

Borough of Roselle Park Regular Meeting of November 17, 2008

Attendee Name	Organization	Title	Status	Arrived
Ricky Badillo	Borough of Roselle Park	Councilman	P	7:30 PM
Rick Matarante	Borough of Roselle Park	Councilman	A	-
Larry Dinardo	Borough of Roselle Park	Councilman	P	7:30 PM
Michael Yakubov	Borough of Roselle Park	Councilman	P	7:30 PM
Larissa Chen-Hoerning	Borough of Roselle Park	Councilwoman	P	7:30 PM
Modesto Miranda	Borough of Roselle Park	Councilman	P	7:30 PM
Joseph DeIorio	Borough of Roselle Park	Mayor	A	-

Council President Badillo 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 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 Cali read a short prayer followed by the Pledge of Allegiance.

REPORT AND RECOMMENDATIONS OF MAYOR

- In accordance with the Fair Share Housing Element Plan, the Borough has retained Janice Talley, who is a master planner; formerly with Heyer and Gruel.
- She has worked with Betsy McKenzie, the court appointed master and our attorney Jeff Surenian on the AvalonBay project.
- The Fair Share Plan that is being amended will reflect the COAH requirements, which will be exceeded with the AvalonBay project.
- Ms. Talley will do this work for the amount of \$10,000; Heyer and Gruel wanted \$40,000.
- Thanked Ms. Cali and all employees who worked on that.
- The midget cheerleaders won their competition and will be going to Disneyland.
- There was a fundraiser on Friday for them, which was well attended.
- Thanked Karen Intile and Bill for opening up and allowing the team that won to use the Center.

REPORTS OF STANDING COMMITTEES AND OTHE MAYOR AND COUNCIL COMMITTEES

Councilman Dinardo

- Congratulated the cheerleaders and attended the fundraiser on Friday.

- There was a Neighborhood Watch Meeting; discussed how they want to move forward.

Councilman Yakubov

- Attended the Neighborhood Watch Meeting; discussed where they want to go with this program.
- Will have a banner displayed during the Holiday Parade.
- Going to get information about public awareness and safety, along with a calendar and a website.
- Mayor DeIorio, Councilwoman Chen-Hoerning, Councilman Miranda, Lara Hahn and he attended an Indo American event to celebrate their new year.

Councilman Miranda

- Has information to be posted on the website called “Trees for Troops”. The program honors our military men, women and families by providing a real Christmas Tree. William’s Nursery in Westfield is the only location that participates in the program. It is a \$60 tax deductible donation. The program will run from December 5th through December 7th. If anyone is interested, contact William’s Nursery, 524 Springfield Avenue, Westfield (908-232-4076).

Councilwoman Chen-Hoerning

- Attended the Neighborhood Watch Meeting; really good ideas brought forth.
- Attended the Indo-American event.
- Spoke about her suggestions regarding political signs.
- Attended the Union County Mayor’s Meeting; the Commissioner of the Board of Public Utilities was the guest speaker.
- They gave the following website: njcleanenergy.com where there is a lot of information.
- There were also many suggestions on green awareness for communities.
- The Rahway Valley Sewerage Authority was also discussed and the possibility of having a 40 year bonding.
- Springfield has set up its own town-wide newspaper, which is mailed to every home in the municipality.
- There is a possible error on the COAH form that was provided by the State; the calculation on the form is less than the municipality’s obligation.

Councilman Badillo

- Was decided at the Public Safety Meeting that the DPW and Traffic Safety will plot out parking spots on Dalton Street; it will be a pilot program. There will be no specific spots for a resident; it will be delineated for each parking spot.

Councilwoman Chen-Hoerning asked if there could be a couple of motorcycle spots, so they would not take up an entire parking spot.

- Councilman Badillo said the curbs between Bender Avenue and Sheridan have been completed.
- Sidewalk program began.
- Acker Park fence is complete and thanked the DPW for their work on it.
- Casano Center fence is complete, except for one section.

