218

ORDINANCE AMENDING CHAPTER 128, ARTICLE XV SECTION 65 OF THE
CODE OF THE BOROUGH OF ROSELLE PARK REGARDING LAND USE

Councilman Harms moved to open the public hearing on Ordinance #2218 seconded by Councilman Badillo and adopted.

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

Councilman Harms moved that Ordinance #2218 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Badillo, all members present voting Aye, said ordinance was adopted.

Councilman Badillo said this is the ordinance, which was researched from Hillside and it is a very strong ordinance, which will prevent people from living where they shouldn't.

ORDINANCE NO. 2219

AN ORDINANCE AMENDING ARTICLE XXVII, SECTION 128-114,
MISCELLANEOUS, TO PERMIT AND REGULATE
ELECTRIC SOLAR ENERGY PANELS

Borough Clerk Cali said this ordinance has been referred to the Planning Board and the second reading will be adjourned until October 18, 2007 because they are waiting for the 35 day review.

ORDINANCE NO. 2220

BOND ORDINANCE PROVIDING AN APPROPRIATION OF
\$1,815,219 FOR VARIOUS CAPITAL IMPROVEMENTS BY
AND FOR THE BOROUGH OF ROSELLE PARK IN THE
COUNTY OF UNION, NEW JERSEY AND AUTHORIZING
THE ISSUANCE OF \$1,433,000 IN BONDS OR NOTES OF
THE BOROUGH FOR FINANCING PART OF THE
APPROPRIATION

Councilman Harms moved to open the public hearing on Ordinance #2220 seconded by Councilman Badillo and adopted.

Jacob Magiera, 612 Sheridan Avenue

- He had asked on behalf of many residents that any spending ordinance be read in full. He asked where the \$1,815,219 is going. He also asked why there is a \$400,000 difference between the issuance of bonds from the total.

Mayor DeIorio read the various items included in the ordinance.

Mr. Blum said we are receiving grant monies from the DOT for \$175,000 which is for the Reconstruction of E. Clay Avenue from Galloping Hill to Spruce Street. We are receiving \$140,000 from Union County Community Development Block Grant for the Reconstruction of

Hazel Street from W. Colfax Avenue to W. Roselle Avenue. He said they are receiving an \$11,000 grant from the County of Union Community Development Block Grant for the Casano Center ADA Door Compliance. He said there is down payment monies coming from the Capital Improvement Fund of \$76,219 and that added with the bonds being authorized of \$1,433,000.00 plus the \$306,000.00 in grant monies gives you the total.

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

Councilman Harms moved that Ordinance #2220 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Matarante, all members present voting Aye, said ordinance was adopted.

ORDINANCE NO. 2221

AN ORDINANCE TO AMEND §128-93 IN ARTICLE XXII (PERMITTED USES IN THE B-2 CENTRAL BUSINESS DISTRICT) IN CHAPTER 128 (LAND USE) OF THE CODE OF THE BOROUGH OF ROSELLE PARK TO PERMIT INSURANCE AGENCIES AND BROKERAGE IN THE B-2 ZONING DISTRICT

Borough Clerk Cali said this ordinance has been referred to the Planning Board and the second reading will be on October 18, 2007.

ORDINANCE NO. 2222

AN ORDINANCE AMENDING ORDINANCE 2098 AND 2116 FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION STATE OF NEW JERSEY, FOR THE YEARS 2006, 2007, 2008 AND 2009

Councilman Harms moved to open the public hearing on Ordinance #2222 seconded by Councilman Yakubov and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Mr. Magiera said this is a spending ordinance and asked that it be read in full.

Chief Financial Officer said this ordinance is setting the minimum and maximum salaries for the Clerical Union for the years 2006 through 2009. He said they have received a 3.75% increase across the board. He said starting July 1, 2008 they will have a 7% contribution toward health benefits, in July 1, 2009 it will be 10%.

Mayor DeIorio read the minimums and maximums for the various positions and said a supporting resolution is needed to set the salaries for specific positions. This just sets the ability for the Governing Body to allow them to fulfill within the contract requirements.

