

Borough of Roselle Park Meeting of June 2, 2016

Attendee Name	Organization	Title	Status	Arrived
Charlene Storey	Borough of Roselle Park	Councilwoman	P	7:00 PM
Ryan Kelly	Borough of Roselle Park	Councilman	P	7:00 PM
Gino Elmarassy	Borough of Roselle Park	Councilman	P	7:00 PM
Eugene Meola	Borough of Roselle Park	Councilman	P	7:00 PM
Joseph Petrosky	Borough of Roselle Park	Councilman	P	7:00 PM
Thos Shipley	Borough of Roselle Park	Councilman	P	7:00 PM
Carl Hokanson	Borough of Roselle Park	Mayor	P	7:00 PM

Mayor Hokanson called the meeting to order at 7:03 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 Corrigan read a short prayer followed by the Pledge of Allegiance.

COMMUNICATIONS

Councilwoman Storey moved the following communications; seconded by Councilman Elmarassy, all members present voting Aye, said motion was adopted.

- Request from the residents of the 400 block of Sheridan Avenue to hold a Block Party on Saturday, June 18, 2016 from 12:00 Noon until 10:00 p.m., with a rain date of Sunday, June 19, 2016.
- Request from resident to use Gazebo Park for their wedding ceremony on Friday, June 10, 2016 at 1:00 p.m.

Mayor Hokanson thanked those who wore orange in support of Mother's Against Gun Violence. He also thanked the DPW for putting orange lights at the Library and the Chief of Police for sending units to a rally in Fanwood.

CERTIFICATES/PROCLAMATIONS

Certificates

- Sebastian Saavedra
- Joe's Rotisserie

REPORTS OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Elmarassy

- Congratulated Sebastian for winning the Poetry Contest.

- Congratulated Joe's Rotisserie on being Business of the Month.
- May 25th attended the Capital Budget Meeting.
- Attended the Memorial Service at the Casano Center.

Councilman Shipley

- At the last meeting, discussed the agenda revision with Council; will present it June 16th for a vote.
- Ordinance regarding apartment security has been tabled at this time.
- Roselle Park Loves Arts will be applying for the Union County Heart Grant for \$2,500; it requires a 25% match, which RP 24/7 will supply.
- June 13th there will be a movie screening at the Library in honor of LGBT Pride Month.
- Met with Mr. Belluscio regarding the revision in construction fees.
- Attended the Capital Budget Meeting on May 25th.

Councilwoman Storey

- Attended the Memorial Day Services at the Casano Center; thanked all who helped with the event.
- Attended the Capital Budget Meeting.
- Casano Center Committee had their monthly meeting; in the process of updating their policy and procedures.
- June 8th there will be a fundraiser at Dowling's Pub for the Friends of the Library.

Councilman Meola

- Congratulated Sebastian Saavedra on winning the Poetry Contest.
- Congratulated Joe's Rotisserie on being Business of the Month.
- Asked about the results of the agenda revisions.
- Attended the Capital Budget Meeting.
- Attended the Memorial Day Service at the Casano Center.
- Fundraiser at Dowling's Pub on June 8th for the Friends of the Library.
- Bulk Waste Pick Up is June 16th and 17th.
- Borough Wide Garage Sale is June 11th.

Councilman Petrosky

- Condolences to the Schaffer Family.
- Congratulated Sebastian Saavedra and Joe's Rotisserie.
- Good luck to the Roselle Park Varsity Girls Softball Team.
- May 23rd attended the Municipal Land Use Meeting.
- May 25th attended the Capital Budget Meeting.
- May 30th attended the Memorial Day Service.
- Can be reached at jpetrosky@rosellepark.net or 908-666-7821.

Councilman Kelly

- Congratulated Joe's Rotisserie.

