

**REGULAR MEETING – AUGUST 15, 2019**

**GIRL SCOUTS SITTING FOR MAYOR AND COUNCIL**

**READ PUBLIC MEETINGS LAW ARTICLE**

**ROLL CALL**

**MOMENT OF SILENCE/PRAAYER**

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS**

1. A request from the residents of the 400 Block of Bender Avenue to hold a Block Party on Saturday, August 31, 2019 from 12:00 p.m. until 10:00 p.m., with a rain date of Sunday, September 1, 2019.
2. A request from Ed Fahoury to utilize Aldene Park for a “campaign event” / basketball clinic on Wednesday, August 28, 2019 from 5:00 p.m. until 8:00 p.m. (subject to JIF insurance and indemnification requirements).
3. A request from the Potter House to host a 3-on-3 basketball tournament at the Aldene Park basketball courts and utilize a single small barbeque grill on Saturday, August 31, 2019 from 2:00 p.m. until 6:00 p.m. (subject to insurance and indemnification requirements; and recommendations of the Chief of Police).
4. A request from the residents of the 300 Block of Sheridan Avenue to hold a Block Party on Saturday, August 24, 2019 from 12:00 p.m. until 10:00 p.m., with a rain date of Sunday, August 25, 2019.
5. A request from the residents of the 600 Block of Ashwood Avenue to hold a Block Party on Saturday, August 31, 2019 from 12:00 p.m. until 10:00 p.m., with a rain date of Sunday, September 1, 2019.

**PROCLAMATIONS & PRESENTATIONS**

1. Business of the Month: Park Veterinary Group
2. Recognition: Aiden Gorombey Kelly - NJ Roadrunner Basketball Team Achievements

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

1. Special Meeting Minutes of June 6, 2019

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

**PUBLIC PORTION (Time Limit 4 Minutes Limited to Agenda Items Only)**

**ORDINANCES FOR 2<sup>ND</sup> READING**

ORD. No. 2581      AN ORDINANCE AMENDING CHAPTER XIII, SECTION 13-1.15 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED “CLEAN COMMUNITIES COORDINATOR”

ORD. No. 2582      AN ORDINANCE AMENDING CHAPTER XIX, SECTION 19-4.2 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED “PROHIBITED DISPOSAL BY OWNER OR OCCUPANT”

ORD. No. 2583 AN ORDINANCE AMENDING CHAPTER III, SECTION 3-7 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED "LITTERING AND DUMPING; RECEPTACLES REQUIRED"

**ORDINANCES FOR INTRODUCTION**

ORD. No. 2584 AN ORDINANCE ABOLISHING CHAPTER II, SECTION 2-14, "ECONOMIC DEVELOPMENT DIRECTOR," AND SECTION 2-28, "DEPARTMENT OF ECONOMIC DEVELOPMENT," OF THE CODE OF THE BOROUGH OF ROSELLE PARK

ORD. No. 2585 AN ORDINANCE AMENDING CHAPTER II, SECTION 2-21 OF THE CODE OF THE BOROUGH OF ROSELLE PARK TO BE ENTITLED, "VETERANS' RESOURCE DIRECTOR"

ORD. No. 2586 AN ORDINANCE AMENDING CHAPTER XXXIII, SECTION 23-1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED "EXCAVATIONS IN STREETS"

**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:**

- \* **#227-19** – Requesting Permission for the Dedication by Rider for Uniform Fire Safety Act Penalty Moneys Trust Fund by N.J.S. 52:27D-192 et seq.
- \* **#228-19** – Authorizing Settlement of the 2016, 2017 and 2018 Tax Appeals Entitled "James & Katherine Gyllenborg v. Borough of Roselle Park, Docket Numbers 011347-2016, 010216-2017 and 009489-2018, Block 1004, Lot 22," Commonly Known as 509 East Lincoln Avenue
- \* **#229-19** – Authorizing Settlement of the 2016, 2017, 2018 and 2019 Tax Appeals Entitled "Jakimowicz Partners, LP v. Borough of Roselle Park, Docket Numbers 000765-2016, 000929-2017, 005786-2018, and 001967-2019, Block 911, Lot 29," Commonly Known as 117 East Westfield Avenue
- \* **#230-19** – Approving a Five Year Tax Abatement for 508 Sherman Avenue, Block 1005, Lot 14

- \* **#231-19** – Accepting In-Kind / Material Donations with an Estimated Value of Not More than \$200.00 to the Roselle Park Environmental Commission for Furthering Operations of the Municipal Environmental Garden
- \* **#232-19** – Authorizing the Treasurer to Issue One (1) Check Totaling \$1,276.42 Payable to One (1) Lien Holder on One (1) Property and One (1) Check Totaling \$1,200.00 from the Tax Collector’s Premium Account
- \* **#233-19** – Authorizing Close Out of the Contract with Chiarmonite Roofing & General Contractors for the Project: Roselle Park Home Improvement Program Case No. RP-35, Block 114, Lot 5 (546 Pinewood Avenue)
- \* **#234-19** – Authorizing the Purchase of Two (2) 2020 Ford Interceptor Utility Vehicles to be Assigned to the Fire Department from Beyer Ford Under the Terms of the Cranford Cooperative Pricing System, System Identifier #47-CPCPS, Item #2 in the Total Amount of \$62,514.00
- \* **#235-19** – Authorizing Application for the 2019 Greening Union County Grant
- \* **#236-19** – Authorizing Application for the 2019 Union County Kids Recreation Trust Fund Grant
- \* **#237-19** – Authorizing a Special Need Waiver for Roselle Park Housing Rehabilitation Program Case No. RP-39-2, Block 904, Lot 27, Commonly Known as 148 Camden Street
- \* **#238-19** – Authorizing Change Order #1 to A3 Contracting, LLC for the Project “Roselle Park Housing Rehabilitation Program Case No. RP-39-2” in the Amount of a \$4,650.00 increase (16.04%) to Reflect a Total Contract Amount of \$33,635.00
- \* **#239-19** – Granting Permission to Roselle Park Youth Football to Operate a Social Affair Permit Granted by the New Jersey Division of Alcoholic Beverage Control in Michael J. Mauri Park as Part of the Borough of Roselle Park’s 2019 Oktoberfest Celebration
- \* **#240-19** – Approving a Five Year Tax Abatement for 602 Maplewood Avenue, Block 107, Lot 21
- \* **#241-19** – Authorizing Change Order #1 to Cifelli & Son General Contracting, Inc., for the Project “West Clay Avenue Improvements” (Faitoute Avenue to Grant Avenue) in the Amount of a \$240.77 Decrease (0.05%) to Reflect a Total Contract Amount of \$482,969.98
- \* **#242-19** – Authorizing Close Out of the Contract with Cifelli & Son General Contracting, Inc. for the Project “West Clay Avenue Improvements” (Faitoute Avenue to Grant

Avenue)

**REPORTS OF DEPARTMENTS (Time Limit 3 Minutes)**

Written Reports Received:

1. Court Administrator's Report for June 2019
2. EMS Report for June 2019
3. Construction Official's Report for July 2019
4. Fire Chief's Report for June 2019
5. EMS Report for July 2019
6. Court Administrator's Report for July 2019
7. Community Center Director's Report for July - August 2019
8. Borough Clerk's Report for July 2019
9. DPW Superintendent's Report for July 2019

**REPORTS OF BOROUGH COUNCIL / COMMITTEES (Time Limit 7 Minutes)**

**REPORT OF THE MAYOR AND MAYORAL APPOINTMENTS (Time Limit 7 Minutes)**

1. Appointing Sarah Mack of 121 East Clay Avenue, Roselle Park, NJ 07204 as Alternate No. 2 of the Roselle Park Environmental Commission to fill a currently vacant position with a term set to expire on December 31, 2020.
2. Appointing Kristy May Chatelain of 112 Berwyn Street, Roselle Park, NJ 07204 as a member of the Roselle Parks Arts Committee to fill the unexpired term of Jensyn Modero set to expire December 31, 2019.

