

Regular Meeting of Mayor and Council held November 8, 2007

PRESENT: Mayor DeIorio; Councilmembers Harms, Matarante, Dinardo and Yakubov;
and Vincent Loughlin (sitting in for Borough Attorney Bill Lane)

ABSENT: Councilmembers Badillo and Rubilla; and CFO Ken Blum

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.

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

COMMUNICATIONS

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

- Letter from Rotary Club of Roselle-Roselle Park requesting permission to hang a banner in Gazebo Park advertising their annual pancake breakfast fundraiser on December 1, 2007 at the Community United Methodist Church from 8:00 am to 1:00 pm.
- Letter from Mr. & Mrs. Fava requesting to close the 400 Block of Spruce for a Birthday Party on Saturday, November 10, 2007 from 12:00 Noon until 6:00 pm.
- Letter from Indo American Seniors Association of Union County requesting permission to park in the Gazebo Area and Library on Saturday, December 8, 2007 from 4:30 p.m. to 11:00 p.m. during their New Year's Celebration. They are also requesting use of our senior bus and driver, in addition to providing Police presence.

REPORT AND RECOMMENDATIONS OF MAYOR

- Mayor DeIorio congratulated and announced that all three divisions of the Pop Warner Cheerleading Squad won first place during the Trenton competitions. He said next week they will have another round of competitions and if they are successful, they will go to Florida for another round of competitions. He said he would like to invite them to the next meeting to wish them the best in future competitions.
- Mayor DeIorio congratulated the Roselle Park Marching Band for winning the State Championship at Giants Stadium, and holding the title for another year. He invited them to the next meeting to receive recognition from the Governing Body.

- He said there is news on the progress toward senior citizen housing. He said Domus Corporation met with the Borough Clerk to survey the community and various possible properties for Senior Citizen Housing. He said at the last few meetings we have instructed our Municipal Attorney to investigate these properties and discuss with the property owners the possibility of acquiring those sites for senior housing. This corporation has been successful with senior housing in other communities and we will report on those findings and look forward to interaction with them to bring forth a positive result.
- He said the Borough Clerk also had discussions with the County of Union to provide us with some assistance to acquire Conrail property that is available.

Borough Clerk Cali emphasized the fact that the senior housing and any housing that the developer does will cost the Borough nothing; they pay for all the buildings, maintenance and the construction of the buildings. Therefore, there will be no impact to any taxpayer to construct the buildings.

- Mayor DeIorio said the U.S. Postal Service held their outreach at the Post Office last weekend and in addition to the number of residents that had discussions with the Postal Service representatives, we also acquired the customer satisfaction survey for our own residents for distribution.
- Mayor DeIorio thanked everyone that came out to vote on Election Day, as well as the candidates who represent the Borough.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Dinardo

- He said there was a Neighborhood Watch Meeting held before Halloween and most of the discussion was on child safety.
- He said on Bender Avenue there were approximately 1,700 children. He said there were some complaints it ran too late, and would like to form a committee from that neighborhood for some suggestions on how to remedy that.

Councilman Harms

- He reported that the tracks along Seaton Avenue were cleaned up on Halloween.
- He asked that a letter be sent to the County regarding the flooding on E. Lincoln Avenue due to drainage that does not run.

Councilman Matarante

- He said there were many people concerned about the GEICO plane flying over town for several days. He had the Borough Clerk contact GEICO directly and they said it was an experimental advertising promotion over universities and sports arenas. He said they were asked to stop and they said that they have. If anyone sees the plane

again, the gentleman's name is Bill Brower and his phone number is 301-986-3816, please feel free to call. He said it was a major distraction at the schools.

- He had an update on Acker Park and said they were told they would receive \$17,000 from the County to go towards the renovations. He said they also spoke to Green Acres and they said they would fund the whole thing; and 25% would be considered a grant and the other 75% would be a loan at 2% interest. He said they are going forward with it to the point of hearing from the public and give us their thoughts. He said they will also look for other opportunities to bring the total cost of the project down.
- He asked Council to authorize the Police Chief to hire a couple of Police Officers that will be taking the place of two individuals who are no longer with the department. He said we need to maintain the current number of Police Officers to stay in compliance with the grant we received.

Mayor DeIorio said in order to hire any employee to the Borough, it is necessary to have a written resolution appointing that person at a salary rate designated by ordinance.

Councilman Yakubov

- He said he has spoken to a few residents that expressed their concern about the street sweeper not going around. He said he brought this up with Frank Wirzbicki at the DPW and said the issue has been addressed. He said he also stressed the leaves left in the street cannot be picked up, so the sweeper has to go around for them.
- He said he sent an email to Pat Spagnoletti in regard the grove area behind the High School. He said it was cleaned up, but he is waiting for the signs on the tennis courts that are covered with spray paint to be cleaned.
- He said 22 people came to the Neighborhood Watch Meeting and it showed how much the residents cared to keep the community safe.
- He also brought up the speeding in the Fifth Ward and it has been addressed. He said more attention should be paid to the speeding on Valley Road.

CERTIFICATES/PROCLAMATIONS

Certificates

- Susan Dinardo
- Allison Ellis

Resolution

- Bill Smith (heldover to December 6, 2007)

REPORTS OF DEPARTMENTS

Paul Morrison – Acting Police Chief

- He said they are going to be in need of hiring two Police Officers and would like the authorization to go ahead with that process.

Mayor DeIorio asked for background checks on the two individuals.

- Acting Police Chief Morrison said they are two candidates that are currently in the Police Academy. He said they interviewed 10 candidates at the academy and 3 other candidates from resumes. He said they believe they selected the top two out of the academy. He said the first candidate is Edward Northrup, and the second is Sean McCarthy. He said they are both interested in coming to Roselle Park and they would be a great asset to the Department and the town.

