

REGULAR MEETING – JANUARY 17, 2019

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

MOMENT OF SILENCE/PRAYER

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

1. A request from Dowling’s Irish Pub & Restaurant for the partial closure of William Street on Saturday, March 16, 2019 from 1:00 p.m. to 8:00 p.m. (Subject to JIF Insurance and Indemnification Requirements).

PROCLAMATIONS & PRESENTATIONS

- Business of the Month: Park Veterinary Group

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

Closed Session of December 10, 2018

Special Meeting & Special Meeting Closed Session of December 19, 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 2ND READING

None

ORDINANCES FOR INTRODUCTION

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| ORD. No. 2560 | AN ORDINANCE AMENDING CHAPTER II, ARTICLE IV, SECTION 2-40.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, “ROSELLE PARK ARTS COMMITTEE CREATED” |
| ORD. No. 2561 | AN ORDINANCE AMENDING CHAPTER II, ARTICLE IV, SECTION 2-41.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “ROSELLE PARK DIVERSITY COMMITTEE CREATED” |
| ORD. No. 2562 | AN ORDINANCE REPEALING ORDINANCE NO. 2559 AND PROVIDING FUNDING FOR ACQUISITION OF RECREATIONAL EQUIPMENT, BIKE PATH IMPROVEMENTS AND TREES FOR THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, NEW JERSEY APPROPRIATING \$75,000.00 FOR SUCH PURPOSE |
| ORD. No. 2563 | AN ORDINANCE REPEALING ORDINANCE NO. 2395 AS CODIFIED IN SECTION 2-4 OF THE CODE OF THE BOROUGH OF ROSELLE PARK AND ADOPTING N.J.S.A 19:44A-1 ET SEQ. |

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."

RESOLUTIONS:

- * **#41-19** – Appointing Ken Amin to the Roselle Park Board of Health
- * **#42-19** – Amending Resolution No. 4-19 Adding Tap into Roselle/Roselle Park as the Official Electronic News Source for the Receipt of Open Public Meeting’s Act Notices
- * **#43-19** – Appointing Schedulers, Referees and Score Keepers/Time Keepers for the 2019 Roselle Park Recreation Basketball League
- * **#44-19** – Accepting the Resignation of Anna Picarelli-Elichko from the Positions of Control Person, Zoning Clerk, and Part-Time Clerk of the Municipal Land Use Board
- * **#45-19** – Authorizing a License for Towing Services to A.A. Auto Body
- * **#46-19** – Appointing Madeline Colandro to the Position of Acting Municipal Land Use Board Clerk
- * **#47-19** – Accepting the Resignation of Councilman Robert A. Mathieu from the Position of Arts Committee Council Liaison
- * **#48-19** – Appointing Arts Committee Council Liaison to Fill the Unexpired Term of Councilman Robert A. Mathieu
- * **#49-19** – Promoting Paul Devito to the Position of Equipment Operator within the Roselle Park Department of Public Works
- * **#50-19** – Authorizing Participation in the Safe and Secure Communities Program
- * **#51-19** – 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)
- * **#52-19** – Acknowledging Richard D. Huxford, Esq. as Special Prosecutor within the Roselle Park Municipal Court for Specifically Enumerated Cases

MAYOR AND COUNCIL COMMITTEE REPORTS / REPORTS OF DEPARTMENTS

- Construction Official’s Report for December 2018
- Animal Control Officer’s Report for December 2018
- Municipal Court Report for December 2018
- Treasurer’s Report for December 2018
- Borough Clerk’s Report for December 2018
- Police Chief’s Report for December 2018
- Economic Development Director’s Report for November/December 2018
- Community Center Director’s Report for November/December 2018
- EMS Report for December 2018
- Mayoral Appointment(s) (No Confirmation from Council Required):
 - Removing James McCrady from the Kelly-Kaulfers Park Ad-Hoc Committee, and appointing Ray Parenteau of 614 Chester Avenue, Roselle Park, NJ 07204 to fill the unexpired term set to expire December 31, 2019.
 - Appointing Councilman Joseph R. DeIorio, 624 Larch Street, Roselle Park, NJ 07204 as a Liaison to the Roselle Park Board of Education with a term set to expire December 31, 2019.
 - Appointing Councilman Joseph R. DeIorio, 624 Larch Street, Roselle Park, NJ 07204 as Council Liaison to the Roselle Park Veterans Memorial Library Board of Trustees for a term set to expire December 31, 2019.
 - Appointing the following individuals of the corresponding addresses (all addresses are within the Borough of Roselle Park) to currently vacant membership positions on the Arts Committee with terms set to expire on December 31, 2019:

<u>Name</u>	<u>Address</u>
Michele McGlynn LoManto	28 East Grant Avenue
Jamie O’Connell	129 Bender Avenue
Kim Vitale	718 Chestnut Street
Jessica Avecillas	163 East Grant Avenue
Pico Reinoso	335 Pershing Avenue
Pam Reinoso	335 Pershing Avenue
Lina Crincoli	516 East Grant Avenue
Rafael Simancas	43 East Webster Avenue
Louis Falcon	631 Woodland Avenue
 - Adjusting Alternate-Member appointments to the Municipal Land Use Board made at the 2019 Reorganization meeting to accurately reflect the following without any changes to the length of appointment terms (all addresses are within the Borough of Roselle Park):

<u>Position</u>	<u>Name</u>	<u>Address</u>
Alternate #1	Paul Baiamonte	32 East Clay Avenue
Alternate #2	John Curia	124 West Roselle Avenue
 - Removing Joseph Signorello III as Chairman and Municipal Budget and Finance representative of the Finance and Administration Committee, and adding Joseph E. Petrosky as the Municipal Budget and Finance

representative, and designating Robert A. Mathieu as Committee Chairperson; changes to reflect as follows:

FINANCE & ADMINISTRATION

Robert A. Mathieu, Chairperson

MUNICIPAL BUDGET & FINANCE – Joseph E. Petrosky

PUBLIC BUILDINGS & FACILITIES – Robert A. Mathieu

COMMERCE – Jayme Lynn Negron

WORKSHOP DISCUSSION

Items Carried from Prior Meeting(s):

None

New Items:

- Sustainable Jersey 2019 Grant Cycle (Councilman Fahoury)
- Changes to By-Laws of Mayor and Council (Mayor Signorello)
- Department Head Performance Reviews (Mayor Signorello)

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 7, 2019**

ORDINANCES FOR SECOND READING

NONE

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 2560

AN ORDINANCE AMENDING CHAPTER II, ARTICLE IV, SECTION 2-40.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "ROSELLE PARK ARTS COMMITTEE CREATED"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter II, Article IV, Section 2-40.1 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. 2-40.1 Roselle Park Arts Committee Created.

- a. There is hereby established within the Borough of Roselle Park the Roselle Park Arts Committee.
- b. The purpose of the Roselle Park Arts Committee shall be to encourage the arts in the Borough of Roselle Park. The Committee may make recommendations to the Mayor and Council about art plans and may suggest to the Mayor and Council methods to improve dissemination of information to residents to increase participation in art events in the Borough.
- c. The Roselle Park Arts Committee shall consist of ~~nine (9)~~ **twelve (12)** members. All appointments to the Roselle Park Arts Committee shall be made by the Mayor. Each appointment shall be for a term of one (1) year, which expires on December 31 of that year. The Mayor shall have the authority to remove any member of the Roselle Park Arts Committee, at any time.
- d. The Roselle Park Borough Council shall appoint one of its members to be a liaison to the Roselle Park Arts Committee for a term of one (1) year, which expires on December 31 of that year.

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. 2561

AN ORDINANCE AMENDING CHAPTER II, ARTICLE IV, SECTION 2-41.1 OF THE
CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED "ROSELLE PARK
DIVERSITY COMMITTEE CREATED"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter II, Article IV, Section 2-41.1 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. 2-41.1 Roselle Park Diversity Committee Created.

- a. There is hereby established within the Borough of Roselle Park the Roselle Park Diversity Committee.
- b. The purpose of the Roselle Park Diversity Committee shall be to recognize and expand awareness about the various religions, philosophies, beliefs, cultures, ethnic backgrounds, and sexual orientations of the residents of the Borough of Roselle Park. The Diversity Committee may make recommendations to the Mayor and Council about including the beliefs of all residents in Borough celebrations and work with the Borough institutions to promote events to increase understanding of the diverse groups that make up the Borough of Roselle Park.
- c. The Roselle Park Diversity Committee shall consist of ~~seven (7)~~ **nine (9)** members. All appointments to the Roselle Park Diversity Committee shall be made by the Mayor. Each appointment shall be for a term of one (1) year, which expires on December 31 of that year.
 1. The Mayor shall have the authority to remove any member of the Roselle Park Diversity Committee, at any time.
 2. The Mayor or Borough Council may remove any member of the Committee for cause, on written charges served upon the member and after a hearing thereon at which the member shall be entitled to be heard in person or by counsel. A vacancy on the Committee occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. Reasoning for a removal for cause may include, but shall not be limited to, a continued absence of a member for five (5) consecutive meetings (regular or special meetings) of the Diversity Committee without good cause shown.
- d. The Roselle Park Borough Council shall appoint one of its members to be a liaison to the Roselle Park Diversity Committee for a term of one (1) year, which expires on December 31 of that year.