**PUBLIC PORTION (Time Limit 3 Minutes On Any Subject)**

**EXECUTIVE (CLOSED) SESSION**

- Personnel Matter(s) - Step 3 DPW Grievance Meetings

**ADJOURNMENT**

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL  
WILL BE HELD ON SEPTEMBER 5, 2019**

## ORDINANCES FOR SECOND READING

ORDINANCE NO. 2581

AN ORDINANCE AMENDING CHAPTER XIII, SECTION 13-1.15 OF THE  
CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED "CLEAN  
COMMUNITIES COORDINATOR"

WHEREAS, the Borough of Roselle Park (the "Borough") currently participates in the New Jersey Clean Communities program, a statewide litter-abatement program established by the Clean Communities Act of 1986, in an effort to improve local quality of life; and,

WHEREAS, participation in the aforementioned program is organized and managed by the Borough's Clean Communities Coordinator; and,

WHEREAS, the governing body of the Borough is desirous of establishing a term of appointment for the Clean Communities Coordinator position.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter XIII, Section 13-1.15 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Section Title

13-1.14 Clean Communities Coordinator.

SECTION 2. Position Structure

a. *Position ~~Established~~Created; Compensation.* There is hereby created the ~~office~~position of Clean Communities Coordinator, ~~who shall serve at the pleasure of the Mayor and Council.~~ **Compensation shall be established in the Salary Ordinance.**

b. ~~Salary.~~ ~~The Clean Communities Coordinator shall receive an annual salary as established in the Salary Ordinance.~~

b. *Manner of Payment.* See Section 13-6.

c. *Manner of Appointment; Term.* **The Clean Communities Coordinator shall be appointed by the Mayor subject to the advice and consent of the Council. The duration of term shall be for two (2) years. The term of the Clean Communities Coordinator at the time of this Ordinance's effective date shall expire on December 31, 2019.**

SECTION 3. 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 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. Likewise, all strike through text should be considered a deletion, and all bolded text should be considered an addition.

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.

ORDINANCE NO. 2582

AN ORDINANCE AMENDING CHAPTER XIX, SECTION 19-4.2  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED  
“PROHIBITED DISPOSAL BY OWNER OR OCCUPANT”

WHEREAS, it is the intention of Borough of Roselle Park (the “Borough”) to preclude the use of municipally owned litter receptacles, staged at strategic locations along streets, sidewalks, other public lands, and public rights of way, as a means of disposing household garbage similar materials not suited for such containers; and,

WHEREAS, the governing body of the Borough is desirous of amending and thereby clarifying the Borough Code so as to reflect the aforesaid intentions.

NOW, THEREFORE, 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 19-4.2 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Section Title

19-4.2 Prohibited Disposal by Owner of Occupant

SECTION 2. General Provisions of Section

a. Subject to the provisions of the following paragraph b, it shall be unlawful for any owner, lessee or occupant of any lot or land to dump or deposit or permit to be dumped or deposited thereon, or allow to accumulate thereon and fail to remove within five (5) days after service of notice hereinafter provided for in subsection 19-4.5 any barrels, boxes, cans, containers or other debris; or any obnoxious growth, filth, garbage, discarded building materials, sewage or trash.

~~b. All owners, lessees or occupants of land within the Special Improvement District (SID) as defined in Chapter XXXIV of the Revised General Ordinances shall remove all discarded papers, containers, refuse, litter or debris deposited upon the sidewalk and eighteen (18) inches into paved street in front of the premises, within two (2) hours of the material having been deposited on the land, during the time period between 9:00 a.m. and 9:00 p.m. and no later than 10:00 a.m. of the following day for the material having been deposited during the time period between 9:00 p.m. and 9:00 a.m.~~

**eb.** It shall be unlawful for any individual to use Borough ~~supplied~~ **owned** litter baskets and/or containers to dispose of any material (including but not limited to household garbage, building materials, sewage, toxic liquids or waste, etc.) other than sidewalk litter. For the sake of this section, the term "sidewalk litter" shall include candy wrappers; cigarette wrappers; empty beverage containers (cans, plastic or glass bottles); used newspapers, etc.

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. Likewise, all strike through text should be considered a deletion, and all bolded text should be considered an addition.

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.



ORDINANCE NO. 2583

AN ORDINANCE AMENDING CHAPTER III, SECTION 3-7  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED  
“LITTERING AND DUMPING; RECEPTACLES REQUIRED”

WHEREAS, it is the intention of Borough of Roselle Park (the “Borough”) to preclude the use of municipally owned litter receptacles, staged at strategic locations along streets, sidewalks, other public lands, and public rights of way, as a means of disposing household garbage similar materials not suited for such containers; and,

WHEREAS, the governing body of the Borough is desirous of amending and thereby clarifying the Borough Code so as to reflect the aforesaid intentions.

NOW, THEREFORE, 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 3-7 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Section Title

3-7 LITTERING AND DUMPING; RECEPTACLES REQUIRED.

SECTION 2. Definition of Terms

3-7.1 Definitions.

As used in this section:

*Litter* shall mean any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper or other natural or synthetic material, or any combination thereof, including but not limited to any bottle, jar or can or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material, or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

*Litter Receptacle* shall mean a container suitable for the depositing of litter.

SECTION 3. Prohibitions

3-7.2 Littering Prohibited

It shall be unlawful for any person to throw, drop, discard or otherwise place litter of any nature upon any public or private property, other than in a litter receptacle.

SECTION 4. Receptacles

3-7.3 Litter Receptacles.

a. *Required in Public Places.* Litter receptacles and their servicing are required at the following public places which exist in the Borough, including sidewalks used by pedestrians in active retail commercially zoned areas, such that at a minimum there shall be no single linear ~~quarter~~<sup>quarter</sup>~~tenth~~-mile without a receptacle; buildings held out for use by the public, including schools, government buildings and railroad and bus stations; parks; drive-in restaurants; all street vendor locations; self-service refreshment areas; construction sites; gasoline service stations island; shopping centers; parking lots; and at special events to which the public is invited, including sporting events, parades, carnivals, circuses and festivals. The proprietors of these places or the sponsors of these events shall be responsible for providing and servicing the receptacles such that adequate containerization is available.