Mayor DeIorio said the candidates have already completed the academy through the alternate route program, so we are saving some money because they are ready to go.

Acting Chief Morrison said if we were to hire one and send them through the academy, it would have cost us approximately \$10,000 per candidate and we would not have them for a six month period.

Mayor DeIorio said these two officers will replace two expected vacancies.

Acting Chief Morrison said he would like to swear them in the second week of December and make their appointments effective January 1st.

Mayor DeIorio said if Council agrees, then we will motion and second and then instruct the Clerk to prepare the resolutions to hire these two individuals.

Councilman Matarante moved to have the Borough Clerk prepare a resolution for December 6, 2007 to hire two Police Officers for swearing in on December 20th, with a starting date of January 1, 2008; seconded by Councilman Harms, all members present, voting Aye, said motion was adopted.

- Acting Chief Morrison said we have had complaints of a lot of congestion at Locust and Westfield Avenue during the rush hour periods. He said he assigned Police Officers in that area and they issued over 40 summonses for failure to observe a traffic signal. He said what is happening is the vehicles are traveling westbound on Westfield and making a left turn to Locust Street and continue to go when the traffic light turns red. He said the entire intersection is being blocked. He said Lt. McCaffery contacted the New Jersey Department of Transportation for assistance to see what they could do. He said they will be coming down early next week to begin a study. He said they suggested that maybe they paint a traffic box and put don't block intersection signs.
- He said Councilman Rubilla brought to his attention that the residents of Donald Place were concerned about speeding vehicles on the street and the heavy flow of

traffic from the train station between the hours of 6:00 p.m. and 8:00 p.m. He said our Traffic Officer did a traffic study there and the highest vehicle speed recorded was 27 miles per hour. He said between the hours of 6:00 and 8:00 p.m. there is a heavy flow of vehicle traffic in that area.

- He said the new central meter has been ordered for Lot 1, as well as 40 new meters for Chestnut Street. He said they have ordered new pedestrian yield signs. He said all parking meters should be in operation by the end of the year.
- He said he spoke to the Borough Clerk about raising the fees for the parking meters. It is 25 cents for an hour, and suggested it be changed to 25 cents for a half hour.

Mayor DeIorio said if that is a consideration, we would have to have an ordinance to amend that. He said to do that we would have to have the second reading by the end of the year. He said we can have the Municipal Services Committee on November 19th to discuss it and have the recommendation come forth and present it to the Clerk for the necessary changes to be made to the ordinance for introduction on December 6th.

Councilman Harms asked about speed bumps and if they are legal or not. He asked to have the Traffic Safety Officer look at Warren Avenue. He said that is a heavy cut through off of Locust Street and there is some speeding taking place.

Acting Chief Morrison suggested a traffic study be done in that area to see what is happening.

Councilman Yakubov said he had a couple of residents in Colfax Manor tell him there are two large “Do Not Enter” signs and some people have been going through there. He asked if someone could look into that.

Acting Police Chief Morrison said on E. Lincoln Avenue, from Galloping Hill Road to Sheridan Avenue, that reflector devices on the center lines and the side shoulder lines have been installed. He said they are yellow in the center of the road and white reflectors on the sides for better navigation at night.

Ben Consentino – Assistant Superintendent of Department of Public Works (sitting in for Frank Wirzbicki)

- He said the “No Trespassing” signs were put in the front area of Hawthorne Basin.
- He said the trees on Jerome Street around the apartment complex have been taken care of.
- He said people have been cooperating with the leaf pick up and they are being picked up everyday.

Mayor DeIorio said the Borough Clerk, Finance Officer and he met to discuss grant funds that are available that we have currently acquired for recycling. He said one of the things we have been looking at is the purchase of recycling containers to place in the schools and various places in town. Mayor DeIorio said there have been people asking us to increase our efforts with the recycling system by supplying these containers. He said they also discussed the continuation

of bulk waste service and they looked at the possibility of having another pick up before the end of the year, although there some financial concerns. He said they looked into doing a change order to bring bulk waste back in the beginning of the year. He said Public Works has been receiving a lot of calls about bulk waste, and hopefully by the next meeting we will have some solid numbers and bid specifications to bring us into the 2008 year.

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

- Police Chief Report for October 2007
- DPW Report for October 2007
- Municipal Court Report for October 2007
- Administrative Report for November 2007
- Neglia Engineering Report for November 2007

Tom Solfaro – Borough Engineer

- The Governing Body awarded a contract to Jenicar Builders Contractors, Inc. of Kearny, NJ for the Chester Avenue Reconstruction, Elm Street and Lincoln Avenue Drainage in the total amount of \$118,520.69 which consists of a Base Bid amount of \$95,465.68 and Alternate Bid 'A' in the amount of \$23,055.01. The contractor has completed this work including punch list items, and we are awaiting final quantities from Jenicar to close out this project.
- The Governing Body awarded a contract to Cifelli & Son General Contractor, of Nutley, NJ for the Madison Avenue Reconstruction in the total amount of \$125,013.50 which consists of a Base Bid amount of \$117,763.50 and Alternate Bid 'A' in the amount of \$7,250.00. The contractor completed this work including punch list items, and we are awaiting final quantities from Cifelli to close out this project.
- Regarding Westbrook Stream Improvements, we submitted the Statewide General Permit Application to the NJDEP for their review and the NJDEP returned the application with a request that the Borough notify all property owners within 200 feet of the project. We have forwarded a sample copy of the Residents Notice Letter along with a list of property owners to the Borough Clerk and upon completion of the mailings we will forward the green slips to the NJDEP for further processing.
- Regarding the Webster Avenue Sanitary Sewer Replacement, the Governing Body approved our proposal for Webster Avenue, from the DPW Yard to Laurel Avenue Sanitary Sewer Replacement, in the amount of \$13,500.00 which includes design and construction management services. They have finalized the design and await confirmation to meet with the NJDEP to discuss the need for Treatment Works Approval Permit. Once they meet with the NJDEP, they can further advise the Governing Body on how quickly we can proceed with public bidding this project.
- The Borough accepted bids on October 16th for the First Aid Emergency Generator and the lowest of the three bids was submitted by Industrial Electric Service, of Hackensack, NJ in the total amount of \$32,487.00. Upon authorization to proceed from the Governing Body, we will set up a preconstruction meeting and commence work.

