

Regular Meeting of Mayor and Council held November 19, 2007

PRESENT: Mayor DeIorio; Councilmembers Harms, Matarante, Rubilla, Dinardo (in at 8:00 p.m.) and Yakubov; Borough Attorney Bill Lane' CFO Ken Blum

ABSENT: Councilman Badillo (work)

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 provided 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.

Deputy Borough Clerk Donna Corrigan read a short prayer followed by the Pledge of Allegiance.

COMMUNICATIONS

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

- Request from the Roselle Park High School Graduation Committee for permission to solicit funds during the Holiday Parade on December 1st and they also request permission to “can” at the Tree Lighting Ceremony on November 30th.

REPORT AND RECOMMENDATIONS OF MAYOR

- Mayor DeIorio reminded everyone the Tree Lighting Ceremony will take place on November 30th.
- He said on Saturday, December 1st the Holiday Parade will begin at 1:00 p.m. and prior to that the Rotary Club is sponsoring a Pancake Breakfast at the Methodist Church.
- He congratulated the Pop Warner Cheerleaders for coming in first place in the midgets and fourth place in the junior. He said they are doing a phenomenal job and the midgets will be going to Florida to compete.
- He attended the Health Fair at the High School this weekend and thanked all that were involved.
- He thanked the First Aid Squad for their quick response to an incident that occurred at the Church of the Assumption's 100th Anniversary.
- He said the Fire Department responded to a working fire on Chestnut Street; unfortunately there was severe damage to the house. He thanked the Fire Department for their swift action. They were able to contain the fire and it did not spread to the

two surrounding homes. He said the family affected by the fire was helped out by Fire Officials and the Red Cross.

- He said Council would like Acting Chief Paul Morrison to let the residents know about recent incidents that have occurred and give them some assurance the Police Department is responding quickly.

Acting Chief Morrison said he has been hearing rumors around the town about the concern of an incident that occurred on Tuesday night, which involved three robberies that occurred. He said all the robberies were all separate from one another. He said he wants the community to know the Police Department responded in a very aggressive manner and Detectives were on the scene approximately two hours after the first robbery occurred and had five juveniles in custody and under arrest for these robberies. He said he wants the community to know the Police Department is here to serve them, and they serve the community to the best of their ability. He said last Tuesday night, he was proud of the performance of both the Patrol and Detectives. He said all involved were arrested. There may be three more at large, and Detectives are conducting investigations into that. He said last Friday, information was received from a neighboring community that jurisdiction may experience a problem at approximately 2:15 in the afternoon and it had nothing to do with Roselle Park. He said it was just that they give the surrounding communities a heads up that they may experience a problem in their community. He said we received that information when it was time for the children to be dismissed from school, so they covered the schools with extra police presence. He said this was done to insure the safety of our community and the safety of our children. He said residents should contact the Police Department if they see anything of a suspicious manner. He said last Friday night, there was a shooting in Roselle and he heard rumors the shooting was connected with this community; which was untrue. He said he contacted the Police Chief in Roselle immediately to make sure it did not involve Roselle Park, and he assured him it was an isolated incident in Roselle and no way gang related.

Mayor DeIorio thanked the Police Department for responding in a proactive manner, and the overall message we need to convey to our residents is no matter what it is, the Police Department is there to respond.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Yakubov

- He wished everyone a Happy Thanksgiving.
- He sent a letter regarding the Neighborhood Watch and we still need more members. Councilman Dinardo and he are looking for members to be block captains on their streets. He said all that requires is providing the other residents on your street with your name and contact information.
- He said he had some residents from Webster Gardens ask him when the sewer work will be done.

Councilman Rubilla

- He said the culvert project that was to commence this week on Chestnut and Williams Streets, which would have detoured some traffic during the holiday season, has been delayed until after the first of the year.
- He wished everyone a Happy Thanksgiving.

Councilman Matarante

- He said the Library Director Susan Calantone and Kit Rubino opened the Library to give members of the household that were involved in the fire on Chestnut Street some refuge and food while the fire was going on and afterwards.

Councilman Harms

- He thanked the First Aid Squad for their response.
- He wished everyone a Happy Thanksgiving.

REPORT OF DEPARTMENT

Bill Lane – Borough Attorney

- He said that during closed session he would like to discuss the senior housing search and that it has uncovered some potential sites and is also negotiating with entities to assist us in that regard.

Mayor DeIorio said they will also have a discussion with Jeff Surenian's firm regarding the pending lawsuit.

Mr. Lane said it is Roselle Park LLC vs. Roselle Park.

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 Matarante, all members present voting Aye, said motion was adopted.

CERTIFICATES/PROCLAMATIONS

Certificates

- Roselle Park High School Marching Band

Councilman Dinardo (entered at 8:00 p.m.)

- He wished everyone a happy and healthy Thanksgiving.

ORDINANCES

Introduction

ORDINANCE NO. 2229

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 2220 WITH RESPECT TO VARIOUS CAPITAL IMPROVEMENTS FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE PARK, NEW JERSEY ON OCTOBER 4, 2007

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Bond Ordinance of the Borough Council of the Borough of Roselle Park, in the County of Union, New Jersey (the "Borough") entitled "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," finally adopted on October 4, 2007 (the "Ordinance") is hereby incorporated by reference in its entirety.

Section 2. Section 3(a)(ii) of the Ordinance is hereby amended by deleting the reference to "reconstruction of Larch Street from West Roselle Avenue to West Colfax Avenue", and inserting in lieu thereof "reconstruction of Larch Street from West Roselle Avenue to West Sumner Avenue".

