

**REGULAR MEETING – OCTOBER 18, 2018**

**READ PUBLIC MEETINGS LAW ARTICLE**

**ROLL CALL**

**MOMENT OF SILENCE/PRAAYER**

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS**

None

**PROCLAMATIONS & PRESENTATIONS**

- Business of the Month: Pastrami and Pickles
- Breast Cancer Awareness Month

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

Regular Meeting Closed Session of September 6, 2018

Regular Meeting Closed Session of September 20, 2018

Regular Meeting Closed Session of October 4, 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 FURTHER CONSIDERATION (HEARING HELD ON 10/4/18)**

ORD. No. 2549 AN ORDINANCE AMENDING CHAPTER XIX OF THE CODE OF THE BOROUGH OF ROSELLE PARK ADDING SECTION 19-7 TO BE ENTITLED, "REGULATING THE PLANTING, GROWING, MAINTENANCE, AND/OR CULTIVATING OF BAMBOO"

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

ORD. No. 2552 AN ORDINANCE AMENDING CHAPTER III, SECTION 3-9.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "POLICE REGULATIONS; PEACE AND GOOD ORDER; PROHIBITIONS"

ORD. No. 2553 AN ORDINANCE AMENDING CHAPTER VII, "TRAFFIC," SECTION 7-39.5 ENTITLED, "HANDICAPPED PARKING ON ALL OTHER PRIVATE PROPERTY," AND SECTION 7-40.3 ENTITLED, "REGULATION FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON ALL OTHER PRIVATE PROPERTY," OF THE CODE OF THE BOROUGH OF ROSELLE PARK

**ORDINANCES FOR INTRODUCTION: COUNCILMAN FAHOURY**

ORD. No. 2554      AN ORDINANCE AMENDING CHAPTER XXVIII, SECTION 28-6 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "SOLID WASTE MANAGEMENT; BULK (A LA CARTE) PICK-UP SERVICE"

**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:**

- \* **#304-18** – Accepting the Resignation of Owen Law from the Position of Police Officer
- \* **#305-18** – Accepting a Material Donation in the Form of Two (2) Blue Wrestling Mats from Carl Pluchino for Use by the Casano Community Center
- \* **#306-18** – Approving Insertion of a 2018 Bulletproof Vest Partnership Grant as a Special Item of Revenue in the 2018 Municipal Budget in the Amount of \$3,405.04
- \* **#307-18** – Setting the Terms of Resignation and Time Due Calculation for Owen Law
- \* **#308-18** – Referring the West Webster Avenue Area 1 Redevelopment Plan to the Municipal Land Use Board for Review Pursuant to N.J.S.A. 40A:12A-7(e)
- \* **#309-18** – Authorizing Change Order #1 to Reivax Contracting Corp. for the Project: Stream Bank Retaining Wall Improvements – Various Locations, in the Amount of a \$26,960.00 Decrease (17.43%) to Reflect a Total Contract Amount of \$127,694.00
- \* **#310-18** – Authorizing Close Out of the Contract with Reivax Contracting Corp. for the Project: Stream Bank Retaining Wall Improvements – Various Locations
- \* **#311-18** – Approving a Five Year Tax Abatement for 237 Sherman Ave.; Block 1102, Lot 12
- \* **#312-18** – Authorizing the Treasurer to Issue Two (2) Checks Totaling \$443,511.86 Payable to Two (2) Lien Holders on Two (2) Properties and Two (2) Checks Totaling \$536,400.00 from the Tax Collector’s Premium Account
- \* **#313-18** – Accepting the Resignation of Part-Time Coleen Stecher from the Position of Community Center Desk Person

\* #314-18 – Appointing Myrtle I. Hope as Part-Time Community Center Desk Person

\* #315-18 – Appointing Jonathan Lora as a Member of the Roselle Park Fire Department

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

- Construction Official's Report for September 2018
- Fire Chief's Report for September 2018
- EMS Report for September 2018
- Treasurer's Report for September 2018
- Community Center Director's Report for September 2018
- Economic Development Director's Report for September – October 2018
- Mayoral Appointment(s) (No Confirmation from Council Required):  
None

