

## Regular Meeting of Mayor and Council March 15, 2007

PRESENT: Mayor DeIorio; Councilmembers Badillo, Harms, Matarante, Rubilla, Dinardo and Yakubov; CFO Ken Blum; Borough Attorney Bill Lane

ABSENT: None

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 recorded 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.

Mayor DeIorio welcomed the Girl Scouts who will be acting as Borough Officials this evening: Samantha Ardino/Mayor DeIorio, Kelly Reed/Councilman Larry Dinardo, Renee Kachnowski/Councilman Rick Matarante, Samantha Leinberger/Councilman Rob Rubilla, Rachel Mucha/Councilman Loren Harms, Deanna Picciano/Councilman Mike Yakubov, Joey Regan/Councilman Ricky Badillo, Laura Swirz/Borough Attorney Bill Lane, Samantha Tunnell/Borough Clerk Doreen Cali, Audrey Romano/Chief Financial Officer Ken Blum.

Borough Clerk Doreen Cali read a short prayer followed by the Pledge of Allegiance.

### COMMUNICATIONS AND PETITIONS

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

- Letter from The Unity in the Community Committee requesting permission to hang a banner from April 2<sup>nd</sup> through April 17<sup>th</sup> in the Gazebo area encouraging all residents to vote in the Board of Education election.
- Letter from Roselle Park High School Marching Band requesting No Parking signs be placed on West Webster Avenue between Laurel Avenue and Larch Street from 12:00 Noon until 10:00 p.m. for a Winterguard Competition on Saturday, April 14, 2007. They are also requesting the use of the DPW lot to assist with the parking of buses.
- Letter from Elaine Saramago requesting permission to hang a banner in the Gazebo area advertising the High School Play "West Side Story".

### REPORT AND RECOMMENDATIONS OF MAYOR

- Mayor DeIorio presented to Council an ordinance from the Township of Lumberton regarding the video taping of public meetings. He submitted it to the Borough Attorney for review.

- Mayor DeIorio asked Council to consider the Municipal Welcome Signs.
- Mayor asked Council to consider the ordinance regarding Outdoor Lighting from the Borough of Eatontown.
- Mayor asked Council to review Hamilton Township's Pedestrian Safety Programs.
- Mayor DeIorio reminded everyone to attend the High School Play "West Side Story" which will be the following Thursday, Friday, Saturday and Sunday.

## REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

### Councilman Dinardo

- He thanked the Girl Scouts for filling in at tonight's Council Meeting.
- He reminded everyone that the Town-Wide Garage Sale will be held on June 16<sup>th</sup>.

### Councilman Badillo

- He asked that the Roselle Park Wrestling Team be invited to the next Council Meeting to be acknowledged for their accomplishments.

### Councilman Harms

- He reported that the Municipal Services Committee met on Monday to discuss the basement/cellar issues and they also talked about PODS, and those ordinances will be introduced tonight.

### Councilman Matarante

- He reminded everyone about the High School Play "West Side Story". The play begins at 7:30 pm on April 22, 23, 24 and the 25<sup>th</sup> at 2:30 p.m.

### Councilman Rubilla

- He thanked the DPW for their swift action in filling all the potholes last week.
- He also attended a meeting of the Joint Sewer this evening.

### Councilman Yakubov

- He wished Councilman Ricky Badillo a happy birthday.

## REPORTS OF DEPARTMENTS

### Borough Attorney – Bill Lane

- He reported that the matter of the Borough of Roselle Park vs. Blackstone has been completed.

Borough Clerk – Doreen Cali

- She reported that Town-Wide Garage Sale applications are now available at the Borough Clerk’s Office until June 5, 2007. The fee for the permit is \$10.00.

Chief Financial Officer – Ken Blum

- He reported that the Borough budget is still being worked.