- The Governing Body approved our proposal to prepare a Stormwater Management Plan in the amount of \$10,207.00. We have addressed the Annual Report and questionnaire presented by the NJDEP, and have addressed the Union County Engineer's comments and submitted for their review. Upon review and acceptance of this plan by the County Engineer, the Borough can subsequently adopt this new plan along with the Illicit Connection Ordinance which has not yet been adopted. Furthermore, he recommended the Borough adopt a Mitigation Plan as addressed in the State's Guidance Material for the purpose of identifying problem areas within the Borough, and allows the Borough to grant variances to a developer, which in turn the developer would be subject to correcting same.
- Regarding the Union Avenue Storm Sewer Repair, the Borough Clerk re-advertised for public bids since there were no bids presented on September 19, 2007 and the Borough accepted bids on Tuesday, October 16th. The lowest of the two bids was submitted by Jo-Med Contracting Corp. in the total amount of \$49,990.00. Upon authorization to proceed by the Governing Body, they will set up a preconstruction meeting and commence work.
- The Governing Body has awarded a contract for the Faitoute Fire Station Bathroom Renovations to Altec Building Systems of Point Pleasant, NJ in the amount of \$30,986.00 which consists of a Base Bid of \$17,611.00 and an Alternate Bid "A" of \$13,375.00. The contractor has substantially completed the work under his contract along with the change order items that the Governing Body approved. They have issued a punch list, and anticipate these items will be finalized by next week, at which point they will close out this project.
- As requested by the Governing Body, they have investigated the resident complaint at 237 Sherman Avenue whereby the frontage of this property was prone to flooding. Storm maps and their field inspection revealed that there exists a storm sewer along the street right-of-way, and the flooding problem can be alleviated by installing a new inlet along the curb line and connect to the existing chamber in front of 237 Sherman Avenue. They anticipate the cost to be approximately \$15,000.00 and upon confirmation by the Borough CFO that funds are available, we will solicit quotes for this work.

Councilman Harms moved to approve the Borough Engineer's Report and grant any follow-ups that are needed to move these projects along, especially those we may not be aware of until the time we meet again; seconded by Councilman Matarante, all members present voting Aye, said motion was adopted.

PUBLIC COMMENT

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

Paul Endler (Commander VFW), 143 East Grant Avenue

- Mr. Endler reminded everyone that on Sunday, November 11th there will be services for Veteran's Day.

Jacob Magiera, 612 Sheridan Avenue

- He asked about the bulk waste pickup.
- He said the Union County Police are doing radar on E. Lincoln Avenue.
- He said he hopes everyone attends the Veteran's Day Services and there are new decorative ribbons on the poles on Chestnut Street.
- He asked if the Borough received a commission for closing Chestnut Street for the Street Fair.
- He asked why the DPW employees working on Saturday for leaf pickup.
- He thanked Councilman Harms for paving the sidewalks under the Faitoute Avenue Bridge which was an eyesore.
- He asked if Mayor and Council are taking a pay increase this year.
- He asked about Resolution #239-07 authorizing a Change Order in the amount of \$38,000 for the professional service contract between the Borough and Jeffrey Surenian.

Mayor DeIorio said that authorization will allow Mr. Surenian's law firm to continue representation in a suit that was filed by Roselle Park LLC commonly known as the Romerovski property. He said they are insisting to build 100% apartments at that site. He said this Council found the need to defend our issues and that lawsuit and to provide the expertise of Mr. Surenian.

- Mr. Magiera asked about Resolution #238-07 and why there is an increase.

Mayor DeIorio said that also pertains to the same lawsuit.

- Mr. Magiera asked if there is an update on the lawsuit opposing the Federal Aviation Administration with Union County.

Mayor DeIorio said after the closed session part of the meeting, the Governing Body moved to prepare a resolution in support of Union County's efforts to sue the FAA and to request the County to include Roselle Park as a party to that lawsuit.

- Mr. Magiera mentioned the GEICO plane flying around the town, which was very distracting.
- He referred to an article in the Star Ledger regarding Newark International Airport and flights landing with low fuel.

Pat White, 18 West Colfax Avenue

- He said the decorative lights by the new restaurant and on E. Westfield Avenue have been installed. He said the electrical conduit by the diner has been repaired. He said the paperwork for 120 Dalton Street is in and it will probably be installed sometime in January.
- He asked about the generator at the Faitoute Firehouse.

- He asked about the change in the Fire Department budget from \$81,000 to \$31,000. He said these men are volunteers and are out there risking their lives; they should be supplied with the best equipment possible.

Mayor DeIorio said the Fire Department request was granted and they have a significant amount in their operating budget. He said the Police, Fire and First Aid all agreed that one of the priorities they needed to address was the central communication systems in the Police Department. He said we were running into problems with communicating and because of such a large purchase, they considered that as a priority. He said in years past we granted what the Department has requested and this year because of the communication system, we had to take a look at the amount.

Councilman Matarante said the Police and First Aid was also cut in their capital budget. He said the Police budget was cut more than $\frac{3}{4}$ and the First Aid budget was cut from last year to this year. He said all three Departments agreed the capital requests would be lean this year because they needed this communication center.