REPORT AND RECOMMENDATIONS OF MAYOR

- May 21st is the RPHS Band Car Wash.
- May 25th attended the Capital Budget Meeting.
- May 6th was Red Nose Day in support of Child Poverty Awareness.
- Participated in putting flags for veterans at Graceland Cemetery.
- Memorial Day Ceremony was held at the Casano Center.
- Would like Mr. Vigliotti to be the Bell Ringer on July 4th.
- June 8th is a fundraiser at Dowling's Pub for the Friends of the Library.
- St. Anthony's Feast from June 9th through the 12th.
- Bulk Waste Pick Up on June 16th on the East and June 17th on the West; do not put out electronics, white goods or construction debris.
- June 18th is Hispanic Day at the Casano Center.
- June 25th is Operation Chillout at the First Aid Squad Building.
- June 24th is the Car Show on Chestnut Street.
- June 27th will hold "Meet and Greet" at 6:00 p.m. at Costa's.
- Would like to schedule a meeting for the 2017 Recycling Calendar.
- Would like to discuss the snow ordinance.
- In a few weeks, tree experts will be cleaning out the area in the Fourth Ward along the railroad tracks.
- Council has no control of this taking place.
- They will be notifying the residents in that area.

Tom Solfaro – Borough Engineer

- Has one matter for Closed Session regarding 7 Charles Street.

Ken Blum – Chief Financial Officer

- Sewer bills were mailed out May 27th; due July 1st with 10 day grace period.
- One matter for Closed Session regarding Potential Litigation with the Little League.

Donna Corrigan – Deputy Borough Clerk

- Reminded all that June 7th is Primary Election Day; polls are open from 6:00 a.m. to 8:00 p.m.

Richard Huxford – Borough Attorney

- Last meeting there were seven items for Closed Session:
 - Potential Litigation – Pozsonyi vs. Roselle Park
 - Ongoing Litigation – Qersdyn vs. Roselle Park
 - Ongoing Litigation – Orchid Beauty Spa Salon vs. Roselle Park
 - Personnel Matter – Borough Clerk Doreen Cali
 - Personnel Matter – DPW Superintendent Mark Pasquali
 - Possible Litigation – Schneeberger vs. Roselle Park
 - Possible Litigation – Roselle Park Library
- Has two matters for Closed Session this evening:
 - Ongoing Litigation – Qersdyn vs. Roselle Park

- Possible Litigation – Roselle Park Library

Paul Morrison – Police Chief

- Congratulated Sebastian Saavedra on his poem.
- May 14th the Roselle Park Police Department took part in the Tunnel for Towers Climb honoring all those Police Officers and Firefighters who lost their lives in 9/11.
- Those participating were Lieutenant Manuel Jimenez, Officer Joshua Medrano, Dispatcher Jessica Diaz, Dispatcher Robert Brennan and Auxiliary Officer Tyler Dam; thanked all the Officers for their participation.
- June 10th Officers will be participating in the Torch Run for Special Olympics.
- Thanked Officer Medrano and Father Jim for arranging to have the disabled children bused to the Assumption Church to watch the event.
- Also thanked all school officials, staff and Children’s Specialized Hospital.
- Will be accepting the resignation of Jessica Diaz.

Councilwoman Storey asked about the internet purchasing areas.

Chief Morrison said there was an issue with the Borough Seal.

Mayor Hokanson asked if any of the events that the Officers participate in go into their personnel file.

Mr. Blum asked about the Capital Budget item for \$30,000; which is the scheduling system for the Police Department.

Chief Morrison explained that it will alleviate many man hours for all types of scheduling. Fifteen other Police Departments in Union County are using the system. Officers will be able to receive information and submit information through their smartphones.

Members of Council all agreed on the purchase of the scheduling system for the Police Department.

Mark Pasquali – DPW Superintendent

- Submitted his monthly report.

Councilman Meola said a member of the public requested that he read his monthly report in the future, so that it can be seen on TV34.

- Mr. Pasquali said the Borough Wide Garage Sale will be June 11th from 9:00 a.m. to 6:00 p.m.; rain date on June 12th.
- Bulk Waste Pick Up dates are June 16th and June 17th.
- Read the description of what is and what is not bulk from the specifications; will also be posted on the Borough website.

