

**REGULAR MEETING – FEBRUARY 1, 2018**

**READ PUBLIC MEETINGS LAW ARTICLE**

**ROLL CALL**

**MOMENT OF SILENCE/PRAAYER**

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS**

None

**PROCLAMATIONS & PRESENTATIONS**

- Proclamation Recognizing Black History Month

**\* APPROVAL OF MEETING MINUTES, PENDING ANY CORRECTIONS**

Closed Session Minutes of December 21, 2017

Special Meeting & Closed Session Minutes of December 28, 2017

Special Meeting Minutes of January 7, 2018

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

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

**PUBLIC PORTION (Time Limit of 7 Minutes; Limited to Agenda Items Only)**

**ORDINANCES FOR 2<sup>ND</sup> READING: COUNCILMAN FAHOURY**

None

**ORDINANCES FOR INTRODUCTION: COUNCILMAN FAHOURY**

ORD. No. 2512 AN ORDINANCE AMENDING CHAPTER XIX, SECTION 19-4.3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED "PROPERTY MAINTENANCE; PROHIBITED VEGETATION"

ORD. No. 2513 AN ORDINANCE AMENDING CHAPTER III, SECTION 3-14.3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED "REGULATION OF VEHICLES; NOTICE OF VIOLATION; ABATEMENT; FAILURE TO COMPLY"

ORD. No. 2514 AN ORDINANCE AMENDING CHAPTER XIX, SECTION 1.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED "PROPERTY MAINTENANCE CODE; STANDARDS ADOPTED; FILING OF COPIES"

**CONSENT AGENDA**

"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."**

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**RESOLUTIONS:**

- \* # 54-18 – Accepting the Resignation of Joan Brennan from the Position of Police Dispatcher
- \* # 55-18 – Accepting a Material Donation in the Form of a Gay Pride Rainbow Flag from Michael Peterson for Unrestricted General Use by the Borough
- \* # 56-18 – Accepting the Resignation of Connie Valenti from the Position of Assistant Treasurer
- \* # 57-18 – Setting the Terms of Resignation for Joan Brennan (Time Due Calculation)
- \* # 58-18 – Supporting and Co-Sponsoring Roselle Park Loves Arts for the Purpose of a Festival September 29, 2018
- \* # 59-18 – Authorizing Close Out of the Contract with M.Z. Contractors for the Project: Roselle Park Home Improvement Program Case #RP-25, Block 417/Lot 8 (620 Larch Street)
- \* # 60-18 – Authorizing Close Out of the Contract with M.Z. Contractors for the Project: Roselle Park Home Improvement Program Case #RP-27, Block 806/Lot 20 (141 East Clay Avenue)
- \* # 61-18 – Amending Resolution 26-18 so as to Removal Saul Qersdyn as Alternate Commissioner to the Joint Meeting of Essex and Union Counties Sewerage Authority and Add Carl A. Hokanson
- \* # 62-18 – Amending Resolution 43-18 so as to Specify Richard D. Huxford, Esq. of the Firm Triarsi, Betancourt, Wukovits & Dugan, LLC as the 2018 Municipal Prosecutor
- \* # 63-18 – Confirming the Actions of the Roselle Park Veterans Memorial Library Board of Trustees in Accepting a Material Donation of a Granite Monument Honoring Recipients of the Purple Heart United States Military Decoration for Placement on Library Ground
- \* # 64-18 – Appointing Victor M. Pozsonyi as Probationary Police Dispatcher
- \* # 65-18 – Appointing Andrew Belluscio as Probationary Police Dispatcher

- \* # **66-18** – Appointing Brian J. Matthews, Victor M. Pozsonyi, Anthony L. Rodriguez, Vanessa F. Amador, and Connor M. Gabriel as Members of the Roselle Park Auxiliary Police Force
- \* # **67-18** – Authorizing the Treasurer to Issue One (1) Check Totaling \$28,015.42 Payable to One (1) Lien Holder on One (1) Property and One (1) Check Totaling \$51,000.00 from the Tax Collector’s Premium Account
- \* # **68-18** – Awarding a Contract to Garden State Network Technologies, LLC, for I.T. Services for all Borough Departments in an Amount Not To Exceed \$16,704.00
- \* # **69-18** – Awarding an Emergency Contract to Montana Construction, Inc. for Emergency Sanitary Sewer Repairs
- \* # **70-18** – Appointing Mark Pasquali as Superintendent of the Department Public Works

**MAYOR AND COUNCIL COMMITTEE REPORTS / REPORTS OF DEPARTMENTS**

- Department of Public Works Report for December 2017
- Police Chief’s Report for January 2018
- Mayoral Appointment(s) (No Confirmation from Council Required): None

**WORKSHOP DISCUSSION**

Items Carried from Prior Meeting(s):