Suzanne Kinloch, 336 Sheridan Avenue

- She said she was disappointed about Halloween this year because there were not many children; most of them go to Bender Avenue. She said it was dangerous because Bender Avenue was blocked off and they were driving up and down Sheridan Avenue.
- She announced the “Relay for Life” for the American Cancer Society will be held this year on June 7 and 8, 2008. She said it will be officially called the “Relay for Life Roselle Park”.

There being no one else wishing to speak, Councilman Harms moved to close the public portion; seconded by Councilman Matarante, all members present voting Aye, said motion was adopted.

REPORT OF DEPARTMENTS – (Continued)

Vince Loughlin – Borough Attorney (Sitting in for Bill Lane)

- He reported a letter was sent to the County regarding senior housing and we will be following up on that so we can expedite the process.
- He said there is a matter for closed session regarding an interested property owner to acquire an unused surplus piece of property from the Borough.

Doreen Cali – Borough Clerk

- She reported that the Municipal Clerk’s Association and as President of the Union County Municipal Clerk’s Association, wrote a letter opposing the Presidential Primary cost being absorbed by the Borough. She said she received a response from

the Office of the Attorney General that the State will be picking up all the Primary costs.

- She said the new CDBG application is out and there has been a request for a handicapped door from the Mayor at Borough Hall. She said the Library and Laurel Avenue will also be on the application. She is going to submit for the resurface area of Acker Park under ADA compliance and if there are any other issues, the deadline is December 14th. She said there will be an open public meeting at the December 6th Council meeting.

Councilman Harms asked if Acker Park is in conjunction with the \$450,000 and Borough Clerk Cali said it is to reduce that amount. Councilman Harms suggested if you are going to pay \$450,000 for Acker Park, we could put that money toward the improvement of Aldene Park. He said this way the residents are paying for two parks, so that both sides of town will receive the same.

Mayor DeIorio asked that a punch list be put together as to what Aldene Park could use.

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: October 18, 2007
- Special Meeting: October 25, 2007

MOTION BILLS & PAYROLLS & PAYROLLS NOT BE READ MOTION BILLS AND PAYROLLS BE PASSED FOR PAYMENT

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

PASSAGE OF ORDINANCES

Second Reading and Public Hearing

ORDINANCE NO. 2225

AN ORDINANCE FIXING THE SALARIES FOR PERSONNEL IN THE
ROSELLE PARK POLICE DEPARTMENT IN THE COUNTY OF UNION,
STATE OF NEW JERSEY, FOR THE YEARS 2006, 2007, 2008, 2009 AND 2010

Councilman Harms moved to open the public hearing on Ordinance #2225 seconded by Councilman Matarante and adopted.

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

Councilman Harms moved that Ordinance #2225 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Matarante, all members present voting Aye, said ordinance was adopted.

Mayor DeIorio said this ordinance will adopt the contract agreement that we had with the Roselle Park Police Department.

ORDINANCE NO. 2226

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

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

SECTION I. The following heads of Departments and supervisory personnel
shall be entitled to an annual salary hereinafter as set forth opposite each respective
classification:

	Minimum	Maximum
Borough Clerk	\$50,000.00	\$90,000.00
Deputy Borough Clerk	31,000.00	55,000.00
Tax Collector	10,000.00	60,000.00
Chief Financial Officer	45,000.00	120,000.00
Superintendent of Public Works	48,000.00	80,000.00
Borough Engineer	25,000.00	50,000.00
Construction Official/Building Sub-Code Official	15,000.00	40,000.00
Administrative Assistant	30,000.00	55,000.00
Chief of Police	75,000.00	129,000.00
Captain of Police	58,000.00	120,000.00

SECTION II. The following named officials and employees of the Borough of
Roselle Park shall be entitled to an annual salary as hereinafter set forth opposite each
respective classification:

	Minimum	Maximum
Mayor	\$5,000.00	\$14,000.00
Members of Council	3,500.00	11,000.00
Borough Attorney	25,000.00	40,000.00
Borough Prosecutor	10,000.00	17,000.00
Municipal Judge	15,000.00	40,000.00
Public Defender	6,000.00	17,000.00
Tax Assessor	9,000.00	17,000.00
Collections System Operator	3,500.00	5,000.00
Director of Welfare	10,000.00	15,000.00
Purchasing Agent	30,000.00	55,000.00
Emergency Management Deputy Coordinator	2,000.00	4,500.00
Clean Communities Coordinator	1,500.00	3,000.00
Sidewalk Coordinator	1,200.00	2,300.00
Electrical Sub-Code Official/Inspector	3,500.00	6,000.00
Plumbing Sub-Code Official	6,000.00	9,500.00
Fire Sub-Code Official	4,000.00	6,800.00
Apartment House Inspector	5,000.00	8,000.00
Residential Tenancy Inspector	4,000.00	8,000.00
Multi-Dwelling Administrator	4,000.00	8,000.00
Court Administrator	25,000.00	60,000.00
Deputy Court Administrator	20,000.00	34,000.00
Fire Chief	6,000.00	15,000.00
Deputy Fire Chiefs	2,000.00	4,500.00
Other Fire Officials	700.00	2,300.00
Fire Official	2,500.00	5,100.00
Chief Inspector	1,500.00	3,500.00

Councilman Harms moved to open the public hearing on Ordinance #2226 seconded by Councilman Matarante and adopted.

Jacob Magiera – 612 Sheridan Avenue

- He said he is delighted to hear there will be co-payments of benefits with Borough employees.

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

Councilman Harms moved that Ordinance #2226 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Matarante, all members present voting Aye, said ordinance was adopted.

Introduction

ORDINANCE NO. 2227

AN ORDINANCE AMENDING CHAPTER 51, ARTICLE IV, SECTION 51-15
OF THE CODE OF 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: Chapter 51, Article IV, Section 51-15, of the Code of the Borough of Roselle Park is hereby amended to read as follows:

§51-15. Fees.