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. 2562

AN ORDINANCE REPEALING ORDINANCE NO. 2559 AND PROVIDING FUNDING FOR ACQUISITION OF RECREATIONAL EQUIPMENT, BIKE PATH IMPROVEMENTS AND TREES FOR THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, NEW JERSEY APPROPRIATING \$75,000.00 FOR SUCH PURPOSE

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

SECTION 1. Borough of Roselle Park Ordinance Number 2559, formally titled, “An Ordinance Providing Funding for the Acquisition of Recreational Equipment, Bike Path Improvements, Bandstand and Trees for the Borough of Roselle Park in the County of Union, New Jersey, Appropriating \$160,000.00 for such Purpose,” as adopted December 27, 2018, be and is hereby repealed in its entirety and shall not be in effect.

SECTION 2. The Borough of Roselle Park, in the County of Union, New Jersey, authorizes the acquisition of recreational equipment, bike path improvements and trees for the Borough of Roselle Park to be funded from the sources specified in Section 2 of the Ordinance.

SECTION 3. The amount of \$75,000.00 is hereby appropriated for the purposes stated in Section 1 of this Ordinance and which amount was funded from a grant from the Union County Kids Recreation Trust Fund Grant in the amount of \$35,000.00, another grant from Union County Greening Union County Grant in the amount of \$5,000.00, and from Capital Surplus in the amount of \$35,000.00.

SECTION 4. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Roselle Park may lawfully make as a general improvement.

SECTION 5. All Ordinances or parts of Ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 6. This Ordinance shall become effective upon passage and publication in accordance with the law.

ORDINANCE NO. 2563

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

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

SECTION 1. 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.

SECTION 2. The Borough of Roselle Park adopts the State of New Jersey legislation codified at N.J.S.A. 19:44A-1 et seq.

SECTION 3. 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.

SECTION 4. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict;

SECTION 5. This Ordinance shall become effective upon passage and publication in accordance with the law.

RESOLUTIONS

RESOLUTION NO. 41-19

WHEREAS, the members of the Roselle Park Board of Health are appointed by the Mayor subject to the advice and consent of the municipal Council pursuant to Section 2-33 of the Code of the Borough of Roselle Park; and,

WHEREAS, Mayor Joseph Signorello III has filed his appointment to fill the unexpired term of Carole Langzemis set to expire December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Ken Amin of 532 Amsterdam Avenue, Roselle Park, New Jersey 07204 be appointed to the Roselle Park Board of Health to fill the unexpired term of Carole Langzemis set to expire December 31, 2020.

RESOLUTION NO. 42-19

WHEREAS, R.S. 40:53-1 et seq. provides for the designation of an official newspaper or newspapers for publication of all advertisements or notices required to be published by the municipality by law; and,

WHEREAS, R.S. 10:4-8 provides, among other things, that notice be given to at least two (2) newspapers to be designated by the Governing Body for the purpose of complying with the requirements of notice under the “Open Public Meetings Law”; and,

WHEREAS, no newspaper is published and circulated in the Borough of Roselle Park.

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 Borough of Roselle Park hereby designates, for purposes of R.S. 40:53-1 et seq., The Local Source, Union, New Jersey, and The Star Ledger, Newark, New Jersey, as its official newspapers; and,

BE IT FURTHER RESOLVED, that the Borough of Roselle Park hereby designates for purposes of the “Open Public Meetings Law”, R.S. 10:4-8 et seq., The Local Source, Union, New Jersey, and The Star Ledger, Newark, New Jersey, as the newspapers to receive notices of all public meetings held in the Borough of Roselle Park; and,

BE IT FURTHER RESOLVED that Tap into Roselle/Roselle Park be and hereby is designated as the official electronic news source for which notices and other matters are to be provided under the Open Public Meetings Act.