### **WORKSHOP DISCUSSION**

#### Items Carried from Prior Meeting(s):

- Registration of Vacant Commercial Properties (Councilman Fahoury)

#### New Items:

- Pay Rate for Special Law Enforcement Officers (Mayor Hokanson)
- Year 45 CDBG Grant Program (Councilman DeIorio)

### **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 NOVEMBER 1, 2018**

**ORDINANCES FOR FURTHER CONSIDERATION**  
**(HEARING HELD 10/4/18)**

ORDINANCE NO. 2549

AN ORDINANCE AMENDING CHAPTER XIX OF THE CODE OF THE BOROUGH OF  
ROSELLE PARK ADDING SECTION 19-7 TO BE ENTITLED, "REGULATING THE  
PLANTING, GROWING, MAINTENANCE, AND/OR CULTIVATING OF BAMBOO"

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 be amended so as to add Section 19-7 of the Code of the Borough of Roselle Park as follows:

**SECTION 1. 19-7 REGULATING THE PLANTING, GROWING,  
MAINTENANCE, AND/OR CULTIVATING OF BAMBOO**

**19-7.1 Purpose.**

**This regulation is adopted to control the planting, growing and cultivation, and maintenance of bamboo within and/or involving the Borough of Roselle Park, in order to protect and promote the public health, safety and welfare through restriction and prohibition of new plantings of bamboo and the maintenance of existing plantings of bamboo.**

**SECTION 2. 19-7.2 Definitions.**

**Bamboo. Any tree-like tropical or semi tropical fast-growing grass of the genus Bambusa, having hollow woody-wall stems with ring joints and edible youth shoots (bamboo shoots), including all types and species of Bamboo.**

**Bamboo Owner. Any owner of property where Bamboo exists.**

**Rhizome. A horizontal underground plant stem capable of producing the bud, shoot, and root system of a new plant.**

**Rhizome Barrier. An impervious root barrier that is either (i) made of 60 mil to 80 mil thick polyethylene sheet buried twenty-two (22") to thirty-four (34") inches deep with a lip of at least two (2") inches above ground, or (ii) a solid reinforced concrete container with no drainage holes, or (iii) another material not subject to rot, rust, cracking under normal but extended use, and which is impervious to penetration by Bamboo Rhizomes.**

**Invading Plants. Bamboo whose Rhizomes originate from a culm, bud, or shoot located on one property and which have grown to encroach upon another property. Any Bamboo found (1) on a property which has no other Bamboo likely to be the source, and (2) whose Rhizomes emanate from the direction of an adjoining property which has Bamboo growth that is more mature than the Bamboo that is believed to be a result of encroachment, shall be presumed an Invading Plant and the owner of the property on which the more**

mature Bamboo is located shall be presumed the owner of such Invading Plants, even if the Rhizomes cannot be entirely traced to the source plant.

**SECTION 3. 19-7.3 Regulation of Planting, Growing and/or Cultivating Bamboo.**

No person or entity located within the Borough of Roselle Park shall plant, cultivate, or cause to grow any Bamboo on any lot, plot, or parcel of ground anywhere within the geographical boundaries of the Borough of Roselle Park, except under the following circumstances:

- (a) Where the root system of such Bamboo is entirely contained within an above ground level planter, barrel or other vessel of such design, material, and location as to entirely prevent the spread of growth of the Bamboo's root system beyond the container in which it is planted, and located, trimmed and maintained such that no part of the plant shall cross any property line, structure, utility line, or swimming pool at any time.
- (b) Where planted in the ground within a Rhizome Barrier and located, trimmed, and maintained such that no part of the Bamboo shall cross any property line, structure, utility line, or swimming pool at any time.
- (c) Where Bamboo has been planted prior to the Effective Date of this Ordinance, and the person or entity complies with section 19:7-5(1) below, and trims and maintains such that no part of the Bamboo shall cross any property line, structure, utility line, or swimming pool at any time.

