

Special Meeting of Mayor and Council November 3, 2005

PRESENT: Mayor DeIorio; Councilmembers Badillo, Harms, Murphy, Matarante, Zeglarski and Rubilla; Borough Attorney Bill Lane; Finance Officer Greg Mayers; and Borough Engineer Ed Dec

ABSENT: None

Mayor DeIorio called the meeting to order at 8:00 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, C172. (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.

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Matarante moved to interrupt the regular order of business of the November 3, 2005 Council Meeting to conduct a public hearing on Year XXXII Community Development Funds; seconded by Councilman Badillo and adopted.

PUBLIC HEARING
YEAR XXXII COMMUNITY DEVELOPMENT FUNDS

November 3, 2005

(See copy of affidavit of publication attached.)

PRESENT: Mayor DeIorio; Councilmembers Badillo, Harms, Murphy, Matarante; Zeglarski and Rubilla; Borough Attorney Bill Lane; Finance Officer Greg Mayers; and Borough Engineer Ed Dec

ABSENT: None

Mayor DeIorio said the public hearing on the 2005 Community Development Funds is now open and is required to get input from residents as to what projects they might wish to have considered under the funding program.

Councilman Matarante moved to open the public hearing for anyone wishing to speak; seconded by Councilman Badillo and adopted.

Jacob Magiera, 612 Sheridan Avenue, asked what is the grant money and if there was a list of what was happening? Mayor DeIorio said the Community Development Fund Program is sponsored by the Federal Government and allows municipalities and States to secure funding for projects, many of which are considered to benefit low to

moderate income areas. He said Roselle Park applies for different portions of the program. He said they applied for Senior Citizens Social Services Program, the Senior Citizen Handyman Program and Youth Center Services. He said the bulk of the discussion focuses on street reconstruction projects. He said unfortunately in some cases in Roselle Park some areas do not have the ability to secure Community Development Funds because those areas are considered to be low to moderate income areas. He said most of those areas are in the easterly part and every ten years, based on census data, the Federal Government will outline those areas. He said Mr. Dec does have those areas if there are any questions. He said there are several streets under consideration and as the streets receive funding from the Government, the projects are then completed and the others move up. Mayor DeIorio said their first priority under the public facilities and improvements portion is Chester Avenue reconstruction between Colfax and Lincoln, Roosevelt Street from Webster to Lincoln, Laurel Avenue from Seaton to Webster, Clover Place from Clay to the end of Clover, Charlotte Terrace from Madison to Grant and Colonial Road from Bender to Galloping Hill Road.

There being no one else wishing to speak, Councilman Matarante moved, at 8:05 p.m., to close the public hearing; seconded by Councilman Badillo and adopted.

RESUME THE REGULAR ORDER OF BUSINESS

Councilman Matarante moved, at 8:05 p.m., to resume the regular order of business; seconded by Councilman Badillo and adopted.

Resolution #128-05, setting priorities for 2006 Community Development Funding – Year XXXII, was offered by Councilman Matarante and seconded by Councilman Harms. (See app. pg. #).

Mayor DeIorio said from his experience, he did not think numbers 5 and 6 would be eligible for Community Development Funds, but he was willing to try. He said he would be surprised if they see enough funding to get to parts 5 and 6. Councilman Murphy said if they did not try, they would never know if they succeeded. Mayor DeIorio asked if Chester Avenue was still within the designated area and Mr. Dec said it was.

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

TRANSFER RESOLUTION

A transfer resolution authorizing the transfer between appropriations was offered by Councilman Matarante and seconded by Councilman Harms. (See app. pg. #).

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

RESOLUTION

Resolution #129-05, authorizing additional hours for John Fitzpatrick, Esquire to represent the Borough in connection with Timpat, Inc. vs. the Roselle Park Board of Adjustment, was offered by Councilman Matarante and seconded by Councilman Harms. (See app. pg. #).

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

Mayor DeIorio said he had an item for closed session regarding the resignation of the Chief Finance Officer. He asked to hold the discussion for later this evening.

PUBLIC COMMENT

Councilman Matarante moved to open the public comment portion of the meeting; seconded by Councilman Badillo and adopted.

Jacob Magiera, 612 Sheridan Avenue, asked for an explanation of Resolution #129-05. Borough Attorney Bill Lane said there is current litigation pending in the Superior Court of New Jersey. He said Timpat is appealing a decision of the Roselle Park Board of Adjustment denying their application. He said Mr. Fitzpatrick is the attorney for the Board and as a result has to be compensated. He said since the litigation has protracted beyond what was anticipated, there needs to be additional funds to pay for the legal services. Mr. Magiera inquired what the prior cost was? Mayor DeIorio said he did not have that information with him and suggested he speak to the Finance Officer tomorrow. Mr. Magiera asked about the transfer of money and how much money was left over in the old ordinances. Mr. Mayers said almost everything was cleared out over 2000 and 2001, but stated there was one older ordinance that had a balance of approximately \$30,000.00. Mr. Magiera asked the Mayor to explain the notices on the front door. He said one was Borough Hall closed November 8, 2005 in observance of the Election Day Holiday. Mayor DeIorio said due to contractual reasons most of the departments will be closed. He said in the contract there are stated holidays, which include Election Day. He said the Clerk's Office will be open for Election Day purposes, as well as the Tax Office. Mr. Magiera said a family on Sherman Avenue complained about their neighbor doing construction for about 4 years. He said in the court system there is a Mediation Board, but he has not seen it on the Bulletin Board on Channel 34. He said if people were aware of this Board, they would know they do not have to come to Mayor and Council. He said he went to check on the situation and happened to see political signs on the front lawn. He asked if the people came before the political signs were put up or after. Mayor DeIorio said that the public should be aware that in order for the Community Dispute to be requested for mediation, there must be a complaint filed with our Police Department. He said essentially someone has to complain to the Police Department or with the Court system. He said many times residents will come to a meeting prior to actually filing a complaint and because no complaints were filed, the Community Dispute Resolution Committee would not have been forwarded that case.