- Amending Ordinance Re: Driveway Aprons (Councilman Fahoury)
- Changes to Annual RFP Process (Councilman DeIorio)
- Reso. Opposing RP Post Office Hours Reduction (Councilman DeIorio & Mayor Hokanson)

New Items:

- Recognizing Fibrodysplasia Ossificans Progressiva (Councilman DeIorio)
- TV34 Ordinance (Mayor Hokanson)
- Prohibiting Personal Service Businesses w/in 1000 ft. of Same (Councilwoman Negron)
- On-Line Payment of Taxes (Councilman DeIorio)
- Salary Paid to the Roselle Park JMEUC Representative (Councilman Fahoury)
- Amend Code to Allow MLUB Applications for Chickens (Councilwoman Negron)

**PUBLIC PORTION** (Time Limit of 5 Minutes; On any Subject)

**EXECUTIVE (CLOSED) SESSION**

**ADJOURNMENT**

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL  
WILL BE HELD ON FEBRUARY 15, 2018**

**ORDINANCES FOR SECOND READING**

NONE

**ORDINANCES FOR INTRODUCTION**

ORDINANCE NO. 2512

AN ORDINANCE AMENDING CHAPTER XIX, SECTION 19-4.3 OF THE CODE OF THE  
BOROUGH OF ROSELLE PARK, ENTITLED  
“PROPERTY MAINTENANCE; PROHIBITED VEGETATION”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter XIX, Section 19-4.3 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. 19-4.3 Prohibited Vegetation.

a. It shall be unlawful for any owner, lessee or occupant of any lot or land to permit or maintain on such lot or land or the curblineline of any street any growth of weeds, grass or brush to height of ~~twelve (12)~~ **nine (9)** inches or more.

b. *Enforcement; Serving of Notice; Failure to Comply.*

1. If an above-described condition exists on a property, the Deputy Property Maintenance Enforcement Official shall issue a notice to remedy the same. The notice shall be in writing and shall be served upon a resident owner, lessee or occupant personally or by leaving the notice at the resident's usual place of abode. Service upon a nonresident shall be by mail to his or her last known address as shown by the tax records.

2. In the event that the owner, lessee or occupant of the subject property fails to correct the above-described conditions within five (5) days after service of the notice, the Deputy Property Maintenance Enforcement Official may request the Borough Department of Public Works to perform the necessary work. The Deputy Property Maintenance Enforcement Official and/or the Department of Public Works shall cause the cost of such work to be charged against and become a charge and lien upon the property. The fee schedule for mowing of residential properties is as follows:

<i>Square Footage</i>	<i>Cost</i>
0 to 5,000	\$150.00
5,001 to 7,500	\$250.00
7,501 to 10,000	\$350.00
Above 10,000	\$450.00

3. No additional warning, either in writing or verbally, shall be given for subsequent violations.

SECTION 2. Invalidity

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. Inconsistent Ordinances Repealed.

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

SECTION 4. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 5. Effective Date.

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

ORDINANCE NO. 2513

AN ORDINANCE AMENDING CHAPTER III, SECTION 3-14.3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED "REGULATION OF VEHICLES; NOTICE OF VIOLATION; ABATEMENT; FAILURE TO COMPLY."

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter III, Section 3-14.3 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Notice of Violation; Abatement; Failure to Comply.

a. The owner or person responsible for the vehicle shall first receive a written warning of a violation of the provisions of this section and shall have ~~fourteen (14)~~ **seven (7)** days to abate the violation without penalty.

b. Upon the expiration of ~~fourteen (14)~~ **seven (7)** days and the violation is unabated, the Borough shall be empowered to correct the violation, and the costs for the same shall be added to and become a part of the property taxes next to be assessed and shall be subject to the same rate of interest and manner of collection as property taxes.

c. No additional warning, either in writing or verbally, shall be given for subsequent violations..

SECTION 2. Invalidity

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. Inconsistent Ordinances Repealed.

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SECTION 5. Effective Date.

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ORDINANCE NO. 2514

AN ORDINANCE AMENDING CHAPTER XIX, SECTION 1.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED "PROPERTY MAINTENANCE CODE; STANDARDS ADOPTED; FILING OF COPIES."

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter XIX, Section 1.1 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. 19-1.1 Standards Adopted; Filing of Copies.