Councilman Kelly said he has been contacted by a few residents regarding issues with garbage pick up and garbage left behind.

Mr. Pasquali said whenever they receive a complaint, they call the company.

Mayor Hokanson said he would like to post that information on his webpage.

Councilwoman Storey asked that they remind people that televisions and computer screens are electronic waste and will not be picked up. These items can be brought to the Kenilworth DPW Yard for free.

Councilman Meola asked about disposing of rugs.

Councilwoman Storey said there is a carpet recycling place located in Newark.

Joseph Signorello – Fire Chief

- House fire on East Westfield Avenue.
- Training at Fire Academy; will also do live burn a few days later.
- Doing an extrication in a few weeks.

Mr. Blum said there are two Capital Budget items that need to be discussed: the Chief's vehicle for \$28,500 and the siren for \$50,000.

Councilman Shipley asked if there is any word on the proposal.

Fire Chief Signorello suggested they discuss this at a Public Safety Meeting.

Mr. Blum asked if there is any way to program the old system and amend the existing siren.

Chief Signorello said that can be discussed at a Public Safety Meeting or Officer's Meeting. The Fire Department wants it left on from 10:25 to 6:25.

Councilman Shipley said this has to be resolved.

Mayor Hokanson said they need to get the new proposal and then meet.

Chief Signorello said the meeting will be June 6th at 6:00 p.m. in Borough Hall.

Councilman Shipley asked if there is any information on the ability to activate the system.

Chief Signorello said they have a pager to activate it, but the installation must be completed. It is programmed to accept the page, but not to send it out. As the Fire Chief, he feels that it is necessary to have it.

Mr. Blum asked if they should discuss the vehicle tonight or at the meeting on Monday, June 6th. He requested that he report back to them on Wednesday.

Mayor Hokanson said the Borough sets the policy for Borough vehicles.

Councilman Kelly said do we need to designate a policy for that.

Councilman Meola asked if there was an issue with the Chiefs bringing the vehicles home.

Mayor Hokanson said since 1993, the Fire Chief and Deputy have used the vehicles for their personal use; there is no policy that says they can't. We have to come up with some type of policy set

forth in case something should happen. There are a lot of legal questions as to what they can do and can't do.

Mayor Hokanson said they are not travelling far. If they are in service, they will respond to a call and do the right thing. If they go to a personal function, then they use their own vehicles.

Councilman Meola said a new vehicle is long overdue.

Councilman Shipley said that he has an issue with getting the vehicle. The main issue is that this is the budget. We have to be responsible in terms of justifying this.

Chief Signorello said he includes the years and ages of the fleet in his monthly reports. He said look at that for his department and other departments.

Councilwoman Storey said it is a public safety issue and we need to get the vehicle.

Councilman Kelly said we have priorities to look at. He said right now it would not be ideal to purchase the vehicle and they should explore some other options.

Councilwoman Storey made a motion to accept the Fire Vehicle for the Chief in the 2016 Budget for the Fire Department; seconded by Councilman Elmarassy, all members present voting Aye, except for Councilman Kelly voting No.

REPORTS OF DEPARTMENTS

Councilwoman Storey moved to approve the following reports; seconded by Councilman Elmarassy, all members present voting Aye, said motion was approved.

- Department of Public Works Monthly Report for May 2016
- Construction Code Enforcement Department Report for May 2016
- Police Chief Monthly Report for May 2016

PUBLIC COMMENT

Councilwoman Storey moved at 8:29 p.m. to open the public comment portion of the meeting; seconded by Councilman Elmarassy and adopted.

Jacob Magiera – 612 Sheridan Avenue

- The discussion of the Fire Chief vehicle is not on the agenda.
- Update on the number of employees certified to operate the sewer truck.
- Update on lead in the water in the municipal building.
- Congratulated Sebastian Saavedra on his poetry.
- Suggested 10% be taken off the Capital Budget; except for the Fire Department, Police Department and First Aid Squad.
- Asked where Ms. Cali was.
- Spoke about cancelling the Memorial Day Parade.