**SECTION 4. 19-7.4 Maintenance and Remediation for Existing Bamboo Strands.**

- (a) Where Bamboo exists prior to the Effective Date, such Bamboo Owner must, within ninety (90) days of the Effective Date of this Ordinance or within such reasonable additional time as the Office of Code Enforcement may allow due to weather or other extenuating circumstances, (i) place the Bamboo Rhizome completely within a Rhizome Barrier, or (ii) remove such Bamboo.
- (b) The Owner of an Invading Plant(s) shall be liable for any damages caused to any property by such Bamboo, including, but not limited to, the costs of removal of any Bamboo that grows on the affected property, provided that such encroachment occurs after the Effective Date of this Ordinance.

**SECTION 5. 19-7.5 Complaint Notice, Order for Removal and Compliance.**

Whenever a complaint is received by the Borough of Roselle Park regarding the planting, growing, maintenance or encroachment of any Bamboo, or whenever the Borough of Roselle Park, on its own observation and/or inspection, determines that there have been prohibited plantings of bamboo, a failure to erect and maintain a proper barrier and to trim and maintain the Bamboo to prevent such Bamboo from growing beyond the permitted

**boundaries and/or encroachment of Bamboo on the property of another land owner, the Borough of Roselle Park Department of Code Enforcement shall place the responsible party on notice and the following actions shall occur:**

- (a) The Notice shall specify the nature of the violation(s).**
- (b) The Notice shall state that the violation(s) must be abated and comply with the Ordinance within sixty (60) calendar days from the date the notice was received or returned mailing.**
- (c) The Notice shall state specifically what must be done by the responsible party to cure the violation(s).**

**If the responsible party shall fail to mitigate the violation within the time specified in the Notice, a Complaint alleging the violation shall be filed with the Borough of Roselle Park Municipal Court.**

**SECTION 6. 19-7.6 Violations and Penalties.**

**Any person or entity determined by the Borough of Roselle Park Municipal Court to have violated this Ordinance shall be subject to a fine, imprisonment, and/or community service as provided in Section 1-5, General Penalty. Each day of a continued violation shall constitute a separate offense.**

**Nothing herein shall be interpreted as limiting the rights of a private property owner to seek relief through a Court of proper jurisdiction, nor the institution of civil proceedings against proper parties, including such actions arising out of Bamboo that has spread to adjacent or nearby properties either before or after this Ordinance is adopted.**

**SECTION 7. 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 8. Inconsistent Ordinances Repealed.**

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

**SECTION 9. 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 10. Effective Date.**

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

## ORDINANCES FOR SECOND READING

### ORDINANCE NO. 2552

#### AN ORDINANCE AMENDING CHAPTER III, SECTION 3-9.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "POLICE REGULATIONS; PEACE AND GOOD ORDER; PROHIBITIONS"

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 3-9.1 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

#### SECTION 1. 3-9.1 Prohibitions.

No person or contractor shall, within the limits of the Borough:

a. Play, operate or use any television, radio, phonograph or tape equipment or other sound-producing instrument, device or apparatus in such a manner that the sound thereof shall annoy any person or persons or disturb the comfort, rest or repose of any person or persons.

b. Permit, make or continue or cause to be permitted, made or continued any unnecessary noise, produced by human or mechanical means, which shall disturb the comfort, rest, and repose of any person or persons being in his or their place of abode or at any public or private meeting or at church services.

c. Keep or harbor any dog or other animal which shall disturb the neighborhood by excessive barking, whining or howling.

d. Throw or discard any cans, bottles, refuse or garbage of any kind whatsoever into the waters of any pond, stream, lake or river, or upon a public street or public place, or discharge any sewage or waste into the waters or places, or any of them, or pollute the waters in any manner whatsoever.

e. Throw any papers, sticks, glass, metal or any hard, dangerous or offensive substances upon any sidewalk, street, highway or public place or at any automobile, vehicle, house, building, fence or person.

f. Participate in any practice, sport or exercise in such a manner so as to annoy, disturb or frighten any person or persons on any sidewalk, street, road, park or other private or public place.