~~Articles Chapters~~ 1, 2, 3, 4 and 8, as hereinafter modified and supplemented, of the ~~BOCA National Property Maintenance Code/1966 (Fifth Edition)~~ **2015 International Property Maintenance Code and its successor documents**, as published by ~~Building Officials and Code Administrators (BOCA) International, Inc.,~~ **the International Code Council (ICC)**, are hereby adopted and established as the Property Maintenance Code of the Borough of Roselle Park. **Copies of the Code shall be made available to any member of the public upon request submitted to the Borough Clerk.** ~~Three (3) copies of the Code, marked in such a fashion so as to identify the portions thereof adopted pursuant to this section, have been placed on file in the office of the Borough Clerk for the use and examination of the public and shall so remain on file.~~

SECTION 2. Invalidity

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. Inconsistent Ordinances Repealed.

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

SECTION 4. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 5. Effective Date.

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

## RESOLUTIONS

### RESOLUTION NO. 54-18

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby accept the resignation of Joan Brennan from the position of Police Dispatcher effective January 31, 2018.

### RESOLUTION NO. 55-18

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby accept a material donation of a Gay Pride Rainbow Flag from Michael Peterson, 45 East Colfax Avenue, Roselle Park, New Jersey 07204, for unrestricted general use by the Borough.

### RESOLUTION NO. 56-18

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby accept the resignation of Connie Valenti from the position of Assistant Treasurer effective February 15, 2018.

### RESOLUTION NO. 57-18

WHEREAS, Joan Brennan resigned from the Borough of Roselle Park effective January 31, 2018; and,

WHEREAS, as Joan Brennan is entitled to certain compensation; and,

WHEREAS, it has been agreed by the Mayor and Council of the Borough of Roselle Park and Joan Brennan that the break-down of time-due 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 2018	18	\$ 179.42	\$ 3,229.56
Holidays for 2018	9	\$ 179.42	\$ 1,614.78
Personal Days for 2018	3	\$ 179.42	\$ 538.26
Vacation Days for 2019 (22 Days Prorated for 1 month)	1.84	\$ 179.42	\$ 330.73
	<u>Amount of Hours</u>	<u>Hourly Rate</u>	<u>Amount Due</u>
Comp Time for 2018	5.37	\$ 21.9218	\$ 117.72
<b>Total Due</b>			<b><u>\$ 5,831.05</u></b>

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Chief Financial Officer is hereby directed to pay Joan Brennan the entitled compensation at the above schedule.

RESOLUTION NO. 58-18

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough of Roselle Park hereby supports and co-sponsors Roselle Park Loves Arts for the purposes of a festival to be held Saturday, September 29, 2018.

RESOLUTION NO. 59-18

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the contract for the project: Roselle Park Housing Rehabilitation Program Case No. RP-25 (620 Larch Street) was constructed by M.Z. Contractors, 13 Bahama Avenue, Toms River, New Jersey 08753 as directed by the Borough's Administrative Agent said construction is hereby accepted, the contract closed, and final payment in the amount of One Thousand Six-Hundred Thirty dollars and Zero Cents (\$1,630.00) is hereby approved; and,

BE IT FURTHER RESOLVED that the Borough Attorney is hereby authorized and directed to take all measures to file the fully executed mortgage and deed restrictions with the County Clerk as appropriate.

RESOLUTION NO. 60-18

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the contract for the project: Roselle Park Housing Rehabilitation Program Case No. RP-27 (141 E. Clay Avenue) was constructed by M.Z. Contractors, 13 Bahama Avenue, Toms River, New Jersey 08753 as directed by the Borough's Administrative Agent said construction is hereby accepted, the contract closed, and final payment in the amount of Two Thousand Five-Hundred Ninety dollars and Zero Cents (\$2,590.00) is hereby approved; and,

BE IT FURTHER RESOLVED that the Borough Attorney is hereby authorized and directed to take all measures to file the fully executed mortgage and deed restrictions with the County Clerk as appropriate.

RESOLUTION NO. 61-18

WHEREAS, the Mayor and Council adopted Resolution 26-18 designating the Borough of Roselle Park's Commissioner and Alternate Commissioner to the Joint Meeting of Essex and Union Counties Sewerage Authority (hereinafter "JMEUC"); and,

WHEREAS, the JMEUC has informed the Borough of Roselle Park (hereinafter "the Borough") of its collective legal opinion that the Alternate Commissioner designated in Borough Resolution 26-18 is not qualified or eligible to serve in such capacity; and,

WHEREAS, JMEUC legal counsel, acting on behalf of the entity, has indicated that only elected members of the governing body of member municipalities may serve as Commissioners or Alternate Commissioners; and,



WHEREAS, after deliberation of the information presented by JMEUC, and in consultation with Borough legal counsel, the Mayor and Council of the Borough wish to express collective disagreement and strong disappointment with the findings of JMEUC; and,

WHEREAS, in consideration of its options, the Mayor and Council of the Borough wish to amend Resolution 26-18, under protest, so as to avoid undue legal action and the potential for added financial burden on taxpayers as a result of potential litigation; and,