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

- Treasurer’s Report for January 2007
- Municipal Court Report for January 2007
- Police Chief’s Report for February 2007
- DPW Report for February 2007

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

- Regular Meeting: February 1, 2007

PAYMENT OF BILLS

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

Current Fund	\$2,600,900.65
Federal State & Grants	28,378.08
General Capital	18,682.14
Sewer Utility Account	238,056.43
Recreation Trust Account	2,270.00
Other Trust	4,760.52
Animal Control Trust	40.24
HUD Trust Account	1,984.15
Public Assistance II Fund	5,191.00
Tax Collector’s Premium Account	<u>31,000.00</u>
<b>Total</b>	<b>\$2,931,263.21</b>

Roll called, all members present voting Aye, said motion was adopted.

## CERTIFICATES/PROCLAMATIONS

### Certificates:

- Girl Scouts
- Mae Hokanson and Jacob Magiera

### Proclamations

- Girl Scout Week
- Woman's History Month

Mayor DeIorio thanked the Girl Scouts for their participation and complimented them on the wonderful job.

## PUBLIC COMMENT

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

### Jacob Magiera, 612 Sheridan Avenue:

- He complimented the Girl Scouts on the good job that they did.
- He inquired about a letter from Hamilton, NJ state pedestrian.
- He asked if there is a lawsuit with the Borough and Romerovski
- He asked about lighting on the Parkway.
- He asked how many catch basins were cleaned in 2006 and 2007.
- He inquired about the parking meter at the gazebo parking lot and asked why it has not been working this year.
- He asked that Council address extension cord and power strip safety with the residents.
- He thanked Mayor and Council for Resolution #84-07 in opposing Union Hospital closing.
- He referred to an article in the Star Ledger which addressed the updating of the Sunshine Law. He said there are no videos taken of Planning and Zoning Board Meetings.

### Bob Zeglarski, 521 Chester Avenue

- He referred to Resolution #85-07, awarding the contract to ERM Environmental Resources for the project Youth Baseball Field Complex in the amount of \$113,420 and he asked the purpose of this contract.

Mayor DeIorio said that Borough has made an agreement with the Department of Environmental Protection to respond to their mandate to test both the Adase and Wolf ballfields. He said by doing so we retained ERM and in order to comply with their request, we have to test

both fields. He said that ERM presented plans to the DEP which they approved a testing plan. After that was approved, the Borough of Roselle Park applied for a grant from the Economic Development Agency to pay for 100% of the cost of that testing. The EDA approved that cost and at this point we are able to retain ERM to test the fields.

- He referred to Resolution #79-07 appointing Jeffrey R. Surenian, Esq., as Special Counsel and asked if that can be discussed publicly.

Mayor DeIorio said that Mr. Surenian will make his presentation to the Governing Body in closed session this evening to discuss the pending litigation and strategies. He is and expert in the field of defending municipalities only.

Borough Attorney Bill Lane said it is an affordable housing litigation. In this litigation, the Court has allowed builders to make available locations within the municipality for affordable housing. He said right now there is a builder who has made a claim that the Borough, as well as other towns, have not lived up to that requirement; the case itself is currently in front of the Appellate Division.

- He asked about the budget meeting being broadcast on TV34.

Mayor DeIorio said the budget meetings were not televised, they take place in the conference room on the second floor and we do announce the dates for these meetings for the public to attend.

- He asked when the introduction of the budget will take place.

Mayor DeIorio said the original goal was March 15<sup>th</sup>, but the Governing Body, as well as the Chief Financial Officer, in reviewing our municipal budget needed more guidance from the auditors who also reviewed the budget to make sure we are in compliance with state regulations.

- He asked if the amount of surplus has been calculated.

Councilman Matarante said as of 12/31/06 there was \$2,047,000 which is considered cash and non-cash surplus of that figure \$1,647,000 is cash surplus. He said the year before we had 1.7 million in and of that we used 1.2, we have been very consistent since 1999 and how we have left as a balance at the end of the day.

- He asked what a non-cash surplus is.

Councilman Matarante said the grants are received as part of the non-cash surplus and we cannot use the non-cash surplus for tax relief.

- He asked about the percentage of collected taxes.

Councilman Matarante said it is 98.17%.