g. Disrupt or disturb the exercises of any public school or any lawful assembly therein, or interfere with or annoy any child attending such school or any teacher therein.

h. Intentionally, willfully or maliciously destroy or injure any of the wires, posts, machines, bells, signs, boxes, box or any other apparatus of any fire alarm system or intentionally, willfully or maliciously interfere with the same or any part thereof or hinder or impede any of the operations intended to be accomplished thereby.

i. Hinder, prevent or deter by any device whatsoever any Firefighter or any person from rendering lawful assistance in abating or quenching a fire, or hinder or interfere with any

Firefighter going to or returning from any fire or place from which a fire alarm proceeds, or hinder or obstruct any fire engine, hook and ladder truck, hose cart or other fire apparatus going to or from any place from which a fire alarm proceeds or where any building or property may be burning.

j. Interfere with or obstruct a Police Officer (whether a regular Police Officer or Special Law Enforcement Officer), a member of the auxiliary Police of the Civil Defense-Disaster Control Bureau or a member of the First Aid Squad of the Borough, whether in uniform or not, in the carrying out of his duties or functions.

k. Enter or remain upon the land or property of any person without lawful permission to do so.

l. Urinating, expectorating or defecating in a public place, other than a wash room or toilet room, under circumstances where such act is or could be observed by a member of the public situated in or near a public place. The term "public place," for the purposes of the within section is defined as "an area generally visible to the public view and includes but is not limited to streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles, buildings open to the public and doorways and entrances to buildings or dwellings and the grounds enclosing same."

m. Operate or permit the use or operation of any mechanically powered saws, drills, sanders, grinders and tools, including similar devices outdoors in residential areas.:

**1. Exceptions:**

**(a) Any person shall be permitted to use or operate any mechanically powered saws, drills, sanders, grinders and tools, including similar devices outdoors in residential areas on Monday through Friday from 7:00 a.m. to dusk.**

**(b) Any person shall be permitted to use or operation of any mechanically powered saws, drills, sanders, grinders and tools, including similar devices outdoors in residential areas on Saturdays, Sundays and/or holidays from 8:00 a.m. to dusk.**

**(c) In cases of emergency and/or in the interest of the public health.**

~~—1.— Between the hours of dusk and 7:00 a.m., the following day. This paragraph shall not apply to the use of domestic devices in cases of emergency in the interest of public health.~~

~~—2.— Saturday, Sunday and holidays from 8:00 a.m. prevailing time until dusk.~~

SECTION 2. Invalidation

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. 2553

AN ORDINANCE AMENDING CHAPTER VII, "TRAFFIC," SECTION 7-39.5 ENTITLED, "HANDICAPPED PARKING ON ALL OTHER PRIVATE PROPERTY," AND SECTION 7-40.3 ENTITLED, "REGULATION FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON ALL OTHER PRIVATE PROPERTY," 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 that Chapter VII, Sections 7-39.5 and 7-40.3 of the Code of the Borough of Roselle Park be and hereby are amended as follows:

SECTION 1. 7-39.5 Handicapped Parking on All Other Private Property.

In accordance with the provisions of N.J.S.A. 39:5A-1; the following off-street parking locations are designated as handicapped parking. Such spaces are for use by persons who have been issued special identification cards, plates or placards by the Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

<i>Property</i> (Reserved)	<i>No. of Spaces</i>	<i>Location</i>
<b>515 Locust Street</b>	<b>2 Spaces</b>	<b>Block 503, Lots 9 &amp; 10 with certain contractual exemptions.</b>

SECTION 2. 7-40.3 Regulation for the Movement and the Parking of Traffic on All Other Private Property.

In accordance with the provisions of N.J.S.A. 39:5A-1 the regulations of Subtitle 1 of the Title 39 are hereby made applicable to the properties listed below.

