

REGULAR MEETING – SEPTEMBER 5, 2019

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

MOMENT OF SILENCE/PRAAYER

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

PROCLAMATIONS & PRESENTATIONS

1. Proclamation: Childhood Cancer Awareness Month
2. Business of the Month: El Rancho Mini Market

APPROVAL OF MEETING MINUTES, PENDING ANY CORRECTIONS

1. Regular Meeting of July 18, 2019

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

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

ORDINANCES FOR 2ND READING

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”

ORDINANCES FOR INTRODUCTION

ORD. No. 2587 AN ORDINANCE AMENDING CHAPTER XL, “LAND USE,” OF THE CODE OF THE BOROUGH OF ROSELLE PARK SO AS TO INCLUDE NEW DEFINITIONS AND REGULATIONS PERTAINING TO MEDICAL CANNABIS DISPENSARY(IES) AS A CONDITIONAL USE IN THE B-3 AND INDUSTRIAL ZONES WITHIN THE BOROUGH OF ROSELLE PARK

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:

- * **#243-19** – Accepting the Resignation of Jeffrey Bonner from the Position of Chief Fire Inspector within the Roselle Park Bureau of Fire Prevention
- * **#244-19** – Approving the Insertion of a Union County HEART Grant as a Special Item of Revenue in the 2019 Municipal Budget in the Amount of \$1,000.00
- * **#245-19** – Accepting the 2018 Audit Report
- * **#246-19** – Approving the Corrective Action Plan for the 2018 Municipal Audit
- * **#247-19** – Authorizing a \$10,000.00 Increase to the Professional Service Agreement with Jalloh & Jalloh, LLC for 2019 Labor Attorney Services Reflecting a Revised Maximum Contract Amount Not to Exceed \$30,000.00
- * **#248-19** – Accepting a Material Donation in the Form of Two (2) Banners for the 2019 Hispanic / Latino Parade and Festival from Miriam Cespedes
- * **#249-19** – Incorporating Recommendation 1 of 6 from Resolution 2019-06 of the Municipal Land Use Board into the West Webster Avenue Area 1 Redevelopment Plan Dated July 25, 2019
- * **#250-19** – Incorporating Recommendation 2 of 6 from Resolution 2019-06 of the Municipal Land Use Board into the West Webster Avenue Area 1 Redevelopment Plan Dated July 25, 2019
- * **#251-19** – Incorporating Recommendation 3 of 6 from Resolution 2019-06 of the Municipal Land Use Board into the West Webster Avenue Area 1 Redevelopment Plan Dated July 25, 2019
- * **#252-19** – Incorporating Recommendation 4 of 6 from Resolution 2019-06 of the Municipal Land Use Board into the West Webster Avenue Area 1 Redevelopment Plan Dated July 25, 2019
- * **#253-19** – Incorporating Recommendation 5 of 6 from Resolution 2019-06 of the Municipal Land Use Board into the West Webster Avenue Area 1 Redevelopment Plan Dated July 25, 2019

- * **#254-19** – Incorporating Recommendation 6 of 6 from Resolution 2019-06 of the Municipal Land Use Board into the West Webster Avenue Area 1 Redevelopment Plan Dated July 25, 2019
- * **#255-19** – Approving a Collective Bargaining Agreement between the Borough of Roselle Park and the Roselle Park PBA Local No. 27 for the Period January 1, 2020 through December 31, 2024
- * **#256-19** – Approving a Collective Bargaining Agreement between the Borough of Roselle Park and the Roselle Park SOA for the Period January 1, 2020 through December 31, 2024
- * **#257-19** – Accepting the Resignation of Salvatore Ditta from the Position of Crossing Guard
- * **#258-19** – Promoting Alternate Crossing Guard William Mongeau to the Position of Crossing Guard
- * **#259-19** – Appointing James T. Riccitelli to the Position of Alternate Crossing Guard
- * **#260-19** – Accepting a Monetary Donation in the Form of a Check in the Amount of \$100.00 as a Charitable Donation to the Roselle Park Police Department from Ruth E. Siedenburg
- * **#261-19** – Referring the West Webster Avenue Area I Redevelopment Plan to the Municipal Land Use Board for review pursuant to N.J.S.A. 40A:12A-7(e)

REPORTS OF DEPARTMENTS (Time Limit 3 Minutes)

Written Reports Received:

1. Animal Control Officer’s Report for July 2019
2. Treasurer’s Report for July 2019
3. Borough Clerk’s Report for August 2019
4. Police Chief’s Report for August 2019

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

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

PUBLIC PORTION (Time Limit 3 Minutes On Any Subject)

EXECUTIVE (CLOSED) SESSION

- DPW Grievances No. 80719, 81219, 81319 and 81319B

ADJOURNMENT

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL
WILL BE HELD ON SEPTEMBER 19, 2019**

ORDINANCES FOR SECOND READING

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;~~

- e. ~~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. In all cases, appointees shall be United States military veterans honorably discharged evidenced by presentation of a DD 214 form as proof. All appointees shall be residents of the Borough of Roselle Park. 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:

Application Fee(s)	Normal	\$40.00
	Unreported	\$120.00
	Emergency	\$0.00

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

Inspection Fee	All Openings	\$75.00
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Cash Bond	Opening Less Than or Equal to 50 sq. ft.	\$500.00
	Opening Greater Than 50 sq. ft.	\$1,000.00

- 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.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 2587

AN ORDINANCE AMENDING CHAPTER XL, “LAND USE,” OF THE CODE OF THE BOROUGH OF ROSELLE PARK SO AS TO INCLUDE NEW DEFINITIONS AND REGULATIONS PERTAINING TO MEDICAL CANNABIS DISPENSARY(IES) AS A CONDITIONAL USE IN THE B-3 AND INDUSTRIAL ZONES WITHIN THE BOROUGH OF ROSELLE PARK

WHEREAS, the governing body, pursuant to N.J.S.A. 40:55D-62, may adopt or amend a zoning Ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and,

WHEREAS, the State of New Jersey has permitted the adult use of marijuana in limited circumstances via the Compassionate Use Medical Marijuana Act, P.L. 2009, c.307 (2010), codified at N.J.S.A. 24:6I-1, et seq. (the “CUMMA”), and its associated regulations; and,

WHEREAS, the State of New Jersey is presently reviewing applications and will be issuing licenses to increase the number of medical cannabis dispensaries in the State of New Jersey; and,

WHEREAS, the governing body wishes to create land use regulations and licensing requirements for medical cannabis dispensaries (also known as Medical Marijuana Alternative Treatment Centers) that can provide medicinal benefits and promote the health, safety, and general welfare of the community; and,

WHEREAS, the Borough of Roselle Park has determined that State-licensed businesses that legally sell, and/or distribute marijuana under such State licenses require special attention in the form of an Ordinance tailored toward the municipality, in order to preserve the public health, safety, and welfare of the community and its inhabitants; and,

WHEREAS, the governing body, pursuant to N.J.S.A. 40:55D-64, sought the recommendations of the Roselle Park Municipal Land Use Board relative to these issues; and,

WHEREAS, on September 5, 2019, the governing body referred the draft proposed Ordinance amending the municipal zoning code establishing the permitted uses for medical cannabis dispensary(ies) to the Municipal Land Use Board for formal review, report and recommendations as required by N.J.S.A. 40:55D-62; and,

WHEREAS, the Municipal Land Use Board, at its September 16, 2019 Regular Meeting, confirmed that the proposed amendment is substantially consistent with the Borough’s land use plan element, in accordance with the provisions of N.J.S.A. 40:55D-62.

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 XL of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Additional Definitions

Part 2 Land Subdivision and Site Plan Review

Article VI Definitions

40-601 TERMS DEFINED.

The following words, terms or phrases, when used in Chapter XL, Land Use, shall have the meanings ascribed in this section:

[...]

Medical Cannabis Dispensary(ies) shall mean facility(ies) licensed by the State of New Jersey and the Borough of Roselle Park to dispense medical cannabis in any form approved by the State and related supplies to qualified patients who (1) possess prescriptions issued by a licensed physician and who (2) are registered with the State of New Jersey.

Medical Use of Cannabis shall mean the acquisition, possession, transport, or use of cannabis or paraphernalia by a registered qualifying patient as authorized by “New Jersey Controlled Dangerous Substances Act,” P.L.1970, c.226 (C.24:21-2).

Medical Cannabis Products shall mean manufactured products having cannabis or a cannabis extract, including but not limited to raw marijuana, edibles, beverages, topical products, ointments, oils, and tinctures, or other products approved by the State of New Jersey.

[...]

SECTION 2. Amendments to B-3 Arterial Business District Zoning

Part 3 Zoning

Article XXIV B-3 Arterial Business District

40-2402 PERMITTED USES.

- A. A building or premises may be used only for the following uses:
1. Any use permitted in the Residence Office Building and Central Business Districts.
 2. The following retail business shall be permitted, provided that there is a total connected electric motor load for manufacturing or processing of not more than ten (10) horsepower, and further provided that no steam plant shall carry steam at more than one hundred (100) pounds pressure: bakery, carpenter shop, cleaning and dyeing shop, food processing shop, frozen food lockers, laundry, plumber, printing shop and car wash.
 3. Retail trade.
 4. Retail services.
 5. Banks and financial institutions—NAICS Group 5221.
 6. Institutional and public uses—NAICS Groups 71211, 8131 and 92.