Suzanne Kinloch, 336 Sheridan Avenue:

- She is here on behalf of the Roselle Park Pink Panthers to get all members of the community involved in the Relay for Life, the American Cancer Society Event “Paint the Town Purple Party”. There will be a pizza party held on March 28<sup>th</sup> at the Casano Center from 6:00 to 8:00 p.m. All residents and business owners will be informed of what they can do to turn Roselle Park purple from now until June. The American Cancer Society Relay for Life will take place in Roselle Park at the High School on June 9<sup>th</sup> and 10<sup>th</sup>.

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

- Councilman Matarante said he would like to refer a new grievance that was received to the Public Safety Committee.
- He said the following grants have been applied for: the Fire Department applied for a \$150,000 grant for protective equipment, which will include turnout gear, coats and boots. The Police Department have applied for a \$10,000 Domestic Violence Grant to cover overtime with no match for that. They are also going to apply for a 911 grant for \$100,000. Fire Prevention will be applying for a \$50,000 Fire Prevention Education for Seniors and Schools Grant. There will also be a New Jersey Highway Safety \$10,000 grant.
- Mayor DeIorio announced that on March 19<sup>th</sup> and 20<sup>th</sup> budget meetings will be held at 6:00 p.m. so the public can attend. He said we are having multiple meetings this year and are including the ability for recap meetings to review the various items that are discussed. We look forward to the public attending the meetings on Monday and Tuesday at 6:00 p.m.
- He said that during the public portion there was a discussion regarding Hamilton Township’s Pedestrian Safety Program. The Township put together a response plan of some of their pedestrian safety issues, as well as, identifying hot spots that were cause of concern for traffic and pedestrians. He said he has submitted copies to the Clerk to be given to the Governing Body for their review. They have looked at analyzing areas in their community and identified where some of their pedestrians were seriously injured or killed and have implemented some traffic calming techniques. He said we have contacted the County to help us and in their efforts to repave Chestnut Street to provide some traffic calming measures near the train station in our downtown area.
- He spoke about the danger of extension cords and power strips danger concerns. There is an article available that possibly can be put on the internet for the public to review.
- He said the outdoor lighting ordinance that he has submitted to the Governing Body addresses the Borough of Eatontown’s goals to regulate outdoor lighting and provide some energy savings.
- He said at the last meeting the Borough proposed a resolution in support of legislation that would help enforcement with dangers to our Crossing Guards. He said that

- today the Assembly passed that measure and it has now gone to the Governor for his signature. He said our Crossing Guard Organization deserves many thanks for bringing that to our attention, knowing that rules can be passed for their protection.
- He spoke about the area next to the Romerovski site, which was up for sale and under contract. Presently it is identified as industrial, and they want to bring in commercial. He asked that the Governing Body review that for discussion.
  - Councilman Badillo said referring to the budget meetings that he asked that they be scrolled and not taped.
  - He said when he is not able to attend the meetings he has come into the office to speak to the Chief Financial Officer regarding budget items; he has not neglected his duties in the budget process.

## PASSAGE OF ORDINANCES

### Second Reading and Public Hearing

#### ORDINANCE NO. 2202

AN ORDINANCE FIXING THE SALARIES OF DEPARTMENT OF  
PUBLIC WORKS EMPLOYEES OF THE BOROUGH OF ROSELLE PARK,  
IN THE COUNTY OF UNION, STATE OF NEW JERSEY FOR THE  
YEARS 2006, 2007, 2008 AND 2009

Councilman Harms moved to open the public hearing on Ordinance #2202; seconded by Councilman Badillo and adopted.

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

Councilman Harms moved that Ordinance #2202 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Matarante.

Mayor DeIorio said for the public's information the contract with our DPW Union was settled and the ordinance represents a 3.75% increase for the next four years. He said in the contract we also included provisions for co-pays for health insurance up to and including the amount of 10% by 2008. It also extends the period of time which you can receive medical benefits upon retirement from 15 to 20 years.