Saul Qersdyn, 150 Berwyn Street

- Spoke about the discussion regarding moving the siren.
- Asked that Ordinance No. 2464 be reviewed.
- Asked about the amount in Resolution #137-16.
- Is Resolution #145-16 for the DPW Yard; will there be a further discussion before they rebid that project.
- Asked about the Assistant Superintendent position.
- Asked about the wording in Resolution #147-16.
- Asked about taking municipal vehicles home.

Pam Reinoso, 335 Pershing Avenue

- Councilman Shipley introduced the idea of the Arts Council applying for the Heart Grant to help fund the Roselle Park Loves Arts Festival.
- Want to do a bigger and better festival than before.
- There are many items they can use a budget for.
- Has attended grant meetings.
- Would like to do so much more with the arts in the future.
- There is no limit on the grants.
- Would like to purchase stands for the artwork displays.
- Grant requires that they put down line items of what we are spending on each thing.
- The idea is to keep building the arts in town.

Julia Villota, 603 Ashwood Avenue

- Addressed an issue she has with curb damage on her property from a tree removal.
- Has tried to reach the DPW Superintendent; has not gotten any response from numerous phone calls or emails.

Councilman Meola said that he had spoken to her and would look into it. He's sure that at some time soon, Mr. Pasquali will speak to her.

Councilman Shipley said that something must be done; when people make calls and leave messages, they should receive a response.

Joseph DeIorio, 824 Larch Street

- Great explanation was made regarding Bulk Waste.
- Council will be able to review the Heart Grant before it is submitted to the County.
- RP 24/7 has been raising money and will cover the match for that grant.
- Thanked all for the support for the arts.

There being no one else wishing to speak, Councilwoman Storey moved at 8:54 p.m. to close the public portion; seconded by Councilman Elmarassy and adopted.

MOTION BILLS & PAYROLLS BE NOT READ

MOTION BILLS & PAYROLLS BE PASSED FOR PAYMENT

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

PASSAGE OF ORDINANCES

SECOND READING/PUBLIC HEARING

ORDINANCE NO. 2461

AN ORDINANCE AMENDING CHAPTER XL, SECTION 40-3103
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
CERTIFICATE OF OCCUPANCY

Councilwoman Storey moved to open the public hearing on Ordinance No. 2461; seconded by Councilman Kelly and adopted.

Saul Qersdyn, 150 Berwyn Street

- Is this ordinance for change of occupancy.
- Asked about the changes in fees.

There being no one else wishing to speak, Councilwoman Storey moved to close the public hearing on Ordinance No. 2461; seconded by Councilman Elmarassy and adopted.

Councilwoman Storey moved that Ordinance No. 2461 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Elmarassy.

<input type="checkbox"/> Vote Record – Ordinance No. 2461		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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INTRODUCTION

ORDINANCE NO. 2464

AN ORDINANCE ADOPTING N.J.S.A. 19:44A-1 ET SEQ. AND
REPEALING ORDINANCE NO. 2395 AS CODIFIED IN
SECTION 2-4 OF THE BOROUGH CODE

WHEREAS, the State of New Jersey adopted comprehensive legislation codified as N.J.S.A. 19:44A-1 et seq., which differs from Ordinance Number 2395 and Sections 2-4.1, 2-4.2, 2-4.3 and 2-4.4 of the Code of the Borough of Roselle Park; and

WHEREAS, the Borough Council of the Borough of Roselle Park has determined that the disparities between N.J.S.A. 19:44A-1 et seq. and Ordinance Number 2395 and Sections 2-4.1, 2-4.2, 2-4.3 and 2-4.4 of the Code of the Borough of Roselle Park have caused confusion among those seeking or performing business within the Borough of Roselle Park; and

WHEREAS, the Borough Council of the Borough of Roselle Park has determined that N.J.S.A. 19:44A-1 et seq., effectively protects the tax payers and residents of the Borough of Roselle Park; and

WHEREAS, the Borough Council of the Borough of Roselle Park has determined that it would be in the best interest of the Borough of Roselle Park to adopt N.J.S.A. 19:44A-1 et seq. to supersede and rescind Sections 2-4.1, 2-4.2, 2-4.3 and 2-4.4 of the Code of the Borough of Roselle Park.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Roselle Park, that Sections 2-4.1, 2-4.2, 2-4.3 and 2-4.4 of the Code of the Borough of Roselle Park are hereby rescinded.