CERTIFICATES AND PROCLAMATIONS

CERTIFICATE

- Nicholas J. Jordan, USMC

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

REPORTS OF DEPARTMENTS

- Administrative Assistant Report October 3rd through November 6th, 2008
- Fire Department Report for September & October 2008
- Construction Code Enforcement Report for October 2008
- Treasurer's Report for October 31, 2008

MOTION BILLS & PAYROLLS NOT BE READ

MOTION AND PAYROLLS BE PASSED FOR PAYMENT

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

PASSAGE OF ORDINANCES

SECOND READING AND PUBLIC HEARING

ORDINANCE NO. 2252

AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-20 OF THE CODE OF THE BOROUGH OF ROSELLE PARK REGARDING TRAFFIC

Councilman Dinardo moved to open the public hearing on Ordinance #2252; seconded by Councilman Yakubov and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked that the Ordinance be read to the public.

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

Councilman Dinardo moved that Ordinance #2252 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Yakubov.

✓ Vote Record – Ordinance 2252					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTIONS

The following routine resolutions, listed on consent agenda, were offered by Councilman Dinardo and seconded by Councilman Yakubov.

RESOLUTION NO. 260-08

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector hereby authorizes the Treasurer to issue a check in the amount of \$458.61 for redemption of TSC#21-07 on Block 910/Lot 9 (otherwise known as 39 Westfield Ave. E, Roselle Park, NJ 07204) and assessed in the name of Alfredo Cardenas. Interested calculated to meeting date of 11/17/08.

CERTIFICATE AMT	155.35
INT ON CERT @17% from 10/10/07	29.12
RECORDING	40.00
SEARCH FEE	12.00
SUBSEQUENT FEES	
SEWER TAXES	186.36
INTEREST FROM 10/23/07	<u>35.78</u>
TOTAL AMT TO REDEEM	\$458.61

✓ Vote Record – Resolution 260-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 261-08

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector is hereby authorized to reduce the Sewer Utility charge on the following account for 2007:

Name	Block	Lot	Billed	Actual	Amount Reduced
Costa Rental Prop.	608	19 T0081	1791	1064	727 (1519.43)

Paperwork confirming the above figures are available in the Tax Office.

✓ Vote Record – Resolution 261-08		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 262-08

WHEREAS, it shall become necessary to expend for some of the purposes specified in the Budget an excess of the respective sums appropriated, and

WHEREAS, there is an excess in one or more appropriation over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

WHEREAS, the transfers about to be authorized do not affect any appropriation to which or from which transfers are prohibited under the statutes, and

NOW, THEREFORE BE IT RESOLVED, the following transfers attached between appropriations be authorized pursuant to N.J.S.A. 40:4-58, and

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

CURRENT FUND TRANSFERS TO:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>		<u>AMOUNT</u>
01-0240-00-01012-201	CLERK OE - STATIONARY & OFFICE SUPPLY	\$	3,000.00
01-0240-00-01052-204	TAX ASSESSMENT ADMIN OE - MAINT. EQUIP	\$	500.00
01-0240-00-01112-210	LEGAL SERVICES OE - MISCELLANEOUS	\$	5,000.00
01-0240-00-01192-205	BUILDINGS & GROUNDS OE - PROF. FEES	\$	2,000.00
01-0240-00-01192-210	BUILDINGS & GROUNDS OE - MISCELLANEOUS	\$	2,500.00
01-0240-00-01192-214	BUILDINGS & GROUNDS OE - OTHER MAT & SU	\$	3,000.00
01-0240-00-01192-223	BUILDINGS & GROUNDS OE - MAINT. PLUMB	\$	3,000.00
01-0240-00-01192-224	BUILDINGS & GROUNDS OE - MAINT. PAINT	\$	500.00
01-0240-00-01412-210	AID TO VOLUNTEER AMBULANCE OE - MISC	\$	500.00
01-0240-00-01432-214	OEM OE - OTHER MATERIALS & SUPPLIES	\$	2,900.00
01-0240-00-01442-370	MAINTENANCE OF VEHICLES OE - FIRE	\$	10,000.00
01-0240-00-01442-371	MAINTENANCE OF VEHICLES OE - POLICE	\$	5,000.00
01-0240-00-01452-214	STREET & ROAD MAINT OE - OTHER MAT & SUP	\$	2,000.00
01-0240-00-01482-210	SOLID WASTE COLLECTION OE - MISC	\$	30,000.00
01-0240-00-01592-305	RECREATION OE - SOCCER UNIFORMS	\$	3,050.00
01-0240-00-01592-314	RECREATION OE - WRESTLING UNIFORMS	\$	3,500.00
01-0240-00-01612-210	CELEBRATION OF PUBLIC EVENTS OE - MISC	\$	1,000.00
01-0240-00-01672-209	CODE ENFORCEMENT OE - EDUCATION	\$	100.00
01-0240-00-01872-210	GASOLINE OE - MISC	\$	16,000.00
01-0240-00-03012-246	COURT OE - TRAFFIC TICKETS	\$	1,000.00
01-0240-00-03012-379	COURT OE - INTERPRETER	\$	1,000.00
01-0240-00-03052-215	MAINTENANCE OF 911 OE - PURCHASE OF EQ	\$	2,500.00
TOTAL CURRENT FUND TRANSFERS TO		\$	98,050.00