7. Restaurants, Caterers and Banquet Halls—NAICS Group 7221, 7222, 72232 and 722320, excluding exotic and/or pornographic entertainment or activities and excluding drive-in restaurants.
 8. Funeral Homes—NAICS Group 812210, excluding crematories.
 9. Motion Picture Theaters—NAICS Group 512131.
 10. Mortgage companies and mortgage brokers—NAICS Groups 522292 and 522310.
 11. Fitness and Recreational Sports Centers—NAICS Group 713940.
 12. Pet Grooming Services—NAICS Group 812910
 13. Utility Trailer Merchant Wholesalers—NAICS Group 423110
 14. Screen Printing Apparel & Textile Products—NAICS Group 323113
- B. Any building used for any of the purposes enumerated in subsection A, 1 through 10. above may not have more than forty (40%) percent of the first floor devoted to storage purposes incidental to the primary use.
- C. Facades of storefronts, including signs, window displays and lighting or any retail store or other type of establishment with street exposure permitted under this Article shall conform to the following requirements:
1. The use of the following types of attention-getting devices shall be prohibited:
 - a. Direct, unshielded, flashing or intermittent lighting in the display windows or on the storefront.
 - b. Sound device or apparatus for commercial advertising purposes, such as radio or phonograph amplifiers.
 - c. Device or scheme using motion, such as pinwheels, motion pictures, live models or live demonstrations in the display windows, any of which of the aforementioned are disturbing to the senses of pedestrians or motorists using the adjacent sidewalk or street and which tend to impair the dignity and character of the district.
 - d. Nothing appearing herein shall be construed to prohibit temporary holiday lighting.
- D. Uses permitted under Section 40-2402 shall not be located or established in an existing frame house or in a building or structure or extending from an existing frame building.

- E. Retail store or establishment with street exposure shall be of a character consistent with and appropriate to a distinctive, high quality and refined office and business district.
- F. *Conditional Uses.* A building or premises shall be used in the zone only if it meets the following conditions:
 - 1. Hair, nail and skin care services—NAICS Group 81211.
 - a. If the use is 500 linear feet between a similar use; and,
 - b. The building space is 400 square feet or less.
 - 2. **Medical Cannabis Dispensary.**
 - a. **To protect the public health, safety, and general welfare, and to prevent economic stagnation, site plan approval is required for a Medical Cannabis Dispensary as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D, et seq.); and,**
 - b. **One Medical Cannabis Dispensary shall be allowed per zone district where the use is permitted; and,**
 - c. **A Medical Cannabis Dispensary shall only be located on the ground floor (i.e. street-level) of any building in which it has been approved to be located; and,**
 - d. **Minimum gross floor area of two-thousand five hundred (2,500) square feet; and,**
 - e. **Minimum parking requirements shall be one (1) space per two hundred fifty (250) square feet of gross floor area (GFA); and,**
 - f. **A Medical Cannabis Dispensary shall not be located within a Drug Free School Safety Zones; and,**
 - g. **A Medical Cannabis Dispensary shall not be located within two hundred and fifty (250) feet of the property line of any existing church, parochial school, childcare center, or any existing public park; and,**
 - h. **There shall be no on-site sales of alcohol or tobacco products, and no on-site consumption of food, alcohol, tobacco, or marijuana by patrons; and,**

- i. Hours of public operation shall be limited to 9:00 a.m. through 8:00 p.m. Monday through Saturday; and,**
- j. The facility shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights of way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. The ventilation system must be installed to meet ASHRAE62 Indoor Air Quality Standards and approved by the Borough of Roselle Park Health Department and Building Department and may be subject to periodic inspection; and,**
- k. No doctors' and/or physicians' offices shall be located on the same site as any State Licensed Medical Cannabis Dispensary, and no recommendations from a doctor and/or physician for medical cannabis shall be issued on-site at any State Licensed Medical Cannabis Dispensary within the Borough of Roselle Park; and,**
- l. Security. All facilities associated with dispensing cannabis shall be secured and shall have full-time security protocols. Security protocols shall be submitted to the Roselle Park Police Department for compliance review with all safety and security standards established by the State of New Jersey for Medical Cannabis Dispensaries. The Roselle Park Police Department may, at their discretion and upon review of the proposed location, recommend or require additional safety and security measures above and beyond the following requirements:**
 - i. An updated employee (including security) list shall be provided to the Roselle Park Chief of Police (or designee) on a monthly basis, but no later than the close of business on the 10th day of the current month; and,**
 - ii. A Director of Security shall be appointed by the facility owner and identified as such to the Roselle Park Chief of Police (or designee); and,**
 - iii. To the extent not already required by the entity's State license, all licensed facilities must provide a minimum of at least two (2) armed security guards (or more if required by the State of New Jersey) during all times the facility is open to the public. At a minimum, the security guard shall be a State Certified Security Officer whose certification is in good standing; and,**

- iv. To the extent not already required by the entity’s State license, all sites must be equipped with 24/7 closed circuit security cameras covering all exterior parking and loading areas, points of entry, and interior spaces which are either open to the public or used for the storage or processing of marijuana products. Footage must be maintained for the duration required under State law but no less than 30 days; and,
 - v. All licensed facilities must provide the Roselle Park Police Department with access to security footage immediately upon request by the Department; and,
 - vi. Exterior lighting plans shall be reviewed and approved by the Borough Engineer in consultation the Roselle Park Police Department and submitted with site plan application; and,
 - vii. Reception area shall use bullet-proof glass and hardened doors separating reception area from patient area; and,
 - viii. Panic buttons shall be installed and linked to the Roselle Park Police Department; and,
 - ix. All banking transports shall be provided by an armored car service; and,
- m. The Medical Cannabis Dispensary shall comply with all setback or distance requirements established by law and in effect in the zone in which it is to be located as of the time of the licensee’s application; and,
- n. Signage shall comply with all existing regulations but shall not include language referring to “marijuana” or “cannabis” or use any symbols that indicate such.