WHEREAS, under the Borough form of government the Mayor appoints all subordinate officers of the municipality subject to the confirmation of the Municipal Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Resolution 26-18 be amended so as to remove Saul Qersdyn as the Borough's Alternate Commissioner to JMEUC and appoint the following individual as the Borough's Alternate Commissioner of the JMEUC effective immediately (all addresses are located within Roselle Park unless otherwise noted):

<u>Position</u>	<u>Name</u>	<u>Address</u>	<u>Term Expiration</u>
Alt. Commissioner	Carl A. Hokanson	318 Hemlock Street	December 31, 2018

#### RESOLUTION NO. 62-18

WHEREAS, the Mayor and Council adopted Resolution 43-18 designating the firm Triarsi, Betancourt, Wukovits & Dugan, LLC, 186 North Avenue East, Cranford, New Jersey 07016 as Municipal Prosecutor of the Borough of Roselle Park effective January 18, 2018 for a term set to expire December 31, 2018; and,

WHEREAS, it is advised by counsel that the position of Municipal Prosecutor be specifically designated as an individual.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Resolution 43-18 be amended so as to appoint Richard D. Huxford, Esq. of the firm Triarsi, Betancourt, Wukovits & Dugan, LLC, 186 North Avenue East, Cranford, New Jersey 07016 as Municipal Prosecutor effective January 18, 2018 for a term to expire December 31, 2018; and,

BE IT FURTHER RESOLVED that the above shall constitute the only change to Resolution 43-18 without any change to compensation or the need for further certification as to the availability of funds.

#### RESOLUTION NO. 63-18

WHEREAS, the Union County Chapter 28 of the Military Order of the Purple Heart has offered to donate a granite monument honoring recipients of the Purple Heart United States Military decoration for placement within the Borough of Roselle Park; and,

WHEREAS, the Roselle Park Veterans Memorial Library Board of Trustees, at their April 19, 2017 meeting, accepted the donation of the above captioned monument for placement on Borough owned property, the lawn of the Library; and,

WHEREAS, the Mayor and Council of the Borough of Roselle Park wish to voice their support and the Board of Trustees' April 19, 2017 action in furtherance of the placement of this monument on the property of the Roselle Park Veterans Memorial Library located at 404 Chestnut Street, Roselle Park, New Jersey 07204.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby confirm the April 19, 2017 action of the Roselle Park Veterans Memorial Library Board of Trustees in accepting the material donation of a granite monument honoring recipients of the Purple Heart United States Military decoration from the Union County Chapter 28 of the Military Order of the Purple Heart of Cranford, New Jersey for placement on Borough owned property, the library lawn, located at 404 Chestnut Street, Roselle Park, New Jersey 07204.

RESOLUTION NO. 64-18

BE IT RESOLVED the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint Victor M. Pozsonyi, 213 Charlotte Terrace, Roselle Park, NJ 07204 as a probationary Police Dispatcher in the Roselle Park Police Department at the annual salary of \$36,408.18 effective February 5, 2018.

RESOLUTION NO. 65-18

BE IT RESOLVED the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint Andrew Belluscio, 5 Crescent Parkway, Clark, NJ 07066 as a probationary Police Dispatcher in the Roselle Park Police Department at the annual salary of \$36,408.18 effective February 5, 2018.

RESOLUTION NO. 66-18

WHEREAS, the position of Auxiliary Police Officer is appointed by the Mayor subject to the advice and consent of the municipal Council pursuant to Section 2-24.10.b. of the Code of the Borough of Roselle Park; and,

WHEREAS, Mayor Carl A. Hokanson has filed his appointment of the five (5) individuals listed below as members of the Roselle Park Police Department's Auxiliary Police Force.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the following individuals be appointed as members of the Roselle Park Auxiliary Police Force effective immediately:

<u>Name</u>	<u>Address</u>
Brian J. Matthews	403 Bender Avenue, Roselle Park, New Jersey 07204
Victor M. Pozsonyi	213 Charolette Terrace, Roselle Park, New Jersey 07204
Anthony L. Rodriguez	108 Faitoute Avenue, Roselle Park, New Jersey 07204
Vanessa F. Amador	715 Hemlock Street, Roselle Park, New Jersey 07204
Connor M. Gabriel	235 East Colfax Avenue, Roselle Park, New Jersey 07204

RESOLUTION NO. 67-18

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Tax Collector hereby authorizes the Treasurer to issue one (1) check totaling \$28,015.42 payable to one (1) lien holder on one (1) property; and,



RESOLUTION NO. 70-18

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Mark Pasquali, B24 Woodside Gardens, Roselle Park, NJ 07204 is hereby appointed to the position of Superintendent of Public Works as per the attached agreement, effective February 9, 2018, at the salary of \$\_\_\_\_\_ per annum for a term to expire

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