SECTION 5. Use of Receptacles

**3-7.4 Use of Public Litter Receptacles.**

**It shall be unlawful for any individual to use Borough owned litter baskets and/or containers to dispose of any material (including but not limited to household garbage, building materials, sewage, toxic liquids or waste, etc.) other than sidewalk litter. For the sake of this section, the term "sidewalk litter" shall include candy wrappers; cigarette wrappers; empty beverage containers (cans, plastic or glass bottles); used newspapers, etc.**

SECTION 6. Construction Sites

3-7.45 Receptacles Required at Construction Sites.

It shall be unlawful for any owner in charge of a construction or demolition site to permit the accumulation of litter before, during or after completion of any construction or demolition project. It shall be the duty of the owner in charge of a construction site to furnish containers adequate to accommodate flyable or nonflyable debris or trash at areas convenient to construction areas and to maintain and empty the receptacles in such manner and with such a frequency as to prevent spillage of refuse.

SECTION 7. Uncared-for Disposal Bins

3-7.56 Open or Overflowing Waste Disposal Bins

It shall be unlawful for any residential or commercial property owner to permit open or overflowing waste disposal bins on his or her property.

SECTION 8. Responsible Parties

3-7.67 Responsibility to Keep Premises Free from Litter; Sweeping of Sidewalks.

It shall be the duty of the owner, lessee, tenant, occupant or person in charge of any structure to keep and cause to be kept the sidewalk and curb abutting the building or structure free from obstruction or nuisances of every kind and to keep sidewalks, areaways, backyards, courts and alleys free from litter and other offensive material. No person shall sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway.

Every person who owns or occupies property shall keep the sidewalk in front of his or her premises free of litter. All sweepings shall be collected and properly containerized for disposal.

SECTION 9. Illegal Dumping

3-7.78 Illegal Dumping.

It shall be unlawful for any person to discard or dump solid waste, waste, rubbish, refuse, or junk along any street, road, public right-of-way, or privately owned property. This prohibition shall not apply to the area immediately in front of the premises, or the location otherwise practical or designated for solid waste collection purposes, owned or rented by the person discarding or dumping materials. It shall be unlawful for any person not primarily residing in Roselle Park to dump or discard any solid waste, as described above, anywhere within the municipal boundaries of the Borough.

a. *Deposits Regulated.* Throwing or depositing tin cans, bottles, vegetable refuse or rubbish of any kind into the streets, open lots, stream courses or places in this Borough is hereby forbidden and is hereby declared to be a nuisance. The deposit of leaves in accordance with the municipal standards outlined in Section 28-1 et seq. of the Borough Code is not a violation of this section.

b. *Prohibited Deposits.* The depositing, throwing, spilling or dumping of dirt, ashes or other material upon any street or portion thereof, or causing, allowing or permitting the same to be done, is hereby prohibited.

c. *Burning Refuse.* The burning of leaves or refuse or the making of fires of any kind upon any street is forbidden and prohibited.

SECTION 10. Storage

3-7.89 Storage Regulations.

a. *Storage of Bulky Waste.* It shall be unlawful for any residential property owner to store or permit storage of any bulky household waste, including household appliances, furniture and mattresses, in areas zoned residential, except in a fully enclosed structure or during days designated for the collection of bulky items.

b. *Storage of Tires.* It shall be unlawful for any residential property owner to store or permit the storage of tires in areas zoned residential, except in a fully enclosed structure or on days designated for the collection of tires.

SECTION 11. Violations and Penalties

3-7.910 Violations and Penalties.

~~Each separate violation of any provision set forth herein, upon conviction, shall be liable for the penalty stated in Chapter I, Section 1-5 and shall be subject to a minimum fine of one thousand (\$1,000.00) dollars. Each and every day shall constitute a separate offense.~~

**Any person, corporation, agent, servant or employee violating any provision of this section shall be punished by a fine of not less than fifty (\$50.00) dollars or more than one thousand (\$1000.00) dollars, or by imprisonment for a period not to exceed ninety (90) days, or both.**

SECTION 12. Enforcement Authority

~~3-7.4011~~ Enforcement

Enforcement of this section may be by any Code Enforcement Officer, any member of the Police Force or its auxiliaries.

SECTION 13. 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 14. Inconsistent Ordinances Repealed.

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

SECTION 15. 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. Likewise, all strike through text should be considered a deletion, and all bolded text should be considered an addition.

SECTION 16. 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. 2584

AN ORDINANCE ABOLISHING CHAPTER II, SECTION 2-14, "ECONOMIC DEVELOPMENT DIRECTOR," AND SECTION 2-28, "DEPARTMENT OF ECONOMIC DEVELOPMENT," OF THE CODE OF THE BOROUGH OF ROSELLE PARK

WHEREAS, the Borough of Roselle Park (the "Borough") currently operates with a Department of Economic Development (the "Department") inclusive of personnel and operating costs; and,

WHEREAS, for reasons of economic efficiency the Borough wishes to abolish the Department which will include personnel.

NOW, THEREFORE, 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, Sections 2-14 and 2-28 of the Code of the Borough of Roselle Park be and hereby are amended as follows:

#### SECTION 1. Abolishment of Personnel Positions

~~2-14~~ — ~~ECONOMIC DEVELOPMENT DIRECTOR.~~ **RESERVED.**

~~2-14.1~~ — ~~Position Created.~~

~~There is hereby created the position of Economic Development Director.~~

~~2-14.2~~ — ~~Appointment and Term.~~

~~The position of Economic Development Director shall be appointed by the Mayor with the advice and consent of the Borough Council. Such individual shall serve for a term as contractually agreed between the Borough of Roselle Park and the appointee.~~

~~2-14.3~~ — ~~Compensation.~~

~~The Economic Development Director shall receive such salary as may be established within the guides of the prevailing Salary Ordinance of the Borough.~~

~~2-14.4~~ — ~~Qualifications.~~

~~The Economic Development Director shall be appointed on the basis of executive and administrative abilities and qualifications.~~

~~2-14.5 — Duties and Responsibilities.~~

- ~~a. — Generally and regularly assist current and prospective businesses communicate and interact with the Borough government to promote a business friendly environment;~~
- ~~b. — Identify existing businesses seeking to expand and assist in furthering their goal;~~
- ~~c. — Identify prospective businesses seeking to locate to the area and market Roselle Park as a viable business opportunity;~~
- ~~d. — Assist businesses in the permitting process, including, but not limited to, health, building, and zoning;~~
- ~~e. — Assist in the redevelopment process with the objective of securing new commercial or mixed-use spaces;~~
- ~~f. — Market the local business community to interested developers, customers, and investors;~~
- ~~g. — Maintain a running list of commercial and retail locations available for rent or purchase;~~
- ~~h. — Research grants and programs available for business improvements;~~
- ~~i. — Create networking opportunities for realtors, developers and chambers of commerce;~~
- ~~j. — Create welcome and educational materials for the local business community;~~
- ~~k. — Periodically host workshops and gatherings on various commerce-related topics for the benefit of the local business community;~~
- ~~l. — Regularly monitor and report on the conditions of the local business community to the Mayor and Council as a whole;~~
- ~~m. — Make recommendations to the Mayor and Council as to how to improve processes of the Borough to gain efficiencies;~~
- ~~n. — Perform such other duties as may be assigned to them by the Mayor and Council.~~