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

### Introduction

#### ORDINANCE NO. 2203

AN ORDINANCE TO AMEND ORDINANCE NO. 1637  
CHAPTER 75, SECTION 3, OF THE CODE OF THE BOROUGH OF ROSELLE PARK  
SETTING LICENSE FEES FOR LIQUOR ESTABLISHMENTS WITHIN  
THE BOROUGH OF ROSELLE PARK

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey as follows:

SECTION 1: Paragraph A of Chapter 75-3 of the Code of the Borough of Roselle Park is hereby amended as follows:

A. The classes of licenses to be issued by the Borough are hereby fixed as follows:

(1) Plenary Retail Consumption License	\$1,270.00
(2) Plenary Retail Distribution License	847.00
(3) Club License	132.00
(4) Warm Beer	50.00

SECTION 2: If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 3: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Councilman Harms moved that Ordinance #2203 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on April 5, 2007; seconded by Councilman Badillo, all members present voting Aye, said motion was adopted.

ORDINANCE NO. 2204

AN ORDINANCE AMENDING CHAPTER 128 OF THE CODE  
OF THE BOROUGH OF ROSELLE PARK REGARDING LAND USE

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 128 of the Borough Code is hereby amended as follows:

SECTION I. § 128-61. Definitions

Delete definition for basement.

The definition for cellars shall be amended to read as follows:

Cellar/Basement – That portion of a building partly or totally underground, having 1/2 or more of its height measured from cellar floor to ceiling below the average adjoining ground level. Where the natural contour of the ground level immediately adjacent to the building is interrupted by ditching, pits or trenching, then the average adjoining ground level shall be the nearest natural contour line parallel to the walls of the building without regard to the levels created by the ditching, pits or trenching. A “cellar” is not included in computing the number of



stories for the purposes of height regulation. A “cellar” shall not be used for a dwelling unit or sleeping quarters and shall not be considered a story.

ARTICLE XV

ESTABLISHMENT OF DISTRICTS AND MAP; GENERAL REGULATIONS

§ 128-65. Regulations applicable to all districts.

H. Bedrooms and/or sleeping quarters are expressly prohibited in cellars/basements as defined in Chapter 128-61. For the sake of this section, the term “sleeping quarters” shall include any improved or unimproved portion of the basement that includes a bed or piece furniture that is customarily used as a bed or sleeping surface. Sleeping in the cellar/basement of any structure is expressly prohibited.

ARTICLE XXVII

MISCELLANEOUS

§128-117.2 Temporary Trailers.

- A. Temporary storage trailers shall be permitted in the residential and commercial districts where the need for such trailers arises as a direct result of fire damage to the existing building, making the building uninhabitable. The Construction Code Official shall determine the size and placement of such a trailer, which must be located on the property for which it is to be used. In no event shall the trailer be located on the premises in question for a period in excess of six (6) months.
- B. Temporary storage trailers or storage containers known as “portable on demand storage” commonly referred to as PODS, or any facsimile thereof, are allowed in any residential districts for the exclusive purpose of storing personal belongings (including but not limited to furniture, appliances, building materials and other personal effects) on the following conditions:
  - 1. No toxic or volatile materials will be stored in same.
  - 2. The home owner will apply to the Borough Construction Department for a permit to allow a trailer/PODS/storage container. The home owner will complete and submit the application form provided by the Construction Department and pay a fee of \$50.00 for same.
  - 3. The permit will be valid for a period of two (2) months and can be renewed for one (1) additional period of two (2) months for the additional fee of \$100.00 and a third additional period of two (2) months for the additional fee of \$150.00.
  - 4. Under no circumstances shall the permit be issued or the trailer/PODS/storage containers remain on the property in excess of six (6) months.
  - 5. The trailer/PODS/storage container will be placed on the applicant’s property and be placed in a fashion as to not interfere with the public right-of-way (including sidewalks and streets).
  - 6. The applicant will authorize and allow periodic inspections of the PODS and its contents by a representative of the Construction Department, so as to ensure that the above requirements are being adhered to.
  - 7. Only one permit, plus two renewal periods will be permitted per property over a period of two (2) years.

The penalty for a violation of the within §128-117.2 is as follows:

- 8. A fine for the first offense of no less than \$500, no greater than \$750;
- 9. Second offense – a fine of no less than \$1,000, no greater than \$1,200;

10. Third offense or subsequent offense – a fine of no less than \$1,500, no greater than \$2,000.

11. In addition to the above fines, there will be an additional fine of \$100 per day following a conviction for the violation of this ordinance. For each day that the trailer/PODS/storage container remains on the premises in question.