<i>Property</i>	<i>Regulation</i>
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a. Entranceway to Green Acres Facility - West Lincoln Avenue

1. No Parking.

South side From the point of intersection of the southerly sideline of West Lincoln Avenue with the easterly sideline of Pine Street to a point 41 feet west of said point

2. No Stopping or Standing

Green Acres Facility Parking Area Fire Lane  
Anytime

Beginning at a point in the extension of the southerly curblin of West Lincoln Avenue, distant 10 feet west of the intersection of the said curblin with the westerly curblin of Pine Street: Thence (1) westerly along the extension of the curblin on West Lincoln Avenue, 40 feet;

Thence (2) southerly - perpendicular to the southerly curblin of West Lincoln Avenue, 79 feet to a point;

Thence (3) westerly, parallel to the westerly curblin of West Lincoln Avenue, 50 feet to a point;

Thence (4) northerly parallel to the 2nd course, 34 feet to a point;

Thence (5) easterly parallel to the westerly curblin of West Lincoln Avenue, 20 feet to a point;

Thence (6) northerly parallel to the second course, 69 feet to a point;

Thence (7) easterly, parallel to the first course, 70 feet to a point;

Thence (8) southerly, parallel to the second course 24 feet to the point of beginning.

**b. 515 Locust Street      1.  
Block 503, Lots 9 & 10  
with certain exemptions.**

**1. Intent.**

**It is the intent of the Borough of Roselle Park to secure this private property for use by Borough residents to further off-street and commuter parking arrangements by Borough-issued permit.**

**2. Permit Required.**

**The Borough Clerk shall issue permits to residents who wish to park their automobiles at this location on a first-come first-serve basis. Permits shall not be issued to anyone or any entity other than a bona fide resident of the Borough of Roselle Park. Applicants for such permits shall be**

required to present one (1) proof of residency along with a copy of a valid vehicle registration bearing the name of the applicant. Applicants may, at their option, add one (1) additional vehicle registration to their permit that bears their name and/or address. Proof of residency may include, but shall not be limited to: a valid driver's license, a residential rent/lease agreement, or a copy of a utility bill.

Permits shall be issued at a cost of \$468.00 per permit effective November 1, 2018. All permits shall be issued on an annual basis valid each year from January 1<sup>st</sup> until December 31<sup>st</sup>; except that the first issuance of permits shall be valid from November 1, 2018 to December 31, 2019. Permit fees shall not be pro-rated.

The number of permits issued for this purpose shall not exceed fifty-five (55).

Should the holder of a permit move from the Borough of Roselle Park at any point during the year, they must notify the Borough Clerk and return their permit immediately. Permit fees shall not be refundable.

**3. Prohibitions.**

It shall be unlawful for any person to sell, rent, transfer or lease, or cause to be sold, rented, transferred or leased any parking permit.

**4. Violations and Penalties.**

Any person who violates any section of this chapter shall be subject to the penalty set forth in Section 7-4 of this chapter. In addition, anyone who violates any section of this chapter shall subject their vehicle to be towed at the owner's expense.

SECTION 3. 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 4. Inconsistent Ordinances Repealed.

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

SECTION 5. 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 6. Effective Date.

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

## **ORDINANCES FOR INTRODUCTION**

### **ORDINANCE NO. 2554**

AN ORDINANCE AMENDING CHAPTER XXVIII, SECTION 28-6 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "SOLID WASTE MANAGEMENT; BULK (A LA CARTE) PICK-UP SERVICE"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter XXVIII, Sections 28-6 of the Code of the Borough of Roselle Park be and hereby are amended as follows:

#### **SECTION 1.            28-6    BULK (A LA CARTE) PICK-UP SERVICE.**

a.        Bulk items will be picked up by the Roselle Park Department of Public Works (DPW). There will be no designated day of the week for the bulk a la carte pick-up service. Bulk a la carte pick-up service will be provided on an on call basis (must be a Roselle Park resident), Monday through Friday according to the below fee schedule.

The process for the bulk a la carte pick-ups are as follows:

1.        Roselle Park Residents call the DPW (908-245-7676).
2.        A Borough representative will schedule an appointment with the resident and provide the resident with a fee schedule.
3.        A price for items listed for removal will be calculated and the resident will be required to pay the fee by cash or check and receive a receipt for same. Fee must be paid prior to items being scheduled for removal.
4.        The items will then be scheduled for removal from the property.
5.        All bulk items MUST be placed at the curb for pick-up by the resident.