SECTION 3. Amendments to I Industrial District Zoning

Part 3 Zoning

Article XXV I Industrial District

40-2502 PERMITTED USES.

- A. A building or premises may be used for any industrial purpose, except the following:
1. Coke, coal or fuel oil storage, except where consumed on the premises.
 2. Cotton ginning and food products manufacture.
 3. Disinfectant or insecticide manufacture.
 4. Electric central lighting or power plant operated by steam, gas or oil.
 5. Dwelling purposes, except as set forth in paragraph A,65 of this section.
 6. Fish packing or storage other than for local trade.
 7. Flour, grist or grain mills or elevators.
 8. Gas, illuminating or heating, manufacture or storage.
 9. Automotive service stations, except those established prior to the effective date of this chapter.
 10. Ice manufacture or cold storage plant from which ice is sold for delivery away from the premises.
 11. Open-air parking stations for the sale or exchange of motor vehicles.
 12. Ore dumps or elevators.
 13. Paper or pulp manufacture.
 14. Poultry killing, dressing or live storage, except for retail sale on premises.
 15. Salt works.
 16. Stable.
 17. Trailer camps.
 18. Acetylene gas manufacture.
 19. Ammonia, chlorine or bleaching powder manufacture.
 20. Arsenal.
 21. Asphalt manufacturing or refining.
 22. Assaying or smelting by the furnace method, but not including one (1) furnace of a capacity of two (2) cubic feet.
 23. Blast furnace.

24. Boiler works.
25. Brick, tile or terra cotta manufacture.
26. Carbon, shoeblacking or stove polish manufacture.
27. Celluloid or other cellulose manufacture.
28. Coke ovens.
29. Crematory.
30. Creosote treatment or manufacture.
31. Distillation of coal, wood or bones.
32. Explosives, fireworks or match manufacture.
33. Fat rendering.
34. Fertilizer manufacturing or potash refining.
35. Glue, size or gelatin manufacture.
36. Incineration or reduction of garbage, offal, dead animals or refuse.
37. Iron, steel, brass or copper foundry.
38. Lampblack manufacture.
39. Lime, cement, plaster or plaster of paris manufacture.
40. Linoleum or oilcloth manufacture.
41. Ore reduction.
42. Paint, oil, varnish, turpentine, shellac or enamel manufacture.
43. Petroleum refining or the storage for sale of petroleum or its products above ground or underground in excess of one hundred thousand (100,000) gallons.
44. Printing ink manufacture.
45. Pyroxyline plastic manufacture or the manufacture of products therefrom.
46. Rawhides or skins, storage, curing or tanning.
47. Rubber manufacture from the crude or scrap material.

48. Sewage disposal plant.
49. Slaughtering of animals or fowl.
50. Soap, soda and washing compound manufacture.
51. Starch, glucose or dextrin manufacture.
52. Stockyards.
53. Stone crusher.
54. Sugar refining.
55. Sulfurous, sulfuric, nitric or hydrochloric acid manufacture.
56. Tallow, grease or lard manufacture or refining.
57. Tar distillation or manufacture.
58. Tar roofing or tar waterproofing manufacture.
59. Used car lots.
60. Vinegar manufacture.
61. Wool pulling or scouring.
62. Yeast manufacture.
63. The dismantling or storage of dismantled automobiles or used parts thereof, except in conjunction with the use of the premises as an auto body shop, or the storage or bailing of scrap paper, iron, bottles, rags or junk, except where such use is purely accessory.
64. Any other trade, industry or use that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise.
65. No building or premises shall be used and no building shall be erected or structurally altered for dwelling purposes, except that dwelling quarters may be established in connection with an industrial establishment for necessary watchmen or caretakers employed upon the premises.
66. Open areas for parking motor vehicles for which a fee is charged, except when conducted by the Borough of Roselle Park or its agent.
67. Auto body repair shops.
68. Any use permitted in the B-3 Arterial Business District.

B. *Conditional Uses.* A building or premises shall be used in the zone only if it meets the following conditions:

- 1. Hair, nail and skin care services—NAICS Group 81211.**
 - a. If the use is 500 linear feet between a similar use; and,**
 - b. The building space is 400 square feet or less.**
- 2. Medical Cannabis Dispensary.**
 - a. To protect the public health, safety, and general welfare, and to prevent economic stagnation, site plan approval is required for a Medical Cannabis Dispensary as set forth in the Municipal Land Use Law (N.J.S.A. 40:55D, et seq.); and,**
 - b. One Medical Cannabis Dispensary shall be allowed per zone district where the use is permitted; and,**
 - c. A Medical Cannabis Dispensary shall only be located on the ground floor (i.e. street-level) of any building in which it has been approved to be located; and,**
 - d. Minimum gross floor area of two-thousand five hundred (2,500) square feet; and,**
 - e. Minimum parking requirements shall be one (1) space per two hundred fifty (250) square feet of gross floor area (GFA); and,**
 - f. A Medical Cannabis Dispensary shall not be located within a Drug Free School Safety Zones; and,**
 - g. A Medical Cannabis Dispensary shall not be located within two hundred and fifty (250) feet of the property line of any existing church, parochial school, childcare center, or any existing public park; and,**
 - h. There shall be no on-site sales of alcohol or tobacco products, and no on-site consumption of food, alcohol, tobacco, or marijuana by patrons; and,**
 - i. Hours of public operation shall be limited to 9:00 a.m. through 8:00 p.m. Monday through Saturday; and,**
 - j. The facility shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person**

