

**REGULAR MEETING – JANUARY 16, 2020**

**READ PUBLIC MEETINGS LAW ARTICLE**

**ROLL CALL**

**MOMENT OF SILENCE/PRAYER**

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS**

1. A request from Roselle Park Girl Scout Service Unit #44 for the use of Michael J. Mauri Gazebo Park on Saturday, February 29, 2020 and Saturday, March 21, 2020 from 8:00 a.m. to 5:30 p.m. for the sale of Girl Scout Cookies.

**PROCLAMATIONS & PRESENTATIONS**

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

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

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

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

ORD. No. 2602            AN ORDINANCE AMENDING CHAPTER II, SECTION 2-24.3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED, “POLICE DEPARTMENT ESTABLISHED”

ORD. No. 2603            AN ORDINANCE AMENDING CHAPTER II, SECTION 2-40.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED, “ROSELLE PARK ARTS COMMITTEE CREATED”

**ORDINANCES FOR INTRODUCTION**

ORD. No. 2604            AN ORDINANCE AMENDING CHAPTER XL, SECTION 40-2402 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED, “PERMITTED USES”

ORD. No. 2605            AN ORDINANCE AMENDING CHAPTER XL, SECTION 40-2302 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED, “PERMITTED USES”

ORD. No. 2606            AN ORDINANCE AMENDING CHAPTER X, SECTION 10-4.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “FEES FOR RECREATION/COMMUNITY CENTER; FEES ENUMERATED”

ORD. No. 2607            AN ORDINANCE AMENDING CHAPTER XL, SECTION 40-311 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED, “DECISIONS”

ORD. No. 2608            AN ORDINANCE AMENDING CHAPTER II, ARTICLE IV OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED, “BOARDS, COMMITTEES AND COMMISSIONS” SO AS TO ESTABLISH THE ROSELLE PARK GREEN TEAM AS A STANDING SUBCOMMITTEE OF THE ROSELLE PARK ENVIRONMENTAL COMMISSION

**CONSENT AGENDA**

**"ALL MATTERS LISTED WITH AN ASTERISK (\*) ARE CONSIDERED TO BE ROUTINE AND NON-CONTROVERSIAL BY THE COUNCIL AND WILL BE APPROVED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF THE GOVERNING BODY SO REQUESTS, IN WHICH CASE THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA AS PART OF THE GENERAL ORDERS."**

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**RESOLUTIONS:**

- \* #43-20: Accepting the Retirement of Manuel Jimenez from the Position of Captain of the Roselle Park Police Department
  
- \* #44-20: Promoting Lieutenant Dominick Frino to the Rank of Captain of the Roselle Park Police Department
  
- \* #45-20: Promoting Sergeant Keith Wintermute to the Rank of Lieutenant of the Roselle Park Police Department
  
- \* #46-20: Promoting Sergeant Michael Wielgus to the Rank of Lieutenant of the Roselle Park Police Department
  
- \* #47-20: Promoting Detective Patrolman Joshua Medrano to the Rank of Sergeant of the Roselle Park Police Department
  
- \* #48-20: Authorizing the Tax Collector to Issue a Reduction and/or Refund in the Total Amount of \$1,859.67 on One (1) Property as Ordered by the Union County Board of Taxation
  
- \* #49-20: Authorizing Change Order No. 1 to Cifelli & Son General Contracting, Inc. for the Project "Improvements to Filbert Street" in the Amount of a \$13,058.55 Decrease (5.65%) to Reflect a Total Contract Amount of \$218,161.95
  
- \* #50-20: Authorizing Close Out of the Contract with Cifelli & Son General Contracting, Inc. for the Project "Improvements to Filbert Street"
  
- \* #51-20: Appointing Members of the Roselle Park Green Team
  
- \* #52-20: Supporting and Co-Sponsoring a 2020 Jazz Festival with the Non-Profit Organization "Jazz Changes"
  
- \* #53-20: Appointing Donald J. Auriema as Part-Time Covering Licensed Electrical Subcode Inspector within the Department of Code Enforcement

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

Written Reports Received:

1. Construction Official's Report for December 2019
2. Fire Chief's Report for November 2019
3. Treasurer's Report for December 2019
4. Police Chief's Report for December 2019
5. EMS Report for December 2019
6. Animal Control Officer's Report for December 2019

7. Community Center Director's Report for December 2019 – January 2020
8. DPW Superintendent's Report for December 2019
9. Borough Clerk's Report for November 2019

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

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

1. Appointing Jason Tribiano of 507 Sherman Avenue, Roselle Park, NJ 07204 as Alternate No. 1 of the Roselle Park Environmental Commission to fill a currently vacant position with a term set to expire on December 31, 2021.