SECTION 2. Abolishment of Department

~~2-28 — DEPARTMENT OF ECONOMIC DEVELOPMENT. RESERVED.~~

~~2-28.1 — Department Created.~~

~~There is hereby created the Department of Economic Development. The head of the Department shall be known as the Economic Development Director.~~

~~2-28.2 — Duties of the Department Head.~~

~~The Economic Development Director, as head of the Department of Economic Development, shall have such duties and responsibilities as established and set forth in subsection 2-14.5 of the Borough Code.~~

~~2-28.3 — Duties of the Department.~~

~~The Department of Economic Development shall serve as the premier professionalized function of the Borough government that interacts with and promotes the local business community. The general objectives of the Department shall be to assist and promote existing local businesses, attract prospective businesses, and promote the ideas of sustainable and innovative commercial growth within the local community.~~

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. Likewise, all strike through text should be considered a deletion, and all bolded text should be considered an addition.

SECTION 6. Effective Date.

This amendment to the Code of the Borough of Roselle Park shall become effective on December 1, 2019 and as otherwise in accordance with law. The layoff of any and all affected personnel will likewise be understood to be effective December 1, 2019.

ORDINANCE NO. 2585

AN ORDINANCE AMENDING CHAPTER II, SECTION 2-21  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK  
TO BE ENTITLED, "VETERANS' RESOURCE DIRECTOR"

WHEREAS, it is the intention of Borough of Roselle Park (the "Borough") to assist in providing and facilitating the direction of valuable resources to honored veterans of the United States military.

NOW, THEREFORE, 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, Section 2-21 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Section Title

2-21 ~~RESERVED.~~ **VETERANS' RESOURCE DIRECTOR**

SECTION 2. Establishment of Position

**2-21.1 Position Created.**

**There is hereby created the position of Veterans' Resource Director within the Borough of Roselle Park.**

SECTION 3. Method of Appointment and Term of Office

**2-21.2 Appointment and Term.**

**The position of Veterans' Resource Director shall be appointed by the Mayor. The duration of term shall be for two (2) years.**

SECTION 4. Compensation and Reimbursement

**2-21.3 Compensation.**

**The Veterans' Resource Director shall serve without compensation, but the governing body may annually appropriate such funds as may be necessary to reimburse this officer for expenses incurred in the performance of the duties and responsibilities hereinafter set forth in this Section.**

SECTION 5. Responsibilities of Position

**2-21.4 Duties and Responsibilities.**



- a. **Work cooperatively with representatives of the County of Union, State of New Jersey, and United States federal government, any applicable subdivisions thereof, and any charitable organizations, to gather and share information about resources for military veterans including, but in no way limited to: employment opportunities, housing opportunities, and healthcare resources.**
- b. **Facilitate and schedule resource and assistance workshops for local military veterans.**
- c. **Conduct outreach to local military veterans who reside within the Borough of Roselle Park to gauge their needs, share information about quality of life resources, and facilitate such resources where and when applicable and appropriate.**
- d. **Work cooperatively with the Mayor and Council, Borough Departments, personnel, and contracted professionals to ensure the effective outreach to local military veterans.**
- e. **Seek, and secure when possible, grant funding in the name of the Borough of Roselle Park to further the objective of veteran outreach and assistance.**
- f. **Perform such other duties as may be assigned to them by the Mayor and Council.**

SECTION 6. 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 7. Inconsistent Ordinances Repealed.

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

SECTION 8. 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. Likewise, all strike through text should be considered a deletion, and all bolded text should be considered an addition.

SECTION 9. 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. 2586

AN ORDINANCE AMENDING CHAPTER XXXIII, SECTION 23-1  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED  
“EXCAVATIONS IN STREETS”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter XXXIII, Section 23-1 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Repeal of Existing Code

All existing provisions of Section 23-1 of the Code of the Borough of Roselle Park are hereby repealed in their entirety to be replaced, and the Code otherwise supplemented, with the foregoing regulation.

SECTION 2. Section Title

**23-1 EXCAVATION IN STREETS.**

SECTION 3. Permission

**23-1.1 Permit Required.**

**It shall be unlawful to excavate, dig in, tunnel or open any public street in the Borough of Roselle Park for any purpose without a permit being first secured from the Borough Public Works Superintendent or authorized agent and except upon compliance with the provisions of this article. "Street," for the purpose of this article, shall mean any road, thoroughfare, highway, public way, public alley, easement or other right-of-way accepted or maintained by the Borough as a public street, as well as any other state or county road or highway over which the Borough has acquired jurisdiction by agreement.**

SECTION 4. Permission Process

**23-1.2 Permit Application Procedure.**

**Any person, firm, or corporation desiring a permit for the opening of a street or tunneling therein shall make application to the Borough of Roselle Park Public Works Superintendent or authorized agent, care of the Office of the Borough Clerk, setting forth the following information:**

- a. The name, mailing address, phone number, and e-mail address of the applicant.**

- b. The name, mailing address, phone number and emergency contact number for the workmen or construction contractor who is to perform work associated with roadway opening.
- c. A brief description of the character of the work to be conducted.
- d. The name of the street where the opening is to be made and the street number, if any, of the nearest adjacent property.
- e. The total area planned for excavation calculated in square feet where roadway surface is subject to work.
- f. The date when work is to be commenced and completed.
- g. A statement that the applicant agrees to replace, at its own cost and expense, in accordance with Borough specifications and details, the opening to, at a minimum, the same state and condition as they were at the time of the commencement of the work, and further agrees to comply with all other applicable Ordinances, regulations and laws relative to the work.
- h. A form agreement to indemnify and hold harmless the Borough from all loss, damage, claim or expense, including expenses incurred in the defense of any litigation arising out of injury to any person or property resulting from any work done by the applicant under the permit.
- i. The registration number from the underground utility location service "New Jersey One Call" (1-800-272-1000) indicating that they have been properly notified and will locate underground facilities in the area of the proposed opening or tunneling operation.
- j. If the applicant is proposing a sanitary sewer connection to a Borough-owned sanitary sewer, the applicant shall submit sanitary sewer connection details. The submittal shall include inverts elevations at the proposed connection and exiting the structure.
- k. Such other information as the Borough Public Works Superintendent or authorized agent may consider pertinent.

SECTION 5. Permitting Authority

**23-1.3 Authority to Grant or Deny Permit.**

The Borough of Roselle Park Public Works Superintendent or authorized agent is hereby authorized to refuse the issuance of any permit if such refusal is in the interest of public safety, public convenience or public health. If a permit is refused by the Borough of Roselle Park or authorized agent, an appeal may be taken to the governing body of the Borough. The governing body, after hearing the applicant and the Borough Public Works Superintendent or authorized agent and such

evidence as may be produced, may either direct the issuance of such permit or sustain the refusal of the Public Works Superintendent or authorized agent.