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

Councilman Harms moved that Ordinance #2222 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Badillo, all members present voting Aye, said ordinance was adopted.

Introduction

ORDINANCE NO.2223

ORDINANCE AMENDING CHAPTER 123 "GRAFFITI", SECTION 123-5 OF THE CODE OF THE BOROUGH OF ROSELLE PARK

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter 123, Section 123-5 "Regulations Applicable to All Districts" of the Borough Code is hereby amended to add the following:

SECTION I. § 123-5 – Violations and Penalties.

- D. By this Ordinance, the Borough authorizes and directs the creation of a graffiti trust account to be maintained by the Borough for the following purposes:
1. To collect, obtain, maintain and distribute the sums described as "monetary restoration to restore the property to its original undamaged condition" described in Section 123-5B above. The trust account created for this purpose shall be entitled "Graffiti Trust Account". The Borough Council and Borough Clerk shall control the allocation of the funds in the Graffiti Trust Account for the remediation of graffiti within the Borough of Roselle Park, which shall include cleaning, repairing, painting or otherwise restoring the damaged public property to the condition it was prior to the damage incurred. Any remediation of public property, subject to graffiti may be funded by the funds contained in the Graffiti Trust Account, at the discretion of the Borough Council and the Borough Clerk.
 2. Any private property that has been subjected to graffiti shall not be eligible for remediation out of the funds in the Graffiti Trust Account.
 3. The Roselle Park Police Department and the members of the Borough Code Department are hereby authorized to issue a notice to the owner or tenant of private property of the discovery of graffiti. The owner or tenant of the private property must remediate the damage/graffiti within thirty (30) days of the initial notice of graffiti as described above. Any private property owner who fails to remediate this property as described above within thirty (30) days of the notice of damage shall be subject to a mandatory fine of \$50.00 for the first violation and \$100.00 for the second and subsequent violation. If the graffiti/damage remains un-remediated for a period of thirty (30) days, the owner or tenant of the private property will be subject to a daily fine of \$50.00 per day for every day in which the property in question remains un-remediated. The fines collected pursuant to this subsection (123-5) shall be deposited into the Graffiti Trust Account as described above.

4. Any owner or tenant of private property subject to this provision shall be entitled to receive restitution for the fine assessed in this subsection from the individual responsible for the graffiti and/or damage, or parent or guardian thereof.

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 deemed to be invalid, such determination shall not affect the validity of the remaining portions of this Ordinance.

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

Councilman Harms moved that Ordinance #2223 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on October 18, 2007; seconded by Councilman Badillo, all members present voting Aye, said motion was adopted

ORDINANCE NO. 2224

AN ORDINANCE AMENDING ORDINANCE 1184, "PROHIBITION PARKING; PROHIBITION STOPPING OR STANDING AND TIME LIMIT PARKING" OF THE ORDINANCES OF THE BOROUGH OF ROSELLE PARK

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Ordinance 1184, Article VIII, Schedule XII of the Borough Code is hereby amended to add the following to the list of time limit parking.

SECTION 1:

<u>Name of Street</u>	<u>Side</u>	<u>Time Limit</u>	<u>Location</u>
Sheridan Avenue	West	15 minutes Between 7:30 a.m. and 3:30 p.m. on days public school is in session.	Beginning at a point 180 feet from the Northerly side of Grant Avenue and continuing distance of 30 feet, for parking handicapped buses (vans) only. Parking for all other vehicles is prohibited during the time indicated.

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 Harms moved that Ordinance #2225 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on October 18, 2007; seconded by Councilman Badillo, all members present voting Aye, said motion was adopted.

RESOLUTIONS

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

RESOLUTION NO. 208-07

WHEREAS, Karl Krynicki, Equipment Operator for the Department of Public Works in the Borough of Roselle Park has requested an unpaid leave of absence from September 1, 2007 to October 31, 2007; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Karl Krynicki be and is hereby granted an unpaid leave of absence effective September 1, 2007 to October 31, 2007.