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

**EXECUTIVE (CLOSED) SESSION**

**ADJOURNMENT**

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL  
WILL BE HELD ON FEBRUARY 6, 2020**

## ORDINANCES FOR SECOND READING

### ORDINANCE NO. 2602

#### AN ORDINANCE AMENDING CHAPTER II, SECTION 2-24.3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED, "POLICE DEPARTMENT ESTABLISHED"

**WHEREAS**, the governing body, in consultation with the Chief of Police, finds it necessary and appropriate to update and thereby amend the Municipal Code so to reflect a revised table of organization for the Police Department.

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

**SECTION 1.** Amendment(s) to the Police Department Table of Organization

2-24.3 Police Department Established.

The Police Department of the Borough of Roselle Park is hereby established and shall consist of a **one (1)** Police Chief, one (1) Captain, ~~two (2)~~ **three (3)** Lieutenants, ~~six (6)~~ **five (5)** Sergeants, one (1) Detective Sergeant **as assigned by the Police Chief**, three (3) Detective Patrolmen **as assigned by the Police Chief**, **four (4) Corporals as assigned by the Police Chief**, one (1) Traffic Safety Officer **as assigned by the Police Chief**, ~~and one (1) Detective Juvenile Officer as assigned by the Police Chief~~, and such members deemed necessary by the Governing Body. The Governing Body shall determine the number of persons, including temporary officers and members in an emergency, to be appointed and their compensation.

**SECTION 2.** Inconsistent Ordinances Repealed.

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

**SECTION 3.** 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 ~~thus~~ should be considered a deletion from Borough Code, and all bolded text **thus** should be considered an addition to Borough Code.

**SECTION 4.** Effective Date.

This Ordinance shall become effective upon publication and in accordance with law.

**ORDINANCE NO. 2603**

**AN ORDINANCE AMENDING CHAPTER II, SECTION 2-40.1  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK,  
ENTITLED, “ROSELLE PARK ARTS COMMITTEE CREATED”**

**WHEREAS**, after deliberation and consultation with the membership of the Arts Committee the governing body finds it necessary and appropriate to update and thereby amend the Municipal Code so to reflect a revised membership total for the Arts Committee.

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

**SECTION 1.** Amendment(s) to Arts Committee Membership

2-40.1 Roselle Park Arts Committee Created.

- a. There is hereby established within the Borough of Roselle Park the Roselle Park Arts Committee.
- b. The purpose of the Roselle Park Arts Committee shall be to encourage the arts in the Borough of Roselle Park. The Committee may make recommendations to the Mayor and Council about art plans and may suggest to the Mayor and Council methods to improve dissemination of information to residents to increase participation in art events in the Borough.
- c. The Roselle Park Arts Committee shall consist of ~~twelve (12)~~ **seven (7)** members. All appointments to the Roselle Park Arts Committee shall be made by the Mayor. Each appointment shall be for a term of one (1) year, which expires on December 31 of that year. The Mayor shall have the authority to remove any member of the Roselle Park Arts Committee, at any time.
- d. The Roselle Park Borough Council shall appoint one of its members to be a liaison to the Roselle Park Arts Committee for a term of one (1) year, which expires on December 31 of that year.

**SECTION 2.** Inconsistent Ordinances Repealed.

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

**SECTION 3.** Captions.

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**SECTION 4.** Effective Date.

This Ordinance shall become effective upon publication and in accordance with law.