Mr. Magiera said he still felt it should be on the TV34 bulletin board, explaining it to people so they will know what to do. He asked if there was an ordinance for dumpsters in the streets; in particular Sherman Avenue and Madison Avenue. He said one dumpster has been full for at least 2 weeks and they are a hazard. Mayor DeIorio said the issue regarding the dumpsters by Councilman Harms was addressed and brought forth to the Governing Body that there needs to be significant changes in those particular ordinances. He said Councilman Harms discussed them at the prior meeting and when the Superintendent of Public Works speaks, he could explain it in further detail. He said he went to Roselle and spoke to the Engineer, who said work for Moses Creek was done in Roselle Park and the last section to be finished is the Peach Creek. He said there was no reason for the Borough to spend \$300,000.00 to do a study for FEMA. He suggested that Mayor and Council invite Mr. Frank Kozar, the Engineer from Roselle, in for a meeting and have him explain what the process is.

Attia Bay, 347 W. 3rd Avenue, Roselle, said she is a member of Reaffirming Our Commitment to Children, an organization that hand carried a package to the Mayor and Councilmembers last week. She said in June of this year 132 children, of which 2 are Roselle Park youths, 15 years and younger, went to Walt Disney in Orlando, Florida and competed in the U.S. Youth Games. She said they came from over 10 different cities and came back with 17 metals. She said Reaffirming Our Commitment to Children is going to be honoring them on the 18th of November and all of the children and their parents have been notified. She said perhaps Council will do a resolution mentioning their names, so they can receive it on that day, as well as anything else they may choose to do. She said last night she went to the Roselle Council meeting and received a phone call the next morning to purchase their tickets even though they did not have any children involved. She said she has received support from some of the Assemblymen and Freeholders and wanted to bring it to their attention. She said she wanted to bring it to Councils attention that it would be very remiss for the children of Union County not to be recognized on November 18th. Mayor DeIorio said November 14th is the next public meeting and asked her to invite the children and forward information describing the organization and what they attempt to do to the Borough Clerk, along with any names she would like to have recognized in the resolution.

Paul Endler, 143 E. Grant Avenue, said he was there on behalf of the Veteran's Central Planning Committee to invite Mayor and Council to the Veteran's Day Services at the Veteran's Memorial Library next Friday at 11:00 a.m.

Debbie Schaeffer, 127 E. Clay Avenue, said she was there on her own accord and is not anyone else's lackey. She said she received in the mail a very disgusting piece of election propaganda that has nothing to do with the current election, but is an illegal attack on a very good man. She said she spoke of the Democratic Parties attack on Councilman Badillo. She said everyone she has spoken to about this literature is as outraged and angry as she is. She said they took a private matter and made it public, stating it was dirty politics. She said this would not win them more votes, but would turn more people against them as a party. Mrs. Schaeffer said she was very disappointed with

the Democratic Party and even though she is a registered Democratic, after what she has seen this year she is going to become a Republican.

Pat White, 18 W. Colfax Avenue, thanked John Risso and Kathy Vail. He said he put an addition on his house which took almost a year to do. He said the roof was not done properly with the contractor making about 7 feeble attempts at training to patch things up, but with their perseverance, thankfully the whole roof was striped and done properly. He asked Councilman Zeglarski if he was aware of the paperwork that was sent regarding Councilman Badillo. Councilman Zeglarski said he was and that there was nothing untruthful on it. Mr. White said that Councilman Zeglarski said he did not want to drag Roselle Park through the mud and then he republished the information again.

There being no one else wishing to speak, Councilman Matarante moved, at 8:35 p.m., to close the public comment portion of the meeting; seconded by Councilman Harms and adopted.

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Matarante moved, at 8:35 p.m., to interrupt the regular order of business to return to the Executive Meeting; seconded by Councilman Harms and adopted.

RESUME THE REGULAR ORDER OF BUSINESS

Councilman Matarante moved, at 9:15 p.m., to resume the regular order of business; seconded by Councilman Harms and adopted.

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

- . Acquisition of a new CFO because of the resignation of our current CFO and negotiation of a stipend
- . Pending Litigation – Roselle Park vs. Blackstone

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Matarante moved, at 9:25 p.m., to interrupt the regular order of business for a closed session meeting; seconded by Councilman Badillo and adopted.

RESUME THE REGULAR ORDER OF BUSINESS

Councilman Matarante moved, at 9:40 p.m., to resume the regular order of business; seconded by Councilman Murphy and adopted.

Mayor DeIorio said during closed session Council discussed matters pertaining to:

. Acquisition of a new CFO because of the resignation of our current CFO and negotiation of a stipend

. Pending Litigation – Roselle Park Vs. Blackstone

Councilman Matarante moved to accept the appointment of Ken Blum as CFO for the Borough of Roselle Park for a monthly stipend of \$3,000.00 until a replacement is found; seconded by Councilman Harms and adopted.

There being no further business to come before the meeting, at 9:40 p.m., Councilman Matarante moved to adjourn; seconded by Councilman Harms and adopted.

Attest:

Deputy Borough Clerk