Councilman Harms moved that Ordinance #2224 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on October 18, 2007; seconded by Councilman Badillo, all members present voting Aye, said motion was adopted.

RESOLUTIONS

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

RESOLUTION NO. 209-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that Sandra Smith be and is hereby appointed to Position of Clerk in the Construction Department effective October 15, 2007 at the annual salary of \$25,000 pending pre-employment processing.

RESOLUTION NO. 211-07

RESOLUTION AUTHORIZING THE EMERGENCY REPAIR OF EAST GRANT AVENUE SANITARY SEWER

WHEREAS, the Roselle Park Police Department notified the Borough Engineer of a severe road depression directly above a sanitary sewer line, and

WHEREAS, the Borough of Roselle Park Engineer determined that immediate repair was required to ensure the protection of the health, safety and welfare of the residents and certified that an emergency existed on East Grant Avenue.

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that a contract in the amount of \$5,122.50 be and is hereby awarded to Neglia Engineering for the project East Grant Avenue Emergency Sanitary Sewer Repair.

RESOLUTION NO. 214-07

BE IT RESOLVED, that Resolution No. 163-07, authorizing the Professional Planning Services of Heyer Gruel & Associates in the matter of Roselle Park LLC vs. Borough of Roselle Park in the amount not to exceed \$5,000 is hereby amended to increase the maximum amount specified to an amount not to exceed \$8,000.

RESOLUTION NO. 215-07

BE IT RESOLVED, that Resolution No. 145-07, authorizing the award of a contract for Professional Services to Robert Donovan, Esq. of the firm, McElroy, Deutsch, Mulvaney & Carpenter LLC in the amount of \$1,500.00, is hereby amended to increase the maximum amount specified for representation to oppose the appeal in the matter of State v. J&W Video to an amount not to exceed \$1,937.30.

RESOLUTION NO. 216-07

RESOLUTION OF THE BOROUGH OF ROSELLE PARK AUTHORIZING THE APPLICATION FOR NONCONFORMING MATURITY SCHEDULE TO BE FILED WITH THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(e)

WHEREAS, The Borough of Roselle Park desires to make application to the Local Finance Board for its review and approval of a proposed maturity schedule with respect to the issuance of its general obligation bonds,

WHEREAS, the Borough of Roselle Park believes that:

- (a) it is in the public interest to accomplish such purpose,
- (b) the amounts to be expended for each such purpose or improvements are not unreasonable or exorbitant,
- (c) the proposal will not create an undue financial burden to be placed upon the local unit or units.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle Park as follows:

Section 1. The application to the Local Finance Board is hereby approved by the Borough Council of the Borough of Roselle Park, and the Chief Financial Officer of the Borough of Roselle Park, bond counsel and financial advisor, along with other representatives of the Borough, are hereby authorized to prepare such application and represent the Borough in matters pertaining thereto.

Section 2. The Chief Financial Officer is hereby directed to prepare and file the proposed maturity schedule with the Local Finance Board as a part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to its approval as provided by the applicable New Jersey statute.

RESOLUTION NO. 217-07

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize the agreement with AKC Computers for the IT services in the Roselle Park Police Department for the remainder of 2007 in the amount not to exceed \$3,000.

Councilman Harms moved the following resolution; seconded by Councilman Matarante.

RESOLUTION NO. 210-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that Daniel McCaffery be and is hereby appointed to Position of Acting Lieutenant in the Roselle Park Police Department effective October 15, 2007 at the annual salary of \$82,387.17.

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

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

RESOLUTION NO. 212-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, upon the recommendation of the Town Engineer that a contract be awarded in the amount of 14,996.43 to Montana Construction for the emergency repair of East Grant Avenue Sanitary Sewer.

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

Councilman Harms moved that the following Resolution #213-07 be postponed for further discussion in Closed Session; seconded by Councilman Badillo, all members present voting Aye, said motion was adopted.

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

Councilman Harms moved that a Raffle License be granted to Meals on Wheels, Inc. for an Off-Premise 50/50 Raffle to be held on October 26, 2007, seconded by Councilman Badillo 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 Badillo and adopted.

