

Regular Meeting of Mayor and Council November 14, 2005

PRESENT: Mayor DeIorio; Councilmembers Badillo, Harms, Matarante, Zeglarski and Rubilla; Borough Attorney Bill Lane

ABSENT: Councilman Murphy

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

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

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

Borough Clerk Arlene Triano read a short prayer followed by the Pledge of Allegiance.

COMMUNICATIONS & PETITIONS

Notice of Hearing before the Zoning Board of Adjustment for a variance to build a deck within 6 ft. from the property line at 527 Spruce Street. (Received and filed).

Copy of Resolution from the Township of Pequannock urging that the federal hourly minimum wage be increased to \$7.15 and evaluated annually to keep pace with economic conditions. (Received and filed).

Copy of Resolution from the Township of East Brunswick supporting Senate Bill No. 1987 authorizing local units to limit contract awards to business entities that make political contributions. (Received and filed).

APPROVAL OF MINUTES

Councilman Matarante moved that the reading of the minutes of the Closed Session Meeting of October 20, 2005 and November 3, 2005, be dispensed with as all members have received copies and they be approved as recorded; seconded by Councilman Harms and adopted.

PAYMENT OF BILLS

The following routine bills listed on a consent agenda were offered by Councilman Harms and seconded by Councilman Badillo.

Current Account Cks. #5501-5582 (Void 4918) #90158-90161

2004 Reserve	\$ 11,738.43	
2005	2,977,474.40	
Reserve for Grants	<u>19,181.42</u>	3,008,394.25

Capital Account Ck. #324-330 32,000.41

Animal Control Trust Account Ck. #143-144 1,709.68

Sewer Utility Account Cks. #296-298

Sewer Utility Account	2004	.00	
Sewer Utility Account	2005	363.65	
Blue Cross/Blue Shield		2,414.60	
U.S. Healthcare		1,722.69	
Roselle Park Payroll Debit	10/28/05	10,837.53	
Roselle Park Payroll Debit	11/10/05	<u>11,628.35</u>	26,966.82

Hud Trust Account Cks. #216

Hud Trust Account		18.22	
Roselle Park Payroll Debit	10/28/05	865.08	
Roselle Park Payroll Debit	11/10/05	<u>964.76</u>	1,848.06

Trust Others Account Ck. #33-34

Roselle Park Payroll Debit	10/28/05	2,474.01	
Roselle Park Payroll Debit	11/01/05	<u>6,351.51</u>	8,825.52

Public Assistance Trust Cks. #1153-1168 4,651.00

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RESOLVED: The Tax Collector is authorized to reduce the sewer charges on the following account for the year 2005.

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMT. BILLED</u>	<u>ACTUAL</u>	<u>AMT. REDUCED</u>
J. Bamber	403	4	408	93	315 \$551.25

Paperwork confirming the above figures is available in the tax office.

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

PRESENTATION

Mayor DeIorio said there have been many groups offering assistance to Hurricane Katrina victims. He invited Library Director, Susan Calantone, and Councilman-At-Large, Ricky Badillo to the dais. He read and presented Certificates of Appreciation to Janet Hopkins, Alina Carr, Barbara Jean Delnero, Karla Vitug, Violetta Gulden, Barbara Tiffany Dillon, Arlene Emme, Gerri Palmer, Kathy Buldowski, Muriel Lawrence, Donna Fiducia, Gracita Dionnaire, Marilyn Schmidt, Adele Sechringer, Ann Hahn, Nouri Tanner, Betty Woodruff, Louise Koza, Annemarie Stanko, Linda Farrell, Mindy Schreff, Debbi Protz, Jeanette Sack, Jacqui Kraton, Joan Kratson, Jean Lindquist, Ginny Russ, Lauren Behrens, Barbara Goldstein, Bonnie Corson and Mary Jane Leinberger. Certificates of Appreciation were also presented to Roselle Park Veterans Memorial Library Staff and Trustees: Pat Miller, Carmen Canas, Debbie Heiss, Marta Pontoriero, Ellen Tsomaeva, Barbara Sobolewski, Michelle Boff, Judie Gibbons, Kit Rubino and Susan Calantone. He also included Roselle Park Cub Pack #155 their leader Mary Accardi and Irene from Casa di Trevi for their participation in the "Quilting for Katrina" project at the Roselle Park Veterans Memorial Library. Susan Calantone thanked all the patrons that helped, as well as people from other communities that came. She thanked her staff whom she said were absolutely terrific and very supportive of this project. Councilman Badillo thanked Susan, the Cub Scouts, their parents and everyone else who volunteered.