RESOLUTION NO. 43-19

BE IT RESOLVED that the following individuals be appointed as schedulers, door/hall persons, referees, and score/time keepers for the 2019 Roselle Park Recreation Basketball League:

Certified Referees (at the rate of \$35.00 per game)

Edward Jackus	462 Liderwood Avenue, Elizabeth, New Jersey 07202
Jim Killeen	1415 Clover Lane, Scotch Plains, New Jersey 07076
Keith Johnson	1457 Orchard Terrace, Hillside, New Jersey 07205
Brooklyn Smith	408 Ripley Court, Piscataway, New Jersey 08854
William Keyes	67 Montrose Avenue, Fanwood, New Jersey 07023
Joe DiProfio	371 Carolina Street, Clark, New Jersey 07066
Todd Kraft	69 Pitney Avenue, New Providence, New Jersey 07974
Gary Kowaleski	140 Belmar Terrace, Westfield, New Jersey 07090
James C. Eicher	273 Appletree Lane, Mountainside, New Jersey 07092
Rashan Sampson	620 Jackson Avenue, Linden, New Jersey 07036

Score Keeper/Time Keeper (at the rate of \$15.00 per game)

Thomas Schwarz	117 Avon Street, Roselle Park, New Jersey 07204
John Almeida	428 Faitoute Avenue, Roselle Park, New Jersey 07204

Scheduler (at the rate of \$450.00 flat fee)

Tony Chodan	57 Galloping Hill Road, Elizabeth, New Jersey 07208
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RESOLUTION NO. 44-19

WHEREAS, the Borough Clerk is in receipt of a letter of resignation from Anna Picarelli-Elichko from the positions of Control Person, Zoning Clerk, and part-time Clerk of the Municipal Land Use Board.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that it hereby accepts the resignation of Anna Picarelli-Elichko from the positions of Control Person, Zoning Clerk, and part-time Clerk of the Municipal Land Use Board effective January 25, 2019.

RESOLUTION NO. 45-19

WHEREAS, A.A. Auto Body, 400 Trinity Place, Elizabeth, New Jersey 07201, submitted an application in full conformity with the Borough's specifications for towing licenses; and,

WHEREAS, the Police Chief has reviewed and approved said A.A. Auto Body to perform towing in the Borough of Roselle Park.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that A.A. Auto Body of 400 Trinity Place, Elizabeth, New Jersey 07201 is hereby authorized to perform towing services in the Borough of Roselle Park pursuant to N.J.S.A. 40A:11-5(u) on a monthly rotating basis consistent with Section 4-19.7 of the Code of the Borough of Roselle Park; and,

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to issue a license for towing services, contingent on full payment for license, for a period of two (2) years pursuant to Section 4-19.6 of the Code of the Borough of Roselle Park, effective immediately, to A.A. Auto Body, 400 Trinity Place, Elizabeth, New Jersey 07201.

RESOLUTION NO. 46-19

WHEREAS, the position of Municipal Land Use Board Clerk shall become vacant as of January 26, 2019; and,

WHEREAS, the governing body would like to ensure the effective continuation of operations through such time as a permanent replacement is found for the aforementioned 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 Madeline Colandro, Registrar of Vital Statistics of the Borough of Roselle Park, be and hereby appointed to the position of Acting Municipal Land Use Board Clerk with a salary of \$2,521.01 per annum effective January 26, 2019 and until such a time as a permanent replacement is appointed.

RESOLUTION NO. 47-19

WHEREAS, Councilman Robert A. Mathieu was appointed as Council Liaison to the Roselle Park Arts Committee pursuant to Section 2-40.1d of the Code of the Borough of Roselle Park at a Special Meeting of Mayor and Council on January 3, 2019; and,

WHEREAS, Councilman Robert A. Mathieu wishes to resign from said position.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey do hereby accept the resignation of Councilman Robert A. Mathieu as Council Liaison to the Roselle Park Arts Committee effective immediately.

RESOLUTION NO. 48-19

WHEREAS, a vacancy currently exists in the position of Council Liaison to the Roselle Park Arts Committee; and,

WHEREAS, such vacancy carries a term set to expire December 31, 2019 and shall be filled pursuant to Section 2-40.1d of the Code of the Borough of Roselle Park.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey do hereby appoint _____ as Council Liaison to the Roselle Park Arts Committee effective immediately for a term set to expire December 31, 2019.

RESOLUTION NO. 49-19

WHEREAS, Paul Devito was hired as an Apprentice Operator within the Roselle Park Department of Public Works effective September 25, 2017; and,

WHEREAS, the Superintendent of Public Works has certified to the aforementioned employee's technical proficiency and qualifications for the role of Equipment Operator within the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Paul Devito be and hereby is promoted to the position of Equipment Operator within the Department of Public Works with a prorated salary of \$70,349.38 per annum effective January 14, 2019, as set forth by Borough Ordinance

and the collective bargaining agreement between the Borough of Roselle Park and Roselle Park Department of Public Works employees (Local 2326).