Jacob Magiera

- He offered his condolences to the Sweeney Family.
- He said there should be a packet of his report from the Union County Air Traffic and Noise Advisory Board pertaining the last meeting at which Senator Kean was present.
- He said the catch basins are filled with leaves and debris.
- He asked if the Borough applied for extraordinary aid and how much was it for.

Councilman Matarante said they did apply for \$250,000 and we received zero this year; they will apply again next year.

- Mr. Magiera asked for an update on Police Chief Wielgus, how many sick days he has accumulated and can this be verified. He asked who keeps the records for Department Heads, such as sick and vacation time.

Mayor DeIorio said all personnel records are kept in the Finance Office. Chief Wielgus is going through some health issues and we are not able to discuss them due to the HIPPA laws.

- Mr. Magiera asked when we will be getting the yield to the pedestrian signs.

Councilman Harms said the Acting Chief is investigating that information.

- Mr. Magiera asked for an inventory on Borough assets.

Mr. Blum said they are working with several Departments and doing the best we can.

- Mr. Magiera asked if the Board of Education is supplied with Council Meeting minutes and are Board of Education minutes sent to the Borough.

Mayor DeIorio said minutes from meetings cannot be released until they are adopted, but we have been in constant communication with the Board of Education.

- Mr. Magiera asked about the sanitary sewer on E. Grant and Pershing Avenue and said the residents are complaining it is a hazard.
- He asked about an update on the Guarriello & Dec litigation.

Mr. Lane said there is no current activity at this time.

- Mr. Magiera asked for an update on the Montoya case.

Mr. Lane said there is no legal action right now.

- Mr. Magiera spoke about Post Office vehicles and how they park within the 50 foot limit of stop signs.
- He said there are many houses and businesses in town that do not have numbers prominently displayed.

- He asked about the two vacant properties on Jerome Street and if they have been sold.

Borough Clerk Cali said there was an auction twice and no one showed up.

- Mr. Magiera said there are lights off in the parking lot next to this building.
- He asked for an update on parking tickets that have been issued in restricted parking areas on the streets by the railroad station. He has seen vehicles without stickers parked on W. Lincoln Ave. by the train station. He asked how many tickets have been issued for vehicles parking in restricted areas without stickers.

Councilman Yakubov said he recently spoke to the Police Department about that issued and they have been ticketing residents without parking stickers. He said the Police Department would have to provide the number of tickets to him.

- Mr. Magiera asked Councilman Yakubov if he received a copy of the U.C. Air Traffic and Noise Advisory Board meeting.
- He asked that they please read all positions and titles appearing in Ordinance #2222.
- He referred to Resolution #214-07 and asked why Heyer and Gruel is receiving \$3,000.

Mayor DeIorio said they are providing us services regarding the matter between Roselle Park LLC, which is the Romerovski site vs. the Borough of Roselle Park.

- Mr. Magiera asked if the storm sewer catch basins will be cleaned on Colfax Avenue and Walnut Street.

Councilman Harms said he has not seen anything in those catch basins, and said he will meet with him.

Glen Marczewski, 622 Sherman Avenue

- He commented about the Neighborhood Watch and can they have some type of ID.
- He asked about the basketball hoops that have been taken down in certain areas.
- He asked about the leaking fire hydrant at Sherman Avenue and Lincoln Avenue.
- He asked if the Borough has applied for any sidewalk grants.
- He asked about Senior Citizen Housing, Assisted Living or a Nursing Home in town.

Mayor DeIorio said we have been trying to get some type of age restricted living at the Romerovski property, but now it is under litigation. He said in Closed Session, he will be asking the Governing Body to authorize the Attorney to look at three properties to potentially negotiate senior housing. He said he went to a meeting of the Church Trustees because they are cutting a piece of their property to build two one-family homes. He asked them to consider senior citizen housing on that site and he was denied.