A La Carte Bulk Item Fee Schedule

Furniture	Small Dresser \$ 15 per item		Doors	\$10 per item
	Large Dresser \$30 per item		Wood Fence	\$10 per 8 foot section
	Couch \$30 per item		Plastic Fence	\$10 per 8 foot section
	Sleeper Couch \$40 per item		Windows	Single \$10 per item
	Love Seat / <b>Recliners</b> \$15 per item			Double \$20 per item
	<del>Kitchen Table \$20 per item</del> <b>Large Tables &amp; Desks</b> <b>\$20 per item</b>			Triple \$30 per item
			<b>Small Tables &amp; Desks</b> <b>\$10 per item</b>	<b>Exercise Equipment</b>
	Kitchen / <b>Dining</b> Chairs \$5 per item		<b>Exercise Bikes</b> <b>\$10 per item</b>	
	<b>Bed Frames &amp; Boards</b> <b>\$10 per item</b>		<b>Weight Benches</b> <b>\$10 per item</b>	
	<b>Break Fronts \$40 per item</b>		Wood Products - cut into three (3) foot pieces and placed into a 32 gallon container	\$10 per 32 gallon container
	<b>TV Stands \$10 per item</b>			
<b>Fixtures</b>	<b>Sinks \$10 per item</b>			
	<b>Vanities \$10 per item</b>			
	<b>Toilets \$10 per item</b>			
	<b>Bath Tubs \$40 per item</b>			
	<b>Ceiling Fans \$5 per item</b>			
<b>Vacuums</b>	<b>\$5 per item</b>			
Toys	\$10 per item			
Mattresses	\$20 per item			
Storm Windows	\$10 per item			
Storm Doors	\$10 per item			
Lawn Furniture	\$10 per item			

b. *Not Considered Bulk Waste.* Rugs, carpeting, electronic waste, ashes, dirt, tree trunks, stumps, branches, brush, leaves, household garbage, no garbage bags, pool filters, railroad ties, rocks, stones, asphalt, concrete, closed-top drums, automobile parts, appliances, (refrigerators, washers, dryers, and any metal products), paint, chemicals and materials resulting from demolition, alterations, or repairs to buildings or other structures not generated by the home owner (e.g., materials generated by a contractor) and not generated from pick-up sites requiring permits.

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. 304-18**

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby accept the resignation of Owen Law from the position of Police Officer in the Roselle Park Police Department, effective October 1, 2018.

### **RESOLUTION NO. 305-18**

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 from Carl Pluchino, 203 Walnut Street, Roselle Park, NJ 07204 in the form of two (2) blue wrestling mats for use by the Casano Community Center.

### **RESOLUTION NO. 306-18**

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 2018 in the sum of \$3,405.04 which item is now available as a revenue from the 2018 Bulletproof Vest Partnership Grant pursuant to the provisions of statute; and,

BE IT FURTHER RESOLVED, that the like sum of \$3,405.04 is hereby appropriated under the caption of the 2018 Bulletproof Vest Partnership Grant; and,

BE IT FURTHER RESOLVED, that the Borough Clerk forward a certified copy of this resolution with enclosures to the Chief Financial Officer to submit the resolution electronically to the Director of the Division of Local Government Services.

RESOLUTION NO. 307-18

WHEREAS, Owen Law resigned from the Borough of Roselle Park effective October 1, 2018; and,

WHEREAS, Owen Law is entitled to certain compensation; and,

WHEREAS, it has been agreed by the Mayor and Council of the Borough of Roselle Park and Owen Law that the break-down of time-due compensation will be paid as follows:

<u>Description</u>	<u>Amount of Days/Hours</u>	<u>Daily/Hourly Rate</u>	<u>Amount Due</u>
Vacation Days for 2018	0 days	\$ 224.58	\$ 0.00
Personal Days	2 days	\$ 224.58	\$ 449.16
Sick Days	0 days	\$ 224.58	\$ 0.00
(Ratio - 1 Day: 3 Days of 0 Days based on 10-hour work days).			
Comp. Time for 2018	32.35 hours	\$ 27.0329	\$ 874.51
Holidays for 2018	1 day	\$ 224.58	\$ 224.58
Vacation Days for 2019	3.5 days	\$ 224.58	\$ 786.03
(10 Days Prorated for 9 Months, less 4 days used)			
Total Due			<u>\$ 2,334.28</u>

RESOLUTION NO. 308-18

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and,

WHEREAS, pursuant to *N.J.S.A. 40A:12A-6*, the Council (the “Borough Council”) of the Borough of Roselle Park, in the County of Union, New Jersey (the “Borough”) by Resolution #184-17, adopted July 20, 2017 authorized and directed the Land Use Board of the Borough (the “Land Use Board”) to undertake a preliminary investigation to determine if a specific area located at Block 506, Lots 2, 3, 4 and 5 on the tax map of the Borough ( the “Study Area”) constituted an area in need of redevelopment according to the criteria set forth in the Redevelopment Law; and,

WHEREAS, the aforesaid resolution authorized the Land Use Board to investigate the Study Area as a Condemnation Redevelopment Area (as defined in *N.J.S.A. 40A:12A-6(a)* of the Redevelopment Law), within which the Borough may use all of those powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain; and,

WHEREAS, the Redevelopment Law requires the Land Use Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of redevelopment, at which hearing the Land Use Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and,

WHEREAS, the Land Use Board properly noticed a public hearing on the preliminary investigation of the Study Area which conformed to the Redevelopment Law; and,

WHEREAS, on December 11, 2017 the Land Use Board, conducted a public hearing in accordance with the Redevelopment Law and by resolution, after due consideration of the preliminary investigation and the comments and objections from the public made part of the public record and after consulting appropriate municipal departments and counsel, adopted a resolution

recommending the Borough Council designate the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law, including the power of eminent domain; and,

WHEREAS, on December 21, 2017, the Borough Council adopted Resolution #347-17 designating the Study Area as an area in need of redevelopment under the Redevelopment Law, such designation authorizing the Borough and Borough Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain (the "Redevelopment Area"); and,

WHEREAS, Neglia Engineering Associates prepared a redevelopment plan for the Redevelopment Area entitled: "West Webster Avenue Area 1 Redevelopment Plan Block 506, Lots 2, 3, 4, & 5" (the "Redevelopment Plan") providing the development standards for the Redevelopment Area; and,

WHEREAS, pursuant to the Redevelopment Law, the Borough Council directs the Land Use Board to review the Redevelopment Plan and transmit its recommendations relating to the Redevelopment Plan to the Borough Council in accordance with the provisions of *N.J.S.A. 40A:12A-7(e)*.

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

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Borough Council hereby directs the Land Use Board to review the Redevelopment Plan and transmit its recommendations relating to the Redevelopment Plan (the "Land Use Board Report") to the Borough Council within forty-five (45) days of the date hereof in accordance with the Redevelopment Law.

Section 3. If the Land Use Board Report is not transmitted to the Borough Council within forty-five (45) days of the date hereof, the Borough Council shall be relieved of the requirement to obtain a Land Use Board Report for the Redevelopment Plan in accordance with *N.J.S.A. 40A:12A-7(e)*.

Section 4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 5. The Borough Clerk is hereby directed to transmit a copy of this Resolution to the Mayor and Land Use Board.

Section 6. This Resolution shall take effect immediately.

RESOLUTION NO. 309-18

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

TITLE OF JOB: Stream Bank Retaining Wall Improvements – Various Locations

CONTRACTOR: Reivax Contracting Corp.