of reasonable sensitivity anywhere on adjacent property, within public rights of way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. The ventilation system must be installed to meet ASHRAE62 Indoor Air Quality Standards and approved by the Borough of Roselle Park Health Department and Building Department and may be subject to periodic inspection; and,

k. No doctors' and/or physicians' offices shall be located on the same site as any State Licensed Medical Cannabis Dispensary, and no recommendations from a doctor and/or physician for medical cannabis shall be issued on-site at any State Licensed Medical Cannabis Dispensary within the Borough of Roselle Park; and,

l. **Security.** All facilities associated with dispensing cannabis shall be secured and shall have full-time security protocols. Security protocols shall be submitted to the Roselle Park Police Department for compliance review with all safety and security standards established by the State of New Jersey for Medical Cannabis Dispensaries. The Roselle Park Police Department may, at their discretion and upon review of the proposed location, recommend or require additional safety and security measures above and beyond the following requirements:

i. An updated employee (including security) list shall be provided to the Roselle Park Chief of Police (or designee) on a monthly basis, but no later than the close of business on the 10th day of the current month; and,

ii. A Director of Security shall be appointed by the facility owner and identified as such to the Roselle Park Chief of Police (or designee); and,

iii. To the extent not already required by the entity's State license, all licensed facilities must provide a minimum of at least two (2) armed security guards (or more if required by the State of New Jersey) during all times the facility is open to the public. At a minimum, the security guard shall be a State Certified Security Officer whose certification is in good standing; and,

iv. To the extent not already required by the entity's State license, all sites must be equipped with 24/7 closed circuit security cameras covering all exterior parking and loading areas, points of entry, and interior spaces which are either open to the public or used for the

storage or processing of marijuana products. Footage must be maintained for the duration required under State law but no less than 30 days; and,

- v. All licensed facilities must provide the Roselle Park Police Department with access to security footage immediately upon request by the Department; and,
 - vi. Exterior lighting plans shall be reviewed and approved by the Borough Engineer in consultation the Roselle Park Police Department and submitted with site plan application; and,
 - vii. Reception area shall use bullet-proof glass and hardened doors separating reception area from patient area; and,
 - viii. Panic buttons shall be installed and linked to the Roselle Park Police Department; and,
 - ix. All banking transports shall be provided by an armored car service; and,
- m. The Medical Cannabis Dispensary shall comply with all setback or distance requirements established by law and in effect in the zone in which it is to be located as of the time of the licensee's application; and,
- n. Signage shall comply with all existing regulations but shall not include language referring to "marijuana" or "cannabis" or use any symbols that indicate such.

SECTION 4. 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 5. Inconsistent Ordinances Repealed.

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

SECTION 6. 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 7. 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. 243-19

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby accept the resignation of Jeffrey Bonner from the position of Chief Fire Inspector within the Roselle Park Bureau of Fire Prevention, effective December 31, 2019.

RESOLUTION NO. 244-19

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$1,000.00 which item is now available as a revenue from the Union County HEART Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that the like sum of \$1,000.00 is hereby appropriated under the caption of the Union County HEART Grant, and

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

RESOLUTION NO. 245-19

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, the Annual Report of Audit for the fiscal year ending December 31, 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations;" and,

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52

- to wit:

R.S. 52:27BB-52 - "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby states that it has complied N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION NO. 246-19

WHEREAS, in accordance with the Single Audit Act, US Office of Management and Budget Circular A-133 and the New Jersey Office of Management and Budget Circular Letter 15-08, and regulations of the Division of Local Government Services, all municipalities are required to prepare and file a Corrective Action Plan; and,

WHEREAS, this plan must be filed with the Division within sixty (60) days from the date the statutory audit is received by the governing body; and,

WHEREAS, such a plan was prepared by the Chief Financial Officer and reviewed by the members of the governing body of the Borough of Roselle Park.

NOW, THEREFORE, BE IT RESOLVED that the Corrective Action Plan is hereby approved by the Mayor and Council of the Borough of Roselle Park and filed with the Division of Local Government Services.

CORRECTIVE ACTION REPORT

Borough of Roselle Park

Union County

Finding #2018-01

Audit Year December 31, 2018

Audit Received August 16, 2019

1. Description: That annual fees should be collected from all establishments required to pay such fees in accordance with Chapter XXII Fire Prevention and Protections Section 22-1.13 New Jersey Uniform Fire Safety Code – Required Inspections and Fees. Also, a list of establishments required to have annual inspections should be provided.
2. Analysis: That Fire Prevention did not provide a list of establishments required to have annual inspections. Also, that Fire Prevention did not collect required fees in accordance with Chapter XXII Fire Prevention and Protections Section 22-1.13 New Jersey Uniform Fire Safety Code – Required Inspections and Fees.
3. Corrective Action: Fire Prevention has also gone through a State Field Monitoring Visit. The Borough has purchased the Spatial Data Logic Program for Fire Prevention. Fire Prevention Officials have been walking the Borough and coming up with a list of establishments required to have annual inspections. The Borough will continue to work with the Fire Prevention Official to set up a Fee Ordinance and any other issues that need to be corrected.
4. Implementation Date: The Borough expects the Fire Prevention Office to have all issues corrected and implemented by January 1, 2020.