Nick Pagnetti, 309 E. Grant Avenue

- He asked about the painting of railroad overpasses on Westfield Avenue because the bridges look terrible. He said that painting will stop rust as well as being of esthetic value. He said Conrail uses that bridge and comes through Roselle Park, is there some way we could charge them rent and then take that money and repair the bridge.

Mr. Lane said it is their land and the bridge is property of the particular railroad facility; we are not leasing it to them. He said their rights have been granted by the Federal Government and they are using their material. He said we have some limited ability to gain information as to what they are transporting. He said Councilman Rubilla is working tirelessly to get them to repair those bridges.

Mayor DeIorio said we have put them on notice, sending a letter through the Clerk's office for not only the bridges but the railroad crossing. He said it was sent to Union County as well as the State Department of Transportation, but we have not yet received a response. He said it occurred after what happened in the Midwest and he wants something in writing to state that the bridges are stable by DOT standards.

- He said when many of the former OEM officers quit; they did not turn in their badges. He said that is a bad situation having people with authentic badges out there.

Councilman Badillo requested the Borough Clerk send a letter to the Acting Police Chief regarding badges and ID's to verify and act on it immediately.

Al Costanzo, 22 E. Grant Avenue

- He updated everyone on the Post Office issues. He distributed photographs of the Post Office and people lined out the door of the building. He said he received a notice in his mailbox that there was too much mail and everyone's mail except his was in his Post Office box addressed to all different residents. He said it is a terrible situation and out of control.

Mayor DeIorio said they met with the Postmaster and Community representative telling them the service was terrible.

- He spoke about the FAA and there used to be routes that these planes used to take. He said they are removing these routes and they are allowed to fly wherever they want to go

Pat Pagnetti, 309 E. Grant Avenue

- She invited everyone to the Roselle Park Museum on Saturday, October 20th and Sunday, October 21st from 10:00 a.m. until 4:00 p.m. She said the Roselle Park Historical Society will host Four Centuries in a Weekend, which is an annual celebration that takes place at almost all the historic sites in Union County. She

encouraged every one to attend. She said there will be entertainment, refreshments and exhibits. She said between 12:30 p.m. and 3:30 p.m. on both days there will be a barbershop quartet performing.

There being no one else wishing to speak, Councilman Harms moved to close the public comment; seconded by Councilman Badillo, roll called all members present voting Aye, said motion was adopted.

Councilman Badillo discussed the need for everyone to complete OPRA requests and to pay for the copies. He said we must be consistent and have everyone do the same thing.

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

- Negations – County of Union for IT services
- Contract Negotiations – PBA
- Negotiations – Parcels of property for the purposes of senior housing

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Harms moved to interrupt the regular order of business for a closed portion; seconded by Councilman Badillo, roll called all members present voting Aye said motion was adopted.

RESUME THE REGULAR ORDER OF BUSINESS

Councilman Harms moved to resume the regular order of business, seconded by Councilman Rubilla and adopted.

Mayor DeIorio said during Closed Session, Council discussed the following matters:

- Negations – County of Union for IT services
- Contract Negotiations – PBA
- Negotiations – Parcels of property for the purposes of senior housing

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

RESOLUTION NO. 213-07

WHEREAS, the Borough of Roselle Park and Roselle Park Policemen's Benevolent Association (hereinafter referred to as the "PBA Union") have been engaged in negotiations for the 2006, 2007, 2008, 2009 and 2010 contract years; and

WHEREAS, an Agreement was executed regarding wages, hours of work and other terms and conditions of employment; and

WHEREAS, said Agreement was ratified on September 24, 2007 by the general membership of the PBA Union.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park in the County of Union and State of New Jersey, as follows;

1. The collective bargaining agreement between the Borough and the PBA Union is hereby extended for the period of January 1, 2006, to December 31, 2010 as stated in the attached agreement.

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

Councilman Harms moved to authorize the Borough Attorney to negotiate for parcels of property in the Borough or other properties that Council presents for the purpose of senior housing; seconded by Councilman Badillo, all members present voting Aye, said motion was adopted.

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

Attest:

Borough Clerk