SECTION 6. Certain Approvals Contingent

**23-1.4 Contingent Approvals**

- a. Permits for openings on roadways which have been revitalized, reconstructed or otherwise resurfaced by the Borough of Roselle Park within five (5) years shall be granted with the understanding and contingent upon the applicant's agreement to repave the affected roadway curb-to-curb within the project limits at the direction of the Borough of Roselle Park. This provision shall not apply in an emergency as outlined in this Section.**
- b. Permits for openings on roadways which have been revitalized, reconstructed or otherwise resurfaced by the Borough of Roselle Park more than five (5) years prior to the commencement of work shall be granted with the understanding and contingent upon the applicant's agreement to repave one-half of the affected roadway within the project limits at the direction of the Borough of Roselle Park. This provision shall not apply in an emergency as outlined in this Section.**
  - i. Patch and small longitudinal trench restoration, completed with strict adherence to all conditions and regulations of this Section, included under this paragraph may be approved at and within the sole discretion of the Borough Public Works Superintendent or authorized agent.**

SECTION 7. Regulations

**23-1.5 Compliance with Regulations.**

**All permits issued under this Section shall require the applicant to comply with the following:**

- a. All excavations shall be kept properly barricaded at all times and, during the hours of darkness, shall be provided with the proper warning lights. The applicant shall provide such signs, controls, barricades, warning lights and personnel necessary for safe operation and compliance with the current edition of the New Jersey Department of Transportation Construction Specifications for Bridge and Roadway Construction, the current edition of the Manual on Uniform Traffic Control Devices, and all applicable federal and state laws.**
- b. All excavations or tunneling shall be sheeted, shored or braced in accordance with applicable safety codes and Occupational Safety and Health Administration (OSHA) standards.**
- c. All work shall be done in such a manner as to cause a minimum of interference with travel on the street affected. No street shall be closed to**

traffic unless the closing is approved by the Roselle Park Police Department. The Borough Public Works Department and the Police Department shall be notified of all street closings at least forty-eight (48) hours in advance, except where the work is of an emergency nature as defined by this Section, when notice shall be given to the Public Works Superintendent or authorized agent and Police Department when work commences.

- d. Longitudinal and transverse trenches must be sawcut in a neat straight line. The lines shall be parallel to the roadway centerline with square edges. If during construction the pavement edge is broken, the pavement shall be sawcut to provide a neat straight line.
- e. All refuse and material shall be removed as soon as possible, but within no more than twenty-four (24) hours.
- f. All excavations shall be completely backfilled with a ready-mixed flowable fill with a twenty-eight-day compressive strength of 1,200 psi to within six inches of the surface of the pavement for the hot mixed asphalt base course (four inches) and hot mix asphalt surface course (two inches).
- g. If tunneling operations are required the tunnel shall be backfilled with rammed concrete composed of one part cement to 10 parts sand.
- h. Wherever it is necessary to cross over, through or under existing bridged or culverts, plans must be submitted to the Borough of Roselle Park for reviewed by the Borough Engineer. Such plans shall outline, in detail, the proposed method of crossing such structures. Such plans are subject to final approval by the Borough Engineer.
- i. If blasting is required in the course of any excavation, it shall be done in strict compliance with all applicable state laws and regulations.
- j. Restoration of any street foundation or surface shall not commence until the Borough Public Works Superintendent or authorized agent or his designated representative has determined that the ready-mixed flowable fill has cured sufficiently for placement of asphalt courses.
- k. The finished pavement thickness shall match that of the existing roadway, but shall not be less than six inches thick. The typical pavement section shall consist of Hot Mix Asphalt Base Course, Mix I-2, four inches thick and Hot Mix Asphalt Surface Course, Mix I-5, two inches thick. For longitudinal trenches, the contractor shall, at a minimum, mill and resurface half of the roadway width from edge of pavement to center line of the road. Prior to placing the top course material, the base course and cold joints must be tack coated. Where openings have been made in a concrete roadway, the trench shall be excavated to the bottom of the concrete base course. The existing concrete base course shall be drilled and doweled and concrete base

course with a minimum twenty-eight-day compressive strength of 4,500 psi shall be installed to match the existing concrete thickness.

- l. The street surface shall be restored to the satisfaction of the Borough Public Works Superintendent or authorized agent. The surface pavement at the utility service connections shall be heated using infrared technology so that the mending of the old and new asphalt is achieved and joints are not visible.**
- m. All work, material, and equipment shall conform to the requirements of the current edition of the New Jersey Department of Transportation Construction Specifications for Bridge and Roadway Construction. The materials and work shall also be in accordance with applicable Township regulations, specifications, and details as deemed appropriate by the Borough Public Works Superintendent or authorized agent.**

**SECTION 8. Conditions**

**23-1.6 Conditions of All Permits.**

**The following conditions and regulations shall apply to all permits issued under this article:**

- a. A permit shall apply only to the person to whom it is issued and shall not be transferable.**
- b. A permit shall be granted on a per opening basis, where opening are contiguous in nature. Separate openings shall require separate permits regardless of their proximity to one another.**
- c. Work under a permit shall commence within thirty (30) days from the date of issuance of the permit, which shall be valid for thirty (30) days therefrom. If work is not commenced within that time, the permit shall automatically terminate, unless extended in writing by the Borough Public Works Superintendent or authorized agent.**
- d. A copy of the permit shall be kept in possession of the person actually performing the work and shall be exhibited on demand to any duly authorized representative or police officer of the Borough.**
- e. The Borough Public Works Superintendent or authorized agent may revoke a permit for any of the following reasons:**
  - i. Violation of any provision of this article or any other applicable rules, regulations, law or Ordinance.**
  - ii. Violation of any condition of the permit issued.**
  - iii. Carrying on work under the permit in a manner which endangers life or property, or which creates any condition which is unhealthy, unsanitary or a nuisance.**

- f. In special cases, the governing body of the Borough may, by Resolution, impose special conditions to which the issuance of a permit may be subject, or may decide that any provision of this Section shall not be applicable or may be modified.
- g. The Borough Public Works Superintendent or authorized agent may make any rules and regulations which he considers necessary for the administration and enforcement of this article, but no regulation shall be inconsistent with, alter or amend the intent of any provision of this article or impose any requirement which is in addition to those expressly or by implication imposed by this article. Copies of all current regulations shall be furnished each permittee at the time of the issuance of the permit.