- A. Except as provided below, the fee to be charged for any police services, rendered or supplied by the Borough Park Police Department to any person, firm or corporation, public or private, is hereby fixed at the following rates per hour, or any portion thereof, up to eight (8) hours:

1/1/2008	\$54.00 per hour
1/1/2009	\$56.00 per hour
1/1/2010	\$58.00 per hour

Thereafter the fee shall be at the following rates per hour or any portion thereof:

1/1/2008	\$81.00 per hour
1/1/2009	\$84.00 per hour
1/1/2010	\$87.00 per hour

The above is subject to a minimum four (4) hour call out time.

- B. In addition to the above, the Borough shall charge ten percent (10%) of the total amount as Borough administration expense.
- C. The fee charged to supply police vehicles shall be \$12.00 per hour or any portion thereof.
- D. For all Borough and Board of Education events, the hourly fee charged shall be \$35.00 per hour, subject to a three (3) hour minimum call out time.

- E. All requests for police services or equipment shall be made by written application, accompanied by the fees as calculated above, to the Chief of Police or their designee at least twenty-four (24) hours in advance of the intended date.
- F. The written requests shall include the location or locations in which the police services or equipment will be used; the intended purpose of the police services; name and address of the requesting parties.
- G. The Chief of Police, in his sole discretion, may approve or disapprove any request for police services or equipment, taking into consideration personnel and equipment needs of the Borough as having priority.
- H. The fees listed in Paragraphs A, B, C, & D above are subject to change by Resolution of the Mayor and Council.

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 in accordance with law.

Councilman Harms moved that Ordinance #2227 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on December 6, 2007; seconded by Councilman Matarante, all members present voting Aye, said motion was adopted.

ORDINANCE NO. 2228

AN ORDINANCE FIXING THE SALARIES FOR PERSONNEL IN THE
ROSELLE PARK POLICE DEPARTMENT IN THE COUNTY OF UNION,
STATE OF NEW JERSEY, FOR THE YEARS 2006, 2007, 2008, 2009 AND 2010

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

SECTION I. This ordinance is intended to reaffirm, and is entered pursuant to the Agreement between the Borough of Roselle Park and the Roselle Park Police Supervisor's Group, fixing salaries for personnel of the Roselle Park Police Department for the calendar years 2006, 2007, 2008, 2009 and 2010.

SECTION II. The following named personnel of the Roselle Park Police Department shall be entitled to an annual salary for the time period indicated hereafter as set forth opposite each respective classification.

CLASSIFICATION	3.75% EFFECTIVE 1/1/2006	3.75% EFFECTIVE 1/1/2007	4.30% EFFECTIVE 1/1/2008	4.40% EFFECTIVE 1/1/2009	4.40% EFFECTIVE 1/1/2010
Sergeant	\$ 80,983.94	\$ 84,020.84	\$ 87,633.74	\$ 91,489.63	\$ 95,515.18
Lieutenant	\$ 85,476.69	\$ 88,682.07	\$ 92,495.40	\$ 96,565.20	\$100,814.07

SECTION III. In addition to the base annual salary provided in Section II, each employee assigned to the Detective Bureau and Traffic Safety Officer shall receive an additional increment in salary of \$1,500.00 per annum.

SECTION IV. In addition to the annual salary, a merit incentive step program has been instituted for personnel for the Roselle Park Police Department. Such merit incentive step payment shall be determined according to the schedule set forth in the Agreement between the Borough of Roselle Park and the Roselle Park Police Supervisor's Group which is as follows:

For the period starting January 1, 2006, 2007, 2008, 2009 and 2010.

<u>Incentive Step</u>	<u>Points Required</u>	<u>Dollar-Value Per Point</u>	<u>Additional Compensation</u>
1st	30	\$ 11.00	\$ 330.00
2nd	45	\$ 11.00	\$ 495.00
3rd	70	\$ 11.00	\$ 770.00
4th	90	\$ 11.00	\$ 990.00
5th	110	\$ 11.00	\$ 1,210.00
6th	120	\$ 11.00	\$ 1,320.00
7th	140*	\$ 11.00	\$ 1,540.00
8th	160*	\$ 11.00	\$ 1,760.00

* Must have obtained a minimum of an Associates Degree to qualify for this additional compensation.

The manner in which this merit incentive program is to be implemented is specifically set forth in the aforementioned agreement.

SECTION V. The salaries and wages set forth in Section II shall be payable in 26 equal installments or in such installments as may be determined by resolution of the Mayor and Council. Said salaries shall be in lieu of all fees which may be collected by said personnel.

SECTION VI. The salaries and wages herein fixed shall be effective as of January 1, 2006.

SECTION VII. All ordinances and parts of ordinances inconsistent with the terms hereof are hereby repealed to the extent of such inconsistency.

SECTION VIII. This ordinance shall take effect in the time and manner prescribed by law.

Councilman Harms moved that Ordinance #2228 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on December 6, 2007; seconded by Councilman Matarante, all members present voting Aye, said motion was adopted

RESOLUTIONS

The following resolutions, listed on consent agenda, were offered by Councilman Harms; seconded by Councilman Matarante, all members present voting Aye, said resolutions were adopted.

RESOLUTION NO. 227-07

BE IT RESOLVED that Richard Graves, 622 Galloping Hill Road, Roselle Park, New Jersey, be and is hereby appointed to the position of Entry Laborer for the Roselle Park Department of Public Works, effective November 13, 2007, to be compensated at the rate of \$38,807.84 per annum, as set forth by Borough Ordinance.