BE IT FURTHER ORDAINED, that the Borough Council of the Borough of Roselle Park adopts the State of New Jersey legislation codified at N.J.S.A. 19:44A-1 et seq.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Mr. Huxford explained the Ordinance, and then the Governing Body discussed the Ordinance.

Councilman Shipley moved to table Ordinance No. 2464; seconded by Councilwoman Storey.

<input type="checkbox"/> Vote Record – Table Ordinance No. 2464					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopted	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Kelly	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Defeated	Elmarassy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Meola	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Petrosky	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Kelly moved to deny Ordinance No. 2464; seconded by Councilman Shipley.

Councilwoman Storey asked that with a motion to deny, can it be reintroduced at another time.

Mr. Huxford said that is correct, if anyone wants to rework it.

Mr. Blum said to deny would kill Ordinance No. 2464; and if it is reintroduced, it will be given a new number.

<input type="checkbox"/> Vote Record – Deny Ordinance No. 2464					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Elmarassy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Petrosky	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTIONS

The following resolutions listed on Consent Agenda were offered by Councilwoman Storey; seconded by Councilman Petrosky.

RESOLUTION NO. 135-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby accept the resignation of Jessica Diaz from the position of Dispatcher in the Roselle Park Police department, effective June 5, 2016.

RESOLUTION NO. 136-16

BE IT RESOLVED the Mayor and Council of the Borough of Roselle Park hereby appoint Valerie S. Borba, 331 South 7th Street, Elizabeth, New Jersey 07202 as a probationary Police Dispatcher in the Roselle Park Police Department at the annual salary of \$34,994.40 effective June 6, 2016.

RESOLUTION NO. 137-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize the purchase of handicap bleachers, poly cap fence guard and installation for the Little League Fields pursuant to State Contract #81413 to Varsity Brands Holding Company, dba BSN Sports, P.O. Box 7726, Dallas, Texas 75209 in the amount of \$55,887.46.

RESOLUTION NO. 140-16

BE IT RESOLVED that John Paul Devito, 168 East Lincoln Avenue, Roselle Park, New Jersey, be and is hereby appointed to the position of Class I Laborer for the Roselle Park Department of Public Works, effective June 20, 2016, to be compensated at the rate of \$45,894.96 per annum, as set forth by Borough Ordinance, for a six month probationary period pending pre-employment processing.

RESOLUTION NO. 141-16

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Resolution No. 331-15, appointing Joseph P. Baumann, Jr. of the firm McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 to perform services as Special Counsel for the Area in Need of Redevelopment, Block 314, Lots 6-12 & 14 in the amount of \$10,000.00, be and is hereby amended in the amount of an additional \$10,000.00 for a maximum amount not to exceed \$20,000.00.

RESOLUTION NO. 142-16

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Resolution No. 2-16, appointing Garrubbo & Capece as Labor Attorney in the amount not to exceed \$135.00 per hour and a maximum of \$20,000.00, be and is hereby amended in the amount of an additional \$10,000.00 for a maximum amount not to exceed \$30,000.00.

RESOLUTION NO. 143-16

RESOLVED that Mariann Brenner, 724 Livingston Road, Elizabeth, New Jersey 07208, be and is hereby appointed to the position of part-time Evening/Day Director for the Casano Community Center, effective June 3, 2016, for 30 hours per week at a salary of \$9.77 per hour.

RESOLUTION NO. 144-16

RESOLVED that Robert Daly, 118 Bridge Street, Roselle Park, New Jersey, be and is hereby appointed to the position of part-time Senior Bus Driver for the Casano Community Center, effective June 3, 2016, for 20 hours per week at a salary of \$15.65 per hour.