**SECTION 9. Fees**

**23-1.7 Fees to Accompany Application**

- a. Prior to issuance of any permit pursuant to this Section, the applicant shall file an application for said permit at least forty-eight (48) hours prior to the expectation of the issuances of the same or the commencement of work and shall pay for said permit in accordance with the following schedule:

|                           |            |                 |
|---------------------------|------------|-----------------|
| <b>Application Fee(s)</b> | Normal     | <b>\$40.00</b>  |
|                           | Unreported | <b>\$120.00</b> |
|                           | Emergency  | <b>\$0.00</b>   |

|                      |  |                           |
|----------------------|--|---------------------------|
| <b>Permit Fee(s)</b> | Less Than or Equal to 25 sq. ft.         | <b>\$100.00</b>           |
|                      | Greater Than 25 and Less than 50 sq. ft. | <b>\$150.00</b>           |
|                      | Over 50 sq. ft.                          | <b>\$3.00 per sq. ft.</b> |

|                       |              |                |
|-----------------------|--------------|----------------|
| <b>Inspection Fee</b> | All Openings | <b>\$75.00</b> |
|-----------------------|--------------|----------------|

|                  |  |                   |
|------------------|--|-------------------|
| <b>Cash Bond</b> | Opening Less Than or Equal to 50 sq. ft. | <b>\$500.00</b>   |
|                  | Opening Greater Than 50 sq. ft.          | <b>\$1,000.00</b> |

- b. All application, permit and inspection fees are nonrefundable, and said application and permit, once issued, are valid for a period of one (1) year, assuming compliance with the provisions of this Section.
- c. All fees shall be waived for work done by the County of Union and State of New Jersey. Both entities shall be required to file an application prior to any work being done.
- d. In lieu of case-by-case bonds, public utilities shall be allowed to establish an escrow account with the Borough of Roselle Park for the required

cash bonds. A maximum of \$2,500.00 shall be deposited in this account, unless a single project requires the posting of a larger amount as determined by the Borough Public Works Superintendent or authorized agent, in their sole and professional discretion. The Borough of Roselle Park shall have the authority and right to use the escrow funds to restore or maintain the work covered by the permit if the applicant fails to do so within twenty-four (24) hours of notification by the Borough in instances of public safety of the traveling public.

- e. The provisions of above paragraph d. notwithstanding, one (1) year after permanent restoration is completed, the Borough Public Works Superintendent or authorized agent shall reinspect the work area. If the restoration is satisfactory, the cash bond shall be refunded. If additional restoration is required, the Borough shall notify the applicant of the additional work to be performed and will reinspect the restoration area again. One month after the corrective action, a refund shall then be made if restoration is satisfactory.

#### SECTION 10. Emergencies

##### **23-1.8 Definition of Emergency.**

For the purpose of this Section, an emergency shall be defined as an event or occurrence in which a sewer main, conduit or utility in or under any road breaks, bursts or otherwise is in such condition as to immediately endanger the property, life, health or safety of any individual. The person, company or utility owning or controlling such sewer, main, conduit or utility, without first applying for and obtaining a permit herein described, shall immediately take proper emergency measures to secure or remedy the dangerous conditions for the protection of property, life, health and safety of individuals. However, such person owning or controlling such a facility shall apply for an excavation permit not later than the end of the next succeeding day during which Borough offices are open for business, and shall not proceed with permanent repairs without first obtaining permit

#### SECTION 11. Violations and Penalties

##### **23-1.9 Violations and Penalties.**

Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine not exceeding one thousand (\$1,000.00) dollars or by imprisonment for a term not exceeding ninety (90) days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

#### SECTION 12. Enforcement Authority

##### **23-1.10 Enforcement Authority.**



**Those empowered to enforce the provisions of this Section shall be any officer of the Roselle Park Police Department, the Roselle Park Superintendent of Public Works or their authorized representative, or any officer of the Roselle Park Department of Code Enforcement.**

SECTION 13. 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 14. Inconsistent Ordinances Repealed.

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

SECTION 15. 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. Likewise, all strike through text should be considered a deletion, and all bolded text should be considered an addition.

SECTION 16. 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. 227-19**

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

WHEREAS, N.J.S. 52:27D-192 et seq. provides for receipt of funds Uniform Fire Safety Act Penalty Moneys by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Uniform Fire Safety Act Penalty Moneys Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Mayor and Council of the Borough of Roselle Park does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Uniform Fire Safety Act Penalty Moneys Trust Fund allowed by NJS 52:27D-192 et seq.
2. The Municipal Clerk of the Borough of Roselle Park, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION NO. 228-19**

WHEREAS, an appeal of the real property tax assessment for tax years 2016, 2017 & 2018, involving Block 1004, Lot 22 has been filed by the taxpayers, James & Katherine Gyllenborg; and,

WHEREAS, the Borough of Roselle Park desires to settle the tax appeal for the tax years 2016, 2017 and 2018, and the proposed settlement agreement has been reviewed and recommended by the Borough Special Tax Counsel, the Borough Appraiser and Tax Assessor; and,

WHEREAS, settlement of said matter as more fully set forth below is in the best interests of 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 tax appeal settlement for the property and tax years herein are hereby authorized as follows:

1. Settlement of the 2016, 2017 & 2018 tax appeals are hereby authorized as follows:  
509 East Lincoln Avenue

|                  |                   |                       |                       |
|------------------|-------------------|-----------------------|-----------------------|
| <u>Year 2016</u> | <u>Original</u>   | <u>County</u>         | <u>Requested Tax</u>  |
|                  | <u>Assessment</u> | <u>Board Judgment</u> | <u>Court Judgment</u> |

|                  |                            |                              |                                     |
|------------------|----------------------------|------------------------------|-------------------------------------|
| Land             | \$ 109,400                 | \$ 109,400                   |                                     |
| Improvements     | \$ 121,900                 | \$ 121,900                   | Withdrawn                           |
| Total            | \$ 231,300                 | \$ 231,300                   |                                     |
| <u>Year 2017</u> | <u>Original Assessment</u> | <u>County Board Judgment</u> | <u>Requested Tax Court Judgment</u> |
| Land             | \$ 109,400                 | \$ 109,400                   | \$ 109,400                          |
| Improvements     | \$ 121,900                 | \$ 121,900                   | \$ 105,600                          |
| Total            | \$ 231,300                 | \$ 231,300                   | \$ 215,000                          |
| <u>Year 2018</u> | <u>Original Assessment</u> | <u>County Board Judgment</u> | <u>Requested Tax Court Judgment</u> |
| Land             | \$ 109,400                 | \$ 109,400                   | \$ 109,400                          |
| Improvements     | \$ 121,900                 | \$ 121,900                   | \$ 105,600                          |
| Total            | \$ 231,300                 | \$ 231,300                   | \$ 215,000                          |

2. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property for the tax year 2019. The 2019 assessment shall be reduced to the level on the Tax Court Judgment for the 2018 tax year.

3. The Mayor, Borough Clerk and Special Tax Counsel are hereby authorized and directed to execute and deliver such agreements, pleadings, stipulations or other documentation as is reasonably necessary and/or appropriate to memorialize the settlement authorized herein.