CURRENT FUND TRANSFERS FROM:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>		<u>AMOUNT</u>
01-0240-00-01012-203	CLERK OE - ELECTIONS	\$	1,000.00
01-0240-00-01012-205	CLERK OE - PROF. FEES & OUTSIDE SERVICE	\$	2,000.00
01-0240-00-01122-210	HUMAN RESOURCES OE - MISC	\$	10,000.00
01-0240-00-01252-210	EMPLOYEE GROUP INSURANCE OE - MISC	\$	25,000.00
01-0240-00-01272-210	LIABILITY INSURANCE OE - MISC	\$	10,000.00
01-0240-00-01412-201	AID TO VOLUNTEER AMBULANCE OE - MAINT	\$	500.00
01-0240-00-01432-215	OEM OE - PURCHASE OF EQUIPMENT	\$	2,900.00
01-0240-00-01452-205	STREET & ROAD MAINT. OE - PROF FEES	\$	2,000.00
01-0240-00-01472-210	SOLID WASTE DISPOSAL OE - MISC	\$	38,000.00
01-0240-00-01592-306	RECREATION OE - SOCCER GYM TIME	\$	1,500.00
01-0240-00-01592-307	RECREATION OE - SOCCER EQUIPMENT	\$	850.00
01-0240-00-01592-308	RECREATION OE - SOCCER LINE FIELD	\$	700.00
01-0240-00-01592-315	RECREATION OE - WRESTLING LEAGUE FEES	\$	1,300.00
01-0240-00-01592-316	RECREATION OE - WRESTLING REFEREES	\$	1,200.00
01-0240-00-01592-317	RECREATION OE - WRESTLING SPONSORSHIP	\$	300.00
01-0240-00-01592-319	RECREATION OE - WRESTLING PIZZA PARTY	\$	200.00
01-0240-00-01592-321	RECREATION OE - WRESTLING GYM TIME	\$	500.00
01-0240-00-01672-214	CODE ENFORCEMENT OE - OTHER MAT & SUP	\$	100.00
			\$ 98,050.00

TOTAL CURRENT FUND TRANSFERS FROM

\$ 98,050.00

✓ Vote Record – Resolution 262-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 265-08

WHEREAS, the Borough of Roselle Park wishes to secure the professional services of an Engineer for the preparation of plans and specifications for the E. Webster Avenue Resurfacing Project in accordance with their agreement for said services and,

WHEREAS, such services are exempt for the requirement for bidding under N.J.S.A. 40A:11-5(1) (a) (I); now, therefore, be it

RESOLVED, by the Mayor and Council of the Borough of Roselle Park that the Mayor and Council be and is hereby authorized to enter into an agreement with Neglia Engineering Associates in the amount of:

Surveying	\$ 8,050.00
Engineering Design	\$ 7,720.00
Permits	\$ 1,230.00
Bidding	\$ 1,680.00
Construction Management	\$12,740.00
TOTAL	\$31,420.00

✓ Vote Record – Resolution 265-08		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 266-08

WHEREAS, large portions of Union County are experiencing increased over-flight and aviation noise caused by recent Federal Aviation Administration (FAA) actions and non-compliance with noise mitigation procedures; and

WHEREAS, at the June 12, 2008 meeting of the Union County League of Mayors, a complaint letter requesting review and remedy of the situation was proposed to be sent from the League to the FAA; and