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$1,433,000.

Section 5. All other provisions of the Ordinance shall remain unchanged.

Section 6. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

Councilman Harms moved that Ordinance #2229 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on December 6, 2007; seconded by Councilman Matarante, 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 Yakubov, all members present voting Aye, said resolutions were adopted.

RESOLUTION NO. 242-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that Lisa Benson be and is hereby promoted to the position of Senior Clerk in the Roselle Park Police Department, effective January 1, 2008, at the current annual salary of \$30,500.

RESOLUTION NO. 243-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the Police Department is hereby authorized to cover the parking meters for the month of December for the holiday season.

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

Councilman Harms moved to authorize Acting Chief Morrison to send a letter of intent to two Police candidates for appointment at the next regular meeting of Mayor and Council, seconded by Councilman Matarante, all members present voting Aye, said motion was adopted.

PUBLIC COMMENT

Councilman Harms moved at 8:10 p.m. to open the public comment portion of the meeting; seconded by Councilman Matarante and adopted.

Jacob Magiera, 612 Sheridan Avenue

- He congratulated the Marching Band.
- He spoke about the Yellow Ribbon Campaign and to remember our troops.
- He wished everyone a Happy Thanksgiving.
- He said he was glad Chief Morrison spoke and put the residents at ease with his comments.
- He asked Chief Financial Officer Blum if the town has received compensation from the Street Fair because Chestnut Street was closed.

Mr. Blum said to date he has not received anything, but he is working with the Police Chief and DPW Superintendent to find out if they had personnel out there so we can send out the proper bills.

- Mr. Magiera asked that as taxpayers are we compensated for closing the street.

Mayor DeIorio said we did not consider closing the street.

- Mr. Magiera asked if we will have a bulk pick up this year.

Mayor DeIorio said one may be provided in January.

- Mr. Magiera commented on all the services that were at the fire the day before and commended all of them.
- He asked for an update on the inventory of Borough assets.
- He spoke about the FAA trying to change the flight plan.
- He asked about contamination at the Leberco property on Hawthorne Street.

Mayor DeIorio said there is no contamination as far as we know, but if a follow up is necessary, then we can do that.

- Mr. Magiera also asked about violations inside the Romerovski building.

Gregory Kinloch, 336 Sheridan Avenue

- He said regarding the Hawthorne detention basin that years ago when soccer was having a problem finding fields we had someone come in and do soil testing on the whole basin. He said that it was found to be safe, but because of the culvert, it was not useful for soccer.

Al Costanzo, 22 E. Grant Avenue

- He asked if the Mayor was aware that fios from Verizon will shortly be available in Roselle Park.

Mayor DeIorio said they have approached the Borough several times with that prospect and they were having some problems in Cranford because of some misunderstandings with the line drops to the schools.

- Mr. Costanzo said unlike Cable, they did not have to go to the community to go to the State, so it would affect TV34. He said Cranford negotiated the ability to keep TV35 on fios. He said he is not aware who the TV34 Coordinator is, but suggests a similar deal be made for TV34.

Mayor DeIorio said Ms. Hahn, Chairperson of the Committee is here this evening. He said Cranford did have problems with that because they originally weren't going to give the community access to TV35; but when the State law was changed, there was supposed to be an agreement the services would still be held in place if Verizon were to enter into a community.

- Mr. Costanzo said they were in a portion of Kenilworth that goes into the Cranford section of the Verizon building.

- He brought up the issue of the Post Office. He said he had a meeting with the Postmaster and he walked him through the Post Office building and the entire facility in the back is empty. He said he spoke with the Postmaster and the public relations person and reminded them of their responsibilities and they are still a monopoly. He was told they were going to put the Post Office back to the way it used to be in about three months.
- He commented on the services at Solar do Minho.

Gail Bradley, 721 Elm Street

- She said she is concerned about cleaning up Roselle Park esthetically. She said there are a lot of businesses in the town that need a facelift. She asked if that fall's under the Code Enforcement Officer's position.

Mayor DeIorio said if a business owner has a building that is in disrepair, it would fall under property maintenance and he would be able to enforce it. He said if the building is just outdated and still structurally maintained, there is no enforcement for that. He said several years ago Linden told the businesses they had to change their façades. He said they offered some loan programs where a business could secure a loan through the municipality. Mayor DeIorio said it was met with great resistance, but the result was a positive one in the end.

- Ms. Bradley brought up the businesses on W. Webster Avenue near the High School; she said even a paint job or landscaping would make them look more presentable.
- She asked if senior housing would be open to others or just to Roselle Park residents.

Mayor DeIorio said if we accepted federal funds, then we could not restrict it just to Roselle Park residents only.

Borough Attorney Lane said the intent would be for independent living units; there would be no medical facilities.

- Ms. Bradley asked about the Romerovski site; and that a same day surgi center would be a good idea.

Councilman Harms asked the Borough Clerk to send a letter to the Planning Board in reference to the properties on W. Webster Avenue.

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

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

- Personnel Matter
- Acquisition of Property – Senior Housing
- Litigation – Roselle Park LLC vs. Borough of Roselle Park

INTERRUPT THE REGULAR ORDER OF BUSINESS

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

RESUME REGULAR ORDER OF BUSINESS

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

Mayor DeIorio said during closed session, Council discussed the following matters:

- Personnel Matter
- Acquisition of Property – Senior Housing
- Litigation – Roselle Park LLC vs. Borough of Roselle Park

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

Attest:

Deputy Borough Clerk