SECTION II. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION III. If any portion of this Ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of this Ordinance.

SECTION IV. This Ordinance shall take effect upon the final passage and publication in accordance with the law and upon the filing with the Union County Planning Board.

Councilman Harms moved that Ordinance #2204 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on April 5, 2007; seconded by Councilman Badillo, all members present voting Aye, said motion was adopted.

## RESOLUTIONS

The following routine resolutions, listed on a consent agenda, were offered by Councilman Harm; seconded by Councilman Badillo, all members present voting Aye, said resolutions were adopted.

### RESOLUTION NO. 78-07

BE IT RESOLVED that Charles Medallis, 550 West Broad Street, Westfield, NJ 07090, be and is hereby appointed to the position of temporary Electrical Inspector in the Borough of Roselle Park, effective March 6, 2007, to be compensated at the rate of \$4,790.22 per annum, as set forth by Borough Ordinance.

### RESOLUTION NO. 80-07

WHEREAS, the Borough of Roselle Park will hold its Memorial Day Parade on Monday, May 28, 2007, beginning at 10:00 a.m.; and

WHEREAS, the parade will commence at the Sherman School, proceed down Grant Avenue to Chestnut Street, and continue along Chestnut Street, ending at the Veterans Memorial Library; now therefore

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby requests approval from the Union County Board of Freeholders to close Chestnut Street, from Grant Avenue to Webster Avenue, on May 28, 2007, in order to hold its Memorial Day Parade.

### RESOLUTION NO. 81-07

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2007 temporary budget are insufficient to meet the financial obligations as set forth below and the payroll for municipal officers and employees, and

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2007 temporary budget are insufficient to meet the financial obligations as set forth below and the payroll for municipal officers and employees, and

WHEREAS, the permanent budget for the year 2007 has not yet been adopted, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2007 pursuant to the provisions of NJ.S.AAOA:4-20 including this resolution total \$7,890,675.83 and utility budget \$1,061,335.73

NOW, THEREFORE, BE IT RESOLVED by (not less than two-thirds (2/3) of all the members thereof affirmatively concurring) that in accordance with the aforementioned statute the 2007 temporary budget be and the same is hereby amended to provide for an emergency temporary appropriation in the amount of \$3,770,576.55 and utility budget \$707,139.25, said appropriations as follows:

APPROPRIATIONS	\$	SALARIES & WAGES	\$	OTHER EXPENSES
Mayor and Council	\$	20,000.00	\$	
Municipal Clerk	\$	35,000.00	\$	13,700.00
Financial Administration	\$	25,000.00	\$	2,500.00
Audit Services	\$		\$	40,775.00
Assessment of Taxes	\$	3,000.00	\$	2,000.00
Revenue Administration	\$	15,500.00	\$	3,000.00
Liquidation of Tax <b>Title</b> Liens	\$		\$	
Legal Services & Costs	\$	8,000.00	\$	
Human Resources	\$		\$	10,000.00
Tax Appeals	\$		\$	3,000.00
Municipal Prosecutor's Office	\$		\$	13,000.00
Engineering Services & Costs	\$	6,000.00	\$	
Buildings & Grounds	\$		\$	
Planning Board	\$	2,500.00	\$	
Board of Adjustment	\$	2,500.00	\$	1,170.00
Employee Group Insurance	\$		\$	300,000.00
Liability Insurance	\$		\$	100,000.00
Workers Compensation Insurance	\$		\$	145,162.00
Other Public Works Functions	\$		\$	
Fire	\$	8,000.00	\$	6,000.00
Supplemental Fire Services	\$		\$	
Fire Protection	\$	5,000.00	\$	
Police	\$	782,000.00	\$	30,000.00
Traffic Control (Schools)	\$	45,000.00	\$	
Aid to Volunteer Ambulance Company	\$		\$	
Office of Emergency Management	\$	5,000.00	\$	
Maintenance of Vehicles	\$		\$	19,000.00
Streets & Roads Maintenance	\$	209,000.00	\$	4,750.00
Solid Waste Disposal Costs	\$		\$	110,000.00
Solid Waste Collection	\$		\$	120,000.00
Recycling	\$	1,000.00	\$	100,000.00