WHEREAS, Port Authority of New York and New Jersey (PANYNJ) flight tracks show that aircraft are not flying the path that they are supposed to; and

WHEREAS, in 1995, following an Environmental Impact Study instituted at the direction of Congress as a result of noise problems caused by the 1987 Expanded East Coast Plan (EECP), the FAA mandated the so called Solberg Mitigation, which entailed a partial restoration of pre-EECP flight paths; and

WHEREAS, the Solberg Mitigation is supposed to be preserved in the NY/NJ/PHL airspace redesign currently underway, yet the PANYNJ radar flight tracks confirm that aircraft are taking “short cuts” that cause them to over-fly the portions of Union County that the Solberg Mitigation sought to remediate; now therefore

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby agree with the Union County League of Mayors and their efforts to get the FAA to address these issues and also institute a night-time ocean routing mitigation mandated in their environmental study, which would benefit Union County.

✓ Vote Record – Resolution 266-08		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 268-08

RESOLVED that, Salvatore Ditta, 352 Retford Avenue, Cranford, New Jersey, be and is hereby appointed as an Alternate School Crossing Guard, effective December 1, 2008, at the rate of \$52.68 per day, pending the completion of training and successful background check.

✓ Vote Record – Resolution 268-08		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinaro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 269-08

WHEREAS, the Borough of Roselle Park wishes to secure the professional services of an Planner to draft appropriate amendments to the Borough’s Housing Element/Fair Share Plan and associated amendments to the Borough’s Redevelopment Plan in accordance with their agreement for said services and,

WHEREAS, such services are exempt for the requirement for bidding under N.J.S.A. 40A:11-5(1) (a) (I); now, therefore, be it

RESOLVED, by the Mayor and Council of the Borough of Roselle Park that the Mayor and Council be and is hereby authorized to enter into an agreement with Janice Talley of H2M Associates, Inc., 119 Cherry Hill Road, Suite 200, Parsippany, New Jersey 07054 in the amount not to exceed \$10,000.00.

✓ Vote Record – Resolution 269-08		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinaro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilwoman Chen-Hoerning moved the following resolution; seconded by Councilman Miranda.

RESOLUTION NO. 263-08

WHEREAS, the Borough of Roselle Park wishes to secure the professional services of an Engineer for the preparation of plans and specifications for the Stamped Concrete Patio at the Casano Center Project in accordance with their agreement for said services and,

WHEREAS, such services are exempt for the requirement for bidding under N.J.S.A. 40A:11-5(1) (a) (I); now, therefore, be it

RESOLVED, by the Mayor and Council of the Borough of Roselle Park that the Mayor and Council be and is hereby authorized to enter into an agreement with Neglia Engineering Associates in the amount of:

Design, Plans & Specifications	\$3,590.00
TOTAL	\$3,590.00

Councilman Dinaro asked if the amount is for the installation of the stamped concrete or just for the specifications.

Ms. Cali said it is for him to design the plan, specifications and bid documents.

✓ Vote Record – Resolution 263-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Chen-Hoerning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Dinardo moved the following resolution; seconded by Councilman Yakubov.

RESOLUTION NO. 264-08

WHEREAS, the Borough of Roselle Park engaged Great Northern Recycling to provide recycling services to the Borough and its residences for the calendar years of 2003 and 2004; and

WHEREAS, Great Northern Recycling provided the above described services to the Borough of Roselle Park; and

WHEREAS, Great Northern Recycling invoiced the Borough for the services rendered for the calendar years 2003 and 2004; and

WHEREAS, the Borough failed to pay the invoices provided by Great Northern Recycling; and

WHEREAS, the invoices for 2003 and 2004 total in excess of \$88,000.00; and

WHEREAS, Great Northern Recycling filed a Complaint in the Superior Court of New Jersey, Union County, claiming payment as described above; and

WHEREAS, the Borough filed an Answer, disputing in part, the allegations of the Plaintiff; and

WHEREAS, Great Northern Recycling agreed to accept a total of \$65,000.00 as payment in full of their claim against the Borough, said sum is to be paid \$42,000.00 within sixty (60) days and the balance, i.e. \$23,000.00, to be paid within one hundred and twenty (120) days; and