Mayor DeIorio said Councilman-At-Large and Fire Department Liaison, Ricky Badillo, had brought to Council's attention Lathey Wirkus and his efforts to help the Roselle Park Fire Department. He read and presented a Certificate of Appreciation to Lathey Wirkus from the Elizabeth Fire Department for his training and expertise at the Middlesex Taxpayer Burn. Councilman Badillo said the reason Lathey was invited tonight is because he and his son Patrick are residents and long time volunteers. He said Lathey is a Deputy Chief in Elizabeth and took the time to come and instruct the Roselle Park Volunteer Firefighters. He said he enjoyed the experience of observing and listening to Lathey. Mr. Wirkus said back in 1989 he was severely burned in a flashover in the City of Elizabeth trying to make a rescue, and spent many months in a burn center where they repaired his hands. He said during that time, many things were going on at his house in Roselle Park. He said the firefighters took down his Christmas lights and his snow was shoveled. He said when he finally did get out of the burn center, there was a line of Roselle Park Fire Trucks at his door to welcome him home. He said this is truly a brotherhood and he was just paying back a debt of gratitude. Fire Chief Joe Signorello said he agreed with the Mayor and Councilman Badillo that Lathey is a fantastic help and respected by all.

Chief Signorello, on behalf of himself and his family, donated \$10,000.00 to the Roselle Park Anthony Signorello Youth Center. Mayor DeIorio said this was a complete surprise and thanked him and his family on behalf of the Governing Body and Borough residents. He said the experience of putting together a Youth Center and watching the 600 child was gratifying.

Mayor DeIorio invited Donna Evaristo, her family and co-workers from RE/MAX Action Group Realty, Karen Intile and Hank Calabrese to the dais. Mayor DeIorio said this is a great example of a business partnership with the business community. He said Donna and her company RE/MAX has taken it upon themselves to provide assistance and events to the seniors at our Community Center. He read and presented Donna with a Certificate of Appreciation for all the support she has given to the Borough of Roselle Park. Donna thanked everyone, especially Hank and Karen, for all of their help. Councilman Badillo said they have developed a wonderful partnership, which is enjoyed by all the seniors. He thanked Donna and her group for their generosity and commitment to Roselle Park. Karen Intile thanked Donna for all she does for the seniors of Roselle Park and the community. She said as Director of the Casano Center, she knows she has a friend she could count on.

Mayor DeIorio invited Karen Intile back to the dais. He said he had the honor and privilege of receiving the ceremonial key to another jitney bus provided by NJ Transit. He presented Karen with a key to the bus, which will arrive in 2007 and stated it was not only an honor to be a recipient of the bus, but also the grant monies that come with it. Karen thanked the Mayor and encouraged residents to ride the bus, saying it will be nice to have a second shuttle. Mayor DeIorio said with the second bus, they will be able to expand service. He said anyone interested in this service should contact Karen at the Casano Community Center.

Mayor DeIorio invited Library Director Susan Calantone and Carrie Davey to the to the dais. He said if you have visited the Roselle Park Public Library recently you have probably witnessed the beautiful mural. Susan said the mural is absolutely beautiful and has all of the storybook characters starting with the Cat in the Hat and ending with a wonderful picture of Susan's 3 little kitties. She said there are many wonderful storybook characters painted on the wall and invited residents to stop at the Library to take out a book and look at the mural.

PASSAGE OF ORDINANCES

Introduction

An Ordinance (#2166) entitled, "AN ORDINANCE AMENDING CHAPTER 128 OF THE CODE OF THE BOROUGH OF ROSELLE PARK REGARDING LAND USE", was introduced and read by title only on its first reading.

Councilman Matarante moved that Ordinance #2166 be adopted on first reading and advertised as prescribed by law for first reading and public hearing on December 15, 2005; seconded by Councilman Harms.

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

RESOLUTIONS

The following routine resolutions, listed on a consent agenda, were offered by Councilman Badillo and seconded by Councilman Harms. (See app. pg. #).