RESOLUTION NO. 247-19

WHEREAS, the firm Jalloh & Jalloh, LLC was responsive to the Request for Proposals (RFP) due November 30, 2018 at 10:00 a.m. for the position of 2019 Labor Attorney; and,

WHEREAS, the firm Jalloh & Jalloh, LLC was appointed as Labor Attorney of the Borough of Roselle Park for the year 2019 through the adoption of Resolution No. 30-19; and,

WHEREAS, the firm Jalloh & Jalloh, LLC continues to perform all services as Labor Attorney of the Borough of Roselle Park consistent with the response submitted by said firm; and,

WHEREAS, adjustments to the maximum contract amount authorized in Resolution No. 30-19 have been deemed necessary, as attested by the Chief Financial Officer, to ensure the continuation of services.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, in accordance with the provisions of N.J.A.C. 5:30-11.6 et seq., hereby authorize a \$10,000.00 increase to the maximum contract amount awarded to the firm Jalloh & Jalloh, LLC, 21 West Blancke Street, 2nd Floor, Linden, New Jersey 07036 within their capacity as 2019 Labor Attorney of the Borough of Roselle Park, with a revised maximum contract amount not to exceed \$30,000.00; and,

BE IT FURTHER RESOLVED that charges incrementally incurred and paid associated with this contract shall be pursuant to the contract terms authorized in Resolution No. 30-19.

RESOLUTION NO. 248-19

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby accept a material donation from Miriam Cespedes, 329 West Clay Avenue, Roselle Park, New Jersey 07204 in the form of two (2) banners for use by the Borough of Roselle Park during the 2019 Hispanic / Latino Parade and Festival scheduled for September 7, 2019.

RESOLUTION NO. 249-19

WHEREAS, the Municipal Land Use Board (hereinafter, "Land Use Board") of the Borough of Roselle Park (hereinafter, "Borough") held a Regular Meeting on Monday, August 19, 2019 where the West Webster Avenue Area 1 Redevelopment Plan (the "Plan"), encompassing Block 506, Lots 2, 3, 4 and 5 of the tax map of the Borough, dated July 25, 2019 was reviewed as referred by the Mayor and Council (hereinafter, "Governing Body") in Resolution No. 208-19; and,

WHEREAS, the Land Use Board of the Borough adopted Resolution No. 2019-06, formalizing its recommendations in accordance with N.J.S.A. 40A:12A-7(e) to the Governing Body regarding the Plan; and,

WHEREAS, the Governing Body wishes to incorporate certain recommendations of the Land Use Board into the Plan as referenced in Resolution 2019-06.

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 Plan dated July 25, 2019, referred in Resolution No. 208-19, be amended to effectuate and incorporate the following recommendation of the Land Use Board of the Borough:

Land Use Board Resolution: 2019-06

Recommendation No.: 1 of 6

Recommendation: "Council investigate the impact of the Redevelopment Plan on adjacent on-street parking on Laurel Avenue to Locust Street; Larch Street, from Lincoln Avenue to Webster Avenue; and Elm Street."

RESOLUTION NO. 250-19

WHEREAS, the Municipal Land Use Board (hereinafter, "Land Use Board") of the Borough of Roselle Park (hereinafter, "Borough") held a Regular Meeting on Monday, August 19, 2019 where the West Webster Avenue Area 1 Redevelopment Plan (the "Plan"), encompassing Block 506, Lots 2, 3, 4 and 5 of the tax map of the Borough, dated July 25, 2019 was reviewed as referred by the Mayor and Council (hereinafter, "Governing Body") in Resolution No. 208-19; and,

WHEREAS, the Land Use Board of the Borough adopted Resolution No. 2019-06, formalizing its recommendations in accordance with N.J.S.A. 40A:12A-7(e) to the Governing Body regarding the Plan; and,

WHEREAS, the Governing Body wishes to incorporate certain recommendations of the Land Use Board into the Plan as referenced in Resolution 2019-06.

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 Plan dated July 25, 2019, referred in Resolution No. 208-19, be amended to effectuate and incorporate the following recommendation of the Land Use Board of the Borough:

Land Use Board Resolution: 2019-06

Recommendation No.: 2 of 6

Recommendation: “Council investigate the feasibility of adding storm water and wastewater (DEP) best management practice guidelines to the Redevelopment Plan.”