APPROPRIATIONS	SALARIES & WAGES	OTHER EXPENSES
Board of Health	\$ 1,200.00	\$ 32,000.00
Animal Control	\$	\$ 12,000.00
Administration of Public Assistance	\$ 3,000.00	\$
Community Alliance Program	\$	\$ 14,000.00
Recreation Services	\$ 600.00	\$
Maintenance of Parks	\$	\$ 3,750.00
Celebration of Public Events	\$	\$ 10,000.00
Youth Center	\$	\$ 112,500.00
Community Center	\$ 6,000.00	\$
Historical Sites Office	\$	\$ 5,325.00
Senior Citizen Activities	\$	\$
Environmental Services	\$	\$
State Uniform Construction Code	\$ 38,000.00	\$
Shuttle Bus	\$	\$ 16,000.00
Union County S.L.A.P. Program	\$	\$ 11,000.00
Municipal Services Act	\$	\$
Farmers Market	\$ 1,000.00	\$ 500.00
Prior Years Bills	\$	\$
Utilities:		
Street Lighting	\$	\$ 50,000.00
Fire Hydrant Service	\$	\$ 78,236.00
Cable TV 34	\$	\$ 750.00
Telephone	\$	\$ 16,750.00
Electricity	\$	\$ 29,000.00
Water	\$	\$ 4,000.00
Natural Gas	\$	\$ 40,000.00
Gasoline	\$	\$ 44,000.00
Contingent	\$	\$
Contribution to:		
PERS	\$	\$ 73,311.00
Social Security (OASI)	\$	\$ 66,000.00
Consolidated PFRS	\$	\$
PFRS	\$	\$ 293,928.50
State Unemployment Insurance	\$	\$
Municipal Court	\$ 43,000.00	\$ 5,650.00
Public Defender	\$	\$
Maintenance of Free Public Library	\$	\$ 85,000.00
Police Dispatch '911"	\$ 18,000.00	\$ 6,000.00
PEOSHA AcUBoard of Health	\$	\$
L.O.SAP. Program	\$	\$
Snow Emergency	\$	\$
Matching Funds For Grants	\$	\$
Community Alliance Grant	\$	\$ 33,306.00
Community Alliance Grant Match	\$	\$ 8,326.00
Safe and Secure Grant	\$	\$ 60,000.00
Safe and Secure Grant Match	\$	\$ 149,342.04
Drunk Driving Enforcement Fund Grant	\$	\$ 3,805.36
Body Armor Grant	\$	\$ 3,197.46

APPROPRIATIONS	SALARIES & WAGES	OTHER EXPENSES
Recycling Tonnage Grant	\$	\$ 4,129.18
Union County Kids' Recreation Trust Fund:		
Grant	\$	\$ 4,750.00
Matching Funds	\$	\$ (5,200.00)
Clean Communities Grant	\$	\$ 11,948.51
Greening Union County Grant	\$	\$ 7,000.00
Greening Union County Grant Match	\$	\$ 7,000.00
NJDEP Hazardous Discharge Site	\$	\$ 158,522.00
Capital Improvement Fund	\$	\$
Sidewalk Replacement	\$	\$
Bond Principal	\$	\$
Interest on Bonds	\$	\$ 7,392.50
Reserve for Uncollected Taxes	\$	\$
Total Current Fund	\$ 1,283,300.00	\$ 2,487,276.55

**RESOLUTION NO. 82-07**

**Sewer Utility Budget**

APPROPRIATIONS	SALARIES & WAGES	OTHER EXPENSES
Joint Meeting Sewer	\$	\$ 273,913.25
Rahway Valley Sewerage Authority	\$	\$ 310,824.75
Operations	\$ 80,000.00	\$ 37,981.25
PERS	\$	\$ 4,420.00
Social Security	\$	\$
Unemployment Compensation Insurance	\$	\$
Capital Outlay	\$	\$
Maintenance of Vehicles	\$	\$
Bond Principal	\$	\$
Interest on Bonds	\$	\$
Total Sewer Utility	\$ 80,000.00	\$ 627,139.25