- #122-05 – Accepting Final Change Order with Jenicar Builders Contractors for the reconstruction of Colfax Avenue from Hemlock Street to Galloping Hill Road (minus \$4,654.36)
- #130-05 – Reconfirming appointment of Interim Part-Time Chief Financial Officer (K. Blum)

Mayor DeIorio asked Councilman Harms if he wanted to defer Resolution #103-05 until the Borough Engineer arrives. Councilman Harms said he got a call from Ed Dec and he did meet with the contractor, but he was not sure of the outcome. He said it is his understanding that if they do not approve this, they do not get payment from the State. He said he read the article from Donald Guarriello that this has to be passed, but he did not know what Council wanted to do. Mayor DeIorio said the resolution calls for a reduction in the change order of \$573.45. Councilman Harms said he had no problem putting it up for passage if there is still the performance bond to go back to. Mayor DeIorio recommended having a memo written to Mr. Dec saying they are approving this with the previsual that all issues are addressed, and if not, the performance bond company will be contacted. He asked the Borough Clerk to forward that information to Mr. Dec.

Resolution #103-05, accepting Final Change Order with Matina & Son, Inc. for the resurfacing of West Clay Avenue and Drainage Construction from Faitoute Avenue to Locust Street (minus \$573.45), was offered by Councilman Matarante and seconded by Councilman Harms. (See app. pg. #).

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

Resolution #131-05, solemnly remembering the Ukrainian victims of the Russian communist-engineered famine-genocide of 1931-33 on its 72nd Anniversary, was offered by Councilman Harms and seconded by Councilman Matarante. (See app. pg. #).

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

MATTERS FOR REFERRAL

Councilman Harms reported that the Municipal Services Committee met earlier and spoke on the Jerome Street parcel that Sunrise Village was asking to lease or purchase for a parking lot. He said it was the committee's recommendation not to do either and said they would look into other possibilities.

Councilman Matarante said this Wednesday the Mayor is going to be inducted into the Mayor's Hall of Fame by the New Jersey League of Municipalities. He said it was a great honor for the Mayor and Roselle Park. Mayor DeIorio said if anyone would like to join him, to please let him know before noontime on Wednesday. He said it was a tremendous honor and thanked the Borough for allowing him to serve.

Councilman Rubilla said he had one matter to be referred to committee that came up late this afternoon. He said in back of the Municipal Parking Lot that joins the World of Liquor there are about 5 sodium lamps that light the parking lot for safety. He stated that two homes on Williams Street no longer have trees to block the light and it has become bothersome. He said one of them has recommended light shields and stated they were fairly inexpensive. He requested a committee discussion and said he would talk to the Street Lighting Committee to find out the exact cost.

Councilman Badillo said on Sunday he attended the Union County Indian American Senior Citizen Installation Dinner at the Casano Center. He congratulated all of the gentlemen that took office that evening and wished them luck. He said he attended the Veteran's Day Services at the Library and thanked all those who have served our Country. Councilman Badillo said he spoke with Nick Florio from the high school in regards to the tunnel and he has agreed to have his students paint it using a flag theme. He congratulated Councilman Dinardo, and the residents of Roselle Park for returning him to the seat of Councilman-At- Large for another 3 years.

Councilman Zeglarski said he had one issue to refer to committee regarding the website. He thanked the Veteran's for their service, saying it was an important day for him, stating that his Grandfather served in World War II and he missed him.

Mayor DeIorio on the recommendation of the Fire Chief appointed the following individuals, effective immediately, to the Central Firehouse #2.

- . Angel L. Gonzalez, 145 West Lincoln Avenue, Roselle Park
- . Michael J. Aguanno, 414 Roosevelt Street, Roselle Park
- . Eliot D. Ocasio, 304 Chestnut Street, Roselle Park

PUBLIC COMMENT

Councilman Matarante moved, at 8:25 p.m., to open the public comment portion of the meeting; seconded by Councilman Harms and adopted.

Mark Tucci, 620 Chestnut Street, said he wanted to discuss the increase in the train traffic on the railroad. He said back on December 18, 2004 regulation went into effect which allowed the Borough to apply to the Federal Railroad Administration to create a quiet zone. He said he assumed the Borough did this because for a while it was pretty quiet with the whistles not blowing. He said with the increase in traffic, he

guessed there are new engineers on the line that do not know about it and they are long and loud. Mr. Tucci said he got use to the trains going by, but the whistles wake him up. He said if Mayor and Council has not applied to create a quiet zone, he wished that they would. He said Roselle Park qualifies to have the whistles banded both day and night. Mayor DeIorio said he would look into it because he was not familiar with the actual relief from all whistle blowing. He said he attended all the meetings, but he would double check.