RESOLUTION NO. 251-19

WHEREAS, the Municipal Land Use Board (hereinafter, “Land Use Board”) of the Borough of Roselle Park (hereinafter, “Borough”) held a Regular Meeting on Monday, August 19, 2019 where the West Webster Avenue Area 1 Redevelopment Plan (the “Plan”), encompassing Block 506, Lots 2, 3, 4 and 5 of the tax map of the Borough, dated July 25, 2019 was reviewed as referred by the Mayor and Council (hereinafter, “Governing Body”) in Resolution No. 208-19; and,

WHEREAS, the Land Use Board of the Borough adopted Resolution No. 2019-06, formalizing its recommendations in accordance with N.J.S.A. 40A:12A-7(e) to the Governing Body regarding the Plan; and,

WHEREAS, the Governing Body wishes to incorporate certain recommendations of the Land Use Board into the Plan as referenced in Resolution 2019-06.

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 Plan dated July 25, 2019, referred in Resolution No. 208-19, be amended to effectuate and incorporate the following recommendation of the Land Use Board of the Borough:

Land Use Board Resolution: 2019-06

Recommendation No.: 3 of 6

Recommendation: “Add specific noise mitigation measures to the Redevelopment Plan.”

RESOLUTION NO. 252-19

WHEREAS, the Municipal Land Use Board (hereinafter, “Land Use Board”) of the Borough of Roselle Park (hereinafter, “Borough”) held a Regular Meeting on Monday, August 19, 2019 where the West Webster Avenue Area 1 Redevelopment Plan (the “Plan”), encompassing Block 506, Lots 2, 3, 4 and 5 of the tax map of the Borough, dated July 25, 2019 was reviewed as referred by the Mayor and Council (hereinafter, “Governing Body”) in Resolution No. 208-19; and,

WHEREAS, the Land Use Board of the Borough adopted Resolution No. 2019-06, formalizing its recommendations in accordance with N.J.S.A. 40A:12A-7(e) to the Governing Body regarding the Plan; and,

WHEREAS, the Governing Body wishes to incorporate certain recommendations of the Land Use Board into the Plan as referenced in Resolution 2019-06.

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 Plan dated July 25, 2019, referred in Resolution No. 208-19, be amended to effectuate and incorporate the following recommendation of the Land Use Board of the Borough:

Land Use Board Resolution: 2019-06

Recommendation No.: 4 of 6

Recommendation: “Reduce the front yard setback to be consistent with minimum requirements of the Borough’s Complete Streets policy.”

RESOLUTION NO. 253-19

WHEREAS, the Municipal Land Use Board (hereinafter, “Land Use Board”) of the Borough of Roselle Park (hereinafter, “Borough”) held a Regular Meeting on Monday, August 19, 2019 where the West Webster Avenue Area 1 Redevelopment Plan (the “Plan”), encompassing Block 506, Lots 2, 3, 4 and 5 of the tax map of the Borough, dated July 25, 2019 was reviewed as referred by the Mayor and Council (hereinafter, “Governing Body”) in Resolution No. 208-19; and,

WHEREAS, the Land Use Board of the Borough adopted Resolution No. 2019-06, formalizing its recommendations in accordance with N.J.S.A. 40A:12A-7(e) to the Governing Body regarding the Plan; and,

WHEREAS, the Governing Body wishes to incorporate certain recommendations of the Land Use Board into the Plan as referenced in Resolution 2019-06.

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 Plan dated July 25, 2019, referred in Resolution No. 208-19, be amended to effectuate and incorporate the following recommendation of the Land Use Board of the Borough:

Land Use Board Resolution: 2019-06

Recommendation No.: 5 of 6

Recommendation: “Consider reducing the maximum building height requirements to three stories and 42 feet, so long as those requirements are consistent with transit oriented development design standards and the economic viability of the project.”

RESOLUTION NO. 254-19

WHEREAS, the Municipal Land Use Board (hereinafter, “Land Use Board”) of the Borough of Roselle Park (hereinafter, “Borough”) held a Regular Meeting on Monday, August 19, 2019 where the West Webster Avenue Area 1 Redevelopment Plan (the “Plan”), encompassing Block 506, Lots 2, 3, 4 and 5 of the tax map of the Borough, dated July 25, 2019 was reviewed as referred by the Mayor and Council (hereinafter, “Governing Body”) in Resolution No. 208-19; and,

WHEREAS, the Land Use Board of the Borough adopted Resolution No. 2019-06, formalizing its recommendations in accordance with N.J.S.A. 40A:12A-7(e) to the Governing Body regarding the Plan; and,

WHEREAS, the Governing Body wishes to incorporate certain recommendations of the Land Use Board into the Plan as referenced in Resolution 2019-06.

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 Plan dated July 25, 2019, referred in Resolution No. 208-19, be amended to effectuate and incorporate the following recommendation of the Land Use Board of the Borough:

Land Use Board Resolution: 2019-06

Recommendation No.: 6 of 6

Recommendation: “Amend Section 3.2.B(4), so that the residential hotel style lobby and common indoor seating area space requirement on each floor be changes from ‘shall’ to ‘may’.”

RESOLUTION NO. 255-19

WHEREAS, the Borough of Roselle Park and Roselle Park Policemen’s Benevolent Association Local No. 27 (hereinafter referred to as the “PBA”) have been engaged in negotiations for the 2020 through 2024 contract years; and,

WHEREAS, a Memorandum of Agreement was executed by representatives of the Borough of Roselle Park and PBA on July 29, 2019 regarding wages, hours of work and other terms and conditions of employment; and,

WHEREAS, said Memorandum of Agreement was ratified by the general membership of the PBA.