RESOLUTION NO. 229-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park of Union County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: RENOVIATION OF RESTROOM FACILITIES AT
FAITOUTE FIREHOUSE – LAUREL AVENUE

CONTRACTOR: ALTEC BUILDING SYSTEMS CORPORATION

CHANGE ORDER: 1

AMOUNT OF CHANGE THIS RESOLUTION: \$2,230.70 (7.20% INCREASE)

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

RESOLUTION NO. 230-07

WHEREAS, the Borough of Roselle Park wishes to secure the professional services of an engineer for the preparation of plans and specification for East Clay Avenue Resurfacing in accordance with their agreement for said services and,

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

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

Boundary & Topographic Survey	\$ 9,020.00
Preliminary & Final Drawings	\$ 9,240.00
Soil Erosion Submittal	\$ 1,870.00
Meetings	\$ 880.00
Bidding	\$ 1,810.00
TOTAL	\$22,820.00

RESOLVED, that the Borough Clerk shall publish notice of this resolution according to law.

RESOLUTION NO. 231-07

WHEREAS, the Borough of Roselle Park will hold its Annual Holiday Parade and related activities on Saturday, December 1, 2007, beginning at 1:00 p.m., with a rain date of Sunday, December 2, 2007 at 2:00 p.m., and

WHEREAS, the parade will commence at Sherman School, proceed down Sherman Avenue to East Lincoln Avenue to Chestnut Street, and continue along Chestnut Street, ending at the reviewing stand at Michael Mauri Park, now therefore

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby request approval from the Union County Board of Chosen Freeholders to close East Lincoln Avenue, from Sherman Avenue to Chestnut Street and Chestnut Street, from East Lincoln Avenue to Charles Street, on Saturday, December 1, 2007 from 12:00 Noon until approximately 4:00 p.m., in order to hold its Annual Holiday parade and related activities, with a rain date of Sunday, December 2, 2007.

RESOLUTION NO. 232-07

WHEREAS, the Borough of Roselle Park is one of the 11 member municipalities of the Rahway Valley Sewerage Authority (RVSA), a regional sewerage authority created and operating pursuant to the New Jersey Sewerage Authorities Law, NJSA 40:14A-1 et. seq.; and

WHEREAS, RVSA operates treatment facilities constructed, maintained and operated with funds received from the taxpayers of the member municipalities, which facilities have cost hundreds of millions of dollars to construct and which are undergoing extensive capital projects intended to upgrade and make more efficient the operation of those facilities, the cost of which capital projects are expected to exceed \$175 million; and

WHEREAS, RVSA's annual operating costs are in excess of \$18 million, which costs are paid primarily by the member municipalities; and

WHEREAS, RVSA is responsible for the handling and treatment of the sanitary sewage for its 11 member municipalities in a cost-efficient and environmental sound manner; and

WHEREAS, as a member municipality whose taxpayers have paid and continue to pay significant amounts of money to the construction and operation of RVSA, the Borough of Roselle Park is concerned that RVSA be operated in a sound and cost-efficient manners; and

WHEREAS, over the past several years, various consultants for RVSA and some members of RVSA have suggested or recommended that RVSA consider entering into a privatization contract for part or all of its operations; and

WHEREAS, the Borough of Roselle Park and other members have expressed concerns regarding whether such privatization would actually result in the better or more cost effective operation of RVSA; and

WHEREAS, despite such concerns raised by the Borough of Roselle Park and other members, RVSA determined to undertake an investigation of privatization of a portion of its operations, and retained various consultants to make recommendations to RVSA as to the appropriateness of moving forward to take actions to solicit requests for qualifications for a privatization contract; and

WHEREAS, in response to concerns voiced by the Borough of Roselle Park and other members, RVSA determined to conduct a Mayors' Forum to present to the Mayors and other representatives of the member municipalities the reasons why RVSA had decided to move forward to take actions to solicit requests for qualifications for a privatization contract; and

WHEREAS, on November 30, 2006, the RVSA held such a Mayors' Forum, at which it presented statements from the various consultants it had retained who has recommended to RVSA that it move forward with such privatization; and

WHEREAS, during this Mayors' Forum, based on questions asked, concerns raised, and information presented, RVSA's own consultants, including Steve Kellogg, Senior Vice President, CDM, agreed that it was premature to consider whether privatization might be a sound and cost-effective measure for RVSA, and agreed that the appropriate course was to await completion of the significant capital projects being undertaken at the RVSA facility, including the Comprehensive Strategic Plan (CSP) contracts, the Major Upgrades contracts, and the Cogeneration/Sludge Drying Facility contract and a sufficient time after such completion to be able to undertake an informed evaluation of how the RSVa facility was operating; and

WHEREAS, the Borough of Roselle Park and various other member municipalities welcomed these recommendations as a much sounder approach to the question of whether some form of privatization of RVSA's operations or facilities might be sound and/or cost-effective; and

WHEREAS, despite the recommendations of its own consultants in November 2006, and despite the fact that the capital projects referred to at the November 30 Mayors' Forum have not all been completed and in operation, RVSA placed on its October 18, 2007 agenda a motion to solicit proposals for the services of (1) Special Counsel, (2) Special Engineer and (3) Special Financial Advisor to perform certain work related to the preparation of a Request For Qualifications on a privatization contract; and

WHEREAS, to solicit such proposals and to move forward with the process contemplated thereby will be a time consuming and costly process, and should not be considered, let alone undertaken, until the capital projects referred to at the November 30 Mayors' Forum have all been completed and in operation for a sufficient time to enable an informed evaluation of how the RVSA facility was operating; and

WHEREAS, as recognized by RVSA previously, no such actions should be taken by RVSA toward possible privatization without first informing the Mayors and other municipal representatives of the bases for such actions, and seeking the input of these important parties; and