RESOLUTION NO. 145-16

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that upon the recommendation of the Borough Engineer all bids for the project DPW Yard Improvements be and are hereby rejected.

RESOLUTION NO. 146-16

WHEREAS, Jessica Diaz has notified the Borough of Roselle Park that she will be resigning effective June 5, 2016; and

WHEREAS, as Jessica Diaz is entitled to certain compensation; and

WHEREAS, it has been agreed by the Mayor and Council of the Borough of Roselle Park and Jessica Diaz that the above compensation will be paid as follows:

<u>Description</u>	<u>Amount of Days</u>	<u>Daily Rate</u>	<u>Amount Due</u>
Vacation Days for 2016	14	160.65	2,249.10
Holidays for 2016	9	160.65	1,445.85
Personal Days for 2016	3	160.65	481.95
Comp Time for 2016	22.04 Hours	19.6283	432.61
Vacation Days for 2017 (14 days prorated for 5 months)	5.83	160.65	<u>936.59</u>
Total Due			\$5,546.10

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Chief Financial Officer is hereby directed to pay Jessica Diaz the entitled compensation at the above schedule.

RESOLUTION NO. 147-16

WHEREAS, NJDOT has submitted Utility Agreement No, UECA-6-Rt. 28 Grove Street to Highland Avenue 124210 to the Borough of Roselle Park for execution by the Mayor relating to the possible relocation of certain sanitary sewer facilities on Route 28 between Grove Street to Highland Avenue in the Borough of Roselle Park, Union County; and

WHEREAS, the Borough Engineer has reviewed said agreement and finds it acceptable as it protects the interests of the Borough during design and construction of said project, and reimburses the Borough for the cost of engineering services in connection with its review of the design and construction plans up to One Thousand & 00/100 Dollars (\$1,000.00);

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Roselle Park in the County of Union hereby authorizes the Mayor to execute Agreement No. UECA-6-Rt. 28

between the NJDOT and the Borough of Roselle Park for the possible relocation of certain sanitary sewer facilities in connection with the construction of the above referenced project.

<input type="checkbox"/> Vote Record – Resolutions #135-16 to #137-16 and #140-16 to #147-16					
		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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Meola moved to table Resolution No. 138-16; seconded by Councilwoman Storey.

RESOLUTION NO. 138-16

BE IT RESOLVED that Gregory David Brzozowski, 131 Berwyn Street, Roselle Park, New Jersey, be and is hereby appointed to the position of Class I Laborer for the Roselle Park Department of Public Works, effective June 20, 2016, to be compensated at the rate of \$45,894.96 per annum, as set forth by Borough Ordinance, for a six month probationary period pending pre-employment processing.

<input type="checkbox"/> Vote Record – Table Resolution #138-16					
		Yes/Aye	No/Nay	Abstain	Absent
<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Defeated	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Kelly	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Elmarassy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilwoman Storey moved to adopt Resolution No. 138-16; seconded by Councilman Elmarassy.

<input type="checkbox"/> Vote Record – Adopt Resolution #138-16					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input type="checkbox"/>	<input checked="" 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"/>
	Storey	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meola	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following resolution was offered by Councilwoman Storey; seconded by Councilman Elmarassy.

RESOLUTION NO. 139-16

BE IT RESOLVED that Paul Michael Gallagher, 405 Roosevelt Lane, Kenilworth, New Jersey, be and is hereby appointed to the position of Class I Laborer for the Roselle Park Department of Public Works, effective June 20, 2016, to be compensated at the rate of \$45,894.96 per annum, as set forth by Borough Ordinance, for a six month probationary period pending pre-employment processing.

<input type="checkbox"/> Vote Record – Resolution #139-16						
		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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	
	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

MAYOR HOKANSON

- Appointing Ryan G. Pereira, C-13 Woodside Gardens, Roselle Park as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Faitoute Hose Company.
- Discuss request from World of Liquors for two (2) additional parking spaces in Lot 1 for the same amount of money.