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 collective bargaining agreement between the Borough of Roselle Park and the PBA is hereby approved and authorized for the period of January 1, 2020 through December 31, 2024 as stated in the July 29, 2019 Memorandum of Agreement on file with the Office of the Borough Clerk; and,

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are authorized to execute a final collective bargaining agreement contract document effectuating the terms of the July 29, 2019 Memorandum of Agreement on behalf of the Borough of Roselle Park.

RESOLUTION NO. 256-19

WHEREAS, the Borough of Roselle Park and Roselle Park Supervisory Officers Association (hereinafter referred to as the "SOA") have been engaged in negotiations for the 2020 through 2024 contract years; and,

WHEREAS, a Memorandum of Agreement was executed by representatives of the Borough of Roselle Park and SOA on July 29, 2019 regarding wages, hours of work and other terms and conditions of employment; and,

WHEREAS, said Memorandum of Agreement was ratified by the general membership of the SOA.

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 collective bargaining agreement between the Borough of Roselle Park and the SOA is hereby approved and authorized for the period of January 1, 2020 through December 31, 2024 as stated in the July 29, 2019 Memorandum of Agreement on file with the Office of the Borough Clerk; and,

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are authorized to execute a final collective bargaining agreement contract document effectuating the terms of the July 29, 2019 Memorandum of Agreement on behalf of the Borough of Roselle Park.

RESOLUTION NO. 257-19

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby accept the resignation of Salvatore Ditta from the position of Crossing Guard effective immediately.

RESOLUTION NO. 258-19

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby promote Alternate Crossing Guard William Mongeau to the position of Crossing Guard to be paid \$68.61 per day effective immediately.

RESOLUTION NO. 259-19

WHEREAS, vacancies currently exist in the in the position of Alternate Crossing Guard.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint James T. Riccitelli of 514 Jerome Street, Roselle Park, New Jersey 07204 to the position of Alternate Crossing Guard to be paid \$68.61 per day effective immediately.

RESOLUTION NO. 260-19

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby accept a monetary donation, in the form of a check, from Ruth E. Siedenburg of 544 Pinewood Avenue, Roselle Park, New Jersey 07204, in the amount of \$100.00 as a charitable donation to the Roselle Park Police Department.

RESOLUTION NO. 261-19

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 “Original 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 Original Redevelopment Plan and transmit its recommendations relating to the Original 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 Original Redevelopment Plan and adopted Resolution #2018-009 recommending the adoption of the Original 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 Original 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 Original Redevelopment Plan (“LUB Recommendation 2”); 3) if appropriate, add

language to the Original Redevelopment Plan addressing affordable housing (“LUB Recommendation 3”); and 4) confirm accurate use of “shall”, “should” and “strongly encouraged” in the Original 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 Original 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 Original 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 Original Redevelopment Plan are necessary; and,

WHEREAS, Harbor Consultants reviewed the Original Redevelopment Plan and prepared a revised 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, on July 18, 2019 the Borough Council adopted Resolution #208-19 directing 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 Redevelopment Law; and,

WHEREAS, on August 19, 2019 the Land Use Board reviewed the Redevelopment Plan and adopted Resolution #2019-06 recommending the adoption of the Redevelopment Plan pursuant to *N.J.S.A. 40A:12A-7e*, subject to certain recommendations, to wit: 1) Borough Council investigate the impact of the Redevelopment Plan on adjacent on-street parking on Laurel Avenue. to Locust Street; Larch Street, from Lincoln Avenue to Webster Avenue; and Elm Street (“LUB Recommendation 5”); 2) Borough Council investigate the feasibility of adding stormwater and wastewater (DEP) best management practice guidelines to the Redevelopment Plan (“LUB Recommendation 6”); 3) add specific noise mitigation measures to the Redevelopment Plan (“LUB Recommendation 7”); 4) reduce the front yard setback to be consistent with minimum requirements of the Borough's Complete Streets policy (“LUB Recommendation 8”); 5) consider reducing the maximum building height requirements to three stories and 42 feet, so long as those requirements are consistent with transit oriented development design standards and the economic viability of the project (“LUB Recommendation 9”); and 6) amend Section 3.2.B(4), so that the residential hotel style lobby and common indoor seating area space requirement on each floor be changed from "shall" to "may" (“LUB Recommendation 10” and together with LUB Recommendation 5, LUB Recommendation 6, LUB Recommendation 7, LUB Recommendation 8; and LUB Recommendation 9, the “2019 LUB Recommendations”); and,

WHEREAS, the Borough Council considered and voted upon the 2019 LUB Recommendations at the Borough Council meeting held September 5, 2019; and,

WHEREAS, at the meeting on September 5, 2019, the Borough Council determined that certain additional revisions to the Redevelopment Plan are necessary (the “Amended Redevelopment Plan”); and,

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

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE PARK, 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 Amended Redevelopment Plan and transmit its recommendations relating to the Amended 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 Amended 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.