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 reserve over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

WHEREAS, N.J.S.A. 40A:4-59 provides for the transfer of such amounts deemed in excess, to appropriations the amount of which are deemed to be insufficient to fulfill the purpose of such appropriations, and

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

NOW, THEREFORE BE IT RESOLVED, that the following transfers between appropriation reserves to be authorized pursuant to N.J.S.A. 40A:4-59:

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

RESOLUTION NO. 83-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the current contract with Great Northern Recycling for Grass Clippings be and is hereby extended for a period not to exceed 90 days.

This Resolution to take effect upon certification of the Resolution by the Chief Financial Officer that sufficient funds are available.

Councilman Harms moved the following resolution, seconded by Councilman Badillo.

RESOLUTION NO. 77-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that purchase order #601417 for the project Union Road in the amount of \$5,000 be and is hereby cancelled.

Councilman Harms said were are canceling the first Engineering Firm because nothing was done with the project. We now have another Engineering Firm and are awarding this project to them.

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

Mayor DeIorio said that because the next resolution #79-07 pertains to Mr. Jeffrey R. Surenian, Esq's. presentation this evening in closed session, this resolution will be held until after closed session.

Councilman Harms moved the following resolution, seconded by Councilman Badillo.

RESOLUTION NO. 84-07

WHEREAS, Union Hospital, a community teaching hospital and 174 bed acute care facility that has been providing area residents with high quality medical services for over 60 years, will no longer be an acute care facility; and

WHEREAS, more than 65,000 people annually have been served and the hospital employs approximately 850 employees with almost 50 interns and residents participating in the medical education program; and

WHEREAS, the hospital runs educational seminars, fitness classes and health screenings open to the public and hosts a volunteer program which consists of over 300 volunteers who donate more than 50,000 hours of their time to assist with patients needs; and

WHEREAS, Union Hospital has been affiliated with St. Barnabas Health Care Systems for many years and there has been internal communication about too much money being lost by

the functioning of the hospital for St. Barnabas to want to continue the management of it as an acute care facility; and

WHEREAS, the hospital will be closed or sold to Trinitas Hospital to be kept open as an emergency room and outpatient surgery center; and

WHEREAS, if the hospital were to close its doors, it would be a huge disservice to the community, numerous employees would be out of jobs and neighboring businesses would also feel the negative impact; and

WHEREAS, the Roselle Park Governing Body's direct responsibility is to the welfare and best interests of its residents;

NOW, THEREFORE, BE IT RESOLVED that the Roselle Park Governing Body recognizes the closure of Union Hospital to be clearly detrimental to the best interests of the residents and community of Roselle Park; and

BE IT FURTHER RESOLVED that the Roselle Park Governing Body strongly opposes the closure of Union Hospital; and

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to Governor Jon Corzine, Senator Raymond Lesniak, Assemblyman Neil Cohen, Assemblyman Joseph Cryan, Senator Thomas Kean, Assemblyman Eric Munoz, Assemblyman Jon Bramnick and the Union County Board of Chosen Freeholders.

Mayor DeIorio said that Union Hospital serves the residents of this Borough a much needed health care service, its closure would affect the many residents from quick and close access to medical care and would affect the many jobs lost through the transition. As written in the resolution not only are we opposed but we want to send the measure to the representatives in the 21<sup>st</sup> district and the Union County Board of Chosen Freeholders.

Roll called, all , members present voting Aye, said motion was adopted.

Councilman Harms moved the following resolution; seconded by Councilman Badillo.