RESOLUTION NO. 229-19

WHEREAS, appeals of the real property tax assessment for tax years 2016, 2017, 2018 and 2019, involving Block 911, Lot 29 has been filed by the taxpayers, Jakimowicz Partners, LP; and,

WHEREAS, the Borough of Roselle Park desires to settle the tax appeal for the tax years 2016, 2017, 2018 and 2019, and the proposed settlement agreement has been reviewed and recommended by the Borough Special Tax Counsel, the Borough Appraiser and Tax Assessor; and,

WHEREAS, settlement of said matter as more fully set forth below is in the best interests of 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 tax appeal settlement for the property and tax years herein are hereby authorized as follows:

1. Settlement of the 2016, 2017, 2018 and 2019 tax appeals are hereby authorized as follows:

117 East Westfield Avenue

|                  |                            |                              |                                     |
|------------------|----------------------------|------------------------------|-------------------------------------|
| <u>Year 2016</u> | <u>Original Assessment</u> | <u>County Board Judgment</u> | <u>Requested Tax Court Judgment</u> |
| Land             | \$ 1,110,000               | \$                           |                                     |
| Improvements     | \$ 1,754,000               | \$ N/A                       | Withdrawn                           |
| Total            | \$ 2,864,000               | \$                           |                                     |
| <u>Year 2017</u> | <u>Original Assessment</u> | <u>County Board Judgment</u> | <u>Requested Tax Court Judgment</u> |

|                  |                   |                       |                       |
|------------------|-------------------|-----------------------|-----------------------|
| Land             | \$ 1,110,000      | \$                    |                       |
| Improvements     | \$ 1,754,000      | \$                    | N/A                   |
| Total            | \$ 2,864,000      | \$                    | Withdrawn             |
| <br>             |                   |                       |                       |
| <u>Year 2018</u> | <u>Original</u>   | <u>County</u>         | <u>Requested Tax</u>  |
|                  | <u>Assessment</u> | <u>Board Judgment</u> | <u>Court Judgment</u> |
| Land             | \$ 1,110,000      | \$                    | \$ 1,110,000          |
| Improvements     | \$ 1,754,000      | \$                    | \$ 1,434,200          |
| Total            | \$ 2,864,000      | \$                    | \$ 2,544,200          |
| <br>             |                   |                       |                       |
| <u>Year 2019</u> | <u>Original</u>   | <u>County</u>         | <u>Requested Tax</u>  |
|                  | <u>Assessment</u> | <u>Board Judgment</u> | <u>Court Judgment</u> |
| Land             | \$ 1,110,000      | \$                    | \$ 1,110,000          |
| Improvements     | \$ 1,754,000      | \$                    | \$ 1,266,800          |
| Total            | \$ 2,864,000      | \$                    | \$ 2,376,800          |

2. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property for the tax year 2020. The 2020 assessment shall be reduced to the level on the Tax Court Judgment for the 2019 tax year.

3. The Mayor, Borough Clerk and Special Tax Counsel are hereby authorized and directed to execute and deliver such agreements, pleadings, stipulations or other documentation as is reasonably necessary and/or appropriate to memorialize the settlement authorized herein.

RESOLUTION NO. 230-19

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 |
|-----------------------|--|-------|-----|
| Joseph Signorello III | 508 Sherman Avenue, Roselle Park, New Jersey 07204 | 1005  | 14  |

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. 231-19

WHEREAS, it is the general policy of the Borough of Roselle Park to accept donations, be them in-kind / material or monetary in nature, by Resolution of the governing body; and,

WHEREAS, the governing body recognizes that while monetary donations should at all times be carefully monitored and regulated, this policy may, in certain situations, be a hindrance to the receipt and use of in-kind / material donations; and,

WHEREAS, the governing body understands that the Environmental Commission, through its operation of the municipal Environmental Garden, is often offered small in-kind / materials donations in furtherance of the garden's operation; and,

WHEREAS, the governing body further understands that it is impractical to have each and every one of the aforementioned small in-kind / material donations accepted by Resolution; and,

WHEREAS, the governing body desires to make an exception to its general donation policies for in-kind / material donations to the Environmental Commission for furthering operation of the municipal Environmental Garden within certain parameters.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey agrees to institute a blanket acceptance, without the need for the passage of a further Resolution, of in-kind / material donations with an estimated value at no more than \$200.00 per donation to the Environmental Commission for the purposes of furthering operations of the municipal Environmental Garden; and,

BE IT FURTHER RESOLVED that the Environmental Commission shall be charged with keeping inventory of all donated items, their estimated initial values and originating donors, so as to include such inventory in the Commission’s annual report to the governing body; and,

BE IT FURTHER RESOLVED that the Mayor and Council explicitly agree and state that all monetary donations, regardless of total value, as well as all in-kind / material donations valued at more than \$200.00 continue to be formally accepted by further Resolution of the governing body.

**RESOLUTION NO. 232-19**

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that they authorize the Tax Collector to direct the Treasurer to issue one (1) check totaling \$1,276.42 payable to one (1) lien holder on one (1) property; and,

BE IT FURTHER RESOLVED that one (1) check be issued in the total amount of \$1,200.00 from the Tax Collector’s Premium Account.

| BOROUGH OF ROSELLE PARK<br>TAX COLLECTOR<br>ANALYSIS OF LIEN REDEMPTIONS<br>8/15/2019 |        |     |       |             |                          |                       |                                     |  |               |                  |                             |  |                        |               |
|---|--------|-----|-------|-------------|--------------------------|-----------------------|-------------------------------------|--|---------------|------------------|-----------------------------|--|------------------------|---------------|
| TSC #   | BLOCK  | LOT | QUAL. | PREMIUM     | TOTAL AMOUNT<br>REDEEMED | CERTIFICATE<br>AMOUNT | REDEMPTION<br>PENALTY<br>PERCENTAGE | INTEREST ON<br>CERTIFICATE DATE<br>8/15/2019 | SEARCH<br>FEE | RECORDING<br>FEE | SUBSEQUENT<br>TAXES<br>PAID | INTEREST ON<br>SUBSEQUENTS TO<br>8/15/2019 | 6% INTEREST<br>PENALTY | LEGAL<br>FEES |
| MAS CAPITAL   | 16-006 | 210 | 4.01  | \$ 1,200.00 | \$ 1,276.42              | \$ 258.58             | \$ 5.17                             |  | \$ 12.00      | \$ 53.00         | \$ 697.30                   | \$ 250.37                                  |                        |               |
|   |        |     |       |             | \$ -                     |                       |                                     |  |               |                  |                             |  |                        |               |
|   |        |     |       |             | \$ -                     |                       |                                     |  |               |                  |                             |  |                        |               |
|   |        |     |       |             | \$ -                     |                       |                                     |  |               |                  |                             |  |                        |               |
|   |        |     |       |             | \$ -                     |                       |                                     |  |               |                  |                             |  |                        |               |
|   |        |     |       |             | \$ -                     |                       |                                     |  |               |                  |                             |  |                        |               |
|   |        |     |       |             | \$ -                     |                       |                                     |  |               |                  |                             |  |                        |               |
|   |        |     |       |             | \$ -                     |                       |                                     |  |               |                  |                             |  |                        |               |
|   |        |     |       |             | \$ -                     |                       |                                     |  |               |                  |                             |  |                        |               |
|   |        |     |       |             | \$ -                     |                       |                                     |  |               |                  |                             |  |                        |               |
| <b>TOTAL</b>  |        |     |       | \$ 1,200.00 | \$ 1,276.42              | \$ 258.58             | \$ 5.17                             | \$ -   | \$ 12.00      | \$ 53.00         | \$ 697.30                   | \$ 250.37                                  | \$ -                   | \$ -          |