WHEREAS, despite the above, at their October 18, 2007 meeting, in a six to five vote, RVSA passed the Resolution or motion to solicit proposals for the services of (1) Special Counsel, (2) Special Engineer and (3) Special Financial Advisor to perform certain work related to the preparation of the request for qualifications on a privatization contract.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby affirmatively and emphatically state the position that it is inappropriate and premature for RVSA to solicit proposals for the services of (1) Special Counsel, (2) Special Engineer and/or (3) Special Financial Advisor to perform any work related to the preparation of a Request For Qualifications on a privatization contract or to take any other actions to move forward with the process contemplated thereby. As previously recognized by RVSA's own consultants, and represented to the public at the November 30, 2006 Mayors' Forum, no further consideration should be given to or actions take toward possible privatization until the capital projects referred to at the November 30 Mayors' Forum have all been completed and in operation for a sufficient time to enable an informed evaluation of how the RSVa facility was operating; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Rahway Valley Sewerage Authority, the Governing Body of each member Municipality of the

RSVA, The Newark Star Ledger, The Union Leader, The Home News & Tribune, Senator Thomas Kean, Assemblyman Eric Munoz, Assemblyman Jon Bramnick, Senator Nicholas Scutari, Assemblyman Jerry Green, Assemblywoman Linda Stender, Senator Joseph Vitale, Assemblyman Joseph Vas, Assemblyman John Wisniewski, Senator Raymond Lesniak, Assemblyman Neil Cohen and Assemblyman Joseph Cryan.

RESOLUTION NO. 233-07

WHEREAS, the Borough of Roselle Park wishes to secure the professional services of an engineer for the preparation of plans and specification for Chestnut Street Crosswalks in accordance with their agreement for said services and,

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

RESOLVED, by the Mayor and Council of the Borough of Roselle Park that the Mayor and Council be and is hereby authorized to enter into an agreement with Neglia Engineering Associates in the amount of \$3,000 for the design and specifications for the project Chestnut Street Crosswalks.

RESOLVED, that the Borough Clerk shall publish notice of this resolution according to law.

RESOLUTION NO. 234-07

BE IT RESOLVED that Naomi Menendez, 27 Raymond Terrace, Elizabeth, be and is hereby appointed as a part-time staff member of the Information and Crisis Center for the Roselle Park Community Alliance Against Substance Abuse Program, effective immediately, at an hourly rate of \$13.21 per hour, as set by Borough ordinance/resolution.

RESOLUTION NO. 236-07

WHEREAS, the Borough of Roselle Park wishes to purchase the Muidex tax system, software, and

WHEREAS, Muidex, 174 Route 17 N, Suite 202, Rochelle Park, NJ 07662 has been awarded New Jersey State Contract No. A81215, and

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available, and

WHEREAS, the cost for the purchase of the Muidex tax system software is not to exceed \$23,000.00, and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that a Purchase Order be issued to Muidex for the purchase of the tax system software under State Contract No. A81215 according to law.

RESOLUTION NO. 237-07

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of

any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$120,903.00 which item is now available as a revenue from the New Jersey Economic Development Authority Hazardous Discharge Site Remediation Fund Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that the like sum of \$120,903.00 is hereby appropriated under the caption of the New Jersey Economic Development Authority Hazardous Discharge Site Remediation Fund Grant \$120,903.00

BE IT FURTHER RESOLVED, that the Borough Clerk forward two certified copies of this resolution with enclosures to the Director of the Division of Local Government Services.

RESOLUTION NO. 238-07

BE IT RESOLVED that Resolution No. 214-07, authorizing the Professional Planning Services of Heyer, Gruel & Associates in the matter of Roselle Park LLC vs. Borough of Roselle Park in the amount not to exceed \$8,000 is hereby amended to increase the maximum amount specified to an amount not to exceed \$10,000.

RESOLUTION NO. 239-07

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Resolution No. 79-07, awarding a professional service contract of Jeffrey R. Surenian, Esquire as Special Counsel, be and is hereby increased in an amount of \$38,000 not to exceed a total of \$130,000.

RESOLUTION NO. 240-07

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

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

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

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

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

**CURRENT FUND
TRANSFERS TO:**

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
01-0240-00-01012-203	MUNICIPAL CLERK OE - ELECTIONS	\$ 200.00
01-0240-00-01192-214	PUBLIC BUILDINGS AND GROUNDS OE – OTHER MATERIALS AND SUPPLIES	\$ 1,000.00
01-0240-00-01192-222	PUBLIC BUILDINGS AND GROUNDS OE - MAINTENANCE AND ELECTRICAL	\$ 3,000.00
01-0240-00-01192-223	PUBLIC BUILDINGS AND GROUNDS OE – MAINTENANCE PLUMBING, HEATING	\$15,000.00
01-0240-00-01351-101	FIRE PROTECTION S&W - REGULAR	\$ 600.00
01-0240-00-01371-102	POLICE S&W – OVERTIME	\$ 8,500.00
01-0240-00-01392-214	TRAFFIC CONTROL SCHOOLS OE - OTHER MATERIALS & SUPPLIES	\$ 500.00
01-0240-00-01442-371	MAINTENANCE OF VEHICLES OE - POLICE	\$ 3,000.00
01-0240-00-01442-373	MAINTENANCE OF VEHICLES OE – PUBLIC WORKS	\$10,000.00
01-0240-00-01451-102	ROAD REPAIR AND MAINTENANCE S&W - OVERTIME	\$ 8,000.00
01-0240-00-01452-209	ROAD REPAIR AND MAINTENANCE OE - EDUCATION	\$ 1,000.00
01-0240-00-01592-278	PARKS AND PLAYGROUNDS OE – HALLOWEEN PROGRAM	\$ 700.00
01-0240-00-01622-210	YOUTH CENTER OE - MISCELLANEOUS	\$25,000.00
01-0240-00-01631-101	COMMUNITY CENTER S&W - REGULAR	\$ 5,000.00
01-0240-00-03012-210	MUNICIPAL COURT OE - MISCELLANEOUS	\$ 200.00
01-0240-00-03012-247	MUNICIPAL COURT OE – OFFICE EQUIPMENT	\$ 400.00
01-0240-00-03012-383	MUNICIPAL COURT OE – PAGERS AND CELL PHONES	\$ 200.00
01-0240-00-03122-205	FAIR HOUSING COAH OE – PROFESSIONAL FEES AND OUTSIDE SERVICES	\$ 40,000.00