# ORDINANCES FOR INTRODUCTION

## ORDINANCE NO. 2604

### **AN ORDINANCE AMENDING CHAPTER XL, SECTION 40-2402 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED, “PERMITTED USES”**

**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**, Section 40-2402 of the Code of the Borough of Roselle Park relates particularly to permitted uses within the B-3 Arterial Business District Zone of the municipality; and,

**WHEREAS**, the governing body wishes to amend said section of the Code so as to add a Conditional Use; and,

**WHEREAS**, the Municipal Land Use Board, at its January 27, 2020 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.** Amendment(s) 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.

**3. Lessors of Miniwarehouses and Self-Storage Units-NAICS Group 531130**

- a. A minimum lot area of ten-thousand (10,000) square feet.**
- b. The use is five hundred (500) linear feet from the same use.**

**SECTION 2.** Invalidity

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

**SECTION 3.** Inconsistent Ordinances Repealed.

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

**SECTION 4.** Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. Likewise, all strike through text ~~thus~~ should be considered a deletion from Borough Code, and all bolded text **thus** should be considered an addition to Borough Code.

**SECTION 5.** Effective Date.

This Ordinance shall become effective upon publication and in accordance with law.

**ORDINANCE NO. 2605**

**AN ORDINANCE AMENDING CHAPTER XL, SECTION 40-2302  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK,  
ENTITLED, “PERMITTED USES”**

**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**, Section 40-2302 of the Code of the Borough of Roselle Park relates particularly to permitted uses within the B-2 Central Business District Zone of the municipality; and,

**WHEREAS**, the governing body wishes to amend said section of the Code so as to clarify the uses permitted in the B-2 Central Business District Zone; and,

**WHEREAS**, the Municipal Land Use Board, at its January 27, 2020 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.** Amendment(s) to B-3 Arterial Business District Zoning

Part 3 Zoning

Article XXIII B-2 Central Business District

40-2302 PERMITTED USES.

- A. A building or premises may be used only for the following purposes:
1. Parks and parking areas owned and operated by the Borough or any of its agencies or by Union County.
  2. Signs not to exceed four (4) square feet in area appertaining to the lease, hire or sale of a building or premises.
  3. Accessory buildings and uses customarily incident to the above uses.
  4. Retail trade.
  5. Retail services.
  6. Banks and financial institutions—NASICS Group 5221.
  7. Institutional and public uses—NASICS Groups 71211,~~8131~~ and 92.
  8. Restaurants, excluding drive-in restaurants—NASICS Group 722110, excluding exotic and/or pornographic entertainment or activities.

9. Motion-picture theaters—NASICS Group 512131.
  10. Insurance agencies and brokerage—NASICS 5242.
  11. Pet grooming services—NASICS Group 812910.
  12. Fitness and Recreational Sports Centers—NASICS Group 713940.
  13. Permanent cosmetics, make up salon
    - Color consulting services (i.e., personal care services)
    - Day spas
    - Depilatory (i.e., hair removal) salons
    - Ear piercing services
    - Electrolysis (i.e., hair removal) salons
    - Hair removal (i.e., depilatory, electrolysis) services
    - Hair replacement services (except by offices of physicians)
    - Hair weaving services
    - Make-up salons, permanent
    - Scalp treating services
    - Sun tanning salons
    - Tanning salons
  14. Family Fun Centers - NASICS Group 713120
- B. A retail store or establishment with street exposure shall be of a character consonant with and appropriate to a distinctive, high quality refined office, hotel and business district.
- C. *Conditional Uses.* A building or premises shall be used in this zone only if it meets the following conditions:
1. Hair, nail and skin care services—NASICS 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.

**SECTION 2.** Invalidity

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

**SECTION 3.** Inconsistent Ordinances Repealed.

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

**SECTION 4.** Captions.

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**SECTION 5.** Effective Date.

This Ordinance shall become effective upon publication and in accordance with law.

**ORDINANCE NO. 2606**

**AN ORDINANCE AMENDING CHAPTER X, SECTION 10-4.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “FEES FOR RECREATION/COMMUNITY CENTER; FEES ENUMERATED”**

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

**SECTION 1.** 10-4.1 Fees Enumerated.

The fees for the Recreation/Community Center of the Borough of Roselle Park are hereby set as follows:

<i>Recreation</i>	<i>Fee</i>
Soccer	
Fall Clinic	\$ 45.00
Winter Indoor	\$ 45.00
Fall/Travel	\$ 65.00
Spring/Travel	\$ 65.00
Fall/Rec	\$ 65.00
Late Fee	\$ 10.00
Family/Fall (3 or more children in one family)	\$180.00
Family/Fall (3 or more children in one family) after June 1st (includes \$10.00 late fee)	\$190.00
Special Circumstances	\$ 80.00
Spring Soccer Classes	\$ 80.00
High School Soccer Summer Camp	\$ 35.00
Individual Guest Registration	
Guest Registration is the individual charge for players on team rosters from Guest Organizations outside of Roselle Park playing Fall Rec Soccer.	
Wrestling	
K & 1st Grade	\$ 55.00
2nd – 8th Grade	\$ 75.00
Family (3 or more)	\$155.00
Tournament Entry	\$ 20.00
T-Shirt	\$ 8.00
Hoodie	\$ 27.00
Shorts	\$ 12.00
Bag	\$ 7.00
Special Circumstances	\$ 0.00
Singlet not returned	\$100.00
Wrestling clinic	\$ 25.00
Roselle Park Training Center (per season)	
Individual (3 <sup>rd</sup> to 8 <sup>th</sup> Grade)	\$ 40.00
Family (3 or more)	\$110.00
Special Circumstances	\$ 0.00

T-Shirt	\$ 8.00
Tank Top	\$ 15.00
Shorts	\$ 12.00
Basketball	
Individual	\$ 65.00
Family (3 or more)	\$170.00
Basketball clinic	\$ 30.00
Special circumstances	\$ 0.00
Jersey Basketball Association	
Individual	\$ 95.00
Family (3 or more)	\$260.00
Special Circumstances	\$ 0.00
Women's Softball Team	\$325.00
Roselle Park Men's Over 35 Basketball and Softball League	\$625.00 per team (sponsorship)
Roselle Park Women's Basketball and Softball League	\$275.00 per team (sponsorship)
Happy Haunted School Ages 10 & under (Must be accompanied by an admission free adult)	\$5.00
Haunted School	\$5.00
<i>Community Center</i>	<i>Fee</i>
Community Center	
Membership, lifetime	\$ 1.00
Ceramics, senior (10-week session)	\$ 10.00
Aerobics (10-week session)	
Once per week	\$ 30.00
Twice per week	\$ 40.00
Saturday night dance	\$ 2.00
Snack pack (5-week session)	\$ 5.00
Parent/tot (4-week session)	\$ 4.00
Canning, per class	\$ 35.00
Community Center Rental for Private Parties Up to and including five (5) hours	<p>\$275.00 for Roselle Park Residents (which includes a \$50.00 nonrefundable deposit)</p> <p>\$375.00 for Non-Roselle Park Residents (which includes a \$50.00 nonrefundable deposit)</p> <p><b>All rental fees shall be waived for the following entities: the Roselle Park School District; agencies of municipal, county, state, and federal government; and, Union County-based non-profit organizations. Insurance and other policy related requirements for rentals shall not be waived.</b></p>



<p>Over five (5) hours</p>	<p>\$275.00 for Roselle Park Residents (which includes a \$50.00 nonrefundable deposit) plus \$100 per additional hour</p> <p>\$375.00 for Non-Roselle Park Residents (which includes a \$50.00 nonrefundable deposit) plus \$100 per additional hour</p> <p><b>All rental fees shall be waived for the following entities: the Roselle Park School District; agencies of municipal, county, state, and federal government; and, Union County-based non-profit organizations. Insurance and other policy related requirements for rentals shall not be waived.</b></p>
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**SECTION 2.** Invalidity

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

**SECTION 3.** Inconsistent Ordinances Repealed.

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

**SECTION 4.** Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. Likewise, all strike through text ~~thus~~ should be considered a deletion from Borough Code, and all bolded text **thus** should be considered an addition to Borough Code.

**SECTION 5.** Effective Date.

This Ordinance shall become effective upon publication and in accordance with law.

**ORDINANCE NO. 2607**

**AN ORDINANCE AMENDING CHAPTER XL, SECTION 40-311  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK,  
ENTITLED, "DECISIONS"**

**WHEREAS**, Section 40-311 of the Code of the Borough of Roselle Park relates particularly to decisions of the Municipal Land Use Board related to applications for development; and,

**WHEREAS**, the governing body wishes to clarify and otherwise establish the enforcement authority for said decisions made by the Municipal Land Use Board; and,

**WHEREAS**, the Municipal Land Use Board, at its January 27, 2020 Regular Meeting reviewed said foregoing Ordinance and referred the same back to the governing body for final action.

**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.** Amendment(s) to Procedure for Enforcement of Decisions

Part 1 Procedures

Article III Provisions Applicable to the Municipal Land Use Board

40-311 DECISIONS.

- A. Each decision on any application for development shall include findings of fact and conclusions based thereon and shall be reduced to writing. The findings and conclusions shall be provided through:
1. A resolution adopted at a meeting held within the time period provided in this chapter for action on an application for development; or,
  2. A memorializing resolution adopted at a meeting held not later than forty-five (45) days after the date of the meeting at which the vote to grant or deny was approved. Only the members of the Planning Board or Board of Adjustment who voted for the action taken may vote on the memorializing resolution, and the vote of a majority of such members present at the meeting at which the resolution is presented for adoption shall be sufficient to adopt the resolution. An action pursuant to N.J.S.A. 40:55D-9, resulting from the failure of a motion to approve an application, shall be memorialized by resolution as provided above, with those members voting against the motion for approval being the members eligible to vote of the memorializing resolution. The vote on any such resolution shall be deemed to be a memorialization of the action of the Planning Board or Board of Adjustment and not to be an action of the Planning Board or Board of Adjustment; however, the date of the adoption of the resolution shall constitute the date of the decision for purposes of the mailings, filings and

publications required by subsections h. and i. of N.J.S.A. 40:55D-10. If the Planning Board or Board of Adjustment fails to adopt a resolution or memorializing resolution as hereinabove specified, any interested party may apply to the Superior Court of New Jersey in a summary manner for an order compelling the Planning Board or Board of Adjustment to reduce its findings and conclusions to writing within a stated time, and the cost of the application, including attorneys' fees, shall be assessed against the Borough of Roselle Park.

- B. A member of the Planning Board or Board of Adjustment who was absent for one (1) or more of the meetings at which a hearing was held shall be eligible to vote on the matter upon which the hearing was conducted, notwithstanding his absence from one (1) or more of the meetings; provided, however, that such member has available to him the transcript or recording of all of the hearing from which he was absent and certifies in writing to the Board that he has read such transcript or listened to such recording.
- C. A copy of the decision shall be mailed by the Board within ten (10) days of the date of decision to the applicant or, if represented, then to his attorney, without separate charge. A copy of the decision shall also be mailed to all persons who have requested it and have paid the fee prescribed by the Board for such service. A copy of the decision shall also be filed in the office of the Borough Clerk, who shall make a copy of such filed decision available to any interested party upon payment of a fee calculated in the same manner as those established for copies of other public documents in the municipality and available for public inspection at the Clerk's office during reasonable hours.
- D. **The decision, and thereby the accompanying Resolution as prescribed in Paragraph A of this Section, shall be explicitly enforceable by the Construction Official, Zoning Officer, or their respective designee(s) assigned from within the Department of Code Enforcement. Actions, omissions, or other deviations from any decision promulgated by the Municipal Land Use Board shall be considered a violation of the Municipal Code by reference hereto and shall be subject to a fine of not more than two thousand dollars (\$2,000.00) for each and every day that such a violation shall exist.**

## **SECTION 2.** Invalidity

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

## **SECTION 3.** Inconsistent Ordinances Repealed.

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

## **SECTION 4.** Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. Likewise, all strike through text ~~thus~~ should be considered a deletion from Borough Code, and all bolded text **thus** should be considered an addition to Borough Code.

**SECTION 5.** Effective Date.

This Ordinance shall become effective upon publication and in accordance with law.

**ORDINANCE NO. 2608**

**AN ORDINANCE AMENDING CHAPTER II, ARTICLE IV OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED, “BOARDS, COMMITTEES AND COMMISSIONS” SO AS TO ESTABLISH THE ROSELLE PARK GREEN TEAM AS A STANDING SUBCOMMITTEE OF THE ROSELLE PARK ENVIRONMENTAL COMMISSION**

**WHEREAS**, the Borough of Roselle Park first established its Sustainable Jersey “Green Team” via Resolution through the governing body’s adoption of Resolution No. 108-18; and,

**WHEREAS**, the Roselle Park Green Team was further established via Ordinance, and thereafter codified, through the governing body’s adoption of Ordinance No. 2558; and,

**WHEREAS**, the governing body now desires to restructure the Roselle Park Green Team such that it shall exist as a standing subcommittee of the Roselle Park Environmental Commission as permitted by the Sustainable Jersey certification program’s “Create Green Team” action; and,

**WHEREAS**, the governing body also now desires to make such other amendments to the Roselle Park Green Team that it feels will improve operational efficiencies.

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

**SECTION 1.** Deletion of Roselle Park Green Team as Stand-Alone Entity

2-42 ~~ROSELLE PARK GREEN TEAM. RESERVED.~~

~~2-42.1 — Roselle Park Green Team Created.~~

~~There is hereby established within the Borough of Roselle Park the Roselle Park Green Team in accordance with the policies and requirements of the Sustainable Jersey certification program. The forgoing shall be intended to act in accordance with and otherwise supersede that which is set forth in Borough of Roselle Park Resolution 108-18.~~

~~2-42.2 — Purpose; Mission, Goals and Objectives.~~

~~a. — The mission of the Roselle Park Green Team shall be to advise and recommend methods for improving municipal operations with environmentally friendly initiatives which are economically and environmentally sound through research and evaluation.~~

~~b. — The goals of the Roselle Park Green Team shall be to submit reports and recommendations to the Governing Body which include:~~

~~1. — Initiatives involving the Borough of Roselle Park that keep with the Sustainable Jersey Program.~~

2. ~~Plans, programs, and educational opportunities that support the creation of a sustainable community.~~
  3. ~~Suggested best practices for more environmentally conscious municipal operations.~~
- e. ~~The objectives of the Roselle Park Green team shall include:~~
1. ~~Collaborating with Borough employees, service providers, and other governmental agencies to share resource information and ideas consistent with its mission.~~
  2. ~~Encouraging participation of all community stakeholders to solicit ideas on green initiatives.~~
  3. ~~Researching and analyzing green initiatives which are environmentally and financially practical.~~

2.42.3 ~~Composition.~~

- a. ~~The Roselle Park Green Team shall consist of not more than forty (40) members, who shall be residents or employees of the Borough of Roselle Park, appointed by the Mayor and confirmed by the Borough Council for the following terms:~~
1. ~~All forty (40) members shall be appointed for an initial term expiring on December 31, 2019.~~
  2. ~~Upon the completion of the initial term, all members shall be appointed for a term of two (2) years, expiring on December 31st of each second year after December 31, 2019.~~
- b. ~~Any vacancy on the Roselle Park Green Team which occurs during the unexpired term shall be filled by appointment as outlined herein for the unexpired term only.~~
- c. ~~The Chairperson of the Roselle Park Green Team shall be the Clean Communities Coordinator who shall also serve as a member of the Green Team for the same term as all other members. Such individual shall also serve as the Borough of Roselle Park's agent for Sustainable Jersey Municipal Certification.~~
- d. ~~The Governing Body may remove any members of the Roselle Park Green Team for cause, on written charges served upon the member and after a hearing therein at which he member shall be entitled to be heard in person or by counsel. Reasoning for a removal for cause may include, but shall not be limited to, a continued absence of a member for five (5) consecutive meetings (regular or special meetings) of the Roselle Park Green team without a good cause shown.~~
- e. ~~The Roselle Park Borough Council shall appoint one of its members to be a liaison to the Roselle Park Green Team for a term of one (1) year, which expires on December 31st of that year.~~

**SECTION 2.** Relocation of Roselle Park Green Team within Environmental Commission

2-34.2 Members; Terms; Vacancies.

a. *Regular Members.*

1. The Commission shall consist of seven (7) members appointed by the Mayor, one of whom shall also be a member of the Municipal Land Use Board and all of whom shall be residents of the Borough of Roselle Park. Members shall serve without compensation except as hereinafter provided. The Mayor shall designate one (1) of the members to serve as Chairman and presiding officer of the Commission. Members shall be appointed for terms of three (3) years and until the appointment and qualification of their successors pursuant to N.J.S.A. 40:56A-1 et seq.
2. The Mayor or Governing Body may remove any member of the Commission for cause, on written charges served upon the member and after a hearing thereon at which the member shall be entitled to be heard in person or by counsel. A vacancy on the Commission occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

Reasoning for a removal for cause may include, but shall not be limited to, a continued absence of a member for five (5) consecutive meetings (regular or special meeting) of the Environmental Commission without good cause shown.

b. *Alternate Members.*

1. The Mayor may appoint not more than two (2) alternate members, to be designated "Alternate No. 1" and "Alternate No. 2."
2. The terms of the alternate members shall be for two (2) years. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.
3. An alternate member shall not be permitted to act on any matter in which he has either directly or indirectly any personal or financial interest. An alternate member may, after public hearing if he or she requests one, be removed by the Governing Body for cause.
4. An alternate member may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote first.

c. *Green Team Subcommittee; Membership.*

- 1. Established.** There is hereby established within the Borough of Roselle Park's Environmental Commission the Roselle Park Green Team which shall exist as a standing subcommittee of the Commission on matters of sustainability. Such Green Team is hereinafter established in accordance with the policies and requirements of the Sustainable Jersey certification program.
  
- 2. Mission.** The mission of the Roselle Park Green Team shall be to advise and recommend methods for improving municipal operations with environmentally friendly initiatives which are economically and environmentally sound through research and evaluation. The goals and objectives of the Roselle Park Green Team shall be to work collaboratively within its own membership, municipal employees, community leaders, and local stakeholders to submit reports and recommendations to the Environmental Commission for ultimate submission to the governing body, which include:
  - i. Initiatives involving the Borough of Roselle Park that keep with the Sustainable Jersey Program.**
  
  - ii. Plans, programs, and educational opportunities that support the creation of a sustainable community.**
  
  - iii. Suggested best practices for more environmentally conscious municipal operations.**
  
- 3. Composition; Appointment of Members.** The Roselle Park Green Team shall consist of not more than twenty (20) members, who shall be residents or employees of the Borough of Roselle Park, appointed by the Mayor and confirmed by the Borough Council for a term of two (2) years; all terms shall expire on each second year succeeding December 31, 2019. Any vacancy which occurs prior to the terms expiration shall be filled by appointment as outlined herein for the unexpired term only.
  - i. The Chairperson of the Roselle Park Green Team shall be appointed from amongst the membership of the Green Team by the Chairperson of the Environmental Commission.**



4. **Removal of Members.** The Governing Body may remove any members of the Roselle Park Green Team for cause, on written charges served upon the member and after a hearing therein at which he member shall be entitled to be heard in person or by counsel. Reasoning for a removal for cause may include, but shall not be limited to, a continued absence of a member for five (5) consecutive meetings (regular or special meetings) of the Roselle Park Green team without a good cause shown.
5. **Liaison.** The member of the governing body who serves as the liaison to the Environmental Commission shall serve concurrently as the liaison to the Roselle Park Green Team.

**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 ~~thus~~ should be considered a deletion from Borough Code, and all bolded text **thus** should be considered an addition to Borough Code.

**SECTION 6.** Effective Date.

This Ordinance shall become effective upon publication and in accordance with law.

## **RESOLUTIONS**

### **RESOLUTION NO. 43-20**

**BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey does hereby accept the retirement of Manuel Jimenez from the position of Captain of the Roselle Park Police Department effective February 1, 2020.

### **RESOLUTION NO. 44-20**

**BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby promotes Lieutenant Dominick Frino to the rank of Captain of the Roselle Park Police Department, effective February 3, 2020, at the prorated annual salary of \$126,327.00.

### **RESOLUTION NO. 45-20**

**BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby promotes Sergeant Keith Wintermute to the rank of Lieutenant of the Roselle Park Police Department, effective February 3, 2020, at the prorated annual salary of \$121,629.00.

### **RESOLUTION NO. 46-20**

**BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby promotes Sergeant Michael Wielgus to the rank of Lieutenant of the Roselle Park Police Department, effective February 3, 2020, at the prorated annual salary of \$121,629.00.

### **RESOLUTION NO. 47-20**

**BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby promotes Detective Patrolman Joshua Medrano to the rank of Sergeant of the Roselle Park Police Department, effective February 3, 2020, at the prorated annual salary of \$115,281.00.

### **RESOLUTION NO. 48-20**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Tax Collector is hereby authorized pursuant to the order of the Union County Board of Taxation to issue a reduction and/or refund for a County Tax Board Added/Omitted Tax Appeal on one (1) property located at 212 East Webster Avenue, Roselle Park, New Jersey 07204, Block 808, Lot 8 of the municipal tax map; and,

**BE IT FURTHER RESOLVED** that the aforementioned refund and/or reductions be issued accordingly in the total amount of \$1,859.67.

### **RESOLUTION NO. 49-20**

**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: Improvements to Filbert Street

CONTRACTOR: Cifelli & Son General Contracting, Inc.  
81 Franklin Avenue, Nutley, New Jersey 07110

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

AMOUNT OF CHANGE THIS RESOLUTION: \$13,058.55 Decrease (5.65%) for an updated contract amount of \$218,161.95; 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. 50-20**

**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 “Improvements to Filbert Street” was constructed by Cifelli & Son General Contracting, Inc. of 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 Twenty Two Thousand One Hundred Thirty Three Dollars and Fifty Nine Cents (\$22,133.59) is hereby approved.

**RESOLUTION NO. 51-20**

**WHEREAS**, the members of the Roselle Park Green Team are appointed by the Mayor subject to the advice and consent of the municipal Council pursuant to Section 2-42.3 of the Code of the Borough of Roselle Park; and,

**WHEREAS**, Mayor Joseph Signorello III has filed appointments to currently vacant positions on the Roselle Park Green Team.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the following individuals be appointed to the Roselle Park Green Team (all addresses are located within Roselle Park unless otherwise noted):

<u>Position</u>	<u>Name</u>	<u>Address</u>	<u>Term Expiration</u>
Member	Mariann Brenner	141 Charlotte Terrace	December 31, 2021
Member	Ellen Margarita	111 East Clay Avenue	December 31, 2021

**RESOLUTION NO. 52-20**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough of Roselle Park hereby supports and co-sponsors a 2020 Jazz Festival event for Saturday, July 25, 2020, with a rain date of Sunday, July 26, 2020, with “Jazz Changes” and any successor non-profit organizations; and,

**BE IT FURTHER RESOLVED** that “Jazz Changes,” having identified its primary point of contact as Julius Tolentino, and any successor non-profit organizations, as recognized by the Borough of Roselle Park, shall work and coordinate efforts in furtherance of the 2020 Jazz Festival event with all

appropriate Borough departments including, but not limited to, the Roselle Park Police Department, Roselle Park Fire Department, Union County Division of Emergency Services, Roselle Park Department of Public Works, and Borough Clerk's Office.

**RESOLUTION NO. 53-20**

**WHEREAS**, the Borough of Roselle Park wishes to maintain quality and timely residential and commercial municipal services in light of actual and anticipated increases to demand for sub-code inspections.

**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 the following individual as a Part-Time Covering Licensed Sub-Code Inspector to the Department of Code Enforcement effective January 13, 2020:

<u>Name</u>	<u>Address</u>	<u>Position(s)</u>	<u>Hourly Rate</u>
Donald J. Auriema	4 Spring Run Lane Stewartsville, New Jersey 08886	Electrical Inspector	\$ 36.00