Jacob Magiera, 612 Sheridan Avenue, congratulated the successful and unsuccessful candidates. He stated that the whistle with the train is a federal law and must be sounded approaching the station. He said the Mayor has tapes of that because in 1990 he said he was taping the noise with the trains. Mayor DeIorio said he worked very hard on that issue with decimal counting, videotapes, counting the number of cars and said he went as far as he could go with the issue. He said he was told flat out that once the trains are there you are not going to stop them. Mr. Magiera said the garbage cans on Williams Street have been removed from the public sidewalk and he thanked Councilman Harms. He said on Chestnut Street between Webster and Grant Avenues the potholes have been filled by the County. He handed a copy on parking meters to Councilman Matarante and said the Borough has 72 parking meters not working and 12 parking meters that are working. He said the parking meter at the Gazebo on Grant Avenue is not working and there are 5 missing heads from the poles that hold the parking meter. He said in reference to the budget there is an anticipation of \$20,000.00 in revenue for 2005 for parking meters. He asked how Council could anticipate collecting that amount of money when they are not working? Mayor DeIorio said at a prior meeting and in the newspaper that there was a \$20,000.00 loss per year and questioned how he derived at the number, saying the numbers he received from the Finance Office do not agree with those numbers. Mr. Magiera said it was the 2005 anticipated revenue. Mayor DeIorio said his numbers do not add up to a \$20,000.00 loss per year. Mr. Magiera asked the Mayor to show him those figures and if he is wrong, he will admit he was wrong. He asked for an update on Morses Creek and if anyone spoke to the Roselle Engineer in reference to getting some direction on continuing Peach Creek. Mayor DeIorio said he has not spoken to him yet and noted that the question posed was how much would it cost and that was why the Borough was requesting State money. He said the Borough is not spending, and have an ordinance or a budgeted line item for \$300,000.00. Mr. Magiera said at the past meetings he stated that Mayor and Council do not receive health benefits and that elected officials, appointed officials and bureaucrats should take a 30 percent cut in pay, 30 percent cut in pension and a 30 percent cut in pay to their health benefits. He asked who was going to the League of Municipalities Convention in Atlantic City? Mayor DeIorio said he was and he was paying 100% of his own way. He said as part of the budget reductions, Councilmembers would pay their own way down to Atlantic City. Mr. Magiera asked if Council was going to take a pay increase in 2006? Mayor DeIorio said that would be up to the 2006 Governing Body and stated that Mr. Magiera has exceeded his time allotment. Mr. Magiera continued asking if there should be any damage or breakage of public property in the Youth Center, such as a ping-pong table or pool table who is responsible? Mayor DeIorio thanked him for his question and wished

him a Happy Thanksgiving. Mr. Magiera said as a senior citizen he should get 5 minutes at age 65, 7 ½ minutes at 70 and any senior over 70 should get 10 minutes.

Michele Atiyah Bey, 47 W. Third Avenue, Roselle, thanked Councilmembers who have supported the Youth Games. She said that Mayor Sharpe James of Newark was upset with towns suddenly giving anything to the youths because the towns knew the children were going to the Disney Games in June and were not supported. She asked Council to forgive her for thinking this was the right thing to do on behalf of the children who are town residents. She did leave a sample of what Roselle did last Wednesday and said she still felt the children deserved something from there towns. Mayor DeIorio said he really appreciated her tenacity and suggested a compromise. He said the next meeting starts at 7:30 p.m. and suggested having the families come at 7:15 p.m. for some private photographs and presentations. Councilmembers agreed and Ms. Atiyah Bey thanked them. She asked if the light by the train station on Locust Street has been fixed? She said it is so dark when walking under that train trestle and that it has been out for some time. Mayor DeIorio said he would notify the Superintendent of Public Works and requested that she to invite the families to the December 15th Council Meeting.

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

There being no further business to come before the meeting, at 8:45 p.m., Councilman Matarante moved to adjourn; seconded by Councilman Harms and adopted.

Attest:

Deputy Borough Clerk