RESOLUTION NO. 85-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that a professional service contract be and is hereby awarded to Environmental Resources Management to conduct environmental investigations and implementation of the Remedial Investigation Work Plan (RIWP) at the Youth Baseball Field Complex in an amount not to exceed \$113,420.00, as a non-fair and open appointment pursuant to N.J.S.A. 19:44A20.4 et seq.; and

**BOROUGH OF ROSELLE PARK**

NOTICE OF AWARD

- |                |   |
|----------------|---|
| 1. CONTRACTOR: | Environmental Resources Management,<br>Ewing, New Jersey  |
| 2. NATURE:     | To conduct environmental investigations<br>and implementation of the Remedial<br>Investigation Work Plan (RIWP) at the<br>Youth Baseball Field Complex. |
| 3. DURATION:   | One (1) year or until successor is appointed.   |
| 4. AMOUNT:     | Not to exceed \$113,420.00  |



Councilman Badillo thanked everyone involved in this grant, which will help to save taxpayers dollars.

Mayor DeIorio said this is only the testing stage of the ballfield site. Once this stage is complete and approved by the DEP, then there is the remediation stage.

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

Councilman Harms moved the following resolution, seconded by Councilman Badillo.

RESOLUTION NO. 86-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that Neglia Engineering be and is hereby authorized to prepare plans and specifications for the project Union Road in the amount not to exceed \$5,000.

This Resolution to take effect upon certification of the Resolution by the Chief Financial Officer that sufficient funds are available.

Councilman Harms said this is the resolution he spoke about before awarding the contract to the new Engineering Firm to get this project going.

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

Councilman Harms moved the following resolution, seconded by Councilman Badillo.

RESOLUTION NO. 87-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that purchase order #600240 for the project Renovations to existing bathrooms at Faitoute Fire House in the amount of \$2,000 be and is hereby cancelled.

Councilman Badillo said we already have specifications for the bathrooms and does not know why it was out for bid twice.

Councilman Harms said that is because it will be redone with materials that we already have listed by the Fire Department.

Borough Attorney Bill Lane said there were defects in all of the bids the first time around and they were all disqualified.

Councilman Matarante said to lower the total bid we needed the specs to be corrected to what we exactly needed.

Councilman Harms said that no money has been spent yet it is just transferring the funds from one Engineering Firm to another.

Roll called, Councilman Badillo voting No, all other members present voting Aye, said resolution was adopted.

Councilman Harms moved the following resolution; seconded by Councilman Matarante.

#### RESOLUTION NO. 88-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that Neglia Engineering be and is hereby authorized to prepare plans and specifications for the project Renovations to bathrooms at Faitoute Fire House in the amount not to exceed \$2,000.

This Resolution to take effect upon certification of the Resolution by the Chief Financial Officer that sufficient funds are available.

Councilman Badillo said he will abstain until gets all the information.

Roll called, Councilman Badillo abstaining, all other members present voting Aye, said resolution was adopted.

#### MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

- Mayor DeIorio said he would like Council action at a future meeting to approve a contract with Mr. Peter Catelli who manufactures municipal welcome signs and secures funding for the signs through advertisements. He can be invited to the next Municipal Services meeting to make a presentation. The idea is that the signs will spruce things up in Roselle Park and will not cost the taxpayers any money.

Councilman Yakubov said that he and Councilman Dinardo met with Chief Wielgus in regard to a neighborhood watch program, which he will report on at the next meeting.

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

- Roselle Park LLC vs the Borough of Roselle Park and the Roselle Park Planning Board.
- Presentation by Jeffrey R. Surenian, Esq.

#### INTERRUP THE REGULAR ORDER OF BUSINESS

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

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

- Roselle Park LLC vs the Borough of Roselle Park and the Planning Board.
- Mr. Jeff Surenian spoke regarding the particulars of the case.

Councilman Yakubov moved the following resolution, seconded by Councilman Harms.

RESOLUTION NO. 79-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that a professional service contract be and is hereby awarded to Jeffrey R. Surenian, Esquire as Special Counsel in the amount not to exceed \$10,000 at the following rates as a non-fair and open appointment pursuant to N.J.S.A. 19:44A20.4 et seq.; and

Fees:

- \$175.00 per hour for Jeffrey R. Surinam's
- \$150.00 per hour for services of senior associates, defined as having at least three (3) years of experience as an attorney with affordable housing matters;
- \$140.00 per hour for junior associates, defined as having less than three (3) years of experience as an attorney with affordable housing matters;
- \$70.00 for services of paralegals.

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

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

Attest:

Borough Clerk