WHEREAS, the Governing Body of the Borough of Roselle Park has determined that it would be in the best interest of the Borough to accept the Plaintiff's significantly revised demand and time schedule, as indicated above, thus avoiding the potential of a judgment in a significantly greater amount and the continued expenditure of litigation costs; and

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Roselle Park does hereby agrees to pay the significantly revised amount of \$65,000.00, to be paid to the Plaintiff, Great Northern Recycling, as follows:

\$42,000.00 within sixty (60) days of this Resolution; and

\$23,000.00 within 120 days of this Resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute a Release and any and all other documents required to effectuate the Resolution as described above.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Governing Body has hereby authorized the Chief Financial Officer of the Borough of Roselle Park to issue checks in compliance with the Resolution between the parties as described above; and

Councilwoman Chen-Hoerning asked about the amount on the invoice.

Mr. Johnstone said they did not send in an invoice and because they didn't send it, there was no reason to pay it. Once they sent it in, we realized there was a problem and as a result, we

negotiated the settlement, which saved the Borough about \$10,000. This is the first time an error of this type has occurred in ten years and it was caught by the current auditor.

✓ Vote Record – Resolution 264-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Dinardo moved the following resolution; seconded by Councilman Yakubov.

RESOLUTION NO. 267-08

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Resolution No. 79-07, awarding a professional service contract of Jeffrey R. Surenian, Esquire as Special Counsel, be and is hereby increased in an amount of \$30,000.00.

Councilwoman-Chen Hoerning asked if this is just for negotiations regarding Romerovski.

Mr. Blum said we have just received the current bills from them and this should get us through October, November and December to finish out the negotiations.

Councilman Dinardo asked who came up with this number and Mr. Blum said we are trying to base it on the past months. This will bring the amount to Jeff Surenian’s firm to \$240,000.

✓ Vote Record – Resolution 267-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mr. Blum said there is one issue for Closed Session regarding the School Crossing Guard contract negotiations.

PUBLIC COMMENT

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

Joe Gregory, 206 Walnut Street

- He is a School Crossing Guard; a boy was mugged on Walnut Street and Grant Avenue and he could not do anything because he did not have a phone or radio

- Stopped a passing car and asked them to call the police.
- Should have a radio or something to be able to contact the police if they see someone suspicious.

Councilman Badillo said that will be brought up to the Police Chief during the negotiations, and we will also discuss this at a Public Safety Committee Meeting.

Jacob Magiera, 612 Sheridan Avenue

- Roselle Park has Marines, both past and present, and wishes the Jordan's son well.
- Asked Mr. Blum about an article in the paper about pensions being off the "CAP".
- Asked about fences on municipal properties.
- Asked about the height of fences and shrubs.

Ms. Cali said the fence ordinance is under review.

- Mr. Magiera said Council should ask the Federal Government for a bail out for Roselle Park.
- Asked if the PILOT and taxes with AvalonBay can be renegotiated.
- Thanked Council for the resolution proposing the FAA Air Space Redesign project and to send copies to the 21st Legislative district, the 20th Legislative District and to the Governor.
- There has been a lot of talk about transparency in the newspapers.

Eugene Meola, 226 Sheridan Avenue

- The storm drain in front of his neighbor's house is always blocked and floods.
- There are speed bumps on Sheridan Avenue near E. Grant, which have become worn down over the years.

Councilman Badillo said those speed strips were installed about six or seven years ago and received many complaints from the residents living adjacent to those rumble strips. There were delineators installed about three years ago, which do work; it is a visual that makes the road look narrower and people do slow down.

- Mr. Meola said he had a meeting with the Mayor over his tree issue and was not satisfied with how it ended.
- He does understand his position and would like everyone to recognize him when he goes around with his petition.

Saul Qersdyn, 150 Berwyn Street

- The deadline for COAH is December 31st and can negotiations go on beyond that date.

Councilman Badillo said negotiations for the PILOT program and the number of units can, but as far as COAH regulations, the State said you must have it filed by December 31st.

- Mr. Qersdyn asked if sewerage taxes can be separate or part of the PILOT.

Councilman Badillo said they are presently sitting down with Rahway Valley Sewerage Authority and that is part of the negotiations that have not yet been settled.