RESOLUTION NO. 50-19

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Borough of Roselle Park wishes to apply for funding of approximately \$60,000.00 with a match of \$257,418.00 for an approximate project total cost of \$317,418.00 for a project under the State of New Jersey Safe and Secure Communities Program; and

WHEREAS, the Borough of Roselle Park has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of Roselle Park, for the purpose described in the application;

THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that:

1. As a matter of public policy the Borough of Roselle Park wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Borough of Roselle Park.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute any/all necessary documents for the purpose of the application.

RESOLUTION NO. 51-19

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, on October 18, 2018, the Borough Council directed 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)*; and,

WHEREAS, on November 5, 2018 the Land Use Board reviewed the Redevelopment Plan and adopted Resolution #2018-009 recommending the adoption of the Redevelopment Plan pursuant to *N.J.S.A. 40A:12A-7e*, subject to certain recommendations, to wit: 1) omit automatic permitted shared parking in Section 3 of the Redevelopment Plan ("LUB Recommendation 1"); 2) provide clarity as to the responsibility for maintenance of the lighting within the Redevelopment Area provided for in Section 4 of the Redevelopment Plan ("LUB Recommendation 2"); 3) if appropriate, add language to the Redevelopment Plan addressing affordable housing ("LUB Recommendation 3"); and 4) confirm accurate use of "shall", "should" and "strongly encouraged" in the Redevelopment Plan ("LUB Recommendation 4" and together with LUB Recommendation 1, LUB Recommendation 2, and LUB Recommendation 3, the "LUB Recommendations"); and,

WHEREAS, on December 6, 2018 the Borough Council considered 1) LUB Recommendation 1 as set forth in proposed Resolution #346-18; 2) LUB Recommendation 2 as set forth in proposed Resolution # 347-18; 3) LUB Recommendation 3 as set forth in proposed Resolution #348-18; and 4) LUB Recommendation 4 as set forth in proposed Resolution #349-18; and,

WHEREAS, in accordance with *N.J.S.A. 40A:12A-7(e)*, the Borough Council adopted Resolution #346-18 accepting LUB Recommendation 1 and directed the Land Use Board to review and provide clarification of LUB Recommendations 2-4; and,

WHEREAS, on December 10, 2018, the Land Use Board provided clarification for LUB Recommendations 2-4; and,

WHEREAS, on December 20, 2018, the Borough Council reviewed the clarifications and recommendations from the Land Use Board regarding LUB Recommendations 2-4 and adopted (i) Resolution 347-18 recommending the Redevelopment Plan provide more clarity as to who maintains the lighting at the Redevelopment Area; (ii) Resolution 348-18 recommending that Section 3Ba9 be revised to reflect that three bedroom units may be permitted for affordable housing units; and (iii) Resolution 349-18 recommending that Section 3, Note 3 be revised to reflect that the required passive recreation areas may include certain outdoor amenities as set forth in the Redevelopment Plan; and,

WHEREAS, at the meetings on December 20, 2018 and January 17, 2019, the Borough Council determined that certain additional revisions to the Redevelopment Plan are necessary and, in accordance with *N.J.S.A. 40A:12A-7(e)*, directs the Land Use Board to review the revised Redevelopment Plan and transmit its recommendations relating to the Redevelopment Plan to the Borough Council.

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. 52-19

WHEREAS, the Honorable Gary Bundy, Municipal Court Judge of the Borough of Roselle Park Municipal Court, has informed the governing body of three (3) outstanding cases that span the course

WHEREAS, due to the complexity of the cases, and prior involvement with case testimony, law enforcement officers, legal counsel, and litigants, Judge Bundy has requested the governing body's explicit acknowledgement of the use of a Special Prosecutor for the reasonable and practical continuation and culmination of such cases; and,

WHEREAS, such cases are particularly defined as State v. Anderson, State v. Grano, and State v. Lima.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that there is hereby collective agreement with the recommendation of Judge Bundy to the extent that Richard D. Huxford, Esq. be and hereby is acknowledged as Special Prosecutor in connection with the above mentioned cases pending before the Roselle Park Municipal Court; and,

BE IT FURTHER RESOLVED that payment for all services rendered in connection with the above caption matters shall be paid for through disbursements from the Alcohol Education and Rehabilitation Grant Fund, and that the foregoing action shall not require any further certification as to the availability of funds.