CURRENT FUND

\$122,300.00

TRANSFERS FROM:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
01-0240-00-01012-205	MUNICIPAL CLERK OE – PROFESSIONAL FEES AND OUTSIDE SERVICES	\$ 200.00
01-0240-00-01252-210	EMPLOYEE GROUP INSURANCE PLAN OE – MISCELLANEOUS	\$45,000.00
01-0240-00-01371-107	POLICE S&W – DISPATCHERS	\$10,000.00
01-0240-00-01392-204	TRAFFIC CONTROL SCHOOLS OE - MAINTENANCE OF EQUIPMENT	\$ 500.00
01-0240-00-01451-101	ROAD REPAIR AND MAINTENANCE S&W - REGULAR	\$40,000.00
01-0240-00-01452-224	ROAD REPAIR AND MAINTENANCE OE – PAINTING	\$ 500.00
01-0240-00-01452-233	ROAD REPAIR AND MAINTENANCE OE – PHYSICAL AND WRITTEN TESTS	\$ 200.00
01-0240-00-01452-236	ROAD REPAIR AND MAINTENANCE OE – FEES	\$ 300.00
01-0240-00-01472-210	SOLID WASTE DISPOSAL COST OE - MISCELLANEOUS	\$15,000.00
01-0240-00-01482-210	SOLID WASTE COLLECTION COST OE - MISCELLANEOUS	\$ 5,000.00
01-0240-00-01592-276	PARKS AND PLAYGROUNDS OE – SUMMER OUTDOOR EVENTS	\$ 700.00
01-0240-00-02012-210	SOCIAL SECURITY SYSTEM OE – MISCELLANEOUS	\$ 4,100.00
01-0240-00-03012-204	MUNICIPAL COURT OE – MAINTENANCE OF EQUIPMENT	\$ 800.00

TOTAL

\$122,300.00

RESOLUTION NO. 241-07

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to enter into Cooperative Pricing Agreements; and

WHEREAS, the Township of Cranford, hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and

WHEREAS, the Borough of Roselle Park, County of Union, State of New Jersey, desires to participate in the Cooperative Pricing System;

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor of the Borough of Roselle Park is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency for the purchase of parking meters from:

Vendor: POM
For 40 new head parking meters

Vendor: Metric Meter
For a central parking meter

Pricing: \$118.00 each, plus \$1.50
shipping charge per unit

Pricing: \$11,700.00

The Lead Agency entering into contracts on behalf of the Borough of Roselle Park shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

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

RESOLUTION NO. 228-07

WHEREAS, the illegal overcrowding of apartments, known as “stacking,” creates a life-threatening situation for occupants of overcrowded apartments and for fire and emergency personnel; and

WHEREAS, current penalties for stacking are inadequate to act as an effective deterrent to landlord and tenants who engage in this practice; and

WHEREAS, State Senators Anthony Bucco and Nia Gill, Esq. and Assemblymen Wilfredo Caraballo and Eric Munoz, M.D. are the primary sponsors of this legislation, which would allow municipalities to increase the fines for stacking violations;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Roselle Park, in the County of Union and State of New Jersey, as follows:

1. That the Governing Body strongly support S-135/A-785 allowing municipalities to increase the fines for stacking violations;
2. That the Borough of Roselle Park calls upon the members of the 21st Legislative District to recognize the need to take effective measures to stop overcrowding in apartments and to support passage of this legislation; and
3. That copies of this resolution be forwarded to the sponsors of these bills; to the members of the 21st Legislative District; and to all Union County Municipalities.

Mayor DeIorio said this bill was sponsored by Assemblyman Eric Munoz and it is something he has worked on for the last six years to be adopted. He said he has bi-partisan support in the issues of overcrowding in apartments. He said it has gotten so close to passage in two houses and we are trying to get this signed into law before the end of the year, otherwise it would have to be reintroduced.

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

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

RESOLUTION NO. 235-07

Requesting approval of the Director of the Division of Local Government
Services to Establish a Dedicated Trust by Rider for
Graffiti Trust Account
Pursuant to N.J.S.A. 2A:53A-15

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 2A:53A-15 allows municipalities to receive amounts for costs incurred for Graffiti, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey as follows:

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Graffiti Trust as per N.J.S.A. 40A:4-39.
2. The Municipal Clerk of the Borough of Roselle Park is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Mayor DeIorio said in the past meetings we have discussed graffiti in the Borough and to try to bring in some revenue to specifically address it. He said this resolution will ask the State for a specific Dedicated Trust by Rider so that if individuals are fined for graffiti, those dollars would go into a trust fund specifically to help address the problem in the community.

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

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

Mayor DeIorio appointed Gail Bradley, 721 Elm Street, as a member of the Roselle Park Board of Health to fill the unexpired term of Laura Lyle, which expires on December 31, 2008.

Roll called, all members present voting Aye, said appointment was confirmed.

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

- Negotiation – sale of surplus property at Acker Park

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Harms moved to interrupt the regular order of business for a closed session meeting; seconded by Councilman Matarante and adopted.

RESUME THE REGULAR ORDER OF BUSINESS

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

Mayor DeIorio said during closed session, Council discussed the following matter:

- Negotiation – sale of surplus property at Acker Park

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

Attest:

Borough Clerk