Mayor Hokanson said a resolution will be on the June 16th agenda for one additional parking space.

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Meola moved at 9:55 p.m. to interrupt the regular order of business for a five minute recess; seconded by Councilman Kelly and adopted.

RESUME REGULAR ORDER OF BUSINESS

Councilwoman Storey moved at 10:00 p.m. to resume the regular order of business; seconded by Councilman Kelly and adopted.

Mr. Huxford said they will conduct the disciplinary hearing for Mark Pasquali, Superintendent of Public Works who was riced and has requested an open hearing.

Mr. Capece, Labor Attorney, briefly summarized what will happen tonight under the law. The Superintendent is given the right under the rice notice to either have a private or public session. He received a call from Councilman Meola and they discussed the matter of weeks ago. On that basis, he made a recommendation to the Mayor that there would be sufficient basis to bring this matter before the Governing Body. The Council tonight serves in a judicatory roll. Councilman Meola will present his reasons for requesting this matter. There will be an opportunity for the Superintendent to respond as he sees fit. The Governing Body will then have the opportunity to have a question and answer period. At the end of the process, depending on what the Governing Body feels, the standard rule applies upon the preponderance of all the credible evidence. He said a case is being made regarding discipline. In New Jersey, each public employee is entitled to progressive discipline depending on the matter. Roselle Park is a non-Civil Service municipality. If there is an appeal to the decision, that would go to the Superior Court. Councilman Meola will be stating his facts, so he will recuse himself from voting. He summarized the elements of what employee insubordination would apply here under the law. A member of the Governing Body calls him and said he would like to have a confidential conversation with him. He spoke to Councilman Meola and told him if he feels that it rises to the level of insubordinate conduct, it is his responsibility. Councilman Meola has the opportunity to present his reasoning as to why he feels this rises to the level of insubordination; he can call witnesses, as well as the Superintendent. There has

always been a tug of war as to the level of authority. This is just merely a departmental hearing and they do not have to be put under oath.

Councilman Meola said he called Mr. Pasquali at the DPW on May 12th at 2:08 p.m. and the call lasted about 30 seconds. Councilman Meola said he called him and was very respectful. The call was to ask Mr. Pasquali about an interview questionnaire that he used for the process of asking people questions if they are qualified for the Department of Public Works. His question was to ask him to bring it along with him, but he never gave him the opportunity to ask him to bring those questions along with him as he would be doing interviews on Monday, May 16th. Councilmen Petrosky and Elmarassy were upstairs on Monday, May 16th. When he started asking him to bring the questions along, Mr. Pasquali answered “the interview process is over. I chose as to who we were going to hire, that’s that.” and then he hung up the phone on him. Councilman Meola said it was right after that he sent Mr. Pasquali an email along with Councilman Petrosky, Councilman Elmarassy and Mayor Hokanson. Councilman Meola said in the email he told Mr. Pasquali that he was going to speak to him about this. He does not like being hung up on. He did not call him back and gave him the benefit of the doubt and left it alone. He said the next day, he called Counsel and asked his opinion on what he should do about this. He said to bring it up on Monday and he went upstairs with the intention of speaking with him, but others came in so he said he would like to speak to him after the meeting. Mr. Huxford came in and it was at that time that Mr. Pasquali said to him that he should concentrate his efforts on the Construction Department, stay out of the DPW. Leave him alone to run it, mind your own “***” business. Councilman Meola said nobody has the right to mind my own “***” business. After that Councilman Petrosky was a little annoyed and said something similar. Councilman Meola said he cannot accept that from Councilman Petrosky because he is on his level. Councilman Meola said he should not be told to mind his own business; this is his business. That is why he has this issue with Mr. Pasquali.