- Mr. Qersdyn said if we go with the PILOT, will the COAH housing be part of the PILOT.

Councilman Badillo said COAH is a separate issue with the housing requirements we must fulfill. With this project, we will not only satisfy our obligation, but will exceed it. This has nothing to do with the PILOT program as far as gross rent revenue shares.

- Mr. Qersdyn asked about the breakdown of the apartments.

Councilman Badillo said as far as they know at this point, there will be studios, 1, 2 and 3 bedrooms; COAH regulations require there is a mixture of those.

- Mr. Qersdyn suggested that in December there be a meeting with AvalonBay and the residents.

Councilman Badillo said that can be brought before the Municipal Services Committee. At this point, nothing has changed as far as the number of units and how many are COAH restricted. Ms. McKenzie said after that meeting, the gag order would be reinstated on Mayor and Council.

- Mr. Qersdyn said it was 10%, but was it true there was a CAP of 15%, and Councilman Badillo said yes.

Councilman Yakubov said the presentation given by AvalonBay will be aired on TV34.

Joe Accardi, 165 E. Clay Avenue

- Regarding AvalonBay, the PILOT program at 10%, the one that gains from that is really AvalonBay. The taxes we would receive on the project, whether full occupancy or not, would exceed the \$585,000 that we anticipate receiving in the first year between municipal taxes and Board of Education taxes.
- That is based on a 96%-98% occupancy rate, which will not happen in the first year.
- AvalonBay is a great idea and where we are today versus a year ago is phenomenal.

Councilman Badillo said negotiations have not ended and we are pushing hard for every dollar to come back to the Borough.

- Mr. Accardi said he appreciates the efforts of the negotiating committee because it is a step forward.
- Discussed the number of students and there would be more than 7 moving into that apartment complex.

- Based on the current numbers, there could be 40 or 50 more students; at \$10,000 to \$12,000 per student, the PILOT money is spent.

Councilman Badillo said AvalonBay's experts came in with a higher number than we did. According to our school system, we would have to hit 40 or more students for them to consider expanding. We are trying to negotiate the best package we can from AvalonBay. Also, once they get into the PILOT program, they cannot appeal their taxes for the next 30 years.

- Mr. Accardi said the problem with the PILOT program is that when the economy is in a recession, the least amount of money will come in from that program because it is based on their profits.

Councilman Badillo said at this point we don't know what will happen in the future. He said we can negotiate a minimum amount with AvalonBay, right now we would be getting \$192,000. It would be steady revenue for the Borough.

- Mr. Accardi said the investment of Solar do Minho and AvalonBay is the beginning of a renaissance in Roselle Park.
- Asked all members of Council to continue working to fill the empty stores in the Borough.
- A town that has a good identity is one that has a center as a focal point.
- The Sullivan Chevrolet property is a great opportunity to start a new focal point for the community.
- Roselle Park is the only municipality in Union County that does not have a County park either in the town or bordering the town.
- Recommended the Borough speak to the County to see if they can set up the parking lot of Sullivan Chevrolet with some type of downtown park.

Councilman Badillo said we should not give that property to the County for a park; we need to take advantage of that as a ratable to stabilize taxes and bring revenue into the town. We have the High School facility and he is part of a group working on improving that. If the County wants to give us money, they can give it to us for those initiatives. At this point, we do not know what will happen with the Sullivan Chevrolet property; it is privately owned and as long as they pay their taxes, there is nothing that can be done. Solar do Minho would like to continue to buy property and help revitalize Roselle Park.

- Mr. Accardi said the area where the building is and the portion extending toward STS Tire should be sold as a ratable. He is talking about the small portion on the other side; that area provides a great gateway to the community.

Councilman Yakubov asked if that area belongs to Sullivan Chevrolet. Being a private entity, they would have to work along with whoever is going there.

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

Councilman Badillo read the Closed Session resolution and said Council would be discussing the following matter:

- Contract Negotiations – School Crossing Guards

INTERRUPT REGULAR ORDER OF BUSINESS

Councilman Dinardo 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 Dinardo moved to resume the regular order of business; seconded by Councilman Miranda and adopted.

Councilman Badillo said that during Closed Session, Council discussed the following matter:

- Contract Negotiations – School Crossing Guards

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

Attest:

Borough Clerk