CHANGE ORDER N<sup>o</sup>: 1

AMOUNT OF CHANGE THIS RESOLUTION: \$26,960.00 (17.43% Decrease) for an updated contract amount of \$127,694.00; and,

BE IT FURTHER RESOLVED that this resolution to take effect immediately upon final adoption and upon certification by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 310-18

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: Stream Bank Retaining Wall Improvements – Various Locations was constructed by Reivax Contracting Corp., 356 Thomas Street, Newark, 07114 in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer; the contractor having supplied a 25% Guarantee Bond No. 2255465M for a period of two (2) years from August 1, 2018; the said construction is hereby accepted, the contract closed, and final payment in the amount of Two Thousand Five-Hundred Fifty-Three dollars and Eighty-Eight Cents (\$2,553.88) is hereby approved.

RESOLUTION NO. 311-18

WHEREAS, the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, have adopted an Ordinance implementing a five-year tax abatement program for improvements made to single family and multi-family dwellings; and,

WHEREAS, the ordinance provides that a tax abatement shall not be granted unless approved by Resolution of the Borough Council; and,

WHEREAS, application for tax abatement has been received from the following:

Name	Address	Block	Lot
Massimilano La Falle	237 Sherman Avenue, Roselle Park, New Jersey 07204	1102	12

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 application listed above for abatement is hereby granted according to the terms of the Ordinance.

**RESOLUTION NO. 312-18**

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 two (2) checks totaling \$443,511.86 payable to two (2) lien holders on two (2) properties; and,

BE IT FURTHER RESOLVED that two (2) checks be issued in the total amount of \$536,400.00 from the Tax Collector's Premium Account.

BOROUGH OF ROSELLE PARK TAX COLLECTOR ANALYSIS OF LIEN REDEMPTIONS 10/18/2018															
TSC #	BLOCK	LOT	QUAL.	PREMIUM	TOTAL AMOUNT REDEEMED	CERTIFICATE AMOUNT	REDEMPTION PENALTY PERCENTAGE	INTEREST ON CERTIFICATE DATE 10/18/2018	SEARCH FEE	RECORDING FEE	SUBSEQUENT TAXES PAID	INTEREST ON SUBSEQUENTS TO 10/18/2018	6% INTEREST PENALTY	LEGAL FEES	
MAS CAPITAL	16-015	312	2	\$ 1,400.00	\$ 5,559.73	\$ 565.00	\$ 11.30		\$ 12.00	\$ 43.00	\$ 4,415.67	\$ 512.76			
US BANK CUST BV002 TRST & CRDTRS	17-008	606	36.01	\$ 535,000.00	\$ 437,952.13	\$ 166,493.02	\$ 9,989.58		\$ 12.00	\$ 53.00	\$ 220,645.11	\$ 29,283.42	11476		
				\$ -	\$ -	\$ -	\$ -								
				\$ -	\$ -	\$ -	\$ -								
				\$ -	\$ -	\$ -	\$ -								
				\$ -	\$ -	\$ -	\$ -								
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				\$ -	\$ -	\$ -	\$ -								
<b>TOTAL</b>				\$ 536,400.00	\$ 443,511.86	\$ 167,058.02	\$ 10,000.88	\$ -	\$ 24.00	\$ 96.00	\$ 225,060.78	\$ 29,796.18	\$ 11,476.00	\$ -	

**RESOLUTION NO. 313-18**

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby accept the resignation of Coleen Stecher from the position of Part-Time Community Center Desk Person in the Casano Community Center, effective October 19, 2018.

**RESOLUTION NO. 314-18**

WHEREAS, a vacancy exists in the position of Part-Time Community Center Desk Person within the Casano Community Center of the Borough of Roselle Park; and,

WHEREAS, the Community Center Director of the Borough of Roselle Park, has recommended Myrtle I. Hope for the position of Part-Time Community Center Desk Person; and,

WHEREAS, the governing body wishes to fill the said position.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Myrtle I. Hope of 3306 Crystal Terrace, North Plainfield, New Jersey 07060 be and is hereby appointed to the position of Part-Time Community Center Desk Person of the Borough of Roselle Park at \$10.16 per hour effective October 19, 2018.

**RESOLUTION NO. 315-18**

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint Jonathan Lora, 608 Chestnut Street, Roselle Park, New Jersey 07204 as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Central Firehouse.