**RESOLUTION NO. 233-19**

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-35 (546 Pinewood Avenue)” was constructed by Chiarmonite Roofing & General Contractors, Inc., 253 Main Street, Suite 274, Matawan, New Jersey 07747 as directed by the Borough’s Administrative Agent, said construction is hereby accepted, the contract closed, and final payment in the amount of ten thousand five-hundred eighty-one dollars and thirty-eight cents (\$10,581.38) 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. 234-19**

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the purchase of two (2) 2020 Ford Interceptor Utility

Vehicles from Beyer Ford, 170 Ridgedale Avenue, Morristown, New Jersey 07960 under the terms of the Cranford Police Cooperative Pricing System, System Identifier #47-CPCPS, Item #2 in the total amount of \$62,514.00; and,

BE IT FURTHER RESOLVED that the vehicles authorized for purchase herein shall be initially assigned to the Roselle Park Fire Department.

RESOLUTION NO. 235-19

WHEREAS, the Borough of Roselle Park is committed to maintaining and expanding a healthy tree population within the community; and,

WHEREAS, the Borough of Roselle Park wishes to apply for the 2019 Greening Union County Grant in furtherance of this commitment; and,

WHEREAS, the governing body has solicited professional advice and received input from its Arborist to determine appropriate tree types and planting schedules.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the Borough's application for the 2019 Greening Union County Grant; and,

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign documentation in furtherance of the forgoing grant application; and,

BE IT FURTHER RESOLVED that all funds awarded through this grant must be matched dollar for dollar by the Borough of Roselle Park:

Tree Planting

Exercise of Option 2 of the 2019 Greening Union County Grant application to purchase, install, and maintain the planned planting of fifty (50) trees;

|                                    |               |
|------------------------------------|---------------|
| Total Grant Request:               | \$ 10,000.00. |
| Local Match:                       | \$ 10,000.00. |
| Total Anticipated Cost of Project: | \$ 20,000.00. |

RESOLUTION NO. 236-19

WHEREAS, the Borough of Roselle Park is committed to maintaining and expanding recreational opportunities for residents especially the children and youth of the community.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the Borough's application for the 2019 Kids Recreation Trust Fund Grant; and,

BE IT FURTHER RESOLVED that all funds awarded through this grant must be matched dollar for dollar by the Borough of Roselle Park:

General Improvements to Recreational Programs

Includes: (1) The acquisition and installation of modular bike, fitness and outdoor recreational units in Borough parks, and; (2) The acquisition of various items to improve and maintain the Borough's local parks and playground equipment; (3) The acquisition of various long-lifespan equipment for use by and for the expansion of the Roselle Park football program.

|                                    |              |
|------------------------------------|--------------|
| Total Grant Request:               | \$ 32,500.00 |
| Local Match:                       | \$ 32,500.00 |
| Total anticipated cost of project: | \$ 65,000.00 |

RESOLUTION NO. 237-19

WHEREAS, an application has been submitted for the Borough of Roselle Park's Home Improvement Program in connection with the owner occupied residence at 148 Camden Street, Roselle Park, NJ 07204, Block 904, Lot 27, Roselle Park Housing Rehabilitation Program Case No. RP-39-2;

and,

WHEREAS, the above referenced application includes improvements that require the abatement of code or safety violations or weatherization rehabilitation that will result in the expenditure of rehabilitation funds in excess of the basic program limit of \$20,000.00 for a single family owner occupied house, or \$16,000.00 per unit in an owner occupied multi-family or investor property.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby authorizes the Borough Clerk to execute a Special Need Waiver in order to waive the basic program limit and allow an expenditure in excess of \$16,000.00 per unit for the owner occupied multi-family residence at 148 Camden Street, Roselle Park, NJ 07204, Block 904, Lot 27, Roselle Park Housing Rehabilitation Program Case No. RP-39-2 for remediation of code or safety violations or weatherization.

RESOLUTION NO. 238-19

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 Roselle Park Housing Rehabilitation Program Manager, the Change Order for the Contract listed below be and is hereby approved:

TITLE OF JOB: Roselle Park Housing Rehabilitation Program Case No. RP-39-2

CONTRACTOR: A3 Contracting, LLC

CHANGE ORDER N°: 1

AMOUNT OF CHANGE THIS RESOLUTION: \$4,650.00 (16.04% Increase) for an updated contract amount of \$33,635.00; 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. 239-19

WHEREAS, the Borough of Roselle Park plans to hold its 2019 Oktoberfest Celebration upon public lands within and around Michael J. Mauri Park on Saturday, October 19, 2019 with a rain date of Saturday, October 26, 2019; and,

WHEREAS, Roselle Park Youth Football wishes to sponsor and otherwise operate a beer/wine garden in connection with and as part of the Borough of Roselle Park's 2019 Oktoberfest Celebration; and,

WHEREAS, Section 3-1.3 of the Code of the Borough of Roselle Park requires that the governing body adopt a Resolution approving the use of public property by a bona fide non-profit organization for the service and/or consumption of alcohol in connection with a Social Affair Permit Granted by the New Jersey Division of Alcoholic Beverage Control.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby grants permission to Roselle Park Youth Football with its principal incorporated address located at 415 Spruce Street, Roselle Park, New Jersey 07204, to provide for service and/or consumption of alcohol upon public lands within and around Michael J. Mauri Park at the Borough of Roselle Park's 2019 Oktoberfest Celebration on Saturday, October 19, 2019 or, in the case of inclement weather, Saturday, October 26, 2019; and,

BE IT FURTHER RESOLVED that such permission shall be contingent upon the approval of a Social Affair Permit issued by the New Jersey Division of Alcoholic Beverage Control and continued cooperation with the Roselle Park Police Department; and,

BE IT FURTHER RESOLVED that should any situation arise such that the approvals granted within the foregoing Resolution be deemed a matter of immanent adverse and/or undue public safety the

Chief of Police, or his designee, shall have the authority to revoke such approvals without the need for further action of Mayor and Council.

RESOLUTION NO. 240-19

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 |
|-----------------|--|-------|-----|
| Francesca Pinho | 602 Maplewood Avenue, Roselle Park, New Jersey 07204 | 107   | 21  |

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. 241-19

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: West Clay Avenue Improvements

CONTRACTOR: Cifelli & Son General Contracting, Inc.

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

AMOUNT OF CHANGE THIS RESOLUTION: \$240.77 (0.05% Decrease) for an updated contract amount of \$482,969.98; 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. 242-19

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: West Clay Avenue Improvements was constructed by Cifelli & Son General Contracting, Inc., 81 Franklin Avenue, Nutley, New Jersey 07110, 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 for a period of two (2) years; the said construction is hereby accepted, the contract closed, and final payment in the amount of Thirty-Two Thousand Three-Hundred Ninety-Five dollars and Forty Cents (\$32,395.40) is hereby approved.