

REGULAR MEETING – JUNE 2, 2016

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

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

*** REPORT AND RECOMMENDATIONS OF MAYOR**

CERTIFICATES/PROCLAMATIONS

Certificates

- Sebastian Saavedra
- Joe's Rotisserie

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

*** REPORTS OF DEPARTMENTS**

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

PUBLIC COMMENT

*** MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS**

None

*** MOTION BILLS & PAYROLLS BE NOT READ**

*** MOTION BILLS & PAYROLLS BE PASSED FOR PAYMENT**

ORDINANCES FOR 2ND READING: COUNCILWOMAN STOREY

ORD. No. 2461 AN ORDINANCE AMENDING CHAPTER XVIII, SECTION 18-1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED FEES

ORDINANCES FOR INTRODUCTION: COUNCILWOMAN STOREY

ORD. No. 2464 AN ORDINANCE ADOPTING N.J.S.A. 19:44A-1 ET SEQ. AND REPEALING ORDINANCE NO. 2395, AS CODIFIED IN SECTION 2-4 OF THE BOROUGH CODE

"ALL MATTERS LISTED WITH AN ASTERISK (*) ARE CONSIDERED TO BE ROUTINE AND NON-CONTROVERSIAL BY THE COUNCIL AND WILL BE APPROVED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF THE GOVERNING BODY SO REQUESTS, IN WHICH CASE THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA AS PART OF THE GENERAL ORDERS."

RESOLUTIONS

- * **#135-16** – Accepting the resignation of Jessica Diaz from the position of Dispatcher in the Roselle Park Police Department
- * **#136-16** – Appointing Valerie S. Borba to the position of probationary Police Dispatcher in the Roselle Park Police Department
- * **#137-16** – Authorizing the purchase of handicap bleachers, poly cap fence guard and installation for the Little League Fields pursuant to State Contract #81413 to Varsity Brands Holding Company, dba BSN Sports, P.O. Box 7726, Dallas, Texas 75209 in the amount of \$55,887.46
- * **#138-16** – Appointing Gregory Brzozowski to the position of Class I Laborer in the Department of Public Works
- * **#139-16** – Appointing Paul Gallagher to the position of Class I Laborer in the Department of Public Works
- * **#140-16** – Appointing John Devito to the position of Class I Laborer in the Department of Public Works
- * **#141-16** – Amending Resolution No. 331-15 to increase the maximum amount specified for Joseph P. Baumann, Jr. to perform services as Special Counsel for the Area in Need of Redevelopment, Block 314, Lots 6-12 & 14 in the amount of an additional \$10,000.00 for a maximum amount not to exceed \$20,000.00
- * **#142-16** – Amending Resolution No. 2-16 to increase the maximum amount specified for Garrubbo & Capece as Labor Attorney in the amount of an additional \$10,000.00 for a maximum amount not to exceed \$30,000.00
- * **#143-16** – Appointing Mariann Brenner to the position of part time Evening/Day Director for the Casano Community Center
- * **#144-16** – Appointing Robert Daly to the position of part-time Senior Bus Driver for the Casano Community Center

* #145-16 – Rejecting all bids for DPW Yard Improvements

* #146-16 – Setting terms of resignation of Jessica Diaz

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

- Discuss request from World of Liquors for two (2) additional parking spaces in Lot 1 for the same amount of money.

CLOSED SESSION FOR THE DISCUSSION OF NEGOTIATIONS, LITIGATION AND PERSONNEL MATTERS

ADJOURNMENT

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL
WILL BE HELD ON JUNE 16, 2016**

**PRE-AGENDA
SUBJECT TO CHANGE**

ORDINANCE NO. 2461

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

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 40, Section 40-3103 be and is hereby amended as follows:

SECTION 1. 40-3103 Certificate of Occupancy

A. A certificate of occupancy duly issued by the Construction Code Official of the Borough which establishes that a building, structure, premises or lot, or a part thereof, which has been improved in any manner whatsoever, as well as the current or proposed use thereof, conforms to the provisions of Part 3, Zoning, of this chapter shall be required in accordance with the terms of this section.

B. No building structure, premises or lot, or part thereof, shall hereafter be constructed, erected, created, converted or enlarged, wholly or partly, in its use or structure, unless a certificate of occupancy, as hereinabove defined, has been issued by the Construction Code Official of the Borough.

C. A certificate of compliance shall be required upon the sale of any land or building located within the Borough and upon the lease of any premises devoted to a non-residential use.

D. The Construction Code Official of the Borough shall approve or deny an application for a certificate of occupancy and/or certificate of compliance within ten (10) days after a request for same has been filed in this office. The Construction Code Official shall issue a certificate of occupancy only upon a finding that the building, structure, premises or lot or part thereof, and upon the finding that the current or proposed use thereof conforms to this chapter, as well as the current or proposed use thereof, conforms to this chapter and all other applicable codes and ordinances of the Borough. A certificate of compliance shall only be issued by the Construction Code Official in accordance with Section 40-3006 and upon the finding that the current or proposed use thereof conforms to this chapter.

E. Should the Construction Code Official decline to issue a certificate of occupancy and/or certificate of compliance, the basis for denial shall be stated on two (2) copies of the application. One (1) copy thereof shall be returned to the applicant.

F. In the event that the use or structure of property on which a certificate of occupancy has been granted is changed or altered, a new certificate of occupancy shall be required.

G. A temporary certificate of occupancy for a part of a building or structure may be issued by the Construction Code Official at his discretion, provided that the same shall be valid for no more than sixty (60) days and shall not be renewed more than one (1) time.

H. The fee for the issuance of a smoke detector certificate shall be Seventy (\$70.00) dollars for single-family homes, and Twenty Five (\$25.00) dollars per unit, with the minimum of One Hundred (\$100.00) dollars for a multifamily residence.

I. The fee for a certificate of occupancy for a change of use* shall be One Hundred (\$100.00) dollars.

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.

ORDINANCE NO. 2464

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

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

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

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

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

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

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

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

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

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

RESOLUTION NO. 135-16

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

RESOLUTION NO. 136-16

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

RESOLUTION NO. 137-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize the purchase of handicap bleachers, poly cap fence guard and installation for the Little League Fields

pursuant to State Contract #81413 to Varsity Brands Holding Company, dba BSN Sports, P.O. Box 7726, Dallas, Texas 75209 in the amount of \$55,887.46.

RESOLUTION NO. 138-16

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

RESOLUTION NO. 139-16

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

RESOLUTION NO. 140-16

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

RESOLUTION NO. 141-16

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

RESOLUTION NO. 142-16

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

RESOLUTION NO. 143-16

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

RESOLUTION NO. 144-16

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

RESOLUTION NO. 145-16

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

RESOLUTION NO. 146-16

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

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

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

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

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

PRE-AGENDA
SUBJECT TO CHANGE