Mr. Huxford said that the Superintendent contacted him early with some concerns that he had in regard to the interview process. Mr. Pasquali asked him to come up to the Conference Room to go over the guidelines as to the two individuals that were being interviewed that day. Councilman Elmarassy, Councilman Petrosky and Mr. Pasquali were already up there when he got there. He does not know what transpired before he got there. He said there was some discussion as to what the process was of doing the interview process, the questions that were going to be asked and how fair this is going to be. Regarding Councilman Petrosky’s statement that he concentrate on the Construction Department, as he is the liaison to that; Mr. Huxford said he does not remember his exact words, but he certainly did infer that he focus on the Construction Department and Councilman Petrosky who is the liaison to the DPW is overseeing it. Mr. Huxford said he cannot remember specifically that he said mind your own business; he did say you are in charge of the Construction Department and should focus on that.

Councilman Meola said he was out of line talking to him like that and just wants some respect. When he calls and wants to ask questions, Mr. Pasquali doesn’t want to answer them. He said he would not speak to him like that or let him speak to anyone else. If he feels he has more to say then he should run for office. Councilman Meola said Mr. Pasquali did not care one bit.

Mr. Capece said he now feels it is appropriate at this time to allow the Superintendent to respond. If there are any witnesses he wants to bring forward.

Mr. Pasquali said regarding the phone call Mr. Meola made, if there is no recording then it is hearsay.

Mr. Capece said if there is a factual disagreement you have the ability to do something called an assessed credibility in terms of the assertions. It simply comes down to he said she said. Both sides now have presented their position. You, as the Governing Body, have the ability to take either no action. By

motion, you can recommend that a lesser step be taken, which would be reprimand. That is a written document which should be included in the file. If you see fit, you can deal with a disciplinary suspension for a certain period of time which is a far more severe penalty. The Governing Body based on what they hear can make a motion for a potential discipline or punitive action that they choose to take. They have the right to do that.

Mayor Hokanson asked if anyone has any questions.

Councilman Shipley asked what is a punitive action.

Mr. Capece said the initial step is a reprimand, which would go into the individual's file. Another step is employee assistance, where the employer can require the employee to go for counseling. The basic step is a reprimand and the second step in the process can deal with a suspension.

Mayor Hokanson asked if there is any timeframe for a decision.

Mr. Capece said this is not a grievance and has procedures. This is a disciplinary matter; there is no timeframe.

Councilman Meola did not come here to seek financial loss for him; he just wanted it on the record as a reprimand, so there is a history if this ever happens to another person. He said he is not lying or exaggerating and making every effort to give him the benefit of the doubt.

Mr. Huxford said there are two claims brought by Councilman Meola, is this being treated as one.

Mr. Capece said in his opinion, both are interconnected interrelated matters. This is considered minor discipline; so there is no reason to articulate a different claim, it is one matter.

Councilman Kelly said he has no reason to doubt the credibility of either party here. He would be hard pressed to take action right now.

Mr. Huxford asked if any member of Council can make a recommendation.

Mayor Hokanson asked if there are any motions for any type of action.

Councilman Shipley moved that there be a written reprimand for Mr. Pasquali; seconded by Councilwoman Storey.

<input type="checkbox"/> Vote Record – Written Reprimand for DPW Superintendent Mark Pasquali					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Kelly	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Defeated	Elmarassy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Meola	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Petrosky	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilwoman Storey moved at 10:41 p.m. to interrupt the regular order of business for a Closed Session Meeting; seconded by Councilman Elmarassy and adopted.

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

- Potential Litigation – Rosewood Gardens vs. Roselle Park
- Potential Litigation – Little League
- Ongoing Litigation – Qersdyn vs. Roselle Park
- Potential Litigation – Library

RESUME REGULAR ORDER OF BUSINESS

Councilwoman Storey moved at 11:03 p.m. to resume the regular order of business; seconded by Councilman Petrosky and adopted.

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

- Potential Litigation – Rosewood Gardens vs. Roselle Park
- Potential Litigation – Little League
- Ongoing Litigation – Qersdyn vs. Roselle Park
- Potential Litigation – Library

There being no further business to come before the meeting, Councilwoman Storey moved at 11:05 p.m. to adjourn; seconded by Councilman Petrosky and adopted.

Attest